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VICE CHAIR – RICHARD PLAND, TUOLUMNE COUNTY
EXECUTIVE DIRECTOR – GREG NORTON



TECHNICAL ADVISORY GROUP CHAIR – JIM MCHARGUE,
AMADOR COUNTY
TAG VICE CHAIR – GRETCHEN OLSEN, TUOLUMNE COUNTY
PROGRAM MANAGER – MARY PITTO

Minutes of the Rural Counties' Environmental Services Joint Powers Authority Board of Directors' & Technical Advisory Meeting

1215 K Street, Suite 1650, Sacramento, CA
Thursday, December 17, 2009

MEMBERS REPRESENTED

Vern Moss, Supervisor, ESJPA Chair
Jim McHargue, Program Manager
Steve Rodowick, Recycling Coordinator
Mike Azevedo, Program Manager
Kevin Hendrick, Director, DNSWMA
Jon Souza, Public Information Officer
Mandy Kleykamp, Solid Waste Manager
Paula Wesch, Program Coordinator
Keith Quinlan, Solid Waste Manager
Robert Meacher, Supervisor
Robert Perrault, Jr., Director of Public Works
Scott Dunn, General Services Supervisor
Shannon Cash, Recycling/Grant Coordinator
Beth Garibaldi, Recycling Coordinator
Kristina Miller, Solid Waste Program Manager
Vivian Woolsey, Solid Waste Technician
Belinda Barlow, Solid Waste Technician
Diane Green, Solid Waste Technician

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

STAFF IN ATTENDANCE:

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

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

OTHERS IN ATTENDANCE:

Virginia Herold, Executive Officer, CA State board of Pharmacy
Terry Brennan, Supervising IWM Specialist
Burke Lucy, Integrated Wastes Management Specialist
Calvin Young, Supervisor, Sustainability Program
John Duke, IWN Specialist

CIWMB
CIWMB
CIWMB
CIWMB

Keir Fury, Supervisor, IWN Specialist	CIWMB
Rick Hicks, Supervisor, IWN Specialist	CIWMB
Paul Brainin, Integrated Wastes Management Specialist	CIWMB
Bonnie Low, Greenleaf Project Management	
Jim Greco, CWA	
Fernando Berton, Environmental Alternatives Consulting	
Heidi Sanborn, CA Product Stewardship Council	

MEMBERS NOT REPRESENTED

Alpine County	Calaveras County	Imperial County	Inyo County
Mariposa County	Modoc County	Mono County	Nevada
Sierra County			

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

The meeting was called to order at 9:08am. Self introductions were made. Quorum was established.

II. Business Matters

Supervisor Moss called for a motion to approve the minutes of the October 15, 2009 meeting. The motion was carried by Mandy Kleykamp, and seconded by Jim McHargue to except the minutes with correction of the spelling of Steve Rodowicks name. Motion passed.

III. Member County Concerns/Comments

Supervisor Vern Moss of Madera County raised the concern of Madera County and its efforts to reform Proposition 218 in the event a protest is made for rate increases involving public sewer and water services. Under legislation being supported by Madera County and RCRC, a judicial avenue would be created under Proposition 218 when there is a protest dispute. The existing protest process under solid waste management efforts could experience similar issues. And the process envisioned by Madera County – vis-à-vis the proposed legislation - could be applied to solid waste in the future.

IV. Public Comment

None

V. Presentations

- A. Board of Pharmacy Guidance on Safe Management of Unwanted Pharmaceuticals – Virginia Herold, Executive Officer, California State Board of Pharmacy

Virginia Herold passed out model guidelines and talked about handling pharmaceuticals. In 2008 there were 350 million drugs prescribed. Pharmaceutical waste is caused by medicine not being effective, unpleasant side effects, patient noncompliance, 90-day supplies, increasing with aging population dying with larger amounts unused. Reversed distributors take back unused drugs for redistribution or for destruction. There are regulations to protect the patient health, to regulate controlled drugs, drug diversion, and self use. Drug diversion is a growing problem and gave examples. The model guidelines have components for ongoing collection sites, one-day events, and mail back programs. General requirements include no controlled

drugs accepted – don't ask, don't tell, and don't examine. DEA allows law enforcement to take controlled drugs, separate drugs from their containers and recycle containers separate, pulverize or make drugs unidentifiable and unpalatable; have accountability to ensure drugs get disposed of appropriately; track by weight; signage.

