



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

Chair (4th Dist.)
Brett Murdock*

Vice-Chair (4nd Dist.)
Chad Wanke

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

2nd District
Cheryl Brothers*
James Wahner
Vacant

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

4th District
Samuel Han

5th District
Cynthia Connors*
Joe Soto
Vacant

At Large
David J. Shawver*

**City Managers'
Representative**
Doug Chotkevys*

**Director
OC Waste & Recycling**
Dylan Wright

*Appointed by Orange
County City Selection
Committee

REGULAR MEETING

Thursday, December 11, 2014, 2:00 P.M.

OC Waste & Recycling

300 N. Flower Street, Ste. 400, Santa Ana
Multi-Purpose Room (Room 467)

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 Brett Murdock

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

Action Item Recap Julie Chay, Commission Clerk

Agenda Items

Agenda Item 1: Minutes of Waste Management Commission/Local Task Force, September 11, 2014
Summary: Review and approve minutes of September 11, 2014 WMC/LTF meeting.
Recommended Action: Review and approve minutes.

Agenda Item 2: OC Waste & Recycling First Quarter FY 2014/15 Financial Report
Summary: Staff will provide the OC Waste & Recycling Financial Report for First Quarter of 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.



WASTE MANAGEMENT COMMISSION/LOCAL TASK FORCE

December 11, 2014

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- Agenda Item 5: Presentation on CRT Glass Recycling and Disposal**
Summary: Staff will provide a presentation on CRT glass recycling and disposal.
Recommended Action: Receive and file report.
- Agenda Item 6: Presentation on OCWR Strategic Review of Operations**
Summary: Staff will provide a presentation on OCWR Strategic Review of Operations.
Recommended Action: Receive and file report.
- Agenda Item 7 Election of 2015 Chair and Vice Chair Waste Management Commission**
Summary: Elect Chair and Vice Chair for 2014.
Recommended Action: Elect a Chair and Vice Chair for 2015.

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, March 12, 2015



Agenda Item 1 - Minutes of Waste Management Commission/ Local Task Force, September 11, 2014

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*	✓ Joe Carchio*	✓ Mike Alvarez*	✓ Brett Murdock*	Cynthia Conners*
✓ Xuan-Nhi Ho	✓ James Wahner	✓ Donald Froelich	✓ Samuel Han	✓ Joe Soto
Vacant	Vacant	✓ Steve Chavez Lodge	✓ Chad Wanke	Vacant

Doug Chotkevys* –*City Manager*
 ✓ Dylan Wright, Director, OC Waste & Recycling

David Shawver* –*At Large (Stanton)*
 *City Selection Committee Appointee

Also Present:

Mary Beth Anderson	OC Waste & Recycling	Tony McCombs	OC Waste & Recycling
Phil Anthony	Solid Waste Assn. of O.C.	Isaac Novella	OC Waste & Recycling
John Arnau	OC Waste & Recycling	Jesus Perez	OC Waste & Recycling
Jim Astor	Astor & Associates	Maria Pirona	OC Waste & Recycling
Jane Caswell	OC Waste & Recycling	Isabel Rios	OC Waste & Recycling
Peter Chang	CLL	Lori Souder	OC Waste & Recycling
Julie Chay	OC Waste & Recycling	Jeff Southern	OC Waste & Recycling
Eli Esber	OC Waste & Recycling	Melanie Tep	OC Waste & Recycling
Oscar Garza	OC Waste & Recycling	David Tieu	OC Waste & Recycling
Lu Lu Goh	OC Waste & Recycling	Sonia Verma	OC Waste & Recycling
Sue Gordon	Rainbow Disposal	Christine Wong	USAgaini
Nardy Khan	OC Public Works	Alan Yuki	OC Waste & Recycling
Stu Luce	Visitor		

Call to Order

Chairman Brett Murdock called the meeting to order at 2:10 p.m. A moment of silence was taken in remembrance of the events of September 11, 2001.

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Martinez.

Roll Call

Roll call was conducted by the Commission Clerk.

Chairman’s Report

Chair Murdock thanked Commissioner Lodge for inquiring about the La Pata Gap Closure Project. In response to that staff member John Arnau will make a presentation at today’s meeting.

Director’s Report

OC Waste & Recycling Director, Dylan Wright, began his report with a video of a recent EcoChallenge event.

After the video, Mr. Wright explained the funding for the EcoChallenge, noting that Commissioner Wahner’s tenure goes back to the time the surcharge was instituted. He noted that partnerships with the Discovery Science Center and Angels Baseball have helped us be more effective in getting out the recycling message.

Responses to the Renewable Technologies Implementation Plan Request for Proposals have been evaluated and the Board of Supervisors will be awarding the contract in the near future.

Mr. Wright reported that the Prima Deshecha Green Building litigation continues. He also reported that OCWR is asking for approval by the Board of Supervisors for a contract to correct the deficiencies that caused water intrusion in the building. This deals with one of the issues in time to avoid further deterioration during the rainy season.

Recently the Orange County City Managers' Association formed a working group to discuss the continuation of waste importation. OC Waste & Recycling met recently with the city managers of our host cities to discuss matters of mutual interest, including tonnage, capacity, and the potential of continuing importation beyond 2016.

The tonnage declines of the past ten years and the associated increase in capacity at the County's landfills call for a discussion of alternatives and opportunities to ensure a financially sound waste disposal system to serve Orange County residents in the long term.

The department has been engaged in a strategic planning process to ensure that we are mission centered, strategically planned, and effectively organized. It builds on the RELOOC Strategic Plan which has already been implemented. As a new Director, Mr. Wright emphasized the importance of engaging in such a process. There will be a presentation and discussion about the Strategic Plan at a future meeting.

United Way continues to receive support from the County and OC Waste & Recycling. The Department is sponsoring two events, the United Way Golf Tournament on Monday, October 13, and the popular "Dine at the Dump" at Frank R. Bowerman Landfill on Thursday, October 23. Flyers are in the Commissioner folders, as well as on the back table.

Action Item Recap:

The Commission Clerk reminded Commissioners that AB 1234 ethics training must be completed by the end of the year. Also, Commissioners will receive information regarding landfill tours.

Agenda Item 1: Minutes of the March 13, 2013, Waste Management Commission Meeting

The minutes were approved as written, with abstentions by members not present at the March meeting.

Agenda Item 2: OC Waste & Recycling FY 13/14 Third Quarter Financial Report

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

The report was received and filed.

Agenda Item 3: AB 939 Report

Manager of Recycling Programs, Isabel Rios presented the report. In addition to pointing out the recent activities, she noted that another event is coming September 20, at the Anaheim Stadium. Angel Alumni Gary DiSarcina will be on hand to meet people and sign autographs.

The Report was received and filed.

Agenda Item 4: Legislative and Regulatory Report

Jesus Perez, Manager of Legislative and Regulatory Affairs, presented the report. He called attention to AB 1826—the organics ban—and AB 1594—the elimination of greenwaste diversion credits—as significantly

impacting the department. Commissioner Carchio noted that AB 270, the grocery bag ban, will greatly impact cities. He is concerned that the ten cent per bag charge is an unjust taking of local funds.

