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PROGRAM MANAGER – MARY PITTO

**Minutes of the Rural Counties'
Environmental Services Joint Powers Authority
Board of Directors' Meeting
1215 K Street, Suite 1650, Sacramento, CA**

Thursday, October 20, 2011

MEMBERS REPRESENTED

Cyndi Knapp, Program Manager
Kevin Hendricks, Director
Todd Neugebauer, Analyst
Paula Wesch, Project Coordinator
Kheng Vang, County Engineer
Greg Ollivier, Solid Waste/Recycle Manager
Matt Carter, Solid Waste Superintendent
Bob Perreault, Jr., Director of Public Works
John Kolb, Assistant Engineer
Lee Adams, Supervisor
Brin Greer, Recycle Coordinator
Mark Lockhart, Solid Waste Director
Diane Rader, Deputy Solid Waste Director
Gretchen Olsen, Solid Waste Manager

Calaveras County
Del Norte County
El Dorado County
Lassen County
Madera County
Mariposa County
Mono County
Plumas County
Plumas County
Sierra County
Tehama County
Trinity County
Trinity County
Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager
Staci Heaton, Regulatory Affairs
Paul Smith, Senior Legislative Advocate
Pam Hartwell-James, RCRC Office Manager
Larry Sweetser, ESJPA Consultant

RCRC Governmental Affairs
RCRC Governmental Affairs
RCRC Senior Legislative Advocate
RCRC Office Manager
Sweetser and Associates

OTHERS IN ATTENDANCE:

Terry Brennan
Chester Gragg
Matt Fong
Kathy Frevert
Emily Wang
Wendy Box
Mark Urquhart
Richard Ross
Terry LaBlanc
Neal Bolton
Roger Mitchell
Lisa Babcock

CalRecycle
CalRecycle
CalRecycle
CalRecycle
CalRecycle
CalRecycle
HDR Engineering
InerMountain Disposal Inc.
Terry the Trash Man
Blue Ridge Services
SWRCB
SWRCB

MEMBERS NOT REPRESENTED

Alpine County, Amador County, Butte County, Colusa County, Glenn County, Imperial County, Inyo County, Modoc County, and Siskiyou County.

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

The meeting was called to order at 9:15am by TAG Vice Chair Gretchen Olsen, Tuolumne County. Self introductions were made. Quorum was established.

II. Business Matters

A. Approval of Minutes August 25, 2011

The motion to approve the minutes of was made by Kevin Hendricks and seconded by Mark Lockhart. Motion passed.

B. Review and Approval of 2012 Meeting Schedule

The motion to approve the 2012 Meeting Schedule was made by Mark Lockhart and seconded by Kevin Hendricks. Motion passed.

III. Member County Concerns/Comments

Terry Brennan, CalRecycle mentioned that Tehama County is now part of a networking group for the Northern CA Rural Counties to work together on Grants.

IV. Public Comment

None

V. Presentations

A. Kathy Frevert, CalRecycle gave in update on AB 2398 the CA Carpet Stewardship Law with regard to the Rural Counties Carpet Recycling Pilot Project.

B. Emily Wang, CalRecycle gave an update on AB 1343 the Paint Product Stewardship Law.

C. Terry Brannan, CalRecycle provided the updates as posted on the ESJPA website for CalRecycle: Program updates, Regulatory updates, Grant updates, and Event updates.

D. Todd Neugebauer, Analyst from the El Dorado Environmental Management Department gave a very informative presentation on their Solid Waste Management Plan to Achieve 75% Diversion by 2020.

VI. Legislative Update

Paul A. Smith, Senior Legislative Advocate provided a brief update on the timetable and calendar of the legislative process, noting that the Legislature adjourned the 2011 Session on September 9th. Furthermore, the Governor has dispensed with legislative items that were sent to him for approval. As such, most solid waste-related measures have either been signed into law, been vetoed, or have become 'two-year' bills and will be considered in the 2012 portion of the legislative session. Overall, the amount of solid waste related measures was relatively light for 2011. Paul indicated that, as of now, expectations suggest a relatively light year for 2012, with solid waste-related bills likely relating to extended producer responsibility, clean-up to AB

341, and a re-visitation of AB 1178. However, the Legislature's focus will continue to be the state budget.

One wrinkle could be possible litigation with respect to two extended producer responsibility statutes enacted in 2010 – AB 1343 dealing with paint and AB 2398 dealing with carpet. The legal status of these programs remains suspect with respect to Proposition 26, the voter-approved measure which revises the voting requirements for enacting statutes that involve the levying of fees.

As it relates to legislation as part of the 2011 Session, Paul discussed the following bills and offered comments:

AB 341 (Chesbro) is similar to legislation passed by the Legislature last year but vetoed by former Governor Schwarzenegger. It codifies CalRecycles approach in mandating commercial recycling activities. In addition, the measure requires CalRecycle to develop strategies to obtain a 75% statewide diversion goal. After the bill secured passage in both houses of the Legislature, RCRC sent Governor Brown a signature request letter. AB 341 was signed into law by Governor Brown; however, CalRecycle expects a follow-up measure will be introduced in January to address some minor issues with the language of both the statute and the proposed commercial recycling regulations. Paul suggested to ESJPA members that if they have any questions about AB 341 and/or its impending implementation to contact Paul so that he can work with Assemblyman Chesbro's office and CalRecycle staff in next year's clean-up measure.

