



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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DONALD L. WOLFE
CHAIRMAN

May 17, 2007

The Honorable Loni Hancock
State Capitol Room 4126
Sacramento, CA 94249-0014

Dear Assembly Member Hancock:

**ASSEMBLY BILL 1237 (INTRODUCED FEBRUARY 23, 2007)
DEFAULT REJECTION OF SOLID WASTE FACILITY PERMIT APPLICATIONS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **opposes unless amended**, Assembly Bill 1237 (AB 1237). Among other things, this bill proposes that if the California Integrated Waste Management Board fails to take action on issuance/denial of a Solid Waste Facility Permit within 90 days of receipt, the Waste Board would be deemed to object to the issuance of the Permit.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (AB 939, as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and its 88 cities in Los Angeles County with a combined population in excess of 10 million. Consistent with these responsibilities, and to ensure a coordinated and cost-effective and environmentally-sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a Countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Currently, the Waste Board is given a 60 day period to either concur or object to the issuance, modification, or revision of a solid waste facility permit. If the Waste Board fails to concur or object in writing within that 60 day period, they are deemed to have concurred in the issuance of the permit. AB 1237, if adopted, would create a dangerous precedent of denying a permit application *by default* if the Waste Board fails to act within a timely manner. In order to protect public health and safety, as well as our environment, we must

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provide a reasonable permitting pathway for development of new solid waste management facilities and/or modification of existing facilities. Regulatory bodies have a responsibility to act on permit applications in a timely manner, if not, a permittee should have some form of redress. That is why long standing policy at the local, State and Federal levels has been to provide regulatory agencies with a set window of time to review a permit before the application becomes approved by default. The Waste Board should be compelled to act affirmatively, rather than punishing the project proponent, as a result of its failure to act in a timely manner.

Therefore, the Task Force **opposes** AB 1237, unless amended to reinstate the approval by default language currently in statute. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

VJ/CS:cw

cc: Assembly Speaker Fabian Nuñez
Each Member of the Assembly Natural Resources Committee
Each Member of the Los Angeles County Legislative Delegation
California Integrated Waste Management Board
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor in the County of Los Angeles
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
Southern California Association of Governments
San Gabriel Valley Council of Governments
Solid Waste Association of North America
South Bay Cities Council of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force