The report was received and filed.

Agenda Item 5: Presentation on La Pata Extension Project at Prima Deshecha Landfill

John Arnau, Management Services, provided the report with a presentation. OC Public Works is the lead on this project and a number of La Pata Extension Project staff were present and answered questions. One point of interest is the odor control. Complaints have been surprisingly few and many reports were made in response to a request made by OC Waste & Recycling staff to report odors in order to assist in determining what operational changes, if any, could be made to minimize odors. OC Public Works OC Waste & Recycling had met with the community to inform them of the project, its challenges and its benefits. Commissioners asked about the source of water used for dust and odor control (some is reclaimed and other activities used potable water), and the movement of electric lines, which is being coordinated by San Diego Gas & Electric.

The Report was received and filed.

Commissioner Comments

Commissioner Carchio spoke of Huntington Beach's Green Forum September 13, with exhibits and activities much of the day at the HB pier.

Commissioner Wanke requested a future staff report on CRT glass, any legislation regarding it, what sorts of regulations now exist for both cleaned and unclean glass, whether and when it can be landfilled, the potential for use as alternative daily cover, and the effects of SB20.

Commissioner Lodge thanked OC Public Works for the outstanding job they are doing on the La Pata extension.

Public Comments

None

The meeting was adjourned at 3:05 p.m.



Agenda Item 2 – *OC Waste & Recycling’s Financial Report* ***First Quarter of FY 14/15*** ***Alan Yuki, Manager, Budget & Landfill Administration***

This report presents the financial status of OC Waste & Recycling for the first quarter of FY 14/15 (July – September, 2014). 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 during the first quarter FY 14/15 was 1,117,812 tons, consisting of 703,404 in-county tonnage and 414,408 importation tonnage. By landfill site FY 14/15 tonnage was as follows:

Olinda Alpha Landfill

In-county tonnage	224,916 (32%)
Importation tonnage	293,433 (71%)

Frank R. Bowerman Landfill

In-county tonnage	382,995 (54%)
Importation tonnage	116,684 (28%)

Prima Deshecha Landfill

In-county tonnage	95,493 (14%)
Importation tonnage	4,291 (1%)

Revenues

For the first quarter of FY 14/15, revenue recorded in OC Waste & Recycling’s Enterprise/Operating (Fund 299) was \$17,889,346, or 17% versus the revenue budget of \$104,711,505. Primary sources of revenue received during the first quarter included:

- \$17,507,229 Disposal Fees (97.8% of the \$17,889,346 quarterly total)
- \$222,830 Other Revenues (1.3%)
- \$89,232 Interest Income (0.5%)
- \$69,906 Royalties (0.4%)

Expenditures

First Quarter FY 14/15 expenditures and encumbrances recorded in OC Waste & Recycling’s Enterprise/Operating (Fund 299) totaled \$26,806,002 or an approximate 21% spendout versus a modified expense budget of \$129,438,336.

First Quarter FY 14/15 expenditures and encumbrances recorded in OC Waste & Recycling’s Capital Project Fund (Fund 273) was only \$4,987 from a modified expense budget of \$45,826,935. This is due to expenditures mostly paid from prior year encumbrances.

For the First Quarter of FY 14/15, OC Waste & Recycling's categories of major expenditures from OC Waste & Recycling's Enterprise/Operating (Fund 299) and Capital Project Fund (Fund 273) were:

- \$8,121,232 Equipment Purchases & Maintenance (30% of the 26,810,989 total)
- \$6,154,280 Salaries & Employee Benefits (23%)
- \$5,360,278 Landfill Regulatory Compliance (20%)
- \$3,658,013 Services & Supplies (14%)
- \$3,163,473 Recycling & Community Service Programs (11%)

Cash Balance and Reserves

As of September 30, 2014, the OC Waste & Recycling's Enterprise/Operating Fund 299 had a cash balance of \$136,636,146.

As of September 30, 2014 the OC Waste & Recycling's Enterprise/Operating Fund 299 had an available reserves balance of \$45,562,041.

Summary

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

Recommended Action: Receive and file report.

Attachments:

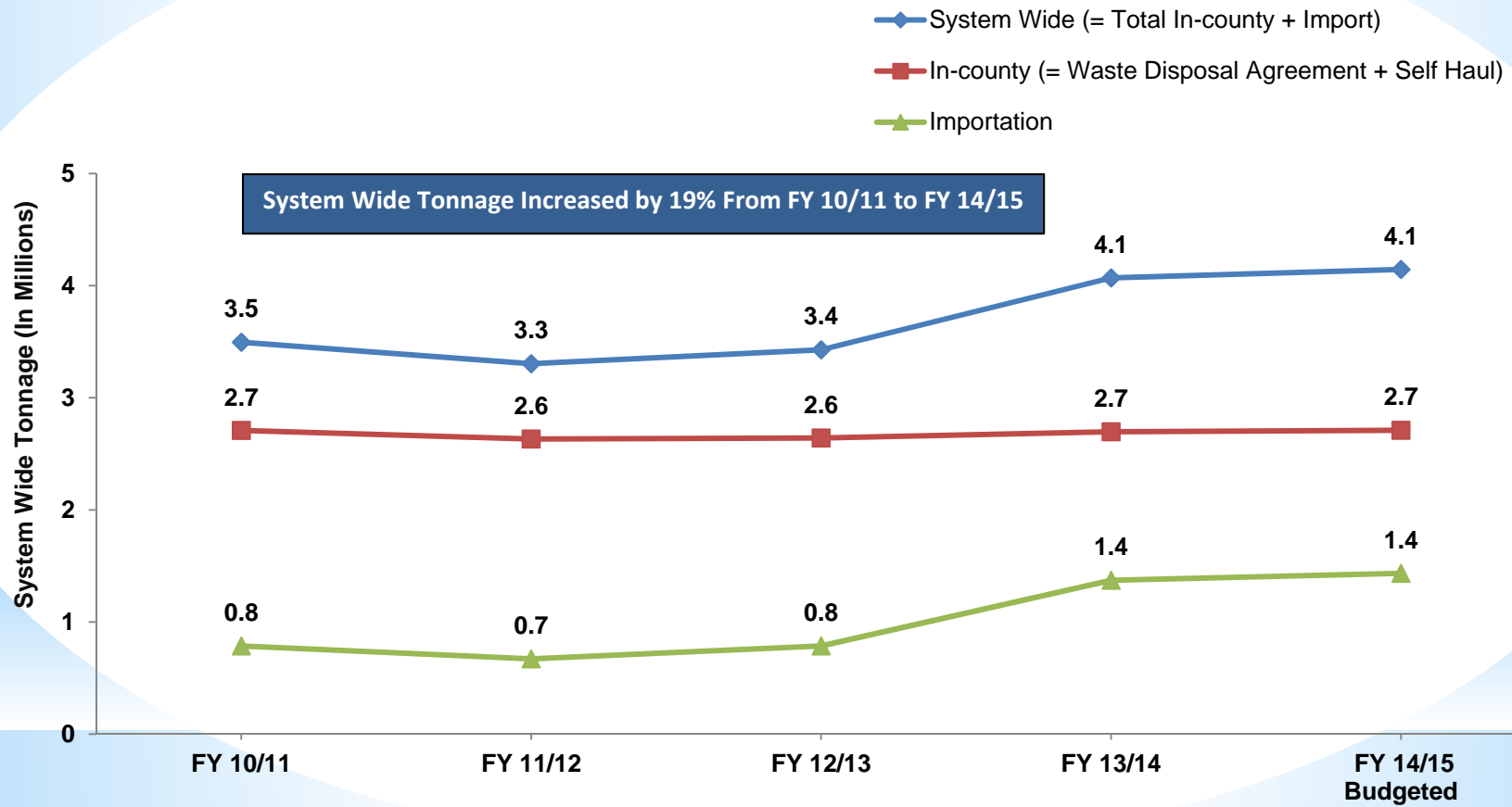
- 1- Budget Report First Quarter - FY 2014/2015 - Overview
- 2- System-Wide Tonnage FY 2010/2011 to 2014/2015
- 3- In-county vs. Exempt Green Waste Tonnage FY 2009/2010 to 2013/2014
- 4- WDA Tonnage vs. Actual / Current Projected Tonnage FY 2006/2007 to 2019/2020
- 5- Importation Tonnage to Total Landfill Capacity – Inception to FY 2013/2014
- 6- System-Wide Revenue (Excluding \$19 Surcharge) 2010/2011 to 2014/2015
- 7- Operating Revenues FY 2010/2011 to 2014/2015 Budget
- 8- Budget Report First Quarter - FY 2014/2015—Fund 299 Revenue
- 9- Budget Report First Quarter - FY 2014/2015 – Expenditures by Category
- 10- Budget Report First Quarter - FY 2014/2015 - Cash Balances

