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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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March 16, 2022

The Honorable Luz M. Rivas Chair
Assembly Natural Resources Committee
1020 N Street, Room 164
Sacramento, CA 95814

Dear Assembly Member Rivas:

OPPOSED UNLESS AMENDED – ASSEMBLY BILL 1857 (CRISTINA GARCIA) AS INTRODUCED ON FEBRUARY 8, 2022 – SOLID WASTE

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **opposes** Assembly Bill 1857 (AB 1857), as introduced on February 8, 2022, **unless it is amended** to include the recommendations in this letter.

The proposed legislation, if enacted, would require CalRecycle to certify that a local agency is in compliance with requirements to maximize source reduction, recycling, and composting before approving a permit for a new transformation, Engineered Municipal Solid Waste (EMSW), or land disposal facility serving the local agency. The bill would delete previous exceptions to the act's general definition of terms such as "solid waste disposal," "disposal," or "dispose" and instead define those terms for purposes of the California Integrated Waste Management Act of 1989 (ACT) to mean the final deposition of solid wastes onto land, into the atmosphere, or into the waters of the state, including, but not limited to, through landfill disposal, transformation, or EMSW conversion, at a permitted solid waste facility.

AB 1857 repeals the Acts' provision authorizing the inclusion of not more than 10 percent of the diversion through transformation for the two existing facilities, namely SERRF in Long Beach, and Covanta in the Stanislaus County. The bill would enact the Zero Waste Transition Act of 2022, requiring CalRecycle to support communities in transitioning from a reliance on transformation facilities to building infrastructure to meet the state's recycling goals and the state's 2025 organic waste reduction target. Furthermore, the bill requires CalRecycle to develop, on or before January 1, 2024, a five-year investment strategy to

drive local zero waste strategies for communities seeking to reduce their reliance on transformation.

While the Task Force supports funding for zero waste strategies, this bill would severely impact the ability of jurisdictions to make use of new technologies to process post recycled residual waste and divert it from landfills in the future. The Task Force recommends the following amendments to the bill to clarify the bills intent to address incineration of waste and continue to allow existing waste diversion facilities that support local jurisdictions to operate:

- Revise all references from "transformation" to "incineration" *by adding "Section 40141.1 to the Public Resources Code (PRC) to read 'For provision of any law except as provided in this section, **incineration** means the destruction of solid, liquid, or gaseous wastes through high temperature burning.'* Transformation does not include incineration."
- Continue to allow SERRF and Covanta facilities which were in operation prior to 1995, and serving jurisdictions in the Los Angeles and Stanislaus Counties to be eligible for a maximum of not more than 10 percent diversion through utilization of the said two existing facilities pursuant to Section 41783 (a) (5) of the PRC.
- Add Section **40195.05** to the PRC to read "**Solid Waste Incinerator: Solid Waste Incinerator means any facility that generates electricity or steam from the combustion of any solid waste material from commercial or industrial establishments or the general public (including single and multi-family residences, hotels, and motels).**"
- Revise Subdivision 40192 (b) of the PRC to replace "transformation" with "incineration."
- Revise Section 40201 of the PRC by deleting the reference to "incineration."

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten 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, County of Los Angeles Board of Supervisors, City of Los Angeles,

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

Based on the foregoing, the Task Force **opposes** AB 1857 **unless it is amended** to include the recommendation in this letter. If you have any questions, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Sam Shammass, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

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cc: Assembly Member Cristina Garcia
Each Member and staff of the Assembly Natural Resources Committee
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Fesia A. Davenport, Los Angeles County Chief Executive Officer
Gateway Cities Council of Governments
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in the County of Los Angeles
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force