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EXECUTIVE DIRECTOR – GREG NORTON



TECHNICAL ADVISORY GROUP CHAIR – JIM MCHARGUE,
AMADOR COUNTY
TAG VICE CHAIR – GRETCHEN OLSEN, TUOLUMNE COUNTY

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, March 25, 2010

MEMBERS REPRESENTED

Kevin Cann, Supervisor
Jim McHargue, Program Manager
Bill Mannel, Recycle Coordinator
Steve Rodowick, Recycling Coordinator
Mike Azevedo, Program Manager
Kevin Hendrick, Director, DNSWMA
Jon Souza, Public Information Officer
Ed Delgado, Administrative Analyst II
Paula Wesch, Program Coordinator
Keith Quinlan, Solid Waste Manager
Michelle Miller, Solid Waste Manager
Daria Kent, Recycling Technician
Robert Meacher, Supervisor
Robert Perrault, Jr., Director of Public Works
Mary Jo Rust, Administrative Secretary
Scott Dunn, General Services Supervisor
Shannon Cash, Recycling/Grant Coordinator
Kristina Miller, Solid Waste Program Manager
Vivian Woolsey, Solid Waste Technician
Belinda Barlow, Solid Waste Technician
Gretchen Olsen, Solid Waste Manager

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

STAFF IN ATTENDANCE:

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

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

OTHERS IN ATTENDANCE:

Margo Reid-Brown, Chief Deputy Director
Elizabeth Huber, Assistant Director
Ray Huff, Vice President
Terry Brennan, Supervising IWM Specialist

CalRecycle
CalRecycle
SCS Engineers
CalRecycle

Calvin Young, Supervisor, Sustainability Program	CalRecycle
John Duke	CalRecycle
Keir Fury	CalRecycle
Rick Hicks	CalRecycle
Paul Brainin	CalRecycle
Karla Miller	CalRecycle
Paul Brainin	CalRecycle
Barbara Heinsch	CalRecycle
Elaine Hussey	CalRecycle
Sibyl Britton	CalRecycle
Baljot Biring	CalRecycle
Cindi Rumenapp	CalRecycle
Karen Sherman	Humboldt Waste Mngmt Authority
Jim Greco	CWA
Wendell Minshew	Minshew Eng.
Rob Houghton	Varag Recycle

MEMBERS NOT REPRESENTED

Alpine County Calaveras County Glenn County Inyo County Modoc County
Mono County

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

The meeting was called to order at 9:10am by Jim McHargue. Self introductions were made. Quorum was established.

II. Business Matters

Election of 2010 ESJPA Chair and Vice Chair

A motion was carried by Shannon Cash and seconded by Keith Quinlan to elect Vern Moss as Chair and Kevin Cann as Vice Chair. Motion passed. As newly elected Vice Chair, Supervisor Cann chaired the rest of the meeting in the absence of Supervisor Moss.

Approval of Minutes December 17, 2009

The motion to approve the corrected minutes (change word to "accept" in VI-B) of the December 17, 2009 meeting was carried by Kristina Miller and seconded by Jim McHargue. Motion passed.

Adoption of Resolution 10-01 for Authorization to Submit a Used Oil Payment Program (OPP) Application

A motion was carried by Kristina Miller and seconded by Scott Dunn to adopt Resolution 10-01 Authorizing the Submittal of Applications for the Used Oil Payment Program. Motion passed.

III. Member County Concerns/Comments

None

IV. Public Comment

Jim Greco expressed his thanks to the staff and member county representatives for their hard work and dedication. This will be his last meeting before retirement and he's had a most enjoyable experience serving on this Advisory Council. With that several people expressed their thanks to Jim for his service.

V. Presentations

A. CalRecycle Transition Update

Margo Reid Brown, Acting Director, Chief Deputy Director, CalRecycle

Margo Reid Brown provided a detailed summary of what the new CalRecycle will look like moving forward. On Jan. 1, 2010 California's recycling and waste diversion efforts were streamlined into the new Department of Resources Recycling and Recovery- CalRecycle. The new website is www.calrecycle.ca.gov.

Mary Pitto presented Ms. Brown with an ESJPA signed Resolution recognizing the California Integrated Waste Management Board Members and Staff for 20 years of valued contribution to the ESJPA.

B. Solid Waste Landfill Gas Requirement

Raymond Huff, Vice President SCS Engineers gave an overview on GHG Rules-Landfills.

Mr. Huff mentioned the first reporting year is 2010 with the first official reporting date of March 31, 2011. Third-party verification not required, but will be treated like an Clean Air Act (CAA) reporting requirement. GHG monitoring, data collection, QA/QC, and calibration requirements start January 1, 2010 (with 3-month grace period). He reviewed the Landfill Applicability and Methane Monitoring Methods.

C. Report from the California Integrated Waste Management Board

Terry Brennan, Supervising IWM Specialist, Local Assistance and Market Development Division, CalRecycle.

