



MARK PESTRELLA, CHAIR  
MARGARET CLARK, VICE - CHAIR

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)

October 30, 2017

Mr. Scott Smithline, Director  
California Department of Resources Recycling and Recovery (CalRecycle)  
P.O. Box 4025  
Sacramento, CA 95812-4025

Dear Mr. Smithline:

## **COMMENTS – CALRECYCLE PACKAGING REFORM WORKSHOP BACKGROUND DOCUMENT**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates this opportunity to comment on the Packaging Reform Workshop Background Document (Background Document), discussed at the CalRecycle Packaging Reform Workshop on, October 10, 2017, see the following link:

<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2143&aiid=1954>

The Task Force has been a long-time supporter of balanced approaches for the management of solid waste if the result includes diversion of valuable resources from landfills, decreased costs for local governments to manage the waste, accountability for the material in the State, and protecting our environment to improve the quality of life for the State's residents.

The Background Document discussed the broad policy framework approach recommended by CalRecycle to manage all packaging material. The Task Force is supportive of the recommended approach and agrees that there may not be a "one size fits all" solution to effectively manage the diverse range of packaging materials. However, as further discussed below, we have some comments to offer on reference to the identified policy tools and priority packaging.

## **1. Identifying Policy Tools**

Of the 13 policy tools identified by CalRecycle, the Task Force supports Extended Producer Responsibility (EPR) as the best policy tool to manage all packaging material, as indicated in our enclosed letter of August 3, 2017. A sound EPR policy would include the establishment of a take-back program funded and managed by the producers of the packaging, specific recovery goals, and convenience standards for the collection of the packaging. We are supportive of CalRecycle having statutory authority to manage all packaging material and specifically having oversight authority to review and approve EPR plans developed by manufacturers. Also, similar to other EPR policies it should include an advisory committee to allow stakeholders, including local governments, to provide feedback.

Additional policy tools identified by CalRecycle that would complement an EPR policy, include Source Reduction, Minimum Postconsumer Recycled Content, Recyclable or Compostable Design, and Labeling Requirements. These are all tools that manufacturers can implement in the design of their product along with a sound EPR policy. These policies can incentivize manufacturers to eliminate unnecessary packaging material, create markets for postconsumer recycled material, develop innovative products that consider the end-of-life cycle, and offer transparency to consumers.

However, the Task Force does not recommend the implementation of Statewide Standard List of Recyclable and Compostable Packaging, and/or Landfill Ban, as practical policy tools. These policies have the potential to undermine the authority of local governments by imposing unreasonable requirements. Additionally, the costs associated with implementing and enforcing these requirements is a financial burden that tends to be absorbed by the local governments. As such, the Task Force acknowledges that CalRecycle may need additional funding to develop and administer policies to effectively divert packaging and other material from landfills. However, establishment of any new funding mechanism and/or an increase of an existing fee would require as transparent stakeholder process, detailed justification for the new and/or increased fees, and reasonable distribution of funding.

An additional policy tool that has yet to be identified by CalRecycle is legislation to enable the use of conversion technologies (CTs) to, among other things, process packaging material that is not recyclable or compostable. The Task Force has long supported the use of CTs as a viable alternative to divert post-recycled municipal solid waste, including unrecoverable packaging, from landfills. Unfortunately, the Task Force understands that there has been a long-standing debate on the use of CTs and their development continues to stall due to regulatory barriers. The Task Force asks that CalRecycle consider acknowledging that the use of CTs to process unrecyclable plastic packaging to produce ethanol or other fuels is a viable policy tool.

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## 2. Identifying Priority Packaging

The Task Force is supportive of the six priority packaging materials identified by CalRecycle since the fiber and plastic packaging materials account for a majority of the packaging related waste. However, considering China's Ban we propose that Plastic 3-7 Containers also be considered as priority packaging. These materials account for a smaller percentage of the packaging related waste but are likely to experience the biggest impact as it will take time to find alternative export destinations.

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

We appreciate your consideration of our comments and look forward to continuing to work closely with your staff in the development of a broad policy framework to manage packaging materials. If you have any questions, please contact Mr. Mike Mohajer, a Member of the Task Force, at [MikeMohajer@yahoo.com](mailto:MikeMohajer@yahoo.com) or 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: CalEPA (Matt Rodriguez)  
CalRecycle (Ken DeRosa, Howard Levenson, Cynthia Dunn, Karen Morrison)  
California State Association of Counties

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League of California Cities

Each Member of the Los Angeles Board of Supervisors

Los Angeles County Chief Executive Officer

League of California Cities, Los Angeles County Division

Each City Mayor and City Manager in LA County

San Gabriel Valley Council of Governments

South Bay Cities Council of Governments

Gateway Cities Council of Governments

Each Recycling Coordinator in Los Angeles County

Each Member of Los Angeles County Integrated Waste Management Task Force