



Waste Management Commission
 Thursday, September 10, 2015 2:00 P.M.
 Discovery Cube Orange County
 2500 N Main St, Santa Ana, CA 92705

**Waste
 Management
 Commission
 Local Task Force
 Orange County, CA**

AGENDA

If you wish to speak on an item contained in the agenda, please complete a Public Comment Form identifying the item(s) and submit it to the Commission Clerk. If you wish to speak on a matter which does not appear on the agenda, you may do so during the Public Comment period at the close of the meeting. Speaker forms are available at the sign-in table at the back of the room.

The Orange County Waste Management Commission consists of 18 members. Nine members present constitute a quorum. In the absence of a quorum the meeting will be convened and adjourned, and no actions may be taken by the Commission.

Pledge of Allegiance

Roll Call The Clerk of the Commission will call roll.

Chairman's Report Chairman Chad P. Wanke

Director's Report Dylan Wright, Director, OC Waste & Recycling

Action Item Recap Commission Clerk

Agenda Item 1: Minutes of Waste Management Commission/Local Task Force, June 11, 2015

Summary: Review and approve minutes of June 11, 2015 WMC/LTF meeting.

Recommended Action: Review and approve minutes.

Agenda Item 2: OC Waste & Recycling FY 2014/15 Financial Report

Summary: Staff will provide the OC Waste & Recycling Financial Report for FY 14/15.

Recommended Action: Receive and file report.

Agenda Item 3: AB 939 Report

Summary: Staff will present a written report on AB 939 programs, projects and issues.

Recommended Action: Receive and file report.

Agenda Item 4: Legislative and Regulatory Report

Summary: Staff will present a written report summarizing legislative and regulatory activities that could impact operations of OC Waste & Recycling.

Recommended Action: Receive and file report.

Chair (4th Dist.)
 Chad P. Wanke

Vice-Chair (At Large)
 David J. Shawver*

1st District
 Michele Martinez*
 Xuan-Nhi Van Ho
 Deepak J. Krishan

2nd District
 Rob Johnson*
 Tina M. Nieto
 Joe J. Carchio

3rd District
 Mike Alvarez*
 Donald R. Froelich
 Steve Chavez Lodge

4th District
 Charles J. Kim
 Brett Murdock*

5th District
 Cynthia Connors*
 Joe Soto
 Vacant

City Managers' Representative
 Doug Chotkevys*

**Director
 OC Waste & Recycling**
 Dylan Wright

*Appointed by Orange County City Selection Committee



WASTE MANAGEMENT COMMISSION/LOCAL TASK FORCE

THURSDAY, SEPTEMBER 10, 2015

Page 2

Agenda Item 5:

Subcommittee Reports

Summary: Subcommittee members will report on their respective meetings:

Renewable Technologies Subcommittee

CIWMP 5-Year Review Subcommittee

Legislative & Regulatory Subcommittee

Finance Committee

Recommended Action: Receive and file reports.

Commissioner Comments

Public Comment

At this time members of the public may address the Commission regarding any items within the subject matter jurisdiction of the Commission provided that NO action may be taken on off-agenda items unless authorized by law. When addressing the Commission, please state your name for the record prior to providing your comments. Please address the Commission as a whole through the Chair.

Comments shall be limited to three (3) minutes per person and up to twenty (20) minutes for all comments, at the discretion of the Chair and the approval of the Commission.

Copies of Waste Management Commission Agenda packets may be obtained from OC Waste & Recycling by any of the following methods:

- 1) By accessing the OC Waste & Recycling website at www.oilandfills.com and viewing the Waste Management Commission page.
- 2) By sending a written request to OC Waste & Recycling, 300 N. Flower, Suite 400, Santa Ana, CA 92703-5000;
- 3) By telephoning the Commission Clerk at (714) 834-4059;
- 4) By sending an e-mail request to Commission Clerk at julie.chay@ocwr.ocgov.com.

NEXT MEETING: Thursday, December 10, 2015



Agenda Item 1 - Minutes of Waste Management Commission/ Local Task Force, June 11, 2015

Commissioners Roll (√ Indicates Present)

<u>1st District</u>	<u>2nd District</u>	<u>3rd District</u>	<u>4th District</u>	<u>5th District</u>
√ Michele Martinez*	√ Rob Johnson *	√ Mike Alvarez*	√ Brett Murdock*	√ Cynthia Conners*
Xuan-Nhi Ho	√ Joe J. Carchio	Donald Froelich	Samuel Han	√ Joe Soto
√ Deepak J. Krishan	Vacant	√ Steve Chavez Lodge	√ Chad P. Wanke	√ Glenn Acosta
√ Doug Chotkevys* – <i>City Manager</i>		√ David Shawver* – <i>At Large (Stanton)</i>		
√ Dylan Wright, Director, OC Waste & Recycling		*City Selection Committee Appointee		

Also Present:

Brian Johsz	Athens Services	Oscar Garza	OC Waste & Recycling
Sue Gordon	Rainbow Environmental Services	Phil Anthony	JWAOC
David Ross	TVI	Mary Beth Anderson	OC Waste & Recycling

Call to Order

Chairman Chad P. Wanke called the meeting to order at 2:08 p.m.

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Soto.

Roll Call

Roll call was conducted by the Commission Clerk.

Chairman’s Report

Chairman Chad Wanke welcomed new Commissioner, Tina Nieto who represents the Second Supervisorial District. He also welcomed back returning Commissioners Glenn Acosta and Joe Carchio. Commissioner Joe Soto was congratulated on his reappointment to the Commission representing the Fifth District.

Director’s Report

Director Dylan Wright reported on the Opening Ceremony for the expansion of the Discovery Cube Orange County. Several Commissioners were also in attendance at the Grand Opening and Ribbon Cutting Ceremony, which had taken place earlier in the day.

Mr. Wright also reported on the status of the approval of the amended Waste Disposal Agreement by cities and thanked the Commissioners who also serve as City Council members and Mayors for the support of their respective cities.

Regarding the Green Building, Mr. Wright reported that the repairs to the Green Building have been completed.

Agenda Item 1: Minutes of the March 12, 2015 Waste Management Commission Meeting

The minutes were approved as submitted. Commissioners Acosta, Nieto and Carchio abstained.

Agenda Item 2: OC Waste & Recycling FY 14/15 First Quarter Financial Report

Manager of Budget Services, Alan Yuki, presented the report.

Commissioners asked questions regarding long-term system planning and what appeared—in the 2014 Annual Report—to be an operating loss in the ten-year projections. Additional comments from commissioners addressed the use of reserve funds and the need to diversify revenue sources beyond the landfill tonnage. Staff pointed out that the Renewable Technology Implementation Plan, which is currently being developed, would identify potential new revenue sources.

It was suggested that a committee be established to review OC Waste & Recycling's financial information more closely and report back to the Commission. Chairman Wanke appointed Vice Chair Shawver and Commissioners Acosta, Alvarez and Krishan to serve on the committee.

The report was received and filed.

Agenda Item 3: AB 939 Report

Manager of Recycling and Waste Diversion Programs, Isabel Rios, presented the report.

A suggestion was made that the next meeting of the Commission take place at the Discovery Cube OC to include a tour of the new expanded space and the Eco Challenge Exhibit.

