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PROGRAM MANAGER – MARY PITTO

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

1215 K Street, Suite 1650, Sacramento, CA  
Thursday, October 15, 2009

### MEMBERS REPRESENTED

Vern Moss, Supervisor	Madera County
Jim McHargue, Program Manager	Amador County
Bill Mannel, Solid Waste Manager	Butte County
Steve Roderick, Recycling Coordinator	Butte County
Mike Azevedo, Program Manager	Colusa County
Jon Souza, Public Information Officer	El Dorado County
Mandy Kleykamp, Solid Waste Manager	Glenn County
Paula Wesch, Project Coordinator	Lassen County
Keith Quinlan, Solid Waste Manager	Madera County
Michelle Miller, Solid Waste Manager	Mariposa County
Lynne Cody Lacroix, Recycling Technician	Nevada County
Daria Kent, Recycling Technician	Nevada County
Robert Perrault, Jr., Director of Public Works	Plumas County
Scott Dunn, General Services Supervisor	Siskiyou County
Beth Garibaldi, Recycling Coordinator	Tehama County
Kristina Miller, Solid Waste Program Manager	Tehama County
Vivian Woolsey, Solid Waste Technician	Trinity County
Belinda Barlow, Solid Waste Technician	Tuolumne County
Gretchen Olsen, Solid Waste Manager	Tuolumne County

### STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager	RCRC Governmental Affairs
Kim Garrett, 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:

Wendy Box, Staff	DOC
Janelle Auyeung, Staff	CIWMB
Ed Boisson, Senior Consultant	RW Beck
Terry Brennan, Supervising IWM Specialist	CIWMB
Tracey Harper, Sustainability Program Staff	CIWMB

Bob Hilton, President  
 Ray Kapahi, Principal  
 Mark Leary, Executive Director  
 Jason Marshall, Assistant Director  
 Karla Miller, Staff

HF&H Consultants  
 Air Permitting Specialists  
 CIWMB  
 DOC  
 DOC

**MEMBERS NOT REPRESENTED**

Alpine County	Calaveras County	Del Norte 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 9:08am. Self introductions were made. Quorum was established.

**II. Business Matters**

Supervisor Moss called for a motion to approve the minutes of the May 21, 2009 and August 20, 2009 meetings. The motion was carried by Mandy Kleykamp, and seconded by Gretchen Olsen.

**III. Member County Concerns/Comments None.**

**IV. Public Comment None.**

**V. Presentations**

- A. Natural Resources Agency Presentation on the Future of Solid Waste Management and CA Beverage Container Redemption Value Programs – Jason Marshall, Assistant Director, Beverage Container Recycling Program, Department of Conservation and Mark Leary, Executive Director, California Integrated Waste Management Board (CIWMB)

Jason Marshall introduced himself, giving a brief synopsis of his background, organization, and its programs. Mr. Marshall explained the Reorganization Proposal Plan, which will go into effect January 1, 2009. The reorganization calls for a merger of agencies, which will result in the CIWMB and the DOC functioning under the same umbrella of the Natural Resources Agency. He added that the process is going smoothly, and expressed his confidence in the functionality and future success of the new organization. Mark Leary: agreed that the transition is going smoothly, adding his sentiment that this is a positive change that has been called-for for many years. The foremost change to expect with the reorganization is that the Waste Board (decision making structure) will be eliminated, and decisions will be made by a Director rather than a Board. The Mission, objective, and mandates will not be affected. Programs will remain in tact and unaffected, as well. They will continue to partnerships with jurisdictions (mandated by 939), and collaborate with their colleagues at Cal EPA (ARB, DTSC, etc.).

Mr. Marshall also discussed the fiscal status of DOC funding programs. He explained that there has been a great deal of borrowing by the State from the Recycling Fund, and while return volumes have increased, funds have decreased, resulting in a severe overall lack of money to fund programs. He reaffirmed that grants, handing fees for

business, and other related programs, all face 85% proportionate reductions, and discussed how this tied into the Legislature. He added the dismal caveat that the proportionate reductions will likely reach 95-100%.