OC WASTE & RECYCLING
Budget Report Fiscal Year 2014/2015
Fund 299, Fund 273 and Fund 285 Overview
First Quarter – July - September, 2014

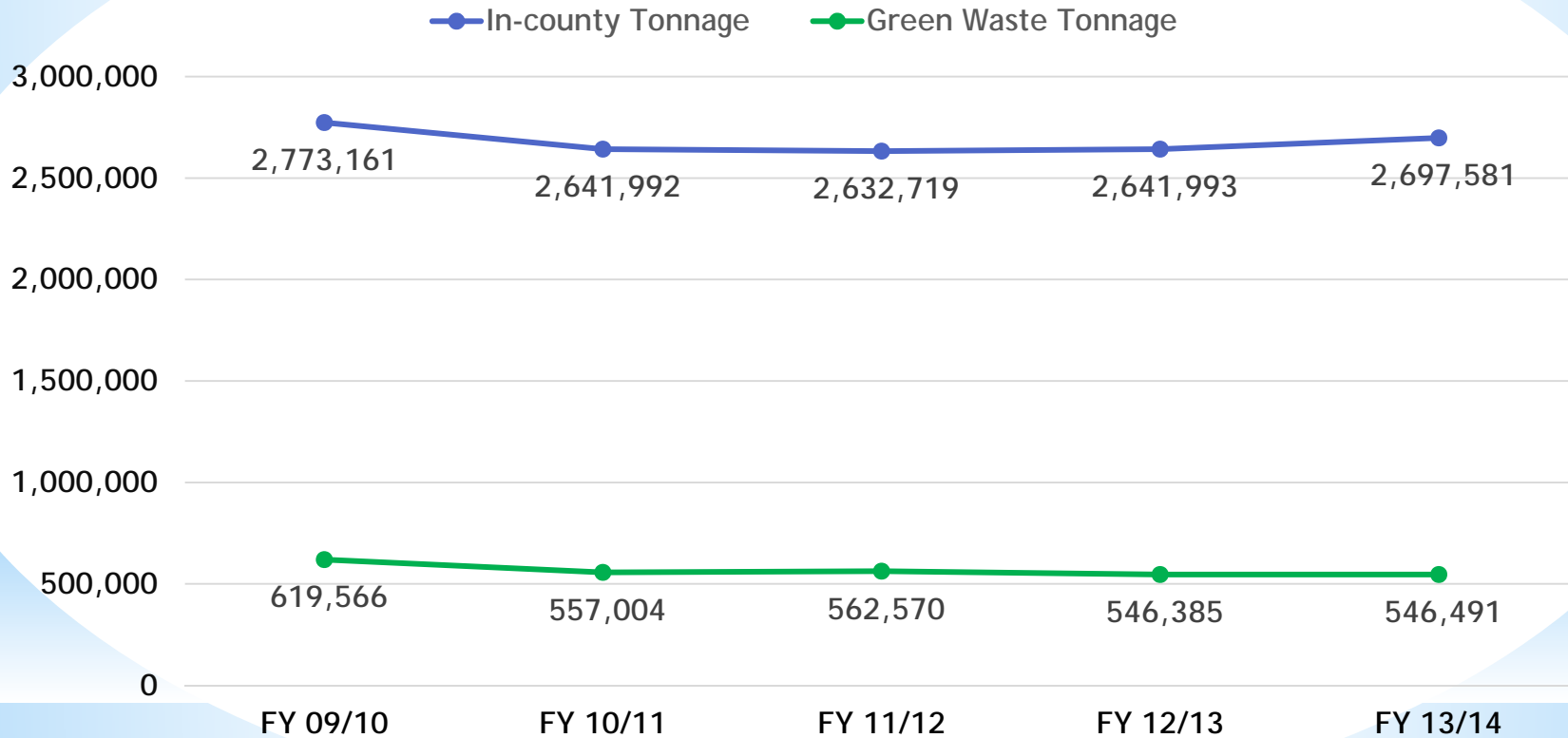
	FY 14/15 Adopted Budget	FY 14/15 Modified Budget ⁽¹⁾	FY 14/15 1st Quarter Actuals	FY 14/15 YTD Actuals	YTD Actuals (% of Modified Budget)
In-county Tonnage	2,710,474	2,710,474	703,404	703,404	26%
Importation Tonnage	1,434,494	1,434,494	414,408	414,408	29%
Total System Tonnage	4,144,968	4,144,968	1,117,812	1,117,812	27%
Enterprise/Operating (Fund 299) Revenues	104,711,505	104,711,505	17,889,346	17,889,346	17%
Enterprise/Operating (Fund 299) Expenditures	124,034,809	129,438,366	26,806,002	26,806,002	21%
Capital Projects (Fund 273) Revenues	20,782,000	20,782,000	28,601	28,601	0%
Capital Projects (Fund 273) Expenditures	49,696,185	45,826,936	4,987	4,987	0%
Importation (Fund 285) Revenues	35,010,000	35,010,000	6,546,603	6,546,603	19%
Importation (Fund 285) Expenditures	35,208,995	35,208,995	176	176	0%

1) Modified Budget includes 1st Quarter Adjustments (QBARs & FBARs) approved by the Board on 11/25/14.