The Report was received and filed.

Agenda Item 4: Legislative and Regulatory Report

Jesus Perez, Manager of Legislative and Regulatory Affairs, presented the report.

Commissioner Acosta mentioned the growing interest in manufacturer take-back programs, beginning now with pharmaceuticals in Alameda County, and being closely watched by other counties.

The report was received and filed.

Agenda Item 5: Subcommittee Reports

Commissioner Shawver reported on the Renewable Technology Implementation Kick-Off meeting, which took place concurrently with the first meeting of the Renewable Technologies Subcommittee.

Commissioner Rob Johnson reported on the CIWMP Five-Year Review Subcommittee meeting, whose first meeting consisted of a review of the CIWMP background, requirements and next steps.

Commissioner Lodge reported on the Legislative & Regulatory Subcommittee meeting, at which members reviewed the County's legislative platform and current bills of interest.

The report was received and filed.

Public Comments

None

The meeting was adjourned at 3:17 p.m.



Agenda Item 2 – *OC Waste & Recycling FY 14/15 Financial Report – Alan Yuki, Manager, Budget/Finance*

This report presents the financial status of OC Waste & Recycling for FY 14/15. Included in the report is financial information related to tonnage, expenditures, revenues, cash, and fund balance/reserves.

System Tonnage

Total OC Waste & Recycling system tonnage received in FY 14/15 was 4,581,265 tons, consisting of 2,873,705 in-county tonnage and 1,707,560 importation tonnage. In-county tonnage has risen by 7% from prior fiscal year. Importation tonnage has risen by 25%. By landfill site FY 14/15 tonnage was as follows:

Olinda Alpha Landfill

In-county tonnage 937,775 (33%) of total In-county tonnage
Importation tonnage 1,182,794 (70%) of total Importation tonnage

Frank R. Bowerman Landfill

In-county tonnage 1,594,066 (55%)
Importation tonnage 483,842 (28%)

Prima Deshecha Landfill

In-county tonnage 341,864 (12%)
Importation tonnage 40,924 (2%)

Revenues

For FY 14/15, revenue recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) was \$109,426,311 or 104% versus the modified revenue budget of \$105,061,505. Primary sources of revenue received during the fiscal year included:

- \$95,383,149 Disposal fees (87% of the \$109,426,311 total)
- \$6,856,192 Operating transfers in (6%)
- \$3,548,622 Royalties (3.5%)
- \$3,054,155 Other Revenues (3%)
- \$584,194 Interest Income (0.5%)

For FY 14/15, revenue recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) was \$12,359,249 or 72% versus the modified revenue budget of \$17,282,000. Primary sources of revenue received during the fiscal year included:

- \$12,222,543 Transfers-in from other funds (99% of the \$12,539,249 total)
- \$136,706 Interest Income (1%)

Expenditures

FY 14/15 expenditures and encumbrances recorded in OC Waste & Recycling's Enterprise/Operating (Fund 299) totaled \$97,351,376 or an approximate 73% spend-out versus a modified expense budget of \$133,884,306. This is due to the reclassifying of capital expenses to balance sheet accounts at fiscal year-end and underspending in some operating expenditure categories.

FY 14/15 expenditures and encumbrances recorded in OC Waste & Recycling's Capital Project Fund (Fund 273) totaled -\$328,445 versus a modified expense budget of \$42,326,936. This is due to a combination of the reclassifying of capital expenses to balance sheet accounts at fiscal year-end and capital project underspending. Actual capital project spend-out before the capitalization was \$28,185,341.

For FY 14/15, OC Waste & Recycling's categories of major expenditures were:

- \$28,185,341 Capital Projects Spend-out (25% of the \$112,824,993 total before the reclassifying of capital expenses and depreciation)
- \$24,585,556 Salaries & Employee Benefits (22%)
- \$21,353,890 Services & Supplies (19%)
- \$17,017,533 Equipment Purchases & Maintenance (15%)
- \$6,921,945 Taxes, Fees, Assessments (6%)
- \$6,655,905 Recycling & Community Services Programs (6%)
- \$5,936,584 Landfill Regulatory Compliance (5%)
- \$2,168,239 Facility Expenditures (2%)

Cash Balance and Reserves

As of June 30, 2015, the OC Waste & Recycling's Enterprise/Operating Fund 299 had a cash balance of \$145,661,592.

As of June 30, 2015 the OC Waste & Recycling's Enterprise/Operating Fund 299 had an available reserves balance of \$61,919,653.

Summary

Should you have any questions or would like additional information, please contact Alan Yuki, OC Waste & Recycling Budget, Purchasing & Landfill Administration Manager at (714) 834-4161.

Recommended Action: Receive and file report.

Attachments:

1. Budget Report Fiscal Year 2014/2015 Overview
2. System-Wide Tonnage - FY 2010/2011 to 2014/2015
3. System-Wide Revenue (Excluding \$19 Surcharge) - FY 2010/2011 to 2014/2015
4. Fund 299 Revenues – FY 2014/2015
5. Expenditures by Category - FY 2014/2015
6. Fund 299 & 273 Operating Revenues & Expenditures – FY 2014/2015
7. Cash Balances – FY 2010/2011 – 2014/15

OC WASTE & RECYCLING Budget Report Fiscal Year 2014/2015 Fund 299, Fund 273 and Fund 285 Overview

	FY 14/15 Adopted Budget	FY 14/15 Modified Budget	FY 14/15 4th Quarter Actuals	FY 14/15 YTD Actuals	YTD Actuals (% of Modified Budget)
In-County Tonnage	2,710,474	2,710,474	784,516	2,873,705	106%
Importation Tonnage	1,434,494	1,434,494	427,355	1,707,560	119%
Total System Tonnage	4,144,968	4,144,968	1,211,871	4,581,265	111%
Enterprise/Operating (Fund 299) Revenues	104,711,505	105,061,505	36,959,154	109,426,311	104%
Enterprise/Operating (Fund 299) Expenditures [1]	124,034,809	133,884,306	17,216,497	97,351,376	73%
Capital Projects (Fund 273) Revenues [2]	20,782,000	17,282,000	8,595,954	12,359,249	72%
Capital Projects (Fund 273) Expenditures [3]	49,696,185	42,326,936	(27,226,464)	(328,445)	-1%
Importation (Fund 285) Revenues	35,010,000	42,010,000	13,622,450	40,208,507	96%
Importation (Fund 285) Expenditures	35,208,995	42,208,606	24,629,021	40,204,348	95%