SB 833 (Vargas) would have restricted the permitting of a landfill near specified drinking aquifers and/or Native American burial grounds. While the bill only applies to facilities in San Diego County, RCRC expressed its opposition since the measure precludes existing regulatory processes and sets a dangerous precedent. SB 833 secured passage in both houses of the Legislature. RCRC sent a letter to Governor Brown requesting a veto. On October 9th, Governor Brown issued a lengthy veto letter indicating, among others, "... there is already in place a fully sufficient process to make a thoughtful and informed environmental decision about this project."

AB 408 (Wieckowski) was amended late in the legislative process to include provisions regarding the acceptance of oil-based paints by retailers who do not currently hold special handling permits. RCRC believes the amended bill is needed in light of the enactment of AB 1343 that creates a product stewardship framework for the return of unused architectural paint. RCRC supported the amended version of AB 408 and encouraged Governor Brown

VII. Solid Waste/Regulatory Update

A. CalRecycle/ARB Mandatory Commercial Recycling

Mary Pitto, ESJPA Program Manager explained that with the passage of AB 341 (Chesbro) the ARB scheduled public hearing for the AB 32 mandatory commercial recycling has been cancelled. Instead, there will be an informational presentation on the status of the regulation and how CalRecycle plans to proceed with the formal rulemaking process.

B. SWRCB Industrial Storm Water Permit

Larry Sweetser, ESJPA Consultant

The SWRCB has proposed significant changes to the revised Industrial Storm Water Permit just prior to the recent Senate Select Committee hearing on this issue. These changes are expected to remove the proposed change of numeric limits into action levels and reduce some of the increased sampling requirements. There are no scheduled stakeholders meeting on this proposal.

C. SWRCB Landfill Waste Discharge Requirement Fee

Larry Sweetser

The SWRCB approved the proposed Waste Discharge Requirement fees as expected. The new fees are a significant increase over previous fees. Billing of this fee may be held off until spring and the billing for closed and open landfills may be staggered one month apart as requested by industry. The SWRCB will be considering an extensive review of their fees in response to the Senate inquiries although the landfill WDR fees are not scheduled for review in the first phase. The ESJPA will continue to work with other solid waste interests on revising the landfill fee structure to reflect a more consistent and quantifiable system.

D. CDFA Proposed Regulations for Renderers, Collection Centers, Dead Animal Haulers, and Transporters of Inedible Kitchen Grease

Larry Sweetser

CDFA will be meeting next week to discuss changes to the proposed regulations. This next version is expected to back off of some of the more onerous provisions especially in relations to collection of mixed loads of solid waste, recyclables and food waste from big box chains like Costco. The ESJPA will continue to monitor this proposal for impacts to member activities such as dead animal pits.

E. CA Product Stewardship Council Update

Kevin Hendricks, Product Stewardship Council gave his report noting that there are 6 projects for 2012.

3 Ongoing projects are; Thermostat Recycle Regulations, Carpet Regulations and Paint Regulations

3 New projects are; Sharps, Battery and Florescent lamps

F. Grant Program Update

Supervisor Lee Adams, Sierra County introduced Terry LeBlanc "Terry the Trashman" who handed out information about his Recycling Books and Presentations he does to help educate kids about recycling. For more information his website is terrythetrashman@cwo.com

Larry Sweetser reported;

The ESJPA is proceeding with implementation of the TCA-8 Tire Amnesty Events for eight counties. The ESJPA will be submitting a USDA grant application for rural hazardous waste training programs. The application is due December 31st with funds available in mid to late 2012. Other counties can apply for these funds to conduct studies such as Sierra County's grant that provided for review of their landfill options. Larry Sweetser will forward the USDA grant application to members. CalRecycle is also proposing to make the tire amnesty and clean-up programs a two year cycle. The amnesty grants would not be available until July 1, 2013. Those jurisdictions without a TCA-8 grant will have to wait. This proposal is up for discussion at the November monthly CalRecycle meeting.

At the recent Household Hazardous Waste Information Exchange meeting, CalRecycle announced that Autozone will start accepting oil filters at all stores except 100 locations. Members should check with their local stores on the acceptance of oil filters. Also, Pep Boys also agreed to start accepting oil filters. Cal Recycle also announced that they have new used oil center signs available. Members can check the website or with their CalRecycle oil contact. CalRecycle also indicated that local government and private vehicle fleets can apply for reimbursement under the industrial generator program of \$0.16 per gallon. This reimbursement requires a copy of the shipping document and a form to be submitted. Larry Sweetser will forward information on this program to members.

G. Highlights of September/October CalRecycling meetings

Larry Sweetser

DTSC is proposing new regulations on disposal of CRT glass due to a shortage of viable processing options. CalRecycle also announced that the governor is repaying the loan from the beverage container fund although they also reported that changes to the distribution of funds needs to happen since the fund will likely be depleted by year's end. There will be a workshop on reviewing the permitting requirements for composting tier activities. Most other CalRecycle items were covered under Terry Brennan's report.

VIII. Agenda Suggestions

IX. Articles of Interest

Mary Pitto directed members to the Board packet.

X. Adjournment

The meeting adjourned at 12:10 pm.

Respectfully submitted,

Pam Hartwell-James, Office Manager/Executive Assistant

Technical Advisory Group Breakout Session

The afternoon session was conducted as an informal informational session. The following speakers gave presentations regarding solid waste issues and were available for follow up questions and discussions.

A. Discussion on Closed Landfill Issues - Neal Bolton, P.E., Owner, Blue Ridge Services, Inc.

B. Draft Concepts for a Statewide Order for Composting Facilities – Roger Mitchell, P.G., Engineering Geologist, and Lisa Babcock, Supervisor, Groundwater Protection Section, State Water Resources Control Board

