

Dave Sadoff, **WMA President**
Castro Valley Sanitary District, WMA
Tim Rood, **WMA 1st Vice President**
City of Piedmont, WMA, EC
Deborah Cox, **WMA 2nd Vice President, EC 1st Vice President**
City of San Leandro, WMA, EC
Jim Oddie, **EC President**
City of Alameda, WMA, EC
Keith Carson, County of Alameda, WMA, EC
Rochelle Nason, City of Albany, WMA, EC
Susan Wengraf, City of Berkeley, WMA, EC
Melissa Hernandez, City of Dublin, WMA, EC
Dianne Martinez, City of Emeryville, WMA, EC
Jenny Kassan, City of Fremont, WMA, EC
Francisco Zermeno, City of Hayward, WMA, EC
Bob Carling, City of Livermore, WMA, EC
Michael Hannon, City of Newark, WMA, EC
Dan Kalb, City of Oakland, WMA, EC
Shelia Young, Oro Loma Sanitary District, WMA
Jerry Pentin, City of Pleasanton, WMA, EC
Emily Duncan, City of Union City, WMA, EC
Wendy Sommer, Executive Director

AGENDA

MEETING OF THE ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD AND THE ENERGY COUNCIL (EC)

Wednesday, March 27, 2019

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

**Teleconference
Tim Rood
San Jose City Hall
3rd Floor Tower
200 East Santa Clara St.
San Jose, CA 95113
408-535-8122**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. ANNOUNCEMENTS BY PRESIDENTS - *(Members are asked to please advise the board or the council if you might need to leave before action items are completed)*

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes unless a shorter period of time is set by the President.

Page V. CONSENT CALENDAR

1 1. Approval of the Draft Minutes of February 27, 2019 (Wendy Sommer)

5 2. Annual Audit for Fiscal Year 2017-18 (Jennifer Luong) That the WMA Board and Energy Council review, accept and file the Fiscal Year 2017-18 Annual Audit.

7 3. Grants Issued Under Executive Director Signature Authority (Wendy Sommer)

VI. REGULAR CALENDAR

9 1. Legislative Positions for 2019 (Anu Natarajan)

That the WMA Board adopt the recommended positions for the 2019 session of the California Legislature.

29 2. The Milk Carton Conundrum (Justin Lehrer)

This item is for information only.

31 3. Reusable Transport Packaging Project Update (Michelle Fay)

This item is for information only.

4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(The April 11, 2019 Planning Committee and Recycling Board meeting is cancelled in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on Wednesday, April 24, 2019 at 3:00 p.m. at StopWaste offices, 1537 Webster St., Oakland, CA)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. ADJOURNMENT

DRAFT

**MINUTES OF THE MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD,
THE ENERGY COUNCIL (EC)**

Wednesday, February 27, 2019

3:00 P.M.

**StopWaste Offices
1537 Webster Street
Oakland, CA 94612
510-891-6500**

I. CALL TO ORDER

President Dave Sadoff, WMA, called the meeting to order at 3:03 p.m.

II. ROLL CALL OF ATTENDANCE

| | |
|---------------------------------|----------------------------|
| City of Alameda | Jim Oddie, WMA, EC |
| City of Albany | Rochelle Nason, WMA, EC |
| County of Alameda | Keith Carson, WMA, EC |
| City of Berkeley | Susan Wengraf, WMA, EC |
| Castro Valley Sanitary District | Dave Sadoff, WMA |
| City of Dublin | Melissa Hernandez, WMA, EC |
| City of Emeryville | Dianne Martinez, WMA, EC |
| City of Fremont | Jenny Kassan, WMA, EC |
| City of Hayward | Sara Lamnin, WMA, EC |
| City of Livermore | Bob Carling, WMA, EC |
| City of Newark | Mike Hannon, WMA, EC |
| City of Oakland | Dan Kalb, WMA, EC |
| Oro Loma Sanitary District | Shelia Young, WMA |
| City of Piedmont | Tim Rood, WMA, EC |
| City of San Leandro | Deborah Cox, WMA, EC |
| City of Union City | Emily Duncan, WMA, EC |

ABSENT:

| | |
|--------------------|-----------------------|
| City of Pleasanton | Jerry Pentin, WMA, EC |
|--------------------|-----------------------|

Staff Participating:

Wendy Sommer, Executive Director
Kelly Schoonmaker, Program Manager
Rachel Balsley, Senior Program Manager
Miya Kitahara, Program Manager
Richard Taylor, WMA Legal Counsel
Arliss Dunn, Clerk of the Board

III. ANNOUNCEMENTS BY PRESIDENTS

There were none.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There was none.

V. CONSENT CALENDAR

1. Approval of the Draft Minutes of January 23, 2019 (Wendy Sommer)

There were no public comments for the Consent Calendar. Board member Cox made the motion to approve the Consent Calendar. Board member Hannon seconded and the motion carried 11-0-1: (Ayes: Cox, Duncan, Hannon, Hernandez, Martinez, Nason, Oddie, Rood, Sadoff, Wengraf, Zermeño; Nays: None. Abstained: Young. Absent: Carson, Kalb, Kassan, Lamnin, Pentin).

VI. REGULAR CALENDAR

1. SB 1383 Short Lived Climate Pollutant Plan: Rulemaking Update (Kelly Schoonmaker)

This item is for information only.