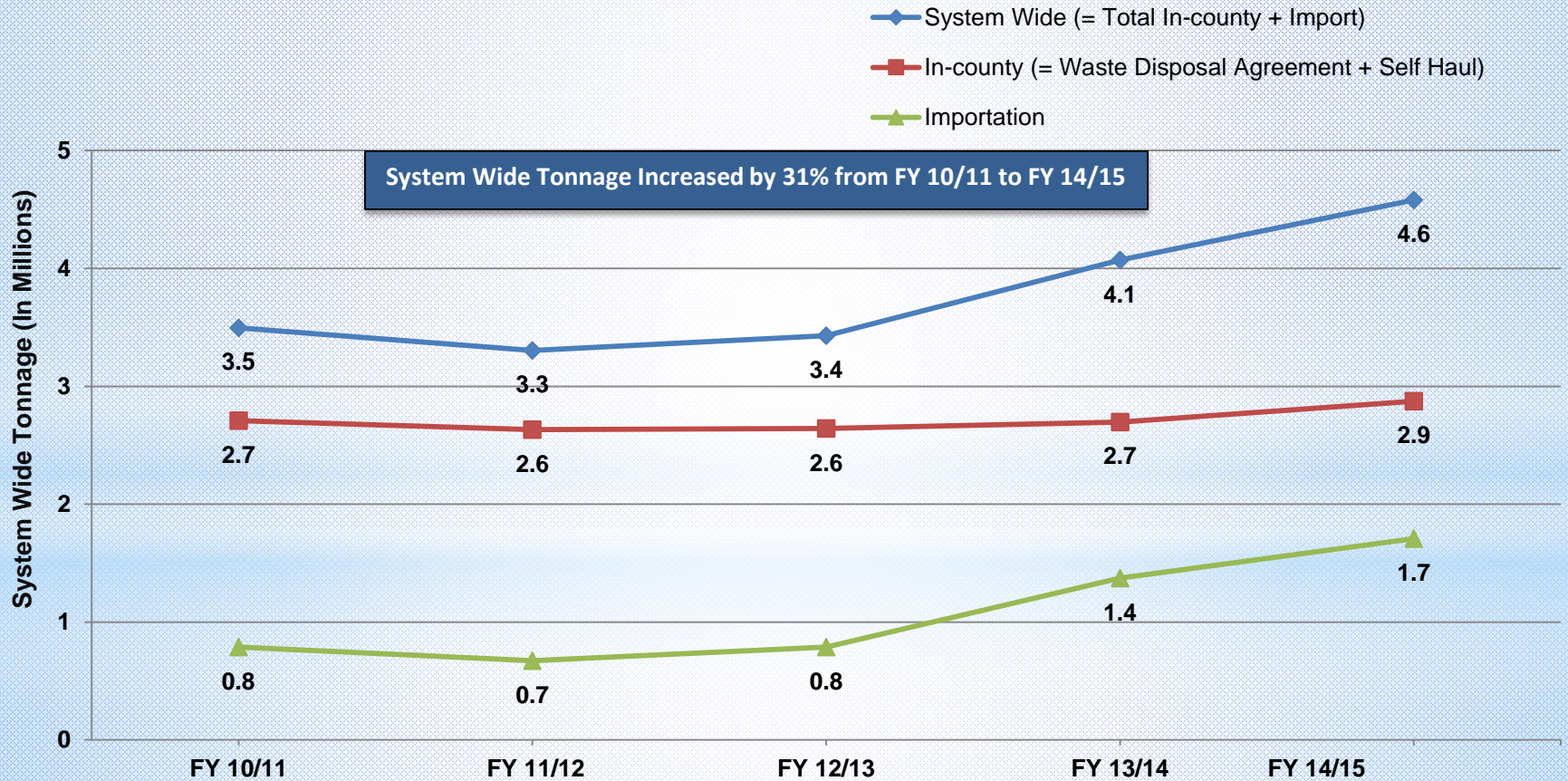
Notes:

[1] Fund 299 Operating expenditures were lower than budgeted due to the reclassifying of capital assets during year-end, and the underspending in some expenditure categories

[2] Fund 273 actual revenues were lower than budgeted due to the lower reimbursement from Fund 285 - Importation

[3] Fund 273 actual expenditures were negative at year-end due to the reclassifying of capital expenses to the balance sheet accounts

OC WASTE & RECYCLING System Wide Tonnage FY 2010/2011 – 2014/2015

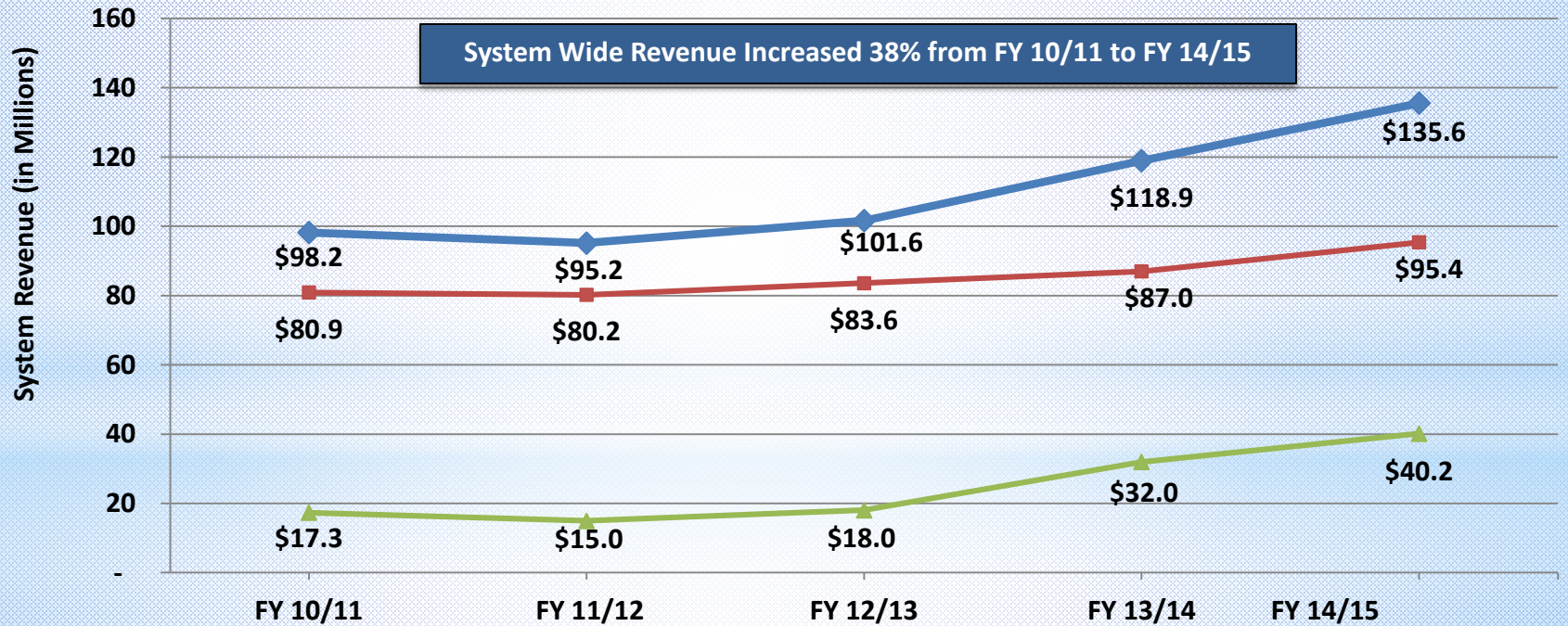


OC WASTE & RECYCLING

System Wide Revenue (Excluding \$19 Surcharge)

FY 2010/2011 – 2014/2015

◆ System Wide (= Total In-county + Import) ■ In-county (= Waste Disposal Agreement + Self Haul) ▲ Importation



OC WASTE & RECYCLING Fund 299 Revenues FY 2014/2015

Description	FY 14/15 Adopted Budget	FY 14/15 Modified Budget	4th Quarter Actuals	FY 14/15 YTD Actuals	YTD Actuals (% of Modified Budget)	
Disposal Fees	89,960,000	89,960,000	31,937,644	95,383,149	106%	
Operating Transfers-in	5,173,505	5,523,505	3,835,410	6,856,192	124%	[1]
Interest Income	629,000	629,000	209,600	584,194	93%	
Leases & Royalties	2,610,000	3,027,000	1,547,654	3,548,622	117%	
Other Revenues	6,339,000	5,922,000	(571,153)	3,054,155	52%	[2]
Grand Total	\$104,711,505	\$105,061,505	\$36,959,154	\$109,426,311	104%	

Note(s):

- (1) Transfers-in from Fund 285 Importation for reimbursement to OCWR is higher than budgeted amount due to increase in import tonnage revenue
- (2) Other Revenues includes: Other Licenses & Permits, Franchises, Forfeitures & Penalties, Rents, Other Governmental Agencies Payments, Other Charges for Services, Returned Checks, Capital Asset Sales, Non-Taxable Resale and Miscellaneous Revenues.

