



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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GAIL FARBER, CHAIR
MARGARET CLARK, VICE - CHAIR

June 7, 2010

The Honorable Christine Kehoe, Chair
Senate Appropriations Committee
State Capitol Room 2206
Sacramento, CA 94249

Dear Senator Kehoe:

ASSEMBLY BILL 737 (AMENDED JUNE 2, 2009): STATEWIDE MANDATORY WASTE DIVERSION RATE INCREASE TO 75 PERCENT

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to express our **strong opposition** to Assembly Bill 737 (AB 737). If enacted, AB 737 would increase the current waste disposal reduction mandate from the current 50 percent equivalent to 75 percent, increasing the burden on local governments at a time when most public agencies, including the State, are struggling with severe budget deficits and fiscal challenges. The bill would also require local governments to enact and enforce a mandatory commercial recycling ordinance, further imposing significant financial burden on local governments and California businesses for compliance with the mandate. Finally, the bill would require a local enforcement agency to approve permits through a pro-forma approval process when significant changes are made in the design or operation of the solid waste facility, regardless if those changes are authorized by the existing permit or if they are consistent or in conflict with the host jurisdiction's land use permit, and would eliminate current provisions in State law for the local task force to comment and review updates of the Non-Disposal Facilities Element and impact(s) on a region-wide basis.

Local governments across the State have already invested hundreds of millions of dollars in recycling infrastructure, development and implementation of waste reduction programs, and mathematical accounting and documentation required to meet the current 50 percent waste disposal reduction mandate. The most cost-effective programs have already been implemented, along with a variety of feasible niche programs. Although the Task Force supports efforts to increase diversion of waste materials from landfill disposal, we have been grappling with numerous proposals to increase the mandate on local governments without providing them with the means to achieve those goals. Especially during the current economic challenges facing California businesses and public agencies at all levels, we must insist that such efforts

take a collaborative, solutions-oriented approach. Unfortunately, **AB 737 fails to address the fundamental tools necessary to successfully achieve its mandates** (emphasios added). These tools include, but are not limited to:

- **Lifecycle Analysis** – Prior to any increase above the current diversion rate mandate, an analysis of the **true** lifecycle environmental and economic cost of recycling must be conducted (emphasis added). While recycling offers environmental benefits, it also can have environmental impacts, particularly greenhouse gas emission within California, other states and countries. Currently due to lack of market, a significant quantity of California’s recyclable goods are shipped overseas and processed under significantly less stringent or non-existent air pollution control, health, and safety standards. As such, a true analysis of global environmental effects and the costs associated with recycling programs is essential for an environmentally sound and sustainable waste management and diversion system for California residents.
- **New Technologies & Solid Waste** – Once recyclable materials are removed from the solid waste stream, the waste materials that are left behind have little to no beneficial reuse value as stipulated by the current California laws and regulations. As such, the post-recycled residuals are buried in landfills. However, many of these post-recycled materials can be beneficially used to produce renewable energy or green fuel using proven new types of technologies – conversion technologies. Commercially available conversion technologies include thermal, chemical, biological, mechanical or a combination of these processes, but do not include incineration. As an example, the gasification process can be used to produce clean power and advanced transportation fuels by utilizing the gas that is created under a thermal process. By removing the existing legislative and regulatory barriers, conversion technologies can provide substantial new sources of energy or clean fuel and provide new markets for the post-recycled residuals otherwise distend to landfills.
- **Recycling Market** – Recycling is sustainable **only** when there are sufficient markets for goods recovered (emphasis added). To this end, the State needs to substantially expand its efforts by providing economic incentives and assistance to innovative businesses. Currently, many processing/materials recovery facilities in California have available capacity to recover additional materials from the waste stream but due to lack of markets, they do not. Unfortunately, while AB 737 mandates for recovery of recyclable and provides for additional processing/recovery facilities, it fails to address the needed markets to handle the recovered goods. It should be noted that as California strives to be the largest

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producer of recyclable materials, it should equally strive to put them to use in California.

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 the 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.

For the above reasons, as well as the manner in which this bill was gutted and amended on September 4, 2009, to avoid additional review and stakeholder input, the Task Force wishes to reiterate its **strong opposition** to AB 737. 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
Council Member, City of Rosemead

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cc: Governor Arnold Schwarzenegger
Senate President Pro Temp Darrell Steinberg
Assembly Speaker John A. Perez
Senator Dennis Hollingsworth, Minority Leader
Assembly Member Martin Garrick, Minority Leader
Each Member of the Senate Appropriations Committee
Assembly Member Wesley Chesbro
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

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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