Mr. Brennan gave a brief update on various programs going on at CalRecycle.

VI. Legislative Update

Paul Smith, RCRC Director of Legislative Affairs

Paul A. Smith provided an update on a variety of issues and legislative proposals working their way through the law-making process. Paul outlined the timeframe of the current session noting that recently introduced bills (extended producer responsibility measures) will soon be heard in their first policy while carry-over bills (the diversion-related measures) from last year face deadlines later in the year. Solid waste-related measures will viewed through the lens of their impact on the state's fiscal condition and are likely to be viewed with initial skepticism with respect to the recent realignment of the Waste Board and the Division of Recycling.

Paul referenced the recent enactment of AB x8 7 which will infuse short-term cash into the Beverage Container Recycling Program. This should allow for a reduced portion of the City/County Payment to be made as well as the payment of Handling Fees to beverage container recyclers. As such, it appears the minimum \$10,000 will be made to a large number of RCRC counties in late June.

Paul referenced that SB 390 (Kehoe) has been resurrected and recently passed the State Senate. This measure, which RCRC supports, continues the Recycling Market Development Zone loan program. The bill will now be reviewed in the state Senate

Paul referenced that as a 'clean-up' to last year's enactment of AB 274 (Portantino), AB 1004 (Portantion) is being put forth. AB 274 enacted the authority for Cal Recycle to create and administer a voluntary pooled fund for post-closure activities. The enabling legislation had ambitious timelines for the creation and operation of the voluntary pooled fund. AB 1004 revises and extends those timelines. Like last year, RCRC will remain 'neutral' on the efforts but continue to watch the progress at both the legislative and regulatory level.

Paul outlined four important extended producer responsibility (EPR) bills and indicated that these efforts are likely to gain much attention in the world of solid waste legislation. Led by Kevin Hendrick of Del Norte County, there was much discussion concerning SB 1100 (Corbett) and AB 2139 (Chesbro). The ESJPA affirmed their support for these measures as a way to reduce costs to counties, particularly for those products (household batteries and sharps) that are currently banned from being disposed in traditional landfills.

On a final note, Paul asked solid waste managers that have involved themselves or are considering the Uniform Public Construction Cost Accounting Act in meeting their capital projects be aware of AB 1409 (Perez).

VII. Solid Waste/Regulatory Update

Discussion and possible action related to the following:

A. AB 32 – Global Warming Solution Act of 2006 Update

Staci Heaton, Regulatory Affairs Advocate The state released the final Climate Adaptation Strategy document. Not much was changed from the draft, but they did acknowledge that the state is in a budget crisis and that they will have to use existing resources to implement the document. The ARB is also in the process of developing the cap-and-trade program, with one of the controversial points being how capped industries will be allowed to use offsets to meet their reduction requirements. ARB staff expects to complete the program by June 2010.

B. AB 32 and Landfill Gas Control Measure

Larry Sweetser, ESJPA Consultant reported that the Air Resources Board is expecting adoption of the landfill gas control regulations in by Fall 2010. There have been no changes to the proposed regulations. Landfills with less than 450,000 tons in place are exempt. Landfills nearing the 450,000 tons threshold might consider closure rather than

the cost of compliance with these regulations. A Working Group conference call is scheduled for April 21st to continue discussions on the proposed guidance document.

C. CIWMB Long-Term Postclosure Maintenance and Corrective Action Cost Estimates and Financial Assurances Demonstrations for Landfills

Larry Sweetser reported that the regulations are expected to be adopted by the Office of Administrative Law within a few months. There continue to be CalRecycle meetings on these regulations. There have also been two workgroup established that the ESJPA is participating in – Development of Best Management Practices for Non-Water Quality Corrective Actions and a Proactive Monitoring Work Group.

D. Federal EPA Green House Gas Emissions Proposed Regulations

Larry Sweetser mentioned that this topic was addressed in the earlier presentation by SCS. Larry reiterated that these regulations are more stringent then the proposed California regulations and those counties should make sure that they take measure to verify their compliance status.

E. The California Department of food and Agriculture (CDFA) and CalRecycle Collection, Handling, and Disposal of Animal Tissue

Larry Sweetser provided an update on several meetings regarding the applicability of transporting animal tissue. The Solid Waste Industry Group is seeking to clarify that these requirements are not applicable to solid waste haulers. The ESJPA will seek to obtain additional information on this issue

F. ARB Diesel Retrofit Update

Mary Pitto informed the members that the ARB issued a Regulatory Advisory for a delay of enforcement to the Off-Road Rule retrofit/replacement requirements until after the US EPA grants authorization to do so. She explained that this delay in enforcement currently has no impact to all public fleets in ESJPA counties (except El Dorado) since they have no compliance requirement until 2015.