Other Revenues was negative in the 4th Quarter due to the loss in sale of capital assets and the reversal of reimbursement from Fund 279 for postclosure costs. YTD Actuals was only 52% of budget due to the lower than budgeted reimbursement from OCPW La Pata project

OC WASTE & RECYCLING Expenditures by Category FY 2014/2015

Description	FY 14/15 Adopted Budget	FY 14/15 Modified Budget	FY 14/15 4th Quarter Actuals	FY 14/15 YTD Actuals	YTD Actuals (% of Modified Budget)
Salaries & Employee Benefits	27,758,285	27,758,285	5,909,966	24,585,556	89%
Capital Project Spend-out	56,802,185	42,326,936	(1,511,028)	28,185,341	67%
Services & Supplies ^[1]	21,310,053	21,756,906	9,528,769	21,353,890	98%
Landfill Regulatory Compliance	6,991,415	6,971,003	356,367	5,936,584	85%
Facility Expenditures	2,943,580	2,944,916	390,606	2,168,239	74%
Equipment Purchases & Maintenance	17,806,215	18,172,538	1,114,262	17,017,533	94%
Taxes, Fees, Assessments ^[2]	7,469,425	11,915,145	(1,390,372)	6,921,945	58%
Recycling and Community Service Programs ^[3]	7,099,331	7,095,231	205,181	6,655,905	94%
Transfers-out to Other Funds	6,023,505	9,637,032	0	9,613,527	99.8%
Depreciation Expense & Capitalized Assets			(25,415,589)	(25,415,589)	
Total Expenditures ^[4]	\$154,203,994	\$148,577,992	(\$10,811,837)	\$97,022,932	

Note(s):

- 1) Includes Cost Applies, IT Professional Services, Multi-Disciplinary Engineering Support Services
- 2) YTD expenditures were only 58% of budgeted amount due to the reversal of pension prepayment of \$4.4 million during the fiscal year
- 3) Includes Hazardous Waste Services, Recycling Program & Community Outreach and Surcharge Program AB939
- 4) Does not include Operating Transfers between Fund 299 and Fund 273

OC WASTE & RECYCLING

Fund 299 & 273 Operating Revenues & Expenditures FY 2014/2015

	FY 14/15 Budget	FY 14/15 Actuals
Disposal Fees	89,960,000	95,383,149
Reimbursement from Importation (Transfers-in)	22,550,505	16,051,734
Interest Income	884,000	720,483
Leases & Royalties	3,027,000	3,548,622
Other Revenues	5,922,000	3,054,572
Total Operating Revenues ^[1]	122,343,505	118,758,560
Salaries & Employee Benefits	27,758,285	24,585,556
Services & Supplies	21,756,906	21,353,890
Landfill Regulatory Compliance	6,971,003	5,936,584
Facility Expenditures	2,944,916	2,168,239
Taxes, Fees, Assessments	11,915,145	6,921,945
Recycling & Community Services Programs	7,095,231	6,655,905
Equipment Purchases & Maintenance	18,172,538	17,017,533
Capital Project Spend-out	42,326,936	28,185,341
Depreciation Expense & Capitalized Assets		(25,415,589)
Total Operating Expenditures ^[2]	138,940,960	87,409,404
Operating Income (Loss)		31,349,156

Note(s)

[1] Transfer-in from Fund 299 to Fund 273 was excluded from Operating revenues

[2] Transfers-out to other internal funds of \$9.6 million was excluded from Operating expenditures

OC WASTE & RECYCLING Cash Balances FY 2010/11 – 2014/15

FUND	Description	Fund Restricted Y/N	FY 10/11	FY 11/12	FY 12/13	FY 13/14	Cash Balance as of 6/30/2015
299	Enterprise / Operating	No	\$90.54M	\$98.48M	\$93.27M	\$122.63M	\$145.66M
272	Prima Deshecha Landfill And The La Pata Avenue Gap Closure	Yes			\$0.10M	\$0.10M	\$0.10M
273	Capital Project Fund	No		\$10.00M	\$25.42M	\$44.59M	\$24.63M
274	Corrective Action Escrow	Yes	\$6.05M	\$6.08M	\$6.11M	\$7.13M	\$8.17M
275	Environmental Reserve (Liabilities)	No	\$69.39M	\$62.24M	\$69.28M	\$69.73M	\$71.06M
276	Deferred Payment Security Deposits	Yes	\$0.70M	\$0.75M	\$0.70M	\$0.56M	\$0.54M
277	Rate Stabilization	Yes	\$27.90M	\$28.05M	\$28.15M	Closed	Closed
278	San Joaquin Marsh Escrow	Yes	\$3.12M	\$3.12M	Closed	Closed	Closed
279	Landfill Post-Closure Maintenance	No	\$136.94M	\$167.27M	\$145.97M	\$139.91M	\$148.57M
284	Bee Canyon Landfill Escrow (Closure)	Yes	\$28.62M	\$28.77M	\$28.88M	\$28.95M	\$29.05M
285	Bankruptcy Recovery Plan	No	\$0.30M	\$0.03M	\$1.18M	\$2.12M	\$6.26M
286	Brea-Olinda Landfill Escrow (Closure)	Yes	\$38.13M	\$38.34M	\$38.48M	\$38.58M	\$38.71M
287	Prima Deshecha Landfill Escrow (Closure)	Yes	\$20.16M	\$20.26M	\$20.34M	\$20.39M	\$20.46M
288	FRB Landfill Wetland Creation & Agua Chinon Wash Riparian Restoration	Yes			\$0.88M	\$0.88M	\$0.88M
	TOTAL		\$421.86M	\$463.40M	\$458.77M	\$475.58M	\$494.11M



Agenda Item 3 – *AB 939 Report – Lisa Keating, Manager of Waste Disposal Contracts & Recycling Programs*

The purpose of the AB 939 Report is to update the Waste Management Commission on AB 939 programs, projects, and issues of mutual interest.

COUNTYWIDE COMMUNITY OUTREACH PARTNERSHIP PROGRAMS

OC Waste & Recycling (OCWR) and Discovery Cube (DC) partnered on developing the Eco Challenge exhibit as part of a mutual goal to educate the general public about waste diversion goals and encourage them to adopt habits to protect the environment in order to stimulate long-term behavioral change. As an extension of that goal, both organizations have a mutual interest in increasing the number of visitors to the Eco Challenge exhibit, thereby maximizing the educational reach and impact of the exhibit's messages and accelerating behavioral change.