(Board members Carson, Kalb, Kassan, and Lamnin arrived during the presentation).

Kelly Schoonmaker presented an overview of the staff report and presented a PowerPoint presentation. A link to the report and the presentation is available here:

http://www.stopwaste.org/sites/default/files/SB-1383-pres_19-02-27.pdf

Board member Rood inquired as to how a city can comply with the new regulations if the city has recently renewed its franchise agreement and the practices are not included in the agreement. Ms. Schoonmaker stated that the franchise agreement would need to be amended. Board member Wengraf requested that staff send to the Board a copy of the League of CA Cities letter to CalRecycle along with StopWaste's recommended language and the intended addressee. Board member Kalb added it would be better if the cities sent individual letters that support the comments that StopWaste has submitted and asked that staff provide this information to the Board members. Ms. Schoonmaker stated that staff provided the draft letter to TAC along with the League letter and additional text. Staff can also send the letter directly to the Board. Board member Duncan stated that she received a copy of the letter as the representative to the League of Cities and she forwarded the letter to city staff. Board member Cox inquired if staff is receiving pushback from TAC as there is concern that StopWaste is agreeing to issues the cities will be unable to do. Ms. Schoonmaker stated that StopWaste is aware of what the cities are able to handle and is working with TAC to resolve any issues. Ms. Schoonmaker added our comments to CalRecycle reflect our work with the TAC. Board member Lamnin inquired regarding the increase in staff time. Ms. Balsley stated that although some of the requirements are already covered by the Mandatory Recycling Ordinance (MRO) which most jurisdictions have opted into, there are other items in the regulations such as the new requirement to report on haulers that may lead to an increase in staff time. We will not know this until the regulations are finalized. Board member Lamnin inquired about an update on the All-In Initiative and the food donation app. Board member Carson stated that he learned through an update of the County's 2028 Visioning Plan that developers are actively working on the app. Board member Young stated that the sanitary districts are also subject to SB 1383 and CASA (California Association of Sanitation Agencies), like the League of Cities, also has comment letters. Board member Young added there is a bio-solids committee working on the rulemaking for SB 1383 but she is not sure about the deadline for the 45-day comment period. Ms. Schoonmaker stated that the comments are due on Monday, March 4. Ms. Schoonmaker added CalRecycle is required to respond to all comments which will probably require them to have another 45-day comment period which would

DRAFT

lead to another set of draft regulations. Board member Hannon referenced page 11 of the staff report regarding enforcement and oversight and inquired about the language that states “CalRecycle will primarily oversee jurisdictions and entities outside of local government regulatory authority.” Ms. Schoonmaker stated that this is referring to entities such as special districts, public schools, etc. Board member Hannon referenced page 11, “Legislative guidance allows CalRecycle regulations to: 1. Impose penalties on regulated entities of up to \$10,000 per day for noncompliance.” Ms. Balsley stated that the legislative guidelines lay out the fine structure that jurisdictions are allowed to impose on generators as well as a penalty table that outlines what fines CalRecycle can impose on local jurisdictions. Additionally, CalRecycle will look to local jurisdictions to ensure compliance. Authority Counsel Taylor added that changes would be harder as the process continues. If local agencies would like to change the direction that the legislation is going with respect to funding mechanisms or degree of enforcement, contacting legislators and submitting comments now is very important. Board member Kalb stated that we need to not only tell them what we want but show them how we can get to the goal that we all share.

President Sadoff thanked Ms. Schoonmaker for the presentation.

2. Materials-Energy-Climate Nexus (Miya Kitahara)

This item is for information only.

Miya Kitahara provided an overview so the staff report and presented a PowerPoint presentation. A link to the staff report and the presentation is available here: [Materials-Energy-Climate-Nexus.pdf](#)

Board member Oddie commented that the City of Alameda is completing their climate action plan and concurs with the City of Berkeley when they declared a climate emergency. Board member Oddie added as an island city, they are on the front lines with respect to sea level rise and wants to ensure that city staff regard climate action as a priority and direct revenue to address the issues. Board member Wengraf stated that the City of Berkeley will be considering prohibiting the use of natural gas in new construction. Board member Kalb commented that the City of Oakland is embarking on a year-long project to develop a new and more robust climate action plan. Board member Martinez commented that we could move the needle related to agriculture and specifically the production of beef products and inquired if local governments can educate the public on how their eating habits can effect levels of GHG. Ms. Kitahara stated that local governments cannot regulate what we eat but can have influence in entities like school kitchens in the areas of nutrition and school guidelines.

President Sadoff thanked Ms. Kitahara for the presentation.

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)

(Planning Committee and Recycling Board meeting, February 14, 2019 at 7:00 p.m., San Leandro Senior Center, 13909 E 14th St, San Leandro, CA 94578)

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Ms. Sommer thanked Kelly Schoonmaker, Rachel Balsley, and Anu Natarajan for their work on SB 1383. Ms. Sommer stated that it is not easy to navigate the entire process and to bring our knowledge to the table and help our member agencies. Also to Miya Kitahara for highlighting the interconnectivity of all the issues that affect the climate. Board member Cox asked that it become standard policy for the

DRAFT

Board to receive links to the presentations following the meeting. Ms. Sommer stated that we will send links to the presentations after the meetings. Board member Young thanked staff for including the news clips in the agenda packet and referenced the current news clipping from Bloomberg News “Big Consumer Brands Will Start Taking Their Packaging,” and inquired if staff is following this information. Ms. Sommer stated yes. Board member Duncan thanked Ms. Sommer and staff for coming to Union City to meet with city staff, the city manager and deputy city manager to provide an overview of StopWaste activities and priorities, and stated that it was very helpful as a new Board member. Ms. Sommer thanked Board member Duncan and Union City staff for hosting the meeting and stated that staff provides an orientation to all new Board members and would be happy to hold the orientation in the respective jurisdiction upon request.

