



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

November 9, 2004

Ms. Rosario Marin, Chair
California Integrated Waste Management Board
Cal-EPA Building
1001 "I" Street
Sacramento, CA 95812-4025

Dear Chairwoman Marin:

**AGENDA ITEM 6, NOVEMBER 9, 2004
DRAFT EMERGENCY REGULATIONS FOR IMPLEMENTATION OF THE
ELECTRONIC WASTE RECYCLING ACT OF 2003**

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) I want to thank you and the California Integrated Waste Management Board (Waste Board) for the opportunity to comment on the draft Emergency Regulations for implementation of Senate Bill 50 (Chapter 863 of the 2004 State Statutes) amending the Electronic Waste Recycling Act of 2003.

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 by the County and the 88 cities in the County of Los Angeles. Consistent with these responsibilities and to ensure a coordinated and cost-effective solid waste management system in the County of Los Angeles, the Task Force also addresses issues impacting the solid waste management 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.

Ms. Rosario Marin
November 9, 2004
Page 2

We appreciate the Waste Board's effort to expedite the approval process of the emergency regulations for covered electronic waste. However, prior to adopting these regulations, the Task Force requests that the Waste Board define the term "convenient" pursuant to Subdivisions 42461(b) and 42477(a) of the Public Resources Code. Specifically:

1. Subdivision 42461(b) states: *"It is the further purpose of this chapter to enact a law that establishes a program that is cost free and convenient for consumers and the public to return, recycle, and ensure the safe and environmentally-sound disposal of covered electronic devices."* [underlined for emphasis]
2. Subdivision 42477(a) states: *". . . the board in collaboration with the department shall establish an electronic waste recovery payment schedule for covered electronic wastes generated in this state to cover the net cost for an authorized collector to operate a free and convenient system for collecting, consolidating and transporting covered electronic wastes generated in this state."* [Underlined for emphasis]

In addition, Section 42464(f) of the Public Resources Code authorizes the Waste Board, in collaboration with the Department of Toxic Substances Control, to adjust, as frequently as once a year, the covered electronic waste recycling fee without any further approval of the Legislature.

The Task Force believes such clarification is necessary since it may impact how approved authorized collectors, including local governments, administer their electronic waste collection programs. If the Waste Board intends to define this term at a later date, the Task Force requests a placeholder statement be inserted in the draft emergency regulations indicating that this definition would be revisited by the Waste Board at a later date, prior to the two-year expiration date of the proposed emergency regulations.

Ms. Rosario Marin
November 9, 2004
Page 3

Thank you for the opportunity to provide comments on these regulations which are of great importance to local governments. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Michael Miller, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force, and
Mayor, City of West Covina

RF:my
P:\sec\sb20agnda6

cc: Each Member of the California Integrated Waste Management Board
Mr. Mark Leary, Executive Director, California Integrated Waste Management Board
Department of Toxic Substances Control
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
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Each Member of the Los Angeles County Integrated Waste Management Task Force