Eco Challenge 2014 Annual Report

The Year 3 Eco Challenge Annual Report has been completed and includes highlights of the Eco Challenge Marketing elements, partnerships with DC, Angels Baseball, Anaheim Ducks, and Goodwill of Orange County as well as measurable results related to the Eco Challenge educational outreach program.

Eco Challenge Summer Promotion

OCWR in partnership with Discovery Cube OC launched the Summer Eco Challenge Promotion. A total of 500,000 "Take the Summer Eco Challenge" educational scorecards were distributed to Orange County residents. The County encouraged Orange County residents to "Take the Summer Eco Challenge" for a chance to win a free one-year Family Membership to Discovery Cube OC and the chance to win an iPad Mini with the County's Race to Recycle app downloaded. Orange County residents earned stamps by completing the three challenges below by September 7 to be eligible to win.

1. Visit one of the County's HHW Centers to dispose of household hazardous waste
2. Bring items for recycling to ONE Eco Challenge Recycling Event on July 25 or August 22, 2015.
3. Use a free child admission coupon to visit the Eco Challenge exhibit at Discovery Cube OC.

Names of the winners from the "Take the Eco Challenge" Summer Promotion will be provided at the next Waste Management Commission meeting.

Eco Challenge Day at Angel Stadium

On Saturday, July 25, 2015, OCWR partnered with Angels Baseball for our Eco Challenge Day at Angel Stadium. The event featured eco-friendly activities under the Big A, and a countywide collection event in the parking lot. Household hazardous waste, e-waste, household goods and gently used clothing were collected for reuse and recycling. The first 100 cars received either a 4-pack of tickets to Discovery Cube or a 4-pack of tickets to an Angel's game. Johnny Giavotella, Angels Baseball starting second baseman greeted residents and signed autographs. This family event was not only fun, but educational as each participant left with the knowledge that they helped our community with their commitment to recycling.

Eco Challenge Day at Discovery Cube

OCWR, in partnership with Discovery Cube, Goodwill of Orange County, and Angels Baseball hosted the second Eco Challenge Day on Saturday, August 22, 2015 from 10:00 a.m. to 1:00 p.m. at Discovery Cube. The first 150 cars to bring household goods, e-waste or gently-used clothing, or paper for certified on-site document destruction received four free general-admission tickets to Discovery Cube. Event participants also had the opportunity to meet an Angels Baseball Alumni Chuck Finley and enjoy eco-friendly activities at Discovery Cube.

2015 Eco Challenge Poster Contest

Young Orange County boys and girls between the ages of eight and fourteen (8-14) had the opportunity to participate in the 2015 Eco Challenge poster contest presented by the County of Orange, DC, and Angels Baseball for the chance to be one of five Honorary Bat Kids at a 2015 Angels baseball game. The Eco Challenge Poster Contest has concluded. Over 300 posters were submitted by contestants throughout Orange County. The Poster Contest winners for each Supervisorial District were recognized at Angel Stadium during the pre-game ceremony on Friday, September 4, 2015. Below are the winners for each Supervisorial District:

Supervisorial District	Poster Contest Winner	Jurisdiction
District 1	Alex Hawley	Garden Grove
District 2	Andrew Han	Cypress
District 3	Elena Sherrill	Irvine
District 4	Kianna De La Torre	Anaheim
District 5	Cara Adams	Ladera Ranch

RECYCLING MARKET DEVELOPMENT ZONE

On September 22, 2015, the Board of Supervisors will consider a resolution designating the County of Orange unincorporated area as a Recycling Market Development Zone (“RMDZ”). Doing so will allow the County of Orange to participate in the Orange County RMDZ program under the lead of the City of Huntington Beach. The Orange County RMDZ will include all incorporated cities within Orange County that choose to join the RMDZ. To date, Garden Grove, Huntington Beach, Orange, Santa Ana, and Stanton have formally expressed their desire to participate in the Orange County RMDZ.

Approval of this item supports the County of Orange’s goal of being a regional leader, as defined in the Countywide Integrated Waste Management Plan. Participation in the RMDZ enables businesses in participating jurisdictions to access low-interest loans and encourages the jurisdictions to promote sustainable economic incentives through public-private partnerships. Such partnerships align with OC Waste & Recycling’s strategic initiatives.

In order to be designated as an RMDZ, the State program requires cities and counties to adopt a resolution approving the designation and participation in the program, which is then included in the application to CalRecycle by the lead agency. By agreeing to participate in the Orange County RMDZ, the County of Orange will have another economic development tool to provide incentives to stimulate business development and help the local environment.

There is no cost to cities and the County to be a part of the Orange County RMDZ. There may be some funds available from the State for enhanced marketing of the program. The inclusion of the County unincorporated area into the RMDZ will not result in the formation of any redevelopment zones or areas, nor will this action result in any changes to the County’s General Plan or Zoning Ordinance.

COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLAN SUBCOMMITTEE

On July 9 and August 13, 2015 Countywide Integrated Waste Management Plan (CIWMP) subcommittee meetings were held to discuss revisions requested by subcommittee members. Staff reviewed each subdivision and explained each of the sections outlined in the CIWMP Review Report. This is the County's fourth Five-Year Review Reporting Period. CIWMP Subcommittee Chair Rob Johnson will provide an update in a separate agenda item during the Waste Management Commission meeting.

Recommended Action: Receive and file report.



Thursday, September 10, 2015

Agenda Item 4 – *Legislative and Regulatory Report –Lisa Keating, Manager of Waste Disposal Contracts & Recycling Programs*

This report provides the Waste Management Commission regular updates on the California Legislature as it pertains to solid waste management and OC Waste & Recycling's participation in regulatory activities.

California Legislature

The Detailed Legislative Report includes a comprehensive status report of bills. The report is divided into the following sections:

- Legislative & Regulatory Update
 - a. Bills of Interest
 - b. Bills with official County Position
 - c. Proposed Regulations monitored by OC Waste & Recycling
- Additional Waste-Related Bills

The Legislative & Regulatory table recaps the status of the bills and provides an overall view of legislation and regulation OC Waste & Recycling is tracking.

Recommended Action: Receive and file report.

Attachments:

Attachment A – Legislative & Regulatory Update
Attachment B – Bill Status Report

OC Waste & Recycling Legislative & Regulatory Update

As of August 4, 2015

2015 Legislative Calendar

January 5

Legislature Reconvenes

February 27

Last day for new bills to be introduced

June 5

Last day for bills to be passed out of their house of origin

July 18 – August 16

Summer Recess

September 11

Last day for a bill to be passed

October 11

Last Day for Governor to Sign or Veto Bills

January 1, 2016

Statutes passed in 2015 take effect

REGULATORY UPDATE

AB 1826- Organics Recycling

By 1/1/16 local jurisdictions must have an organic waste recycling program in place. Jurisdictions must conduct outreach, education to inform businesses how to recycle organic waste in the jurisdiction, and monitoring to identify those not recycling and inform them of the law and how to recycle organic waste.