VIII. ADJOURNMENT

The meeting was adjourned at 4:11 p.m.

DATE: March 27, 2019

TO: Waste Management Authority Board
Energy Council

FROM: Wendy Sommer, Executive Director

BY: Jennifer Luong, Financial Services Manager

SUBJECT: Annual Audit for Fiscal Year 2017-18

SUMMARY

On March 14, 2019, the Programs and Administration Committee and the Planning Committee/Recycling Board heard a presentation of the Fiscal Year 2017-18 Annual Audit, which now comes to the Waste Management Authority Board and Energy Council for acceptance and filing.

DISCUSSION

The Financial Statements were presented in Comparative Format (two fiscal years) and the Management's Discussion and Analysis was expanded to provide additional financial information. There were no audit exceptions or material deficiency findings. Additionally, there were no recommendations for improvements in internal controls. The report submitted to the P&A and the Planning Committee/Recycling Board can be found at: [FY 17-18-Audit-Report-3-14-19.pdf](#).

Committee Action

By a vote of 10-0-1 (Absent: Kassan, Abstained: Hannon), the P&A Committee reviewed and recommended to forward the Fiscal Year 2017-18 Annual Audit to the Waste Management Authority Board for review, acceptance and filing. By a vote of 10-0 (Absent: Oddie), the Recycling Board reviewed and accepted for filing the Fiscal Year 2017-18 Annual Audit.

RECOMMENDATION

That the WMA Board and Energy Council review, accept and file the Fiscal Year 2017-18 Annual Audit.

This page intentionally left blank

Date: March 27, 2019

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

SUBJECT: Grants Issued Under Executive Director Signature Authority

SUMMARY

The purchasing and grant policies were amended to simplify paperwork and Board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the grant policy is that staff informs the Board of recently issued grants.

Grants: February – March 2019

| PROJECT NAME | GRANT RECIPIENT | PROJECT TYPE/DESCRIPTION | LOCATION | VERIFICATION | GRANT AMOUNT | BOARD |
|------------------------------------|-------------------------|--|-------------|---------------------|--------------|-------|
| Reusable Transport Packaging Grant | Drake's Brewing Company | Replace plastic film and wooden pallets with reusable plastic pallets, reusable pallet wraps, and reusable pallet bands to move raw materials and finished product across the brewery's production spaces. | San Leandro | Mini-grant contract | \$5,000 | WMA |
| Reusable Transport Packaging Grant | Emerald Packaging | Replace high-density non-recyclable paper cores with reusable and recyclable plastic cores for transporting film packaging (1 reusable core replaces 20 fiber cores). | Union City | Mini-grant contract | \$5,000 | WMA |

This page intentionally left blank



Date: March 27, 2019

TO: Waste Management Authority

FROM: Wendy Sommer, Executive Director

BY: Anu Natarajan, Legislative Affairs Manager

SUBJECT: Legislative Positions for 2019

SUMMARY:

This is the first year of the 2019/2020 legislative session. As of the deadline on February 22, 2,576 bills were introduced (1,801 in Assembly, 775 in Senate).

Working with Jason Schmelzer and Shaw Yoder Antwih (our contract lobbyist in Sacramento), we are tracking several bills in the legislative process. The report below highlights some of the bills that reflect the Agency priorities. Several bills are still in “spot” language form and will only be able to be analyzed once more language is included. First House (House of Origin) policy committees started earlier this week so many bills do not have committee analyses yet.

We will return to the WMA in June with a status update on these bills.

DISCUSSION:

Each year, the Agency picks priority legislative areas to focus on in the coming legislative year. These are subject areas that StopWaste staff and our lobbyist devote more time and attention to. This could be in the form of additional letters of support to committee members, recruiting support from other government agencies and organizations, testifying at hearings, proposing changes to regulations and working closely with bill sponsors.

In December 2018, the Waste Management Authority Board approved its legislative priorities for 2019, and emphasized plastic pollution prevention, contamination, climate change, organics to landfill and unsustainable consumption. The discussion on the priorities were framed in the context of major external influences last year such as China’s National Sword, an increased awareness of single-use packaging and plastic pollution, rulemaking of SB 1383 and focus on organics and contamination and the recognition of the nexus between materials, energy and climate.

StopWaste works in Sacramento to support its priorities and protect against detrimental legislation or regulations. Staff work closely with partner organizations to support or oppose those bills that have the greatest potential to impact our mission, either positively or negatively.

The Agency's lobbyist advocates our positions on a daily basis in the legislature. Staff provides testimony on priority bills on an as-needed basis, and sends letters on all bills that we support and oppose to the author and committee members.

In both legislative and regulatory work, we collaborate with multiple partners, recognizing that we are likelier to be more successful when we are part of coalitions rather than acting on our own. The Agency continues to work closely with Californians Against Waste and the California Product Stewardship Council, providing financial support to both.