B. CIWMB Pharmaceutical Waste Collection Update and Report to Legislature, Recycling and Waste Management Infrastructure Project – Burke Lucy, Sustainability Program Staff, CIWMB

Burke Lucy discussed various issues related to pharmaceutical waste collection: SB 966, program/legislation context, existing programs, and next steps. After motor vehicle deaths, poisoning is the number 2 cause of deaths now. Pharmaceuticals are a growing concern because they are now showing up in water supplies and soil. SB 966 required a working group to develop model program criteria and procedures at no cost. SB 26 will take pharmaceuticals and sharps out of the medical waste stream. There are 144 permanent sites in CA. Mail back programs are costlier at this point. Next steps include case studies, stakeholder workshops, public service announcements, web site update, survey, increase and the database.

C. Used Oil Grant Program Update – Calvin Young, Supervisor, Sustainability Program, California Integrated Waste Management Board (CIWMB)

Mr. Young reported there is a decrease in oil funds, but block grant funding will remain. The timing for 15th cycle block grants is December/January. The grant program will go from grant process to a payment system, so there will be no 16th cycle. The new program will be online, less reporting, and reduced guidelines. FY 10/11 will be the transition year. The staff is still deciding whether it will be a single payment or two payments. The new system should be ready by June 2010 and will allow CIWMB staff to be more helpful with programs instead of being auditors.

D. HD -17 Paint Product Stewardship Grant/ Be Paint-Wise Partnership Presentation – Kristina Miller, Solid Waste Manager

Kristina gave a presentation on Hd 17 Tehama's paint take back program. Their Solid Waste Division spends \$30,000 annually. They are attempting to set up an EPR for paint with the industry to take over in 2011. They are currently doing educational campaigning. The Grant includes San Francisco, San Joaquin, and Tehama counties for urban, suburban, and rural. They have found there is a problem with no interest from the retailers to take on one more product. Develop consumer campaign; foster recycled paint procurement; recruit paint collection sites, increase paint reuse; statewide stewardship roll-out.

E. Tehama Solid Waste Presentation – Kristina Miller, Solid Waste Manager
Due to the time constraint, this presentation was postponed to the next ESJPA meeting.

F. Report from the California Integrated Waste Management Board – Terry Brennan, Supervising IWM Specialist, Local Assistance and Market Development Division, CIWMB

Terry Brennan gave a brief update on various things going on at the CIWMB. They are looking to be a more assistance and outreach program in the future. He also touched lightly on the following events.

New website for Tire-derived Product Business Assistance

On October 14th, the new Tire-Derived Product Business Assistance website went live. The newly developed website serves as a portal to the services and resources available to businesses engaged in the recycling of California's waste tires, including processors and manufacturers of tire-derived products.

Zone Works in Sacramento

Another Recycling Market Development Zone Works was held in Sacramento October 29-30, 2009. The well attended event focused on technical assistance opportunities and partnerships.

Recycling Market Development Zone Pursues Countywide Expansion

Staff met with Kings County Economic Development Corporation to discuss expanding the Greater Southern San Joaquin Valley Zone. The County now wishes to expand the Recycling Market Development Zone boundaries to include the entire county.

Staff Promotion Green Roads Program

The Office of Public Affairs and Board staff exhibited at the League of California Cities Conference in San Jose on Sept 17-18, 2009. The exhibit focused on promoting the Green Roads program. The conference offered an opportunity for staff to meet local government representatives and encouraged the use of rubberized asphalt concrete and tire derived aggregate materials.

