



GAIL FARBER
CHAIR

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SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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September 2, 2009

The Honorable Jared Huffman
State Capitol Room 3120
Sacramento, CA 94249-0006

Dear Assembly Member Huffman:

**ASSEMBLY BILL 1173 (AMENDED JULY 23, 2009)
RECYCLING: RESIDENTIAL FLUORESCENT LAMP**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **opposes unless amended** Assembly Bill 1173 (AB 1173), which among other things, would establish a system for the collection, recycling, and disposal of residential fluorescent lights (RFLs) by a select group of manufacturers.

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 City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

According to California's Department of Toxic Substances Control (DTSC), approximately 15 million RFLs will require "end of life" management in California in 2009. DTSC expects that this amount will increase in the coming years, escalating the need for proper collection, recycling, and disposal of RFLs. The Task Force is a strong supporter and advocate of producer responsibility and applauds efforts to introduce

legislation which encourages producers to take greater responsibility for their products. However, AB 1173 would only place responsibility for the proper management of RFLs on manufacturers or distributors that receive a subsidy from the Public Goods Charge efficiency program, instead of requiring all RFL manufacturers to be accountable for their products. This could result in a lack of convenient recycling options for residents, since the most convenient recycling locations may not be required to provide RFL recycling services.

Additionally, AB 1173 allows for a manufacturer to choose to opt out of the RFL recycling requirements. This would mean that manufacturers could increase the price of their product in order to recuperate losses resulting from not receiving the subsidies. Furthermore, a manufacturer would no longer have the incentive to continue their respective recycling programs should these subsidies be terminated pending a statewide ban on the sale of incandescent bulbs in 2012. As a result, AB 1173 provides no assurance to local governments, who are currently burdened with end-of-life management of RFLs, that a manufacturer recycling program will be implemented and sustained.

Providing a means of true Extended Producer Responsibility (EPR) requires that all manufacturers take responsibility for the end-of-life management of their product. As such, the Task Force asks that AB 1173 be amended to require all manufacturers selling RFLs in the state contribute to the end-of-life management of RFLs. This EPR model would ensure a fair and level playing field for all manufacturers and ease the burden of end-of-life management for RFLs on local governments. Instituting a true EPR model in this case will also lay the foundation for future EPR legislation by establishing a sustainable, holistic solution that can be referenced for years to come.

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For these reasons, the Task Force **opposes unless amended** AB 1173. Should 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
Mayor, City of Rosemead

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cc:

Senate President Pro Temp Darrell Steinberg
Assembly Speaker Karen Bass
Senator Dennis Hollingsworth, Minority Leader
Each Member of the Senate
Assembly Member Michael Villines, Minority Leader
Assembly Member Anthony Portantino, Assembly Member Tom Torlakson
Each Member of the Los Angeles County Legislative Delegation
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
South Bay Cities Council of Governments
Gateway cities Council of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force