



DONALD L. WOLFE  
CHAIRMAN

LOS ANGELES COUNTY  
SOLID WASTE MANAGEMENT COMMITTEE/  
INTEGRATED WASTE MANAGEMENT TASK FORCE  
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331  
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460  
[www.lacountyiswmtf.org](http://www.lacountyiswmtf.org)

August 29, 2006

The Honorable Cindy Montanez  
State Capitol Room 3013  
Sacramento, CA 94249-0039

Dear Assembly Member Montanez:

**ASSEMBLY BILL 2296 (AMENDED AUGUST 7, 2006)  
CLOSURE AND POSTCLOSURE MAINTENANCE OF SOLID WASTE LANDFILLS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports if amended** Assembly Bill 2296 (AB 2296), related to financial assurance mechanisms for closure and postclosure maintenance of solid waste landfills.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 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 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, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

On May 1, 2006, the Task Force forwarded you a letter supporting the March 27, 2006, version of AB 2296 (copy enclosed). The March 27, 2006, version would have strengthened State law by requiring solid waste landfill owners/operators to provide for the facility maintenance in perpetuity or until the waste no longer poses a threat to public health and safety or the environment. However, AB 2296 was recently amended to no longer require landfill owners/operators to demonstrate proof of corrective action financial assurance, which covers the remediation costs associated with contamination while the landfill is operating, in closure, or in post-closure. By no longer requiring landfill owners/operators to show proof of corrective action financial assurance, the community and the environment may be at risk from any unforeseen ill effects of the landfill, and

The Honorable Cindy Montanez  
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taxpayers may be left 'holding the bag' in the event the landfill owner/operator defaults on his fiduciary obligations.

Therefore, the Task Force **supports AB 2296 if amended to address the concerns above**. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

*Margaret Clark*

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

VJ/CS:ro

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cc: Governor Schwarzenegger  
Senate President Pro Tem Don Perata  
Assembly Speaker Fabian Nuñez  
Each Member of the Assembly Natural Resources Committee  
Each Member of the Los Angeles County Legislative Delegation  
Each Member of the 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  
Gateway Cities Council of Governments  
San Gabriel Valley Council of Governments  
South Bay Cities Council of Governments  
Solid Waste Association of North America  
Each Member of the Los Angeles County Integrated Waste Management Task Force



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May 1, 2006

The Honorable Cindy Montanez  
State Capitol Room 3013  
Sacramento, CA 94249-0039

Dear Assembly Member Montanez:

**ASSEMBLY BILL AB 2296 (AMENDED MARCH 27, 2006)  
CLOSURE AND POSTCLOSURE MAINTENANCE OF SOLID WASTE LANDFILLS**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports** Assembly Bill 2296 (AB 2296) which strengthens State law to require owners/operators of solid waste landfills to provide for the facility maintenance in perpetuity or as long as the waste no longer poses a threat to public health and safety or the environment.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 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. Consistent with these responsibilities and to ensure a coordinated and cost-effective 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, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

California municipal solid waste landfills play a vital role in managing the variety of wastes generated by residents and businesses on a daily basis. They operate under the most stringent environmental standards in the country in order to protect public health and safety and the environment. However, once a landfill closes, it is crucial that a financial assurance mechanism be in place. This financial assurance would protect the community and environment from any unforeseen ill effects of the landfill, and safeguard taxpayers from assuming the financial burden of fulfilling the closure, postclosure, and maintenance activities in the event the landfill owner/operator defaults on his obligations.

The Honorable Cindy Montanez

May 1, 2006

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Concerns regarding this important issue were recently highlighted in a report prepared by the California Legislative Analyst's Office entitled "Strengthening Public Safety of Waste Facilities and Surface Mines," dated April 2006. The Report found that "even though the owner/operator of solid waste facilities is generally legally responsible for maintaining a site after closure without a time limitation, financial resources to do so may not be available without a financial assurance in place. For this reason, the California Integrated Waste Management Board estimates that the state could face a \$1.8 billion exposure for the ongoing maintenance of closed solid waste landfills by mid-century."

AB 2296, if enacted, would address this deficiency in State law to ensure public health and safety and protection of the environment. Therefore, the Task Force **supports** AB 2296, and applauds your efforts to ensure that solid waste landfills do not pose an environmental health risk to future generations and the environment. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

*Margaret Clark*

Margaret Clark, Vice-Chair

Los Angeles County Solid Waste Management Committee/  
Integrated Waste Management Task Force and  
Council Member, City of Rosemead

VJ/CS:ro

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cc: Governor Schwarzenegger  
Senate President Pro Tem Don Perata  
Assembly Speaker Fabian Nuñez  
Each Member of the Assembly Appropriation Committee  
Each Member of the Los Angeles County Legislative Delegation  
Each Member of the 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  
Gateway Cities Council of Governments  
San Gabriel Valley Council of Governments  
South Bay Cities Council of Governments  
Solid Waste Association of North America  
Each Member of the Los Angeles County Integrated Waste Management Task Force  
Each City Recycling Coordinator