When asked how interagency disputes will be handled without the Board to go through, Mr. Leary explained that all decisions previously made by the Board will be made by the new Director, who will then decide what to handle versus what to delegate down to others. The appeals process will work similarly as with the Board. Decisions will be appealable to the Director, and if both sides are not satisfied with the Director's decision, it goes to the higher courts.

In response to inquiries on the future of informal stakeholders meetings, Mr. Leary affirmed that the fundamental notion of stakeholder input before going to the formal level should remain.

- B. CIWMB Recycling and Waste Management Infrastructure Project – Chris Schmidle, Sustainability Program Staff, CIWMB and Ed Boisson of RW Beck

Chris Schmidle introduced Ed Boisson from RW Beck. RW Beck is the firm contracted by the CIWMB to develop a web-based program/tool that will provide detailed and extensive information on *all* of California's disposal and recycling facilities, both permitted and non-permitted. Mr. Boisson gave a PowerPoint presentation which provided an overview of this project, including the types of information that will be offered/made available via the tool. The project is expected to be completed by May. A copy of Mr. Boisson's presentation will be made available on the ESJPA website.

- C. AB 32 CIWMB Commercial Recycling Requirement – Tracey Harper, Sustainability Program Staff, CIWMB and Bob Hilton, President of HF&H Consultants

Tracey Harper announced the upcoming December 8<sup>th</sup> and December 15<sup>th</sup> CIWMB meetings. She then provided a brief overview of AB 32. Ms. Harper noted that the CIWMB found that nearly 75% of waste in California is commercially generated, and that most of this waste is consists of readily recyclable materials. She briefly explained the different roles each player will have under the new requirement, stating that the CIWMB will be in charge of enforcement and evaluation, while local governments/jurisdictions will be responsible for program implementation and reporting. She added that they are crafting a regulation that will be quite flexible, with various approaches offered. The CIWMB will evaluate the program via annual reports submitted by jurisdictions. The threshold for businesses to fall under the regulation will be 4 cubic yards per week. Businesses that meet those criteria will have to participate in whatever mandatory commercial recycling program that jurisdiction has adopted. Ms. Harper explained that the regulation must be drafted next year, and fully implemented by 2012. She clarified for TAG members that hazardous wastes are not on the materials list of targeted items.

Janelle Auyeung gave a brief cost study overview. Bob Hilton described HF&H's role in the project, explaining that they are performing a cost analysis to help direct

the rulemaking process. He directed the group to the Stakeholder Questionnaires included in his handouts, and also on page 29 of the Board Packet. Performing cost analysis to help direct rulemaking process.

D. Permitting Portable Grinding Equipment – Ray Kapahi, Principal, Air Permitting Specialists

Ray Kapahi introduced himself, and gave a brief description of his background and knowledge of Air Permitting. He then gave a PowerPoint presentation entitled *Permitting of Portable and Stationary Wood Grinders*. A copy of the presentation will be made available on the ESJPA website.

E. Report from the California Integrated Waste Management Board – Terry Brennan, Supervising IWM Specialist, Local Assistance and Market Development Division, CIWMB.

Terry Brennan gave a brief Waste Board update on current issues as well as upcoming events.

F. Madera County Solid Waste Presentation – Keith Quinlan, Solid Waste Manager

Keith Quinlan gave a very interesting and informative PowerPoint presentation about Madera County's Solid Waste Program. He discussed the unique challenges of operating a landfill that is located on a famous paleontological discovery site and brought in samples of the finds.

VI. Paul Smith gave the following Legislative update:

AB 274 Portantino - Solid Waste and Landfill Closure Plans. Paul discussed AB 274 in terms of the pooled fund, and directed TAG members to page 45 of Board packet (Article 2.1). Larry Sweetser added clarification about post-closure requirements. Paul affirmed that RCRC did not formally weigh in on this Bill in opposition or support, since it is a voluntary program, and up to each individual county in terms of participation. He added that this fund serves as a sort of "insurance policy" program and does not technically constitute a loan.