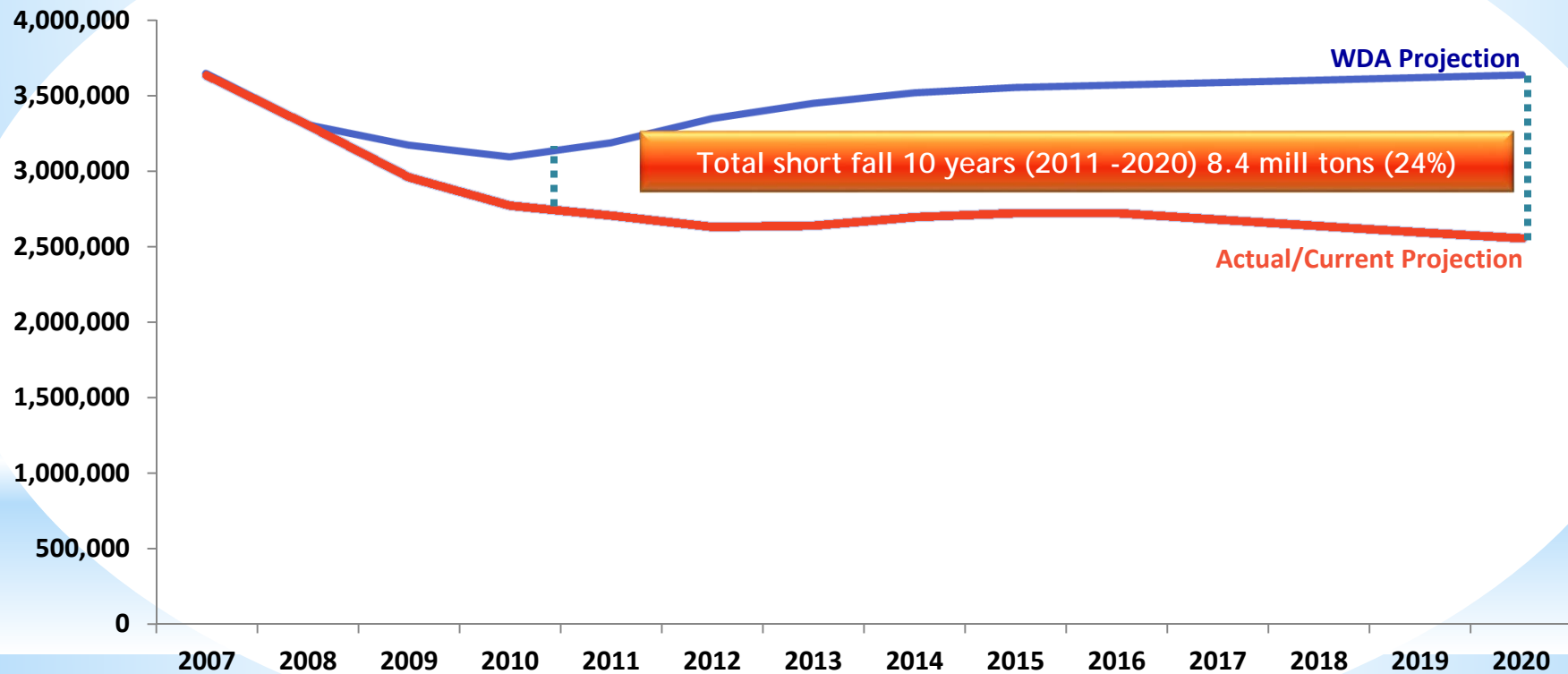
OC WASTE & RECYCLING System Wide Tonnage FY 2010/2011 – 2014/2015



OC WASTE & RECYCLING In-county vs. Exempt Green Waste Tonnage FY 2009/2010 – 2013/2014

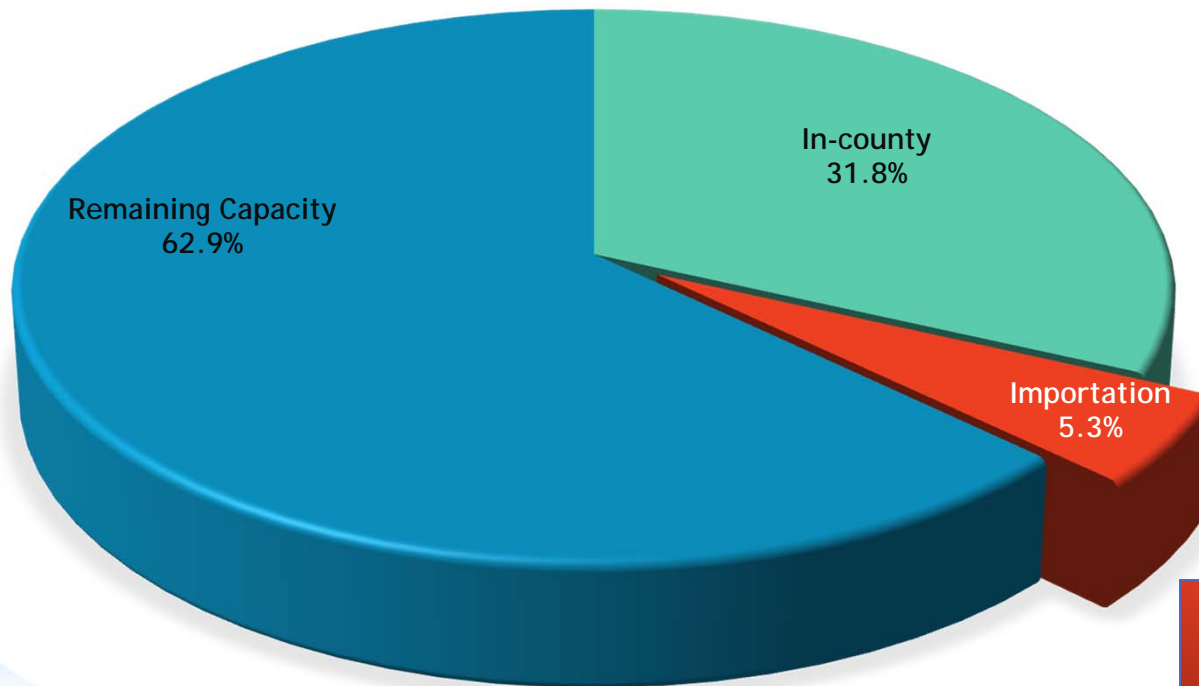


OC WASTE & RECYCLING WDA Projected Tonnage vs. Actual /Current Projected In-county Tonnage FY 2006/2007 – 2019/2020