Sustainable Business Awards Expo 2009

Staff attended the Sacramento Sustainable Business Awards Expo 2009 September 24, 2009. The annual environmental awards, hosted by the Sacramento Business Environmental Resource Center, honored nine businesses whose sustainability efforts have demonstrated environmental excellence and leadership in the community.

VI. Business Matters

- A. Review and approval of the 2010 Contract Services Agreement between ESJPA and RCRC – Mary Pitto, Program Manager gave an overview of the 2010 Service Agreement.

The motion was carried by Kristina Miller, and seconded by Steve Rodowick. Motion passed.

- B. Review and approval of the 2010 Budget - Karl Dolk, RCRC CFO provided an overview of the 2010 budgeted items.

The motion was carried by Kristina Miller, and seconded by Mandy Kleykamp to except the 2010 budget as presented.

There was a no vote by Kevin Hendrick. Motion passed.

C. Review and approval of the 2010 Meeting Schedule – Mary Pitto

The motion was carried by Steve Rodowick, and seconded by Keith Quinlan to accept the dates for the 2010 ESJPA meeting schedule as presented. Motion passed.

D. Election of the 2010 ESJPA Chair and Vice Chair – Vern Moss, Chair

Held to next meeting to allow new RCRC Chair to make committee assignments.

E. Election of the 2010 TAG Chair and Vice Chair – Vern Moss, Chair

The motion was carried by Jon Souza, and seconded by Steve Rodowick to continue to have Jim McHargue as TAG Chair and nominated Kristina Miller as TAG Vice Chair. Motion passed.

F. Adoption of a Resolution 09-05 of Appreciation to CIWMB – Vern Moss, ESJPA Chair

The motion was carried by Jim McHargue, and seconded by Mandy Kleykamp to sign Resolution 09-05. Motion passed.

VII. Legislative Update

A. 2010 Solid Waste Legislation Preview

Paul A. Smith, Senior Legislative Advocate provided an update on legislative measures. Specifically, Paul outlined the time-line and legislative agenda for the anticipated return of the Legislature in January. With respect to solid waste, Paul sees very few “two year bills” being discussed under the “House of Origin” deadline of January 31st. However, at the end of February there will be a variety newly-introduced bills and he expects several EPR-related measures. Furthermore, there are two remaining diversion increase bills that await deadlines later this summer. Overshadowing the area of solid waste will be 1) the state’s fiscal condition; and 2) the realignment of the Waste Board into the DRRR.

B. Proposed Bottle Bill changes

Paul also provided the ESJPA Board with a detailed update on efforts to restructure the Bottle Bill Program. On Wednesday, the RCRC Board of Directors formally supported the prioritization of preserving handling fees to keep in-tact the rural recycling infrastructure. This priority could come at the expense of the City/County Payment, and other programs funded under the Bottle Bill. Among Bottle Bill stakeholders, there is a desire to enact legislation by the end of February to preserve much of the recycling infrastructure. RCRC staff will remain very engaged in these discussions.

VIII. Solid Waste/Regulatory Update

Discussion and possible action related to the following:

A. AB 32 – Global Warming Solution Act of 2006 Update – Staci Heaton, Regulatory Affairs Advocate The state released the final Climate Adaptation Strategy document. Not much was changed from the draft, but they did acknowledge that the state is in a budget crisis and that they will have to use existing resources to implement the document. The ARB is also in the process of developing the cap-and-trade program, with one of the controversial points being how capped industries will be allowed to use offsets to meet their reduction requirements. ARB staff expects to complete the program by June 2010.

B. AB 32 and Landfill Gas Control Measure – Larry Sweetser, ESJPA Consultant

Larry Sweetser reported that the public comment period has ended and the final regulations are scheduled to be adopted in Spring 2010. There has been little change in the regulations during the last comment period. The ESJPA will continue to monitor the implementation of the regulations.