Below is a list of bills, organized by topic category, with a brief description, recommended position, current status, and a link to the bill language.

StopWaste is tracking bills that are categorized under:

- Plastic Pollution Prevention
- Recycling
- Climate/Energy
- EPR/Circular Economy
- Organics/Composting
- Other

StopWaste positions on these bills include:

Support Priority (SP): Priority bills with strong support and testimony including input on bill language

Strong Support (S1): Strong support and testimony as requested

Support (S2/3): Letters of support and signing on to other support letters

Oppose: Opposition

Watch: Indicates that bill language and details are still evolving and we will continue to watch and provide input and take a support/oppose position where necessary.

Plastic Pollution Prevention

[AB 1080 \(Gonzalez /SB 54 \(Allen, Skinner\): California Circular Economy and Plastic Pollution Reduction Act SB 54](#)

This bill will establish a framework to address single use plastic packaging and products by requiring source reduction and recycling of 75% by 2030, and 100% recyclable and compostable on or after 2030. CalRecycle will develop a Scoping Plan by 2021 to develop criteria and a roadmap to achieve the stated goals.

Agency position: Support (SP)

Support: More than 60 organization that include Californians Against Waste, CPSC, ReThink Waste, Story of Stuff Project, Sierra Club.

AB 886 (Eggman): Plastic bags

[AB 886](#)

Current law requires an operator of a retail store to establish an in-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store by providing a collection bin located in a visible area. This law sunsets in January 2020.

This bill would extend those requirements to January 1, 2021.

Agency position: Support (S1)

Recycling

SB 667 (Huezo): Recycling Infrastructure and Facilities

[SB 667](#)

This bill focuses on funding for infrastructure and requires the State Air Resources Board to develop a 5-year investment strategy to drive innovation and infrastructure, in order to meet specified organic waste reduction and recycling targets.

The bill requires an unspecified amount be appropriated from the Greenhouse Gas Reduction Fund to be transferred into the California Recycling Infrastructure Investment Account for a five-year period. It also requires coordination with the States of Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region and to create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets for recyclable materials.

Agency position: Support (S1)

Climate

SB 43 (Allen): Carbon Taxes

[SB 43](#)

This bill requires the State Air Resources Board to conduct a study with an assessment on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products. The bill requires the state board to revise the 2017 scoping plan to reflect the carbon emission reduction benefits that may be realized through the imposition of the assessment based on carbon intensities of products and to consider the results of the study in future updates to the scoping plan.

Agency position: Support (S1)

AB 1115 (Quirk-Silva): Climate Action Plans

[AB 1115](#)

This bill directs the State Air Resources Board to support local governments on specific components of those local governments' climate action plans.

Agency position: Support (S1)

SB 739 (Stern): Climate change: research, development, and demonstration: financial assistance
[SB 739](#)

The bill requires the State Energy Resources Conservation and Development Commission Pto develop a new model for providing agile financial assistance for research, development, and demonstration of climate change mitigation technologies with transformational potential to meet the state's energy goals.

Agency position: Support (S2)

Extended Producer Responsibility (EPR)/Circular Economy

AB 1509 (Mullin): Rechargeable batteries
[AB 1509](#)

This bill requires manufacturers of products with a non-removable rechargeable battery, to provide disassembly information to recyclers of rechargeable consumer products for the purpose of ensuring safe removal of the battery, and would prohibit the sale or offer of sale of that product if the manufacturer does not provide that information. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program.

Agency position: Support (S1)
Sponsor/Support: ReThink Waste, Californians Against Waste

AB 1163 (Eggman): California Right to Repair Act
[AB 1163](#)

This is a reintroduction of a bill from last year, and will require manufacturers of electronics to make service literature and equipment or parts available to product owners and to regulated, independent repair shops.

Agency position: Support (S1)
Sponsor: Californians Against Waste

Bills to Watch

There are several bills that are on the "watch" list. These are bills that do not have details and are "spot" bills that will evolve over the next few months. The bills are listed below and details of these bills and links to the bill texts are included in Attachment A: 2019 Bill Matrix.

Plastic Pollution Prevention

AB 1672 (Bloom): Product labeling: flushable products

AB 1171 (Chen): Recycling: grocery store food packaging: sustainability standards

AB 129 (Bloom): Waste management: plastic microfiber

SB 372 (Wieckowski): Single-use plastic products: extended producer responsibility

Recycling

AB 827 (McCarty): Solid waste: commercial and organic waste: recycling bins

SB 213 (Wieckowski): Litter: receptacles

SB 33 (Skinner): Solid waste: reduction and recycling

AB 1583 (Eggman): The California Recycling Market Development Act

AB 792 (Ting): Recycling: plastic beverage containers: minimum content standards

AB 793 (Ting): Beverage container recycling: processors: reporting

AB 794 (Ting): Beverage container recycling: report to the Legislature

AB 815 (Aguilar-Curry): Source reduction and recycling element: dual stream recycling programs

AB 900 (Flora): Waste management: city source reduction and recycling element

AB 1488 (Burke): Recycling: plastic beverage containers: reporting

Climate/Energy

SB 739 (Stern): Climate change: research, development, and demonstration: financial assistance