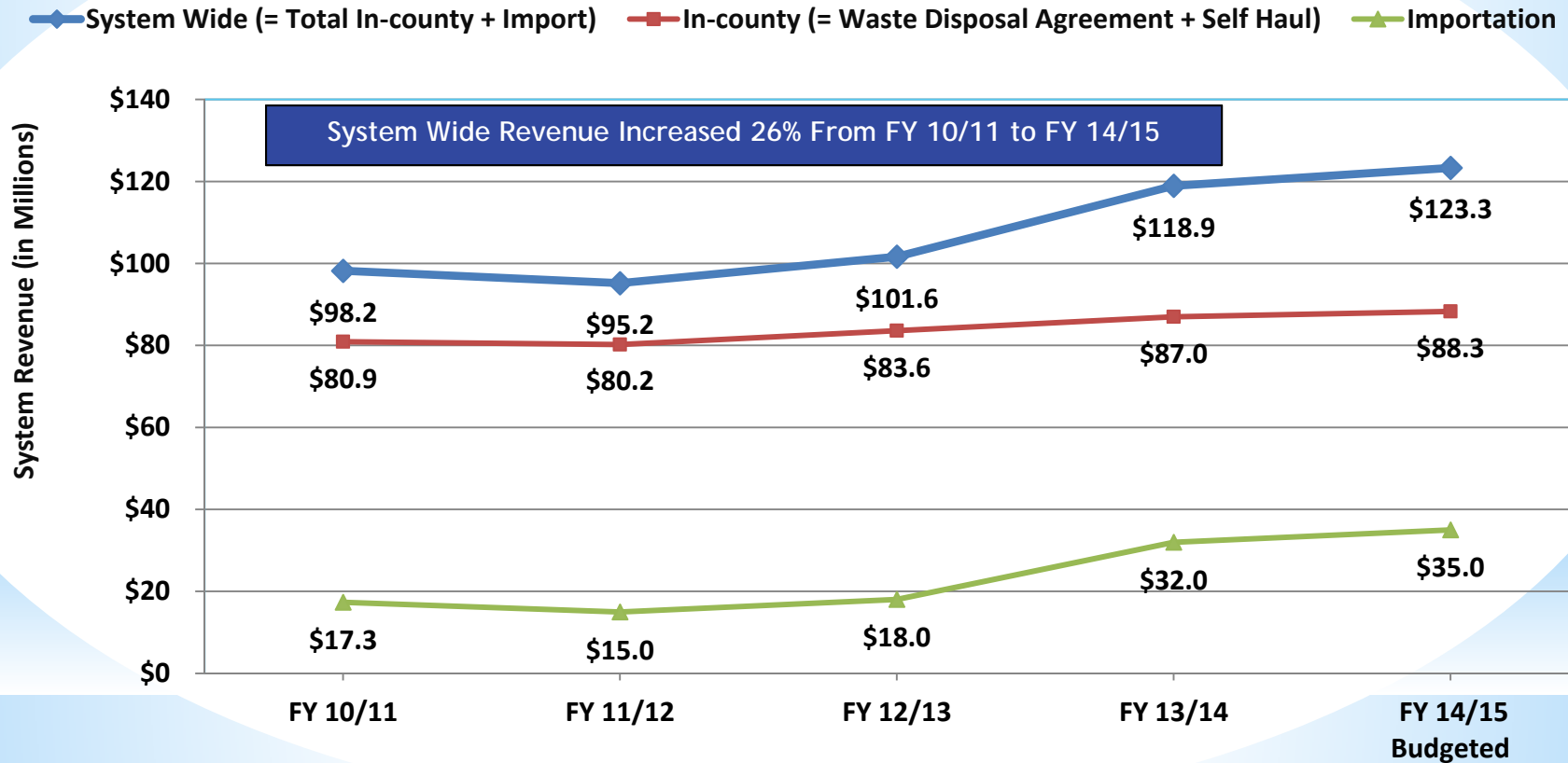
OC WASTE & RECYCLING Importation Tonnage to Total Landfill Capacity Inception to FY 2013/2014

■ In-county ■ Importation ■ Remaining Capacity

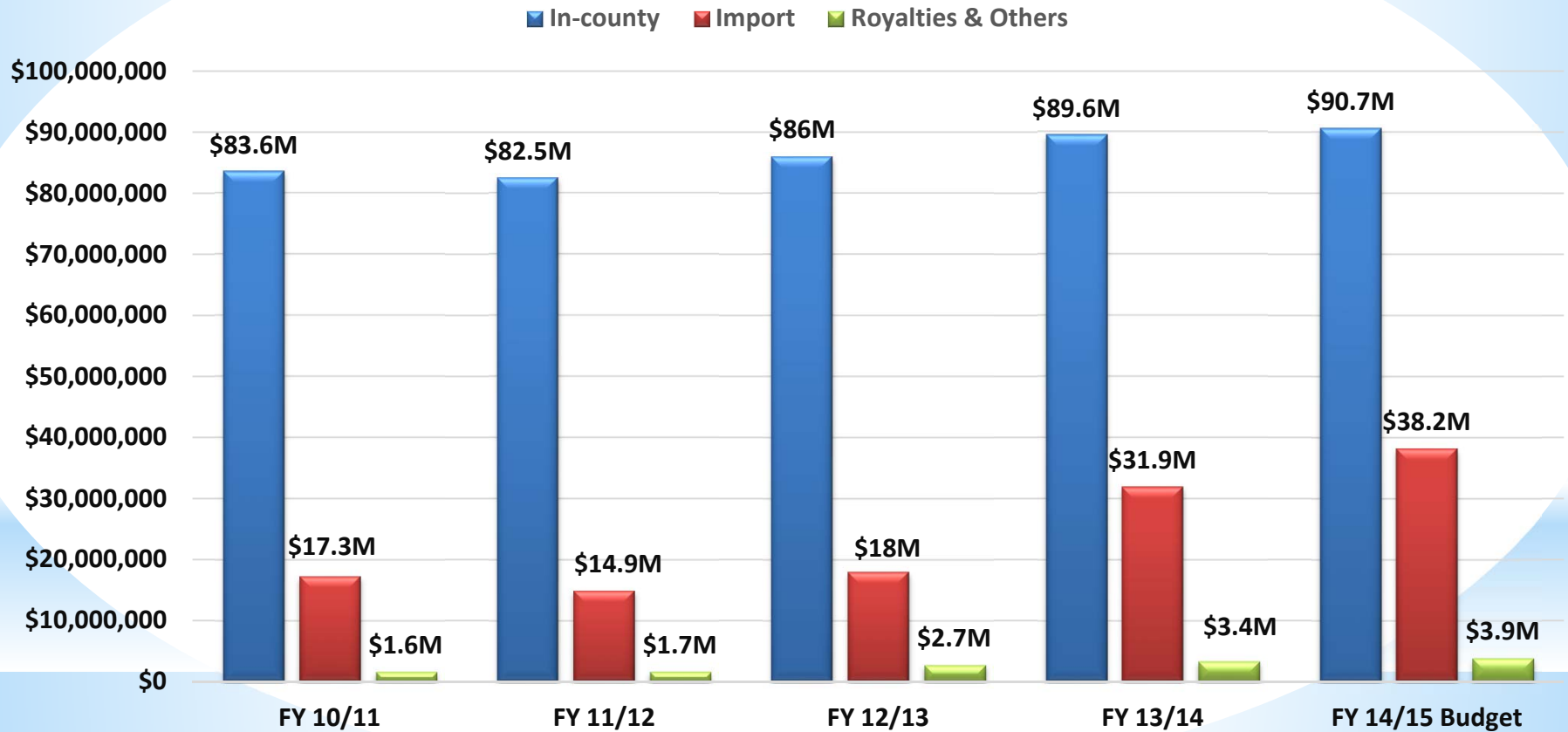


Through FY 2013/2014 total importation tonnage of 18.6M represents only 5.3% of total capacity of existing landfills.