Governor Brown GHG Reductions Executive Order

The executive order establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030.

Short-Lived Climate Pollutant Reduction Strategy

State is developing a comprehensive strategy to further reduce Short-Lived Climate Pollutant emissions. Due January 2016.

HIGH WATCH

AB 45 (MULLIN) HHW OPPOSE- This bill would establish a comprehensive household hazardous waste (HHW) collection programs that includes curbside, door-to-door and residential pickup. **Failed deadline 5/29/15**

AB 1063 (WILLIAMS) Disposal Fees OPPOSE- Raises Disposal Fee from \$1.40 to \$5.00/ton between 1/1/17-1/1/22, then down to \$3.50 indefinitely. \$1/ton of the fee collected between 1/1/17-1/1/22 plus some thereafter for activities that promote recycling and the highest and best use of materials. **Senate Environmental Quality.**

ENERGY

AB 577 (BONILLA) Biomethane Grant Program- Requires the State Energy Resources Conservation and Development Commission to develop and implement a grant program for projects that build or develop collection and purification technology or infrastructure or upgrade existing Biomethane facilities and authorize use of cap and trade revenues. **Senate Appropriations.**

AB 1159 (GORDON) Production Stewardship- Sharps & Batteries- Establishes a limited-term product stewardship program for home-generated medical sharps and household batteries. **Failed deadline 5/29/15**

SB 32 (PAVLEY) Emissions limit

Authorizes the State Air Resources Board to adopt interim greenhouse gas (GHG) emissions level targets to be achieved by 2030 and 2040. It would also require the board to approve GHG limit of 80% below 1990 levels be reached by 2050. It also states that it is the intention of the Legislature for the Legislature and appropriate agencies to adopt complementary policies nationally and internationally to ensure long term efforts. **Assembly Appropriations.**

SB 687 (ALLEN) Renewable Gas Standard- Requires the California Air Resources Board (ARB) to develop a carbon-based renewable gas standard to reach 10% by 2029. **Failed deadline 5/29/15**

Waste Management Commission
Thursday, September 10, 2015
(updated as of August 4, 2015)

Agenda Item 4 - Attachment B Bill Status Report

Legend

- SUPPORT** OC Waste & Recycling supports the bill, and has requested official BOS support.
- OPPOSE** OC Waste & Recycling opposes the bill, and has requested official BOS opposition.
- WATCH** OC Waste & Recycling has no position on the bill, but will continue to monitor it because of possible implications for the Department.
- BOS** These initials following any position mean that the Board of Supervisors has officially taken the indicated position.
- WMC** These initials following any position mean that the Waste Management Commission has expressed a position.

Yellow highlight in the status table indicates the current status of the bill.

Red highlight in the status table indicates where it became 2 Year bill.

Notes with specific information about the effect of the legislation on OC Waste & Recycling follow each bill summary in blue type.

AB 21 (Perea D) California Global Warming Solutions Act of 2006: emissions limit: scoping plan.

Position: WATCH

Current Text: Amended: 5/5/2015

Introduced: 12/1/2014

Status: 6/30/2015-Read second time. Ordered to third reading.

Location: 6/30/2015 S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. This bill would require the state board in preparing its scoping plan to consult with specified state agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector. This bill contains other related provisions and other existing laws.

AB 23 (Patterson D) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.

Position: WATCH

Current Text: Introduced: 12/1/2014

Introduced: 12/1/2014

Status: 3/23/2015-In committee: Set first hearing. Failed passage. Reconsideration granted.

Location: 3/23/2015 A- NATURAL RESOURCES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill would instead exempt those categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020. This bill contains other related provisions.

AB 33 (Quirk D) California Global Warming Solutions Act of 2006: Climate Change Advisory Council

Position: WATCH

Current Text: Amended: 6/23/2015

Introduced: 12/1/2014

Status: 7/15/2015- SEN. E.Q. Vote - Do pass as amended, and re-refer to the Committee on Appropriations.

Location: 7/15/2015 S- APPROPRIATIONS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would establish the Energy Sector Emissions Reduction Advisory Council in state government and would require the council to recommend strategies for the electricity sector for incorporation into the scoping plan prepared by the state board, based on conclusions of specified analyses, including, among others, an analysis of the various strategies that could be implemented to reduce emissions of greenhouse gases from the electricity sector and integrate increasing amounts of renewable energy into the electricity grid. The bill would require the council to first convene by February 1, 2016, and to develop a schedule that ensures the recommendations and analyses are delivered to the state board early enough to be considered during development of the next scoping plan update. The bill would provide that the council shall cease to exist as of the end of the following December 31 after the council delivers its recommendations and analyses to the state board..

AB 45 (Mullin D) Household hazardous waste.

Position: OPPOSE

Current Text: Amended: 04/30/2015

Introduced: 12/1/2014

Status: 5/29/2015-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/20/2015).

Location: 5/29/2015 A-2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires, among other things, each city and each county to prepare a household hazardous waste element containing specified components, and to submit that element to the department for approval. Existing law requires the department to approve the element if the local agency demonstrates that it will comply with specified requirements. A city or county is required to submit an annual report to the department summarizing its progress in reducing solid waste, including an update of the jurisdiction's household hazardous waste element. This bill would require each jurisdiction that provides for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area, on or before July 1, 2020, by 15% over a baseline amount, to be determined in accordance with department regulations. The bill would authorize the department to adopt a model ordinance for a comprehensive program for the collection of household hazardous waste to facilitate compliance with those provisions, and would require each jurisdiction to annually report to the department on progress achieved in complying with those provisions. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 48 (Stone, Mark D) Cigarettes: single-use filters.

Position: WATCH

Current Text: Amended: 2/13/2015

Introduced: 12/1/2014

Status: 5/15/2015-

Location: 5/15/2015 A. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law, the Stop Tobacco Access to Kids Enforcement Act, requires all persons engaging in the retail sale of tobacco products to check the identification of tobacco purchasers, to establish the age of the purchaser, if the purchaser reasonably appears to be under 18 years of age. Under existing law, an enforcing agency, as defined, may assess civil penalties against any person, firm, or corporation that sells, gives, or in any way furnishes to another person who is under 18 years of age, any tobacco, cigarette, cigarette papers, any other instrument or paraphernalia that is designed for the smoking or ingestion of tobacco, or products prepared from tobacco. The existing civil penalties range from \$400 to \$600 for a first violation, up to \$5,000 to \$6,000 for a 5th violation within a 5-year period. This bill would state findings and declarations of the Legislature regarding the health and safety hazards to residents of the state related to cigarettes utilizing single-use filters. The bill would prohibit a person or entity from selling, giving, or in any way furnishing to another person of any age in this state a cigarette utilizing a single-use filter made of any material, including cellulose acetate, or other fibrous plastic material, and any organic or biodegradable material. The bill would prohibit that selling, giving, or furnishing, whether conducted directly or indirectly through an in-person transaction or by means of any public or private method of shipment or delivery to an address in this state. This bill contains other related provisions and other existing laws.

AB 190 (Harper R) Solid waste: single-use carryout bags.

Position: WATCH

Current Text: Amended: 3/11/2015

Introduced: 1/27/2015

Status: 4/13/2015-In committee: Set, second hearing. Failed passage. Reconsideration granted.

