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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, May 20, 2010**

MEMBERS REPRESENTED

Vern Moss, 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
Mandy Kleykamp,
Paula Wesch, Program Coordinator
Keith Quinlan, Solid Waste Manager
Michelle Miller, Solid Waste Manager
Matt Carter,
Daria Kent, Recycling Technician
Lynne Cody Lacroix
Robert Perrault, Jr., Director of Public Works
Scott Dunn, General Services Supervisor
Shannon Cash, Recycling/Grant Coordinator
Kristina Miller, Solid Waste Program Manager
Beth Garibaldi
Wendy Reiss, Supervisor
Vivian Woolsey, Solid Waste Technician
Gretchen Olsen, Solid Waste Manager

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

STAFF IN ATTENDANCE:

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

RCRC Governmental Affairs
RCRC Governmental Affairs
Sweetser and Associates
RCRC Office Manager

OTHERS IN ATTENDANCE:

Terry Brennan, Supervising IWM Specialist
Richard Castle
Garth Adams
John Duke

CalRecycle
CalRecycle
CalRecycle
CalRecycle

Rick Hicks	CalRecycle
Barbara Heinsch	CalRecycle
Cindi Rumenapp	CalRecycle
Jill Firch	CalRecycle
Jasmin Satter	CalRecycle
Cara Morgan	CalRecycle
Robert Holmes	CalRecycle
Marshalle Graham	CalRecycle
Howard Levinson	CalRecycle
Robert Holmes	CalRecycle
Marshalle Graham	CalRecycle
Spencer Fine	CalRecycle
Steve Sorrelle	CalRecycle
Wendell Minshew	Minshew Eng.
Rob Houghton	Varag Recycle
Mark Rappaport	MRC
Rick Simonson	HF&H Consulting

MEMBERS NOT REPRESENTED

Alpine County Calaveras County Inyo County Modoc County Sierra County

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

The meeting was called to order at 9:10am by Supervisor Moss, Madera County. Self introductions were made. Quorum was established.

II. Business Matters

Approval of Minutes March 25, 2010

The motion to approve the minutes of the March 25, 2010 meeting was carried by Gretchen Olsen and seconded by Daria Kent. Motion passed.

III. Member County Concerns/Comments

None

IV. Public Comment

None

V. Presentations

A. CalRecycle Mandatory Commercial Recycling

Howard Levinson, CalRecycle shared updates on the mandatory commercial recycling. According to 2008 Statewide Waste Characterization data, the commercial sector generates more than half of the solid waste in CA. As a result, the mandatory commercial recycling measure focuses on increased commercial waste diversion as a method to reduce greenhouse gas emissions.

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

Robert Holmes, CalRecycle presented a power point outlining the scheduled training through February 2011 and the most significant changes for Phase 1 and Phase 2. Presentation can be found in your May 20, 2010 packet.

C. Report from CalRecycle

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 A. Smith, Senior Legislative Advocate, provided a brief update on the timetable and calendar of the legislative process, noting that the Legislature is working towards an August 31st deadline for adjournment. Most legislation introduced in the 2010 portion of the Session has either moved forward through their first policy committee or have died. Of concern to the ESJPA are: AB 1004 (Portantino – voluntary pooled fund, AB 2137 (Chesbro – dealing with compost materials), and a variety of extended producer responsibility (EPR) measures – AB 2139 (Chesbro – Solid waste; product stewardship), AB 2176 (Blumenfield – Hazardous waste; lighting products), AB 2398 (Perez – Product stewardship carpet), and SB 1100 (Corbett – Product stewardship; household batteries). The solid waste diversion measures that are still active – introduced last year - are to be considered in August.

The ESJPA staff requested comments from ESJPA members regarding the current efforts to enact EPR legislation, particularly those product-by-product bills. A number of ESJPA board members expressed their views, particularly prioritizing efforts to enact an EPR scheme upon products that are banned from disposal (batteries, paint, fluorescent lights, sharps, etc.).

VII. Solid Waste/Regulatory Update

A. AB 32 – Global Warming Solution Act of 2006 Update – Mary Pitto
Mary indicated that there is no update at this time.

B. AB 32 and Landfill Gas Control Measure

Larry Sweetser, ESJPA Consultant

The regulations are expected to be effective in June 2010. There have been no significant changes since last reported. Landfills with less than 450,000 tons waste in place will be exempt from the regulations. Within 90 days of the effective date, all landfills with less than 450,000 tons in place will need report their waste in place to the Air Board. Landfills with 450,000 tons or more in place will need to calculate their gas heat input and report it to the Air Board.

The ARB staff has convened a workgroup to review a fact sheet on the regulations.

The ARB, in conjunction with the Energy Commission and CalRecycle, has developed an online Landfill Gas Emission Tool to calculate the landfill emissions. The link will be distributed to ESJPA members after the meeting.