OC WASTE & RECYCLING System Wide Revenue (Excluding \$19 Surcharge) FY 2010/2011 – 2014/2015



OC WASTE & RECYCLING Operating Revenues FY 2010/2011 – FY 2014/2015 Budget



OC WASTE & RECYCLING
Budget Report Fiscal Year 2014/2015
Fund 299 Revenue
First Quarter: July - September, 2014

	FY 14/15 Adopted Budget	FY 14/14 Modified Budget	FY 14/15 1st Quarter Actuals	FY 14/15 YTD Actuals	YTD Actuals (% of Modified Budget)
Disposal Fees	89,960,000	89,960,000	17,507,229	17,507,229	19%
Operating Transfers-in	5,173,505	5,173,505	-	-	0%
Interest Income	629,000	629,000	89,382	89,382	14%
Royalties	2,610,000	2,610,000	69,906	69,906	3%
Other Revenues ⁽¹⁾	6,339,000	6,339,000	222,830	222,830	4%
Grand Total	\$104,711,505	\$104,711,505	\$17,889,347	\$17,889,347	17%

Note(s):

- (1) Other Revenues includes: Other Licenses & Permits, Franchise Fees, Forfeitures & Penalties, Rents, Other Governmental Agencies Payments, Other Charges for Services, Returned Checks, Capital Asset Sales, Non-Taxable Resale and Miscellaneous Revenues

OC WASTE & RECYCLING
Budget Report Fiscal Year 2014/2015
Expenditures by Category
First Quarter: July - September, 2014

Description	FY 14/15 Adopted Budget	FY 14/15 Modified Budget ⁽¹⁾	FY 14/15 1st Quarter Actuals	FY 14/15 YTD Actuals
Salaries & Employee Benefits	27,758,285	27,758,285	6,154,280	6,154,282
Capital Project Expenditures	56,802,185	53,932,935	4,987	4,987
Services & Supplies ⁽²⁾	21,310,053	21,756,906	3,658,013	3,658,013
Landfill Regulatory Compliance	6,991,415	6,971,003	5,360,278	5,360,278
Facility Expenditures	2,943,580	2,944,916	259,404	259,404
Equipment Purchases & Maintenance	17,806,215	18,172,538	8,121,232	8,121,232
Taxes, Fees, Assessments	7,469,425	7,469,425	89,322	89,322
Recycling & Community Service Programs	7,099,331	7,095,231	3,163,473	3,163,473
Transfers-out to Other Funds ⁽³⁾	6,023,505	9,637,032	0	0
Total Expenditures ⁽⁴⁾	\$154,203,994	\$155,738,272	\$26,810,989	\$26,810,991

1) Modified Budget includes 1st Quarter Adjustments (QBARs & FBARs) approved by the Board on 11/25/14.

2) Includes County Department Cost Applies, IT Professional Services, Multi-Disciplinary Engineering Support Services

3) \$5M for Advance to Road Fund for La Pata Gap Closure Project; \$1M to Fund 274 Corrective Action; \$3.6M to Fund 279

4) Excludes Depreciation Expense of \$16.5M, and an Operating Transfer between Fund 299 and Fund 273 of \$3M

OC WASTE & RECYCLING
Budget Report Fiscal Year 2014/2015
Cash Balances
First Quarter : July - September, 2014

FUND	Description	Fund Restricted Y/N	FY 10/11	FY 11/12	FY 12/13	FY 13/14	Cash Balance as of 09/30/14
299	Enterprise / Operating	No	\$90.54M	\$98.48M	\$93.27M	\$122.63M	\$136.64M
272	Prima Deshecha Landfill & La Pata Closure	Yes			\$0.10M	\$0.10M	\$0.10M
273	Capital Project Fund	No		\$10.00M	\$25.42M	\$44.59M	\$37.42M
274	Corrective Action Escrow	Yes	\$6.05M	\$6.08M	\$6.11M	\$7.13M	\$7.14M
275	Environmental Reserve (Liabilities)	No	\$69.39M	\$62.24M	\$69.28M	\$69.73M	\$70.88M
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			
279	Landfill Post-Closure Maintenance	No	\$136.94M	\$167.27M	\$145.97M	\$139.91M	\$139.93M
284	Bee Canyon Landfill Escrow (Closure)	Yes	\$28.62M	\$28.77M	\$28.88M	\$28.95M	\$28.98M
285	Bankruptcy Recovery Plan	No	\$0.30M	\$0.03M	\$1.18M	\$2.12M	\$4.04M
286	Brea-Olinda Landfill Escrow (Closure)	Yes	\$38.13M	\$38.34M	\$38.48M	\$38.58M	\$38.61M
287	Prima Deshecha Landfill Escrow (Closure)	Yes	\$20.16M	\$20.26M	\$20.34M	\$20.39M	\$20.41M
288	FRB Landfill Wetland Creation & Agua Chinon	Yes			\$0.88M	\$0.88M	\$0.88M
	TOTAL		\$421.86M	\$463.40M	\$458.77M	\$475.58M	\$485.57M



Agenda Item 3 – *AB 939 Report – Isabel Rios, Manager, Recycling and Environmental 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.

REGIONAL RECYCLING AND WASTE REDUCTION COMPETITIVE GRANT FOR FISCAL YEARS 2015/16 – 2016/17

The request to release the 4th Cycle Regional Recycling and Waste Reduction competitive grant is scheduled to be considered by the Orange County Board of Supervisors on Tuesday, February 10, 2015. The proposed release date of the grant is Wednesday, February 11, 2015. Grant applicants (special districts, cities and unincorporated areas, individually or in partnership with others) will use the grant funds for two fiscal years to implement sustainable recycling and waste reduction programs that will increase diversion in commercial food waste, multi-family and commercial recycling, composting, school recycling programs and public outreach.

COUNTYWIDE COMMUNITY OUTREACH PARTNERSHIP PROGRAMS

OC Waste & Recycling (OCWR) and Discovery Science Center (DSC) partnered in developing the Eco Challenge exhibits as part of a mutual goal to educate the public and encourage them to adopt environmentally friendly habits that lead to long-term behavior change. As an extension of that goal, both organizations have a mutual interest in increasing the number of visitors to the County's Eco Challenge exhibits at DSC, thereby maximizing the educational reach and impact of the exhibit's messages and accelerating behavioral change.