Location: 4/14/2015 A-NATURAL RESOURCES

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law, inoperative due to a pending referendum election, would otherwise, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. That law would also prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10 and would allow those stores to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. This bill would repeal the above provisions and related provisions. This bill contains other related provisions and other existing laws.

AB 191 (Harper R) Solid waste: single-use carryout bags.

Position: WATCH

Current Text: Amended: 3/11/2015

Introduced: 1/27/2015

Status: 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NATURAL RESOURCES on 4/14/2015).

Location: 5/1/2015 A-2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law, inoperative due to a pending referendum election, would, as of July 1, 2015, prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer and prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. This same law would, on and after July 1, 2016, impose these prohibitions and requirements on convenience food stores, foodmarts, and other specified entities. This bill would repeal the requirement that a store that distributes recycled paper bags make those bags available for purchase for not less than \$0.10. This bill contains other related provisions.

AB 197 (Garcia D) Public utilities: renewable resources.

Position: WATCH

Current Text: Amended: 4/29/2015

Introduced: 1/28/2015

Status: 7/13/2015- In Committee: Referred to suspense file.

Location: 7/13/2015 S- APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Public Utilities Act requires the Public Utilities Commission (PUC), in consultation with the Independent System Operator, to establish resource adequacy requirements for all load-serving entities, including electrical corporations, in accordance with specified objectives. The act further requires each load-serving entity to maintain physical generating capacity adequate to meet its load requirements, including peak demand and planning and operating reserves, deliverable to locations and at times as may be necessary to provide reliable electric service. This bill would require the PUC, in adopting the process, to include consideration of any statewide greenhouse gas emissions limit established pursuant to the California Global Warming Solutions Act of 2006 and consideration of capacity and essential reliability services of the eligible renewable energy resource to ensure grid reliability. The bill would require the PUC to require a retail seller of electricity, in soliciting and procuring eligible renewable energy resources, to consider the best-fit attributes of resources types that ensure a balanced resource mix to maintain the reliability of the electrical grid. The bill would revise the authority of an electrical corporation to refrain from entering into new contracts or constructing facilities beyond the quantity that can be procured within the electrical corporation's cost limitation, as specified. This bill contains other related provisions and other existing laws.

AB 577 (Mullin D) Biomethane: grant program

Position: WATCH

Current Text: Amended: 07/6/2015

Introduced: 2/24/2015

Status: 7/16/2015- From committee: Do pass and re-refer to Committee on APPROPRIATIONS. (Ayes 7. Noes 0.) (July 15). Re-referred to Committee on APPROPRIATIONS.

Location: 7/16/2015 S - APPROPRIATIONS

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law establishes the State Energy Resources Conservation and Development Commission and requires the commission to administer various programs to award grants and other financial assistance for energy-related projects. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. This bill would require the commission to develop and implement a grant program to award grants for projects that produce biomethane, that build or develop collection and purification technology or infrastructure, or that upgrade or expand existing biomethane facilities. The bill would, upon appropriation, authorize moneys in the fund to be used to fund grants awarded pursuant to the program.

AB 901 (Gordon D) Solid waste: reporting requirements: enforcement.

Position: WATCH

Current Text: Amended: 7/16/2015

Introduced: 1/28/2015

Status: 7/16/2015- From committee: Amend, and do pass as amended and re-refer to Committee on APPROPRIATIONS. (Ayes 6. Noes 1.) (July 15). Read second time and amended. Re-referred to Committee on APPROPRIATIONS.

Location: 7/16/2015 S- APPROPRIATIONS

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Existing law requires disposal facility operators to submit information to counties from periodic tracking surveys on the disposal tonnages that are disposed of at the disposal facility by jurisdiction or region of origin. Existing law requires solid waste handlers and transfer station operators to provide information to the disposal facility on the origin of the solid waste they deliver to the disposal facility. Existing law requires recycling and composting facilities to submit periodic information to counties on the types and quantities of materials that are disposed of, sold to end users, or sold to exporters or transporters for sale outside of the state, by county of origin. Existing law requires counties to submit periodic reports to the cities within the county, to any regional agency of which the county is a member, and to the Department of Resources Recycling and Recovery on the amounts of solid waste disposed of by jurisdiction or region of origin, and on the categories and amounts of solid waste diverted to recycling and composting facilities within the county or region. Existing law authorizes the department to adopt regulations in this regard. This bill would revise these provisions by, among other things, (1) requiring recycling and composting operations and facilities to submit specified information directly to the department, rather than to counties, (2) requiring disposal facility operators to submit tonnage information to the department, and to counties only on request, and (3) deleting the requirement for counties to submit that information to cities, regional agencies, and the department. The bill would delete references to periodic tracking surveys. The bill would require exporters, brokers, and transporters of recyclables or compost to submit periodic information to the department on the types, quantities, and destinations of materials that are disposed of, sold, or transferred inside or outside of the state, and would authorize the department to provide this information, on an aggregated basis, to jurisdictions, as specified. The bill would make other related changes to the various reporting requirements. The bill would provide for imposition of civil penalties on any person who refuses or fails to submit information required by the governing regulations, and on any person who knowingly or willfully files a false report, refuses to permit the department to inspect or examine associated records, or alters, cancels, or obliterates entries in the records, as specified. The bill would provide that the civil penalties may be imposed either in a civil action or administratively pursuant to procedures specified in the bill. The bill would specify the types of waste disposal records that are subject to inspection and copying by the department, and also by an employee of a government entity, as defined, with respect to tonnage received at a disposal facility that originates within the government entity's geographic jurisdiction. The bill, with respect to those records, would prohibit a government entity from disclosing the name of a waste hauler using a specific landfill unless necessary as part of an administrative or judicial proceeding, as specified. The bill would also authorize a government entity to petition the superior court for injunctive or declaratory relief to enforce these provisions. The bill would require recovered civil penalties to be deposited in the Integrated Waste Management Account. This bill contains other related provisions and other existing laws.

AB 1063 (Williams D) Solid waste: disposal facility: fees.

Position: OPPOSE

Current Text: Amended: 7/15/2015

Introduced: 1/28/2015

Status: 7/15/2015- From committee chair, with author’s amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Environmental Quality.

Location: 7/15/2015 S. ENVIRONMENTAL QUALITY

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: (1) Existing law requires the operator of a disposal facility to pay to the State Board of Equalization a fee based on the amount of all solid waste disposed of at each disposal site. The act requires the Department of Resources Recycling and Recovery to establish the amount of the fee, as specified, and limits the fee to a maximum of \$1.40 per ton. Existing law requires the moneys collected from the fee to be deposited in the Integrated Waste Management Account and to be used by the department, upon appropriation, for specified purposes. This bill would raise the fee imposed on an operator of a disposal facility from a maximum of \$1.40 per ton to \$5 per ton between January 1, 2017, and January 1, 2022, inclusive, and to \$3.50 per ton on and after January 1, 2022. The bill would require a minimum of \$1 per ton of the fee collected from each operator between January 1, 2017, and January 1, 2022, and would authorize some or all of the fee collected thereafter, to be allocated to activities that promote recycling and the highest and best use of materials, as specified. This bill contains other related provisions and other existing laws.

AB 1159 (Gordon D) Product stewardship: pilot program: household batteries and home-generated sharps waste.