C. SWRCB Waste Discharge Fee Proposal - Larry Sweetser

CalRecycle has experienced a 30% decrease in the Integrated Waste Management Account and is reducing the contribution to the State Water Resources Control Board (SWRCB) by 30%. The SWRCB is preparing a state budget proposal to impose a Waste Discharge Requirement fee directly to operators of active landfills. Operators of closed landfills already pay this fee directly. The ESJPA joined with other solid waste industry representatives to meet with SWRCB and CalRecycle staff to discuss this proposal. At this time, the SWRCB proposed to have the fee approved as part of the state budget and bill could be sent out to operators by end of the calendar year. The exact amount of the fee is unclear but it will be based upon the same ranking system as for closed landfills. The ranking assigns a 1, 2, or 3 rating for Threat to Water Quality and an A, B, or C for Complexity. Landfill operators can obtain their number by contacting their Regional Water Control staff. ESJPA staff will continue to participate in meetings on this issue.

D. Green Building Code - Mary Pitto

Mary reviewed the codes for the 2010 California Green Building Standards Code 42 which will be effective January 1, 2011

E. ARB Diesel Retrofit Update - Mary Pitto

In-Use Off-Road Diesel-Fueled Fleet Regulation

The ARB Executive Officer held a hearing to take testimony and consider if the In-Use Off-Road Diesel-Fueled Fleet Regulation (Off-Road Rule) should be further modified to account for the current economic condition and subsequent emissions reductions on March 11th and was accepting written comments until March 18th. RCRC submitted the attached letter supporting any delay in implementation of the regulation and requesting ARB reconsider extending the "Captive Attainment Area Fleet" to those rural counties that are classified as nonattainment for the for ozone and particulate matter (PM) 2.5 strictly due to intrastate transport of air pollution (i.e., western Nevada, Amador, Calaveras, Tuolumne, Mariposa).

Information on the Public Fleet Rule is available on the ARB website, located at: <http://www.arb.ca.gov/msprog/publicfleets/publicfleets.htm>

F. CA Product Stewardship Council Update - Kevin Hendricks

Kevin reviewed the CPSC First Annual Product Stewards "Arrow" Awards. The "Arrow" Awards provide an opportunity to thank those businesses and organizations that are leading CA towards a sustainable economy through product stewardship. Applications must be received by June 15, 2010.

G. CalRecycle Beverage Container Funding - Larry Sweetser

Mary confirmed that jurisdiction will receive their minimum bottle bill funding. Larger jurisdictions will receive a portion of their traditional funding. The date that funds will be available has not been announced.

H. Grant Program Update - Larry Sweetser

The USDA training grant report has been submitted. The ESJPA was not approved for -the next USDA grant.

Tire Amnesty events under TCA-4 have been completed for Butte, Inyo, Plumas, and Sierra. The Colusa event is scheduled for June 25th. Mariposa's event is in progress. The Nevada event is scheduled for June 5-6. The next cycle of Tire grants (TCA-) has been awarded and will start July 1st. Danh has been doing a great job on the tire grants and will continue with implementation of TCA-6.

The Used Oil Block grants are under way including establishing a used oil center in Plymouth, Amador County. CalRecycle is proceeding with implementation of the new Used Oil Payment system.

Implementation of HD-17 has been delayed but Larry will be arranging time with each participating jurisdiction to reactivate the grant.

I. Highlights of April/May CalRecycle meetings - Larry Sweetser

In April, CalRecycle proposed updates to the Integrated Waste Management Plan Enforcement Policy to reflect the change to a department, approval of SB 1016, and a few other minor changes. The Solid Waste Facility Permit process seems to be proceeding smoothly once CalRecycle staff concerns have been satisfied.

In May, CalRecycle had a workshop to discuss changes to the E-waste payment system. Additional meeting will occur in the future. In addition, the ESJPA has been involved in several discussions on the proposed regulations for Mandatory Commercial Recycling. CalRecycle has indicated that the requirements will have much flexibility. A report being prepared by CalRecycle indicates that the average cost per ton carbon dioxide equivalent is \$25 per ton. The cost for urban areas is \$17 per ton and rural areas is \$207 per ton. This is a considerable difference that may warrant an exemption for rural areas.

J. Other Regulatory Issues - Larry Sweetser

DTSC Treated Wood Waste Information

DTSC has issued an updated list of landfills that accept treated wood waste and a reminder that the biennial report is due July 30th.

VIII. Presentations

Del Norte Solid Waste Presentation – Kevin Hendrick

Mr. Hendrick provided a presentation on “Fighting Blight and Illegal Dumping in Del Norte County”: The Solid Waste and Recycling Responsibility Ordinance of the Del Norte Solid Waste Management Authority. As stated in the Ordinance,

Each Responsible Party (person, property owner, business, Producer, or government agency,) shall have the affirmative responsibility to ensure that all Discards generated on their Premises are not handled, stored, or disposed of illegally, and shall provide for the Collection of Discards from the Premises on which they were generated either through a Collector or by direct self-haul to the appropriate Recycling Facility or Disposal Site.

IX. Agenda Suggestions, Member County Presentation Volunteer, Workshop topics for next ESJPA Board Meeting Scheduled for August 19, 2010

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 Local Assistance Staff have been invited to meet their ESJPA member contacts.

Respectfully submitted,

Pam Hartwell-James, Office Manager/Executive Assistant
Rural Counties' Environmental Services Joint Powers Authority

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