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

Larry Sweetser reported that the proposed regulations were adopted by the CIWMB at its last meeting on December 15th. The major change was the requirement for an independent third party review of corrective action estimates. The same firm or organization that has been involved in the operation or design of the landfill cannot prepare the corrective action estimate. Therefore, each landfill operator will need to pay for these increased costs.

D. CIWMB AB 32 Mandatory Commercial Recycling – Larry Sweetser

Larry Sweetser reported that the CIWMB approved starting the formal comment period for the AB 32 Mandatory Commercial Recycling regulations. Each business will need to implement recycling programs and the jurisdiction will enforce the implementation and report the status to the CIWMB (Department) as part of the AB 939 review. There appears to be much flexibility on implementation but what types of programs are acceptable are unclear. The ESJPA will continue to monitor this proposal.

E. Federal EPA Green House Gas Emissions Proposed Regulations – Larry Sweetser

Larry Sweetser reported that the EPA is proceeding with implementation of these requirements that are effective January 1, 2010. It is estimated that landfills with less than 385,000 tons of waste-in-place are not subject to this rule. The EPA has established a web based reporting system that is not active yet. The first reports are due March 31, 2011 for the year 2010. The ESJPA will continue to monitor and provide information on this issue.

F. ARB Diesel Retrofit Update – Mary Pitto, Program Manager

Ms. Pitto gave a status report on the various ARB diesel programs. She explained that all ESJPA off-road equipment should now have been reported to receive the Equipment

Identification Numbers (EINS), which are required to be affixed to the vehicles within 30 days of receipt. Since all the ESJPA counties are considered low population counties and must meet small fleet requirements, there is not PM retrofit requirement due until March 1, 2015.

G. CA Product Stewardship Council Update – Heidi Sanborn, Executive Director, CA Product Stewardship Council

Ms. Sanborn talked about recent accomplishments of CPSC and informed the members of anticipated legislation for the coming year for EPR and will work with Assemblyman Chesbro's office. They anticipate a new framework bill with specified products.

H. Grant Program Update

Larry Sweetser reported that the HD-17 counties will be contacted soon to continue implementation of this grant.

Larry Sweetser reported that the USDA Training grant is ending December 31, 2009. Training has been scheduled for Del Norte County on December 18, 2009. There are funds for one more training and a volunteer is requested. To-date, there have been 40 trainings in 15 counties with 456 attendees and 12,719 miles driven under this grant.

Larry Sweetser reported that the ESJPA is intending to submit an additional USDA grant application for management of organics and to allow more trainings.

I. Highlights of November/December Waste Board meetings – Larry Sweetser

Larry Sweetser reported that in November, the City of Ridgecrest in Kern County was fined \$44,000 and required to implement a new base year study. In addition, the CIWMB approved continuing the Net Cost Reports for covered electronics wastes and to continue their strategic directives. In December, the CIWMB approved proceeding with the AB 32 Mandatory Commercial Recycling regulations. They also provided an update on the Organic Roadmap. Lastly, the ESJPA participated in meeting on the transition of the CIWMB to a Department. There is not expected to be any major changes yet except that approval of permits and other items will be conducted by Department staff. A new Director is expected to be named soon. It is essential for member counties to maintain dialogue with their Department staff members. Members should contact the ESJPA with any questions or issues.

J. Other Regulatory Issues of Interest or Concern

IX. Agenda Suggestions and Member County Presentation Volunteer for Next ESJPA Board Meeting Scheduled March 25, 2009

Tehama Solid Waste Presentation by Kristina Miller

Possible break out sessions with CIWMB staff

Invite new DRRR Officer (Dept of Resources Recovery and Recycling)

X. Articles of Interest

Vern Moss directed TAG members to the Board Packet.

XI. Adjournment

The meeting adjourned at 1:30 p.m.

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

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