G. CA Product Stewardship Council Update

Kevin Hendrick provided an additional update on the battery legislation. He also provided an update on the Del Norte and RBRC pilot program for accepting alkaline batteries with rechargeable batteries.

H. Grant Program Update

Larry Sweetser apologized for the delays in implementing the HD-17 Household Hazardous Waste Grant. Staffing changes and other project have interfered with full implementation. Full implementation will proceed once the USDA grant report is complete at the end of the month.

Tire grants are underway for several ESJPA members. Danh Nguyen was introduced as the RCRC staff assigned to assist the ESJPA with implementing the tire grants. The ESJPA

submitted an application for the TCA-6 grant for Mariposa, Nevada, Plumas and Tuolumne Counties.

The ESJPA declined to submit a grant application for the Keep America Beautiful/Coke-Cola Grant. Communications with the grant manager indicated that a group application would not be received favorably since they are focus on specific individual community applications and not coordination grants. This information was conveyed to the ESJPA members that were interested and it was recommended for them to submit their own grant applications.

The USDA training grant work is completed and the final report is being prepared. In the two and a half years of the grant 40 trainings were conducted at 30 locations. There were 476 attendees and over 14,000 miles driven. The ESJPA also purchased five copies of the new Household Hazardous Waste Facility Design books for lending to members on a first come first served basis. Contact Larry to request a copy. The ESJPA did submit a new USDA grant that focused on Rural Organics Management but also include additional trainings.

I. Highlights of January/February/March CalRecycle meetings

Larry Sweetser mentioned that CalRecycle continues its commitment to an open process and continues to hold monthly meeting that combine updates on issues with workshops on various requirements. The meetings are more of an update and to receive input and no policy decisions are made at the meetings. They are requesting input on these meetings and their changes to their changes.

The February meeting highlight was the changes to the Used Oil Payment Program that will be presented by Calvin Young this afternoon.

At the April meeting, there will be a workshop on changes to the Countywide Integrated Waste Management Plan Enforcement Policy.

J. Other Regulatory Issues

Larry Sweetser discussed the pending Construction General Permit for storm water that is effective on July 1, 2010. A discussion with State Water Board staff indicated that this new construction permit requirements may also apply to landfills in addition to the industrial storm water general permit requirements. Counties should review their operations to determine if the construction permit requirements are applicable to their sites.

VIII. Presentations

A. Used Oil Payment Program Update

Calvin Young, Supervisor, Sustainability Program, CalRecycle

Calvin Young presented the latest updates on the Used Oil Payment Program. CalRecycle staff has proposed a number of changes to this program including shifting from grants to a payment program. Applications for payments have been simplified and will be available on June 30, 2010. Mr. Young requested input from the members on several aspects of this

program. The group consensus was one year payment cycle with ability to expand to 18-months was acceptable. Removal of the need to track interest on advance payments was also appreciated. In addition, the group preference was for two payments rather than one payment. CalRecycle staff will continue to refine this proposal for presentation at the April 14th Materials Management and Local Assistance Program Monthly meeting. Final adoption is expected in May 2010.

B. Tehama Solid Waste Presentation

Kristina Miller, Solid Waste Manager

Kristina Miller gave an overview of Tehama County's solid waste programs. Her presentation started with demographics and a description of industry and employment of Tehama County. She described the composition and operations of the Tehama County/Red Bluff Landfill Management Agency (JPA II) and the Tehama County Sanitary Landfill Agency (JPA I). She went over their landfill operations and landfill gas extraction system, diversion rate trends and landfill diversion programs. Kristina highlighted their successful multi-family trial recycling program. Other landfill diversion programs include blue roll-out cart curbside recyclable collection, adjusted fee structure for segregated loads, a large venue event recycling program, a mattress recycling program, and a LEED construction and demolition waste management plan. She also highlighted their Universal Waste Diversion Programs, including the fluorescent light recycling program, a curbside alkaline battery recycling program, and their medical waste sharps collection program. Kristina indicated that crucial to long-term success of any diversion program is the public education and outreach component and demonstrated her enthusiasm with the Plastic Bag Monster!

IX. Agenda Suggestions, Member County Presentation Volunteer, Workshop topics for next ESJPA Board Meeting Scheduled for May 20, 2010

Mary Jo Rust volunteered Sierra County for the next county presentation. It was suggested to have CalRecycle local assistance for the next TAG Breakout Session.

X. Articles of Interest

Supervisor Cann directed members to the Board packet

XI. Adjournment

The meeting adjourned at 1:30 p.m.

Technical Advisory Group Breakout Session.

CalRecycle Used Oil Grant Managers Elaine Hussey, Sibyl Britton, and Baljot Biring were available for ESJPA members to discuss their Used Oil grant programs with their managers.

Respectfully submitted,

Pam Hartwell-James, Office Manager/Executive Assistant

Rural Counties' Environmental Services Joint Powers Authority