AB 737 Chesbro - Solid Waste Diversion. Paul informed the group that AB 479 was killed and this Bill was put in its place. It is nearly identical except that it considers greenhouse gas emissions. He confirmed that RCRC's position is the same as it was in August.

SB 402 Wolk - Recycling CA Redemption Value. Paul directed TAG members to page 123 of the Board packet. He noted that this Bill is high on RCRC's radar screen. He explained that it was vetoed and, therefore, will remain on radar. The subsequent 95%-100% proportion reduction will be very detrimental to our rural counties. He expects many conversations with the DOC and Stakeholders to ensure ways to protect our rural county recycling programs.

Paul and Mary asked TAG members to talk to their handlers for input and documentation on how this veto will negatively affect them, and to identify which handlers will go under as a result. Paul directed member counties to the Board Packet to review RCRC's position on various bills.

## VII. Solid Waste/Regulatory Update

- A. AB 32 Global Warming Solutions Act 2006 Update – Staci Heaton briefly stated that the big topic is still the cap and trade program. She added that the California Climate Adaptation Policy covers forestry, land use, agriculture, etc., and will strongly impact land use and development decisions. She emphasized that the focus right now is on “adaptation” strategies.
- B. AB 32 and Landfill Gas Control Measure – Larry Sweetser stated that not much has changed since the last meeting/report. He noted that landfill gas control measures should be in place by February timeframe.
- C. CIWMB Disposal Site Gas Monitoring and Control Compliance – Larry said that jurisdictions should have their plans in by now. Mandy Kleykamp mentioned that Glenn County has applied for an extension.
- D. CIWMB Long Term Post-Closure Maintenance and Corrective Action Cost Estimate - Larry stated that the CIWMB is looking at defining what non-water quality corrective actions are. He added that pressure is being put on landfills to get corrective action plans in as soon as possible. He also noted some of the new requirements under the regulation.
- E. Federal EPA Green House Gas Emissions Proposed Regulations – Larry stated that this is a new regulation that he is still pondering.
- F. Special Waste Issues – Larry discussed both batteries and sharps issues. He received clarification that 6 volt and 9 volt batteries do not have to be taped or packaged for disposal. He added that lithium and rechargeable batteries still do require special handling. He stated that he is still dealing with sharps transporting issues, and that some counties are trying to become registered haulers to simplify hauling. He noted that a new company, Greenworks, may provide an option to using Stericycle.
- G. ARB Diesel Retrofit Update – Mary Pitto said that there are not a lot of updates. She directed the group to the memo on pg 267 and the letter on pg 259 of the Board Packet. She announced that ARB will hold a workshop on Oct 28<sup>th</sup>, 2009.
- H. CPSC Update – Jim McHargue relayed a few updates from Heidi Sanborn, noting that there is a meeting scheduled in November and that the CPSC is looking for local governments to co-sponsor EPR Bills.
- I. Grant Program Update – Kim Garrett gave a brief overview of the status of each active grant, with little new to report. She directed TAG members to the memo on SB 546 for information on how its passage will affect the future of oil grant management. Mary

directed the group to page 265 of the Board Packet for information on ELS classes on auto care.

J. CIWMB Highlights – Larry notified the group that the white papers are now available on food waste composting and anaerobic digestion (ADC). He discussed the Solano County ban on importation of garbage from other jurisdictions, and subsequent lawsuit.

K. Other Regulatory Issues of Concern – Steve Rodowick asked if any member counties currently have an ag plastics recycling program. Mandy Kleykamp described an informal program than Glenn County has in place.

**VIII. Agenda Suggestions and Member County Presentation Volunteer for Next ESJPA Board Meeting Scheduled December 17, 2009**

Kristina Miller volunteered to give a presentation on Tehama County at the December 17, 2009 meeting. There was a request for discussion about market development.

**IX. Articles of Interest**

Vern Moss directed TAG members to Board Packet pages 203-212.

**X. Adjournment**

The meeting adjourned at 2:21pm.

Respectfully submitted,

*Kim Garrett*

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

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