AB 1276 (Bonta): Green New Deal

AB 915 (Mayes): California Renewables Portfolio Standards Program

AB 836 (Wicks): Bay Area Clean Air Incentive Program

AB 753 (Garcia): Alternative and Renewable Fuel and Vehicle Technology Program: fueling infrastructure

AB 1236 (Lackey): Greenhouse gases: utilities: recycling: California Environmental Quality Act

AB 1195 (O'Donnell): Low-Carbon Fuel Standard regulations

AB 975 (Calderon): California Adaptation Leadership and Coordination Act of 2019

AB 839 (Mullin): Adaptation through Resiliency, Economic Vitality, and Equity Account

AB 660 (Levine): Building energy efficiency standards

Extended Producer Responsibility

AB 142 (Garcia): Lead-acid batteries

SB 724 (Stern): The California Beverage Container Recycling and Litter Reduction Act

SB 424 (Jackson): Solid waste: sharps disposal

AB 1770 (Frazier): Tire recycling program: rubberized pavement

AB 729 (Chu): Carpet recycling: carpet stewardship organizations

AB 187 (Garcia, Cristina): Used Mattress Recovery and Recycling Act: budget

Other

SB 613 (Stern): Healthy Soils Program

AB 1216 (Bauer-Kahan): Solid waste: illegal dumping

SB 726 (Caballero): Hazardous waste: materials exchange program
AB 1228 (Calderon): Waste management: city source reduction component

RECOMMENDATION

That the WMA Board adopt the recommended positions for the 2019 session of the California Legislature.

Attachment A: 2019 Bill Matrix



2019 LEGISLATIVE BILLS

PLASTIC POLLUTION PREVENTION/PACKAGING

| | BILL | DETAILS | POSITION | NOTES |
|---|---|---|----------|---|
| 1 | SB 54 Allen AB 1080 Gonzalez <u>California Circular Economy and Plastic Pollution Reduction Act</u> | <p>This bill requires CalRecycle, in consultation with the State Water Resources Control Board and the Ocean Protection Council, to adopt regulations to source reduce and recycle 75% of single-use packaging and products sold or distributed in California by 2030. The bill also requires adoption of regulations to source reduce single-use packaging and products at least 75% by 2030, and all single-use packaging and products to be recyclable or compostable on and after 2030. The bill directs CalRecycle to prepare a scoping plan to set a baseline for and achieve those reduction and recycling requirements.</p> | S1 | <p>PRIORITY BILL</p> <p>Stopwaste, CAW, CPSC, ReThink Waste</p> |
| 2 | AB 886 Eggman <u>Plastic bags.</u> | <p>Existing law requires an operator of a retail store to establish an at-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store. The current law sunsets in January 2020.</p> <p>This bill would extend those requirements to January 1, 2021.</p> | S1 | <p>Potential for plastic film insert.</p> |

| | | | | |
|---|---|--|-------|---------------|
| 3 | <u>AB 1672</u> <u>Bloom</u> <u>Product labeling:</u> <u>flushable products</u> | Existing law regulates the labeling requirements on various consumer products. This bill prohibits the sale or advertisement of any nonwoven disposable product labeled as “flushable” or “sewer and septic safe” if that product fails to meet specified performance standards. | S3 | |
| 4 | <u>AB 1171</u> <u>Chen</u> <u>Recycling: grocery</u> <u>store food packaging:</u> <u>sustainability</u> <u>standards</u> | This bill encourages municipalities to adopt more effective sustainability standards for the recycling and composting of grocery store food packaging. | WATCH | |
| 5 | <u>AB 129</u> <u>Bloom</u> <u>Waste management:</u> <u>plastic microfiber</u> | Existing law prohibits, on and after January 1, 2020, a person, business, or other entity from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads. This bill recognizes the emerging threat that microfibers pose to the environment and water quality and would make related findings. | WATCH | CAW Sponsored |
| 6 | <u>SB 372</u> <u>Wieckowski</u> <u>Single-use plastic</u> <u>products: extended</u> <u>producer responsibility</u> | This bill addresses extended producer responsibility for single-use plastic products, including collecting waste consisting of those products, the transport and treatment of those products, the costs of litter cleanup, and awareness-raising measures. | WATCH | |

RECYCLING

| | | | | |
|---|---|--|-------|--|
| 7 | SB 667 Hueso Greenhouse gases: recycling infrastructure and facilities | <p>This bill requires the State Air Resources Board department to develop a 5-year investment strategy to drive innovation and support technological development and infrastructure, in order to meet specified organic waste reduction and recycling targets.</p> <p>The bill requires an unspecified amount be appropriated in the annual Budget Act from the Greenhouse Gas Reduction Fund to be transferred into the California Recycling Infrastructure Investment Account for a five-year period.</p> <p>The bill requires coordination with the States of Nevada, Oregon, and Washington on infrastructure financing to support the recycling needs of the region and to create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets for recyclable materials.</p> | S1 | |
| 8 | AB 827 McCarty Solid waste: commercial and organic waste: recycling bins | <p>Existing law requires a business that generates 4 cubic yards or more of commercial solid waste or 8 cubic yards or more of organic waste per week to arrange for recycling services, as specified.</p> <p>This bill requires a business to provide customers with a recycling bin that is visible, easily accessible, and clearly marked with educational signage, as specified.</p> | S2 | |
| 9 | SB 213 Wieckowski Litter: receptacles | <p>Existing law requires litter receptacles to be placed in all public places in the state, as specified, and provides that any person owning or operating any establishment or public place in which litter receptacles are required to be placed shall procure, place, and maintain those receptacles at that person's own expense on the premises. This bill would make non-substantive changes to those provisions.</p> | WATCH | |

