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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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March 14, 2018

Mr. Scott Smithline, Director
California Department of Resources Recycling and Recovery
1001 I Street
Sacramento, CA 95812

Dear Mr. Smithline:

COMMENTS ON AB 901 FIFTH DRAFT OF REPORTING REGULATIONS FOR RECYCLING, DISPOSAL AND ENFORCEMENT, DATED JANUARY 2018

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to express its continued appreciation to the California Department of Resources Recycling and Recovery (CalRecycle) for soliciting input from the public and local jurisdictions regarding draft regulations to implement Assembly Bill 901 (AB 901, Chapter 746 of the 2015 State Statutes). The Task Force has reviewed the fifth draft development regulations, dated January 2018 (Regulations), published by CalRecycle on January 26, 2018, and has the following comments:

GENERAL COMMENTS

1. The Initial Statement of Reasons dated January 2018 states that AB 901 will dramatically improve local jurisdiction's ability to achieve and measure legislatively mandated goals by expanding reporting to include data on recycling and composting. It also states that additional tools will enhance and expand the ability of local jurisdictions to verify the accuracy of reported information. Additionally, AB 901 amended Section 41821.5 (b)(3) of the Public Resources Code to state that CalRecycle may provide reported information to jurisdictions. However, it is unclear in the Regulations as to how local jurisdictions will reap the benefit of a more comprehensive and robust data collection by CalRecycle. The regulations should incorporate provisions describing the information and tools that will be made available, as well as the parties responsible for making such information and

tools available, so that local jurisdictions may have the ability to measure and achieving the State-mandated goals.

2. For the purpose of solid waste planning and implementing and evaluating programs, the County and cities in Los Angeles County could benefit greatly by having access to the information which CalRecycle will be able to collect under the new Regulations. The Public Resources Code Section 41821.5 (b)(3) states that CalRecycle may provide information in the reports submitted pursuant to AB 901 to jurisdictions, aggregated by company, upon request. The Regulations should address the types of reports that will be available and jurisdictions should have opportunities to comment on the format of requested information prior to the regulations being finalized.
3. Currently, pursuant to Sections 18800 through 18813 of Title 14 of the California Code of Regulations, which will be removed upon formal adoption of the subject Regulations, solid waste disposal operators are required to submit surveys of disposal tonnages and jurisdictions of origin for the waste received to counties. In turn, each county provide quarterly reports to cities within the county with information regarding tonnages, jurisdiction of origin, and receiving facilities. This information is used by local jurisdictions to measure their progress in achieving the State waste reduction mandates and to plan for long-term disposal capacity. Since the requirement for counties to provide this information to cities is to be eliminated, the proposed Regulations should include provisions that describe how the information that will be made available to them, the parties responsible for providing the information, and the tools that will be used to make such information available.

CalRecycle should also provide opportunities to comment on the format of requested information prior to the Regulations being finalized.

ARTICLE 9.25 RECYCLING AND DISPOSAL REPORTING SYSTEM

- Subdivision 18815.2(a)

Include the term “disaster debris” as a fourth definition of source sector (Paragraph 51) in Subdivision 18815.2(a). Utilizing disaster debris as a source sector will be helpful in planning efforts during an emergency/disaster situations and cleanup activities.

- Subdivision 18815.3 (b)(2)(F)

Please state the threshold for reporting for wastewater treatment plants since it is not provided.

- Section 18815.7

In Section X.7 (b) on page 9 of the *second* draft regulations, published on November 4, 2016, it is stated that a recycling or composting facility or operation that generates more than 100 tons of residuals sent for disposal per reporting period shall report as transfer station or material recovery facility. If this is still applicable, similar language should be included.

- Section 18815.9 (c)(2)

It is discussed that source sector may be determined by assigning side loading trucks as “contract hauled single family residential,” and front and rear loading trucks as “contract hauled single family.” This is not a precise way of determining source sector and data received in this manner may not be very useful. Since waste haulers maintain records on who their customer base is, we suggest that CalRecycle should require waste haulers to use these records.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 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 more than ten million. 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.

As a collective group responsible for ensuring a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force respectfully requests that CalRecycle consider and address the above comments.

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If you have any questions, regarding this matter, please contact Mr. Mike Mohajer, a Member of the Task Force, at 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: CalRecycle (Ken DaRosa, Christine Hironake, John Sitts, Jane Mantey,
Robert Carlson)
Each Member of the Los Angeles County Integrated Waste Management
Task Force