Position: WATCH

Current Text: Amended: 4/21/2015

Introduced: 2/27/2015

Status: 5/29/2015- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPROPRIATIONS SUSPENSE FILE on 5/20/2015).

Location: 5/29/2015 A- 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient and cost-effective manner to conserve water, energy, and other natural resources. This bill would establish the Product Stewardship Pilot Program and, until January 1, 2024, would require producers and product stewardship organizations of covered products, defined to mean a consumer product that is used or discarded in this state and is either home-generated sharps waste or household batteries, to develop and implement a product stewardship plan, as specified. This bill contains other related provisions and other existing laws.

SB 1 (Gaines D) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.

Position: WATCH

Current Text: Introduced: 12/1/2014

Introduced: 12/1/2014

Status: 4/7/2015- April 15 set for second hearing canceled at the request of author.

Location: 1/15/2015 S- ENVIRONMENTAL QUALITY.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open, public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism. The bill would require all participating categories of persons or entities to have a compliance obligation beginning January 1, 2025. This bill contains other related provisions.

SB 5 (Vidak R) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.

Position: WATCH

Current Text: Introduced: 12/1/2014

Introduced: 12/1/2014

Status: 4/16/2015- April 15 set for second hearing, Failed passage in committee. (Ayes 2. Noes 5. Page 648.)

Location: 1/15/2015 S- ENVIRONMENTAL QUALITY

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020. This bill contains other related provisions.

SB 32 (Pavley D) California Global Warming Solutions Act of 2006: emissions limit.

Position: WATCH

Current Text: Amended: 6/1/2015

Introduced: 12/1/2014

Status: 7/14/2015-From committee: Do pass and re-refer to Committee on APPROPRIATIONS. (Ayes 6. Noes 3.) (July 13). Re-referred to Committee on APPROPRIATIONS.

Location: 7/14/2015 A- APPROPRIATIONS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. This bill would require the state board to approve statewide greenhouse gas emissions limits that are the equivalent to 40% below the 1990 level to be achieved by 2030 and 80% below the 1990 level to be achieved by 2050, as specified. The bill would authorize the state board to adopt an interim greenhouse gas emissions level target to be achieved by 2040. The bill also would state the intent of the Legislature for the Legislature and appropriate agencies to adopt complementary policies that ensure the long-term emissions reductions advance specified criteria. The bill would make conforming changes.

SB 47 (Hill D) Environmental health: synthetic turf.

Position: WATCH

Current Text: Amended: 3/25/2015

Introduced: 12/17/2014

Status: 5/29/2015- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Location: 5/29/2015 S- 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Existing law regulates certain behavior related to recreational activities and public safety, including, among other things, playgrounds and wooden playground equipment. This bill would require the Office of Environmental Health Hazard Assessment, by July 1, 2017, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, as defined, for potential adverse health impacts. The bill would require the study to include certain information, including a hazard analysis of exposure to the chemicals that may be found in synthetic turf, as provided. The bill would prohibit a public or private school or local government, until January 1, 2018, from installing, or contracting for the installation of, a new field or playground surface made from synthetic turf within the boundaries of a public or private school or public recreational park, unless 3 specified conditions are met, including that the public or private school or local government has obtained at least one estimate from a company that does not use crumb rubber in its turf field and playground products, as provided . This bill contains other related provisions and other existing laws.

SB 162 (Galgiani D) Treated wood waste: disposal.

Position: WATCH

Current Text: Amended: 6/22/2015

Introduced: 2/3/2015

Status: 7/1/2015-From committee: Do pass and re-refer to Committee on APPROPRIATIONS. (Ayes 7. Noes 0.) (June 30). Re-referred to Committee on APPROPRIATIONS.

Location: 7/1/2015 A-APPROPRIATIONS

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Existing law requires the wood preserving industry to provide certain information relating to the potential danger of treated wood to wholesalers and retailers of treated wood and wood-like products. Existing law requires these wholesalers and retailers to conspicuously post the information at or near the point of display or customer selection of treated wood and wood-like products, as specified. This bill would update the information required to be posted by wholesalers and retailers of treated wood and treated wood-like products. This bill contains other related provisions and other existing laws.

SB 489 (Monning D) Hazardous waste: photovoltaic modules.

Position: WATCH

Current Text: Amended: 7/16/2015

Introduced: 2/26/2015

Status: 7/16/2015- Read second time and amended. Ordered to second reading.

Location: 7/16/2015 A. SECOND READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The Hazardous Waste Control Law, among other things, vests the Department of Toxic Substances Control with the authority to regulate the generation and disposal of hazardous waste. Under now-expired authority, the department adopted regulations exempting specified hazardous waste management activities from certain statutory requirements related to hazardous waste management. These regulations are to remain valid unless repealed. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. Under existing law, the hazardous wastes that are deemed exempt from the Hazardous Waste Control Law are known as "universal waste" and are regulated pursuant to universal waste management provisions. This bill would authorize the department to adopt regulations to designate end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject those modules to universal waste management. The bill would authorize the department to revise the regulations as necessary. Because a violation of these regulations would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 687 (Allen D) Renewable Gas Standard

Position: WATCH

Current Text: Amended: 5/5/2015

Introduced: 2/27/2015

Status: 5/29/2015- Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/28/2015)

Location: 5/29/2015 S. 2 YEAR

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this program. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions level in 1990. The state board is required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to adopt market-based compliance mechanisms, as defined, meeting specified requirements. Existing law requires the state board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state. This bill would require the state board, on or before June 30, 2017, in consultation with the State Energy Resources Conservation and Development Commission and the Public Utilities Commission, to adopt a carbon-based renewable gas standard, as defined and specified, that requires all gas sellers, as defined, to provide specified percentages of renewable gas meeting certain deliverability requirements, to retail end-use customers for use in California, that increases over specified compliance periods. The bill would authorize the state board to waive enforcement of the renewable gas standard upon certain showings being made by a gas seller. The bill would require the state board, on or before January 1, 2017, to issue an analysis of the lifecycle emissions of greenhouse gases and reductions for different biogas types and end uses. This bill contains other related provisions and other existing laws.



Thursday, September 10, 2015

Agenda Item 5 –*Subcommittee Reports*

Renewable Technologies Subcommittee, CIWMP 5-Year Review Subcommittee, Legislative & Regulatory Subcommittee, Finance Committee

Summary

Subcommittee members will report on their respective meetings:

Renewable Technologies Subcommittee	Vice Chair Shawver
CIWMP 5-Year Review Subcommittee	Commissioner Johnson
Legislative & Regulatory Subcommittee	Commissioner Lodge
Finance Committee	Commissioner Krishan

Should you have any questions or would like additional information regarding the subcommittees, please contact the following staff members:

Renewable Technologies Subcommittee:	Jeff Arbor, Environmental Compliance & Closed Sites Manager (714) 834-4056
CIWMP 5-Year Review Subcommittee:	Isabel Rios, Material Regulations and Recycling Programs Manager (714) 834-4118
Legislative & Regulatory Subcommittee	Lisa Keating, Waste Disposal Contracts & Recycling Programs Manager (714) 834-5513
Finance Committee	Alan Yuki, Budget and Landfill Administration Services (714) 834-4161

Recommended Action: Receive and file report.