| | | | | |
|----|--|---|-------|---|
| 10 | SB 33 Skinner <u>Solid waste: reduction and recycling</u> | <p>This bill addresses the collapse of foreign recycling markets by requiring reduction of solid waste generation, encouraging transition to compostable or recyclable materials, and fostering domestic recycling markets.</p> | | ON HOLD |
| 11 | AB 1583 Eggman <u>The California Recycling Market Development Act</u> | <p>Existing law requires all rigid plastic bottles and rigid plastic containers sold in the state to be labeled with a code that indicates the resin used to produce the bottles or containers, with specified numbers and letters placed in relation to a triangle, designed as prescribed.</p> <p>This bill deletes the prescribed description of that triangle.</p> | WATCH | <p>Funding source – may include a bond or a tipping fee increase</p> <p>Sponsored by CAW/Republic</p> |
| 12 | AB 792 Ting <u>Recycling: plastic beverage containers: minimum content standards</u> | <p>The California Beverage Container Recycling and Litter Reduction Act, requires every beverage container sold or offered for sale in this state to have a minimum refund value.</p> <p>This bill sets minimum content standards for plastic beverage containers in California.</p> | WATCH | |
| 13 | AB 793 Ting <u>Beverage container recycling: processors: reporting</u> | <p>Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state to the Department of Resources Recycling and Recovery. Existing law requires processors of beverage containers to report specified information relating to beverage containers to the department, in the form and manner prescribed by the department, within 10 days after each month. This bill instead requires processors to submit those reports within 15 days after each month.</p> | WATCH | |

| | | | | |
|----|---|--|-------|--|
| 14 | AB 794 Ting <u>Beverage container recycling: report to the Legislature</u> | <p>This bill requires CalRecycle to conduct a study on the changes to the international recycling market since January 1, 2018, and provide, by January 1, 2021, recommendations to the Legislature on how to foster more recycling of beverage container materials within the state.</p> | WATCH | |
| 15 | AB 815 Aguiar-Curry <u>Integrated waste management plans: source reduction and recycling element: dual stream recycling programs</u> | <p>Existing law requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan and to divert from disposal 50% of all solid waste.</p> <p>This bill requires CalRecycle to find that a jurisdiction made a good faith effort to implement its source reduction and recycling element if the jurisdiction has adopted a dual stream recycling program.</p> | WATCH | |
| 16 | AB 900 Flora <u>Waste management: city source reduction and recycling element</u> | <p>The California Integrated Waste Management Act of 1989 requires each city and county to develop a source reduction and recycling element of an integrated waste management plan to divert 50% of all solid waste.</p> <p>This bill makes a nonsubstantive change to a provision relating to city source reduction and recycling elements.</p> | WATCH | |

| | | | | |
|----|--|---|-------|--------------------|
| 17 | AB 1488 Burke <u>Recycling: plastic beverage containers: reporting</u> | <p>Under current law, CalRecycle is required to calculate a processing fee for each beverage container with a specified scrap value, which is required to be paid by beverage manufacturers for each beverage container sold or transferred to a distributor or dealer.</p> <p>This bill requires a reclaimer, on or before March 1, 2020, and annually thereafter, to report the amount of empty plastic beverage containers that it collected, washed, and processed in the state in the previous calendar year into bottle grade flake, pellet, sheet, or any other bottle grade form.</p> | WATCH | Industry Sponsored |
|----|--|---|-------|--------------------|

CLIMATE/ENERGY

| | | | | |
|----|--|---|----|--|
| 18 | SB 43 Allen <u>Carbon taxes</u> | <p>This bill requires the State Air Resources Board to conduct a study with an assessment on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products. The bill requires the revision of the 2017 scoping plan to reflect the carbon emission reduction benefits that may be realized through the imposition of the assessment based on carbon intensities of products and to consider the results of the study in future updates to the scoping plan.</p> | S1 | |
| 19 | AB 1115 Quirk-Silva <u>State Air Resources Board: climate action plans</u> | <p>This bill directs the State Air Resources Board to support local governments on specific components of those local governments' climate action plans.</p> | S1 | |

| | | | | |
|----|---|---|----|--|
| 20 | SB 739 Stern <u>Climate change: research, development, and demonstration: financial assistance</u> | The bill requires the State Energy Resources Conservation and Development Commission to develop a new model for providing financial assistance for research, development, and demonstration of climate change mitigation technologies with transformational potential to meet the state's energy goals. | S2 | |
| 21 | AB 915 Mayes <u>California Renewables Portfolio Standards Program</u> | The bill requires the PUC, on or before January 1, 2021, to submit to the Legislature a report identifying all statutory and regulatory requirements and mandates that pertain to achieving the state's clean energy goals and identifying and providing options to prevent related negative outcomes. | S3 | |
| 22 | AB 836 Wicks <u>Bay Area Clean Air Incentive Program</u> | This bill establishes the Bay Area Clean Air Incentive Program to provide funding through a grant program to retrofit ventilation systems to create a network of clean air centers to mitigate the adverse public health impacts due to wildfires and other smoke events, as specified. | S3 | |
| 23 | AB 753 Garcia <u>Alternative and Renewable Fuel and Vehicle Technology Program: fuels: fueling infrastructure</u> | This bill requires the State Energy Resources Conservation and Development Commission to make available at least 30% of the moneys available for allocation as part of the Alternative and Renewable Fuel and Vehicle Technology Program for projects to produce alternative and renewable low-carbon fuels in the state, and projects to develop stand-alone alternative and renewable fuel infrastructure, fueling stations, and equipment. | S3 | |