DSC Eco Challenge February 2013 through January 2014 Annual Report

DSC is finalizing the Eco Challenge Annual report. The Annual report highlights partnerships, and performance metrics with DSC, Angels Baseball LP (ABLP), Anaheim Ducks, and Goodwill of Orange County. Marketing efforts and incentives used to encourage Orange County residents to participate in the County's Eco Challenge collection events and drive to audience to visit the County's Eco Challenge exhibits at DSC for a hands-on educational experience.

Angels Baseball LP Eco Challenge 2014 Season

On February 5, 2013, the Board of Supervisors approved a multi-year education and outreach partnership with Angels Baseball LP (ABLP) as part of the Eco Challenge Strategic Marketing Plan. The ABLP season ended on September 21, 2014. Enclosed is an overview of ABLP Eco Challenge 2014 Season wrap, it highlight's marketing element used to promote the County's Eco Challenge community and collection events held at the Angel stadium and ABLP's in-kind.

Recommended Action: Receive and file report.



Thursday, December 11, 2014

Agenda Item 4 – *Legislative and Regulatory Report –Jesus Perez, Legislative & Regulatory Affairs Manager*

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 November 18, 2014

2014 Legislative Calendar

January 6
Legislature Reconvenes

February 21
Last day for new bills to be introduced

May 30
Last day for bills to be passed out of their house of origin

July 3 – August 4
Summer Recess

August 31
Last day for a bill to be passed

September 30
Last Day for Governor to Sign or Veto Bills

January 1, 2015
Statutes passed in 2014 take effect

High Watched Bills

Mandatory Commercial Organics Recycling

AB 1826 (Chesbro) - This bill requires businesses to arrange for recycling of organic waste. CalRecycle is currently compiling a list of questions to address concerns and processes regarding the passage of this bill. They anticipate that they will have either conduct workshops or create a FAQ web page in late January or early February. [Signed by the Governor 9/28/14.](#)

Alternative Daily Cover Diversion Credits

AB 1594 (Williams) - This bill removes diversion credits for green material used as alternative daily cover (ADC) after January 1, 2020. CalRecycle does not anticipate the need for the addition of regulations to this bill. [Signed by the Governor 9/28/14.](#)

Over 1,000 bills made it through the California Legislature. Governor Brown signed 930 bills, vetoed 143 and let one bill pass without his signature. OC Waste & Recycling closely monitored many bills that had potential to impact the County. The following bills were of greatest interest to OCWR:

Extended Producer Responsibility/Product Stewardship

AB 1893 (Stone & Eggman) Sharps

Would require all sharps sold to the general public in California in quantities of 50 or more to be sold with a sharps waste container approved by the State Department of Public Health. **DEAD.**

AB 2284 (Williams & Correa) Batteries

Would have required CalRecycle to develop & fund three battery-recycling pilot projects, review information collected, make available the results to local agencies and assist local governments. **DEAD.**

SB 1014 (Jackson) Pharmaceutical Waste

This bill would have required CalRecycle to adopt regulations to authorize a participant to establish a program that collects and properly disposes of home-generated pharmaceutical waste. **DEAD.**

SB 1274 (Hancock & Correa) Mattresses

This bill adds a recycler, renovator and authorized solid waste operation to the list of authorized used mattress drop off points for individuals, at no additional charge. It also requires manufacturers, renovators, retailers or distributor that sells a mattress to add a recycling charge to the purchase price of the mattress. This bill is in response to the Governor's concerns with SB 254. [Signed by the Governor 9/16/14.](#)

SB 270 (Padilla) Single-use carryout bags

This bill prohibits retail stores from giving single-use plastic bags to customers for no charge as of July 1, 2015. It also allows these stores to sell these plastic bags for not less than \$0.10. [Signed by the Governor 9/30/14.](#)

Waste Management Commission
Thursday, December 11, 2014

Agenda Item 4 - Attachment B
Bill Status Report

COUNTY OF ORANGE BOARD APPROVED POSITIONS

Position Legend

- Support(ed)** OC Waste & Recycling supports the bill, and has requested official BOS support.
Oppose(d) OC Waste & Recycling opposes the bill, and has requested official BOS opposition.
Watch(ed) 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.

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

AB 543 (Campos D) California Environmental Quality Act: translation.

Position: OPPOSED

Current Text: Amended: 6/24/2014

Introduced: 2/20/2013

Status: 9/25/2014-Vetoed by Governor.

Location: 9/25/2014-VETOED

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

Summary: Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires a lead agency to provide and post specified notices. CEQA requires the Office of Planning and Research to prepare and develop guidelines for the implementation of CEQA and the Secretary of the Natural Resources Agency to certify and adopt those guidelines. This bill would require the office, on or before July 1, 2016, to prepare and develop recommended amendments to the guidelines and the secretary, on or before January 1, 2017, to certify and adopt those amendments to the guidelines to establish criteria for a lead agency to assess the need for translating those notices into non-English languages, as specified. By requiring a lead agency to consider the criteria for translating those notices, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

OC Waste & Recycling Notes: This bill has the potential to become a significant administrative burden

by imposing a costly mandate on any project undertaken or approved by the County. CEQA documents are technical and complex in nature. Therefore, any translation requirements could result in a lengthy process and may significantly increase the cost and time needed to prepare the documents since many of the notices may contain multiple pages, as well as maps and other information.

AB 1594 (Williams D) Waste management.

Position: WATCHED

Current Text: Amended: 8/22/2014

Introduced: 2/3/2014

Status: 9/28/2014-Chaptered by Secretary of State – Chapter 719, Statutes of 2014

Location: 9/28/2014 CHAPTERED

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, establishes an integrated waste management program. The act requires the department to file an annual report, on or before March 1 of each year, with the Legislature, regarding the administration of the act during the prior calendar year. This bill would require the department to include in the annual report, on or before March 1, 2015, a status update on the adequacy of funding from the Integrated Waste Management Fund for programs implemented pursuant to the act and pursuant to other specified provisions regulating waste management facilities. The bill would authorize the department to recommend alternative funding mechanisms for the programs, as specified. This bill contains other related provisions and other existing laws.

AB 1826 (Chesbro D) Solid waste: organic waste.

Position: WATCHED

Current Text: Amended: 8/6/2014

Introduced: 2/18/2014

Status: 9/28/2014-Chaptered by Secretary of State – Chapter 727, Statutes of 2014.