| | | | | |
|----|--|--|-------|--|
| 24 | <u>AB 1276</u> <u>Bonta</u> <u>Green New Deal</u> | This bill enacts legislation to develop and implement a Green New Deal with the objective of reaching specified environmental outcomes within the target window of 10 years from the start of execution of the plan and accomplishing certain social goals. | WATCH | |
| 25 | <u>AB 1236</u> <u>Lackey</u> <u>Public resources:</u> <u>greenhouse gases:</u> <u>utilities: recycling:</u> <u>California</u> <u>Environmental Quality</u> <u>Act</u> | This bill requires the State Air Resources Board for a market-based compliance mechanism applicable from January 1, 2021, to December 31, 2030, to develop and adopt a carbon offset compliance protocol for recycled product manufacturing no later than January 1, 2022. | WATCH | |
| 26 | <u>AB 1195</u> <u>O'Donnell</u> <u>California Global</u> <u>Warming Solutions Act</u> <u>of 2006: Low-Carbon</u> <u>Fuel Standard</u> <u>regulations</u> | This bill requires the State Air Resources Board to recognize the use of renewable natural gas to displace the existing use of natural gas by oil and natural gas companies. | WATCH | |

| | | | | |
|----|---|---|-------|--|
| 27 | AB 975 Calderon <u>Environmental protection: California Adaptation Leadership and Coordination Act of 2019</u> | <p>This bill requires the Secretary of the Natural Resources Agency to support and promote the state's goals and policies relating to ocean, coastal, and terrestrial adaptation, and to take specified actions related to accomplishing those goals and policies.</p> | WATCH | |
| 28 | AB 839 Mullin <u>Climate adaptation: strategy: Adaptation through Resiliency, Economic Vitality, and Equity Account</u> | <p>This bill requires the Secretary of the Natural Resources Agency, no later than July 1, 2021, to adopt and implement a comprehensive, coordinated, and proactive strategy for the state to adapt to the unavoidable impacts of climate change, with the intent to ensure the state is prepared for climate change impacts modeled for 2050 and beyond.</p> <p>The bill would require the establishment of an advisory committee to assist in the development and implementation of the strategy.</p> | WATCH | |
| 29 | AB 660 Levine <u>Building energy efficiency standards</u> | <p>This bill requires the State Energy Resources Conservation and Development Commission, commencing in 2020, to remove obstacles to selecting light-colored, cool roof materials for steep-sloped roofs and that would require the commission to consider increasing the minimum aged solar reflectance requirement for steep-sloped roofs on both new and existing nonresidential and residential buildings across California and for low-slope roofs on high-rise residential buildings by 2030.</p> | WATCH | |

EXTENDED PRODUCER RESPONSIBILITY

| | | | | |
|----|--|---|----|---|
| 30 | AB 1509 Mullin <u>Solid waste: rechargeable batteries: rechargeable consumer products</u> | This bill requires manufacturers of products with a nonremovable rechargeable battery, to provide disassembly information to recyclers of rechargeable consumer products for the purpose of ensuring safe removal of the battery, and would prohibit the sale or offer of sale of that product if the manufacturer does not provide that information. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program. | S1 | ReThink Waste/CPSC/CAW |
| 31 | AB 1163 Eggman <u>Right to Repair</u> | This is a reintroduction of a bill from last year, and will require manufacturers of electronics to make service literature and equipment or parts available to product owners and to regulated, independent repair shops. | S1 | Sponsored by Californians Against Waste |
| 32 | AB 142 Garcia, Cristina <u>Lead-acid batteries</u> | <p>The Lead-Acid Battery Recycling Act of 2016 requires, until March 31, 2022, a manufacturer battery fee of \$1 to be imposed on a manufacturer of lead-acid batteries for each lead-acid battery it sells at retail to a person in California.</p> <p>This bill increases the amount of the manufacturer battery fee to \$2 and would provide that the fee would continue indefinitely.</p> | S3 | |

| | | | | |
|----|--|---|-------|--|
| 33 | SB 724 Stern <u>The California Beverage Container Recycling and Litter Reduction Act</u> | <p>Existing law authorizes CalRecycle to grant a convenience zone an exemption from certain redemption requirements, including certain dealer and recycling center redemption requirements, based on certain factors. Existing law limits the total number of exemptions that may be granted to 35% of the total number of convenience zones identified as having one or more of those factors applicable.</p> <p>This bill requires CalRecycle to grant that convenience zone an exemption from the redemption requirements and would increase the total number of exemptions that may be granted to 50% of the number identified as eligible.</p> | WATCH | |
| 34 | SB 424 Jackson <u>Solid waste: sharps disposal</u> | <p>Existing law requires a manufacturer or distributor of sharps, or another specified entity, to establish and implement a stewardship program for the collection, transportation, and disposal of home-generated sharps waste.</p> <p>This bill requires a plan submitted to the department on or after July 1, 2021, to include a description of the number and types of devices sold or distributed in the state by the manufacturer.</p> | WATCH | |
| 35 | AB 1770 Frazier <u>Tire recycling program: rubberized pavement</u> | <p>The California Tire Recycling Act requires a person who purchases a new tire to pay a California tire fee to pay the costs of operating the tire recycling program. The act provides that the tire recycling program may include the awarding of grants, loans, subsidies, and rebates and the payment of incentives for various purposes related to reducing landfill disposal of used whole tires and tire recycling.</p> <p>This bill extends the operation of the Rubberized Pavement Market Development Act to June 30, 2024.</p> | WATCH | |