Location: 9/28/2014 CHAPTERED

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, establishes an integrated waste management program that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan. The act requires a business, which is defined as a commercial or public entity that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more, to arrange for recycling services. Existing law also requires jurisdictions to implement a commercial solid waste recycling program meeting specified elements. This bill would , commencing April 1, 2016, require a business that generates a specified amount of organic waste per week to arrange for recycling services for that organic waste in a specified manner. The bill would decrease the amount of organic waste under which a business would be subject to those requirements from 8 cubic yards or more to 4 cubic yards or more on January 1, 2017. The bill would also require a business that generates 4 cubic yards or more of commercial solid waste per week, on and after January 1, 2019, to arrange for organic waste recycling services and would decrease that amount to 2 cubic yards, if the department makes a specified determination on or after January 1, 2020. This bill contains other related provisions and other existing laws.

AB 1846 (Gordon D) Beverage containers: enforcement.

Position: WATCHED

Current Text: Amended: 6/24/2014

Introduced: 2/19/2014

Status: 9/26/2014-Chaptered by Secretary of State – Chapter 597, Statutes of 2014.

Location: 9/26/2014-CHAPTERED

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

Summary: The California Beverage Container Recycling and Litter Reduction Act requires a distributor of specified beverage containers to pay a redemption payment to the Department of Resources Recycling and Recovery for each beverage container sold or transferred, for deposit in the California Beverage Container Recycling Fund. The act requires the department to pay handling fees to supermarket sites, rural region recyclers, and nonprofit convenience zone recyclers for every beverage container redeemed by the certified recycling center. The bill would extend these prohibitions to beverage containers that the certified recycling center or processor knew, or should have known, were otherwise ineligible for redemption. This bill contains other related provisions and other existing laws.

SB 270 (Padilla D) Solid waste: single-use carryout bags.

Position: WATCHED

Current Text: Amended: 8/21/2014

Introduced: 2/14/2013

Status: 9/30/2014- Chaptered by Secretary of State. Chapter 850, Statutes of 2014.

Location: 9/30/2014 CHAPTERED

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

Summary: Existing law, until 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This bill, as of July 1, 2015, would 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. The bill 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. The bill would also allow those stores, on or after July 1, 2015, 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. The bill would require these stores to meet other specified requirements on and after July 1, 2015, regarding providing reusable grocery bags to customers, including distributing those bags only at a cost of not less than \$0.10. The bill would require all moneys collected pursuant to these provisions to be retained by the store and be used only for specified purposes. This bill contains other related provisions and other existing laws.

SB 498 (Lara D) Solid waste: biomass conversion.

Position: WATCHED

Current Text: Amended: 6/26/2014

Introduced: 2/21/2013

Status: 9/28/2014-Chaptered by Secretary of State. Chapter 746, Statutes of 2014.

Location: 9/28/2014 CHAPTERED

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 each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. With certain exceptions, the source reduction and recycling element of that plan is required to divert 50% of all solid waste, through source reduction, recycling, and composting activities. Existing law allows the 50% diversion requirement to include not more than 10% through transformation or "biomass conversion," as defined, if specified conditions are met. The act defines "biomass conversion," to mean the controlled combustion used for the production of heat or electricity of specified materials for the purposes of the act. This bill would revise the definition of the term "biomass conversion" to mean the production of heat, fuels, or electricity by the controlled combustion of, or the use of other noncombustion thermal technologies on, those specified materials. The bill would require a solid waste facility sending materials to a biomass conversion facility to ensure that the materials sent are limited to those specified materials. The bill would authorize the department of a local enforcement agency to inspect the solid waste facility, as specified. The bill would require the owner or operator of a biomass conversion facility to submit an annual report to the department, under the penalty of perjury, containing specified information for the preceding year. Because a violation of this requirement would be a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 785 (Wolk D) Design-build.

Position: SUPPORTED WITH AMENDMENTS

Current Text: Amended: 8/22/2014

Introduced: 2/22/2013

Status: 9/30/2014-Chaptered by Secretary of State. Chapter 931, Statutes of 2014.

Location: 9/30/2014 CHAPTERED

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

Summary: Existing law authorizes the Department of General Services, the Department of Corrections and Rehabilitation, and various local agencies to use the design-build procurement process for specified public works under different laws. Existing law also authorizes the formation of special districts, including the Marin Healthcare District and the San Diego Unified Port District. This bill would repeal those authorizations, and enact provisions that would authorize, until January 1, 2025, the Department of General Services, the Department of Corrections and Rehabilitation, and those local agencies, as defined, to use the design-build procurement process for specified public works. The bill would authorize, until January 1, 2025, the Marin Healthcare District to use the design-build process when contracting for the construction of a building and improvements directly related to a hospital or health facility building at the Marin General Hospital, and would authorize the San Diego Unified Port District to use the design-build procurement process for the construction of a building or buildings and improvements directly related to the construction of a building or buildings that exceed \$1,000,000. The bill would require specified information to be verified under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

OC Waste & Recycling Notes: Design-build saves time and resources for County Agencies by contracting with a single private entity. In addition, it allows agencies more flexibility and options when procuring for construction projects.

SB 1274 (Hancock D) Recycling: used mattresses.

Position: WATCHED

Current Text: Amended: 6/16/2014

Introduced: 2/21/2014

Status: 8/28/2014-Enrolled and presented to the Governor at 3 p.m.

Location: 8/28/2014 S-ENROLLED

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

Summary: Existing law, the Used Mattress Recovery and Recycling Act, requires a mattress recycling organization to be established by a qualified industry association to develop, implement, and administer a mattress recycling program, including the development of a state plan by July 1, 2015, for recycling used mattresses in the state that includes specified goals and elements. The plan is required to include an element that ensures that urban and rural local governments and participating solid waste facilities that accept mattresses are provided with a mechanism for the recovery of illegally disposed used mattresses that is funded at no additional cost to the local government or solid waste facility, as provided. This bill would require that element to ensure that urban and rural local governments and participating permitted solid waste facilities and authorized solid waste operations that accept mattresses are provided with the above mechanism. This bill contains other related provisions and other existing laws.



Thursday, December 11, 2014

**Agenda Item 5 – *Presentation on CRT Glass Recycling and Disposal*
Jeff Arbour, Environmental Compliance and Closed
*Sites Manager***

Staff will provide a presentation on the status of recycling and disposal of CRT glass. The presentation is in response to a Commission request.

Recommended action: Receive and file presentation.



Thursday, December 11, 2014

**Agenda Item 6 – *Presentation on OC Waste & Recycling
Strategic Review of Operations
An Tran, Deputy Director, Business Services***

Staff will provide a presentation on the OC Waste & Recycling Strategic Review of Operations.

Recommended action: Receive and file presentation.



Agenda Item 7 – *Election of 2015 Chair and Vice Chair of the Waste Management Commission*

Bylaws of the Orange County Waste Management Commission, Article VI, Officers and Duties specify:

Section I - Officers

The officers of the Commission shall be the Chair and Vice-Chair, to be elected annually at the last regular meeting of the calendar year.

Section II—Term of Office

The officers shall hold office for a period of one year, beginning at the first meeting of the year following the election of officers. No other officer shall succeed him-or-herself in office.

Recommended Action: Elect the Chair and Vice-Chair for 2015.