| | | | | |
|----|---|---|-------|-------------------------------------|
| 36 | AB 729 Chu <u>Carpet recycling: carpet stewardship organizations: succession: procedure</u> | This bill requires a carpet stewardship organization to include a description of the process by which the carpet stewardship organization will transfer assessment funds to a successor carpet stewardship organization if such an action becomes necessary. | WATCH | |
| 37 | AB 187 Garcia, Cristina <u>Used Mattress Recovery and Recycling Act: budget</u> | <p>The Used Mattress Recovery and Recycling Act, administered by the Department of Resources Recycling and Recovery, authorizes a mattress recycling organization to be established by a qualified industry association to develop, implement, and administer a mattress recycling program.</p> <p>This bill requires the inclusion in the proposed program budget a recommended funding level sufficient to cover the plan's budgeted costs and to operate the mattress recycling program over a 6-month period.</p> | WATCH | Sponsor: Mattress Recycling Council |

ORGANICS/FOOD

| | | | | |
|----|--|---|----|--|
| 38 | AB 614 Eggman <u>Income taxes: credits: food banks</u> | This bill expands the credit to apply to the donation of qualified items, defined as raw agricultural products or processed foods and expands the definition of qualified taxpayer to also include persons responsible for growing or raising a qualified donation item, or harvesting, packing, or processing a qualified donation item. | S2 | |
|----|--|---|----|--|

| | | | | |
|----|--|---|-------|--|
| 39 | SB 613 Stern Agriculture: greenhouse gas mitigation: Healthy Soils Program | This bill explores opportunities to fund the Healthy Soils Program that was established to optimize climate benefits while supporting the economic viability of California agriculture by providing incentives, including loans, grants, research, and technical assistance, and educational materials and outreach, to farmers whose management practices contribute to healthy soils and result in net long-term on-farm greenhouse gas benefits. | WATCH | |
|----|--|---|-------|--|

OTHER

| | | | | |
|----|--|---|-------|-----------------------------|
| 40 | AB 1216 Bauer-Kahan <u>Solid waste: illegal dumping</u> | This bill addresses illegal dumping. | WATCH | Sponsored by Alameda County |
| 41 | SB 726 Caballero <u>Hazardous waste: public agencies: materials exchange program</u> | <p>Existing law authorizes a public agency or its contractor to operate a household hazardous waste collection facility for the purpose of collecting, handling, treating, storing, recycling, or disposing of household hazardous waste. Existing law authorizes a public agency to conduct a materials exchange program as a part of its household hazardous waste collection program.</p> <p>This bill authorizes a public agency's contractor to conduct that materials exchange program. Because a violation of this provision would be a crime, the bill would impose a state-mandated local program.</p> | WATCH | |

| | | | | |
|----|---|--|-------|--|
| 42 | <p>AB 1228 Calderon</p> <p><u>Waste management: city source reduction component</u></p> | <p>Existing law requires a city or county source reduction component to, among other things, evaluate and identify rate structures and fees to reduce the amount of wastes that generators produce.</p> <p>This bill requires the city source reduction component to additionally evaluate and identify incentivizing programs for that same purpose. To the extent this bill would add to the duties of cities, the bill would impose a state-mandated local program.</p> | WATCH | |
|----|---|--|-------|--|



DATE: March 27, 2019

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Justin Lehrer, Senior Management Analyst

SUBJECT: The Milk Carton Conundrum

SUMMARY

At the March 27 WMA meeting staff will share information and lead a brief discussion on the messaging challenges our industry faces when it comes to proper management and discard of increasingly complex packaging materials.

DISCUSSION

The Agency's Topic Brief for this month, titled "The Milk Carton Conundrum," shines a light on the complexity of modern packaging materials and how the ideals of recycling do not always match the realities when it comes to sorting, processing, and marketing the materials. The primary purpose of consumer packaging is product protection, but packaging is also heavily influenced by corporate marketing requirements, sustainability concerns, and other factors. Packaging typically serves as the main "billboard" and means of communicating product info, and is often a focus for innovation. These factors often lead to changes in packaging that are not always designed with a full understanding of the implications for end-of-use.

A prime example is the milk carton. Once lined with wax, contemporary milk cartons are now lined with a thin layer of polyethylene film plastic. Other poly-lined paper products include to-go coffee cups, coated paper plates, ice cream cartons, and some paper take-out containers.

Poly-coated containers require specialized equipment to separate the paper from the plastic. If included in the compost, they leave a plastic residue in the compost that can make its way into waterways or soil used to grow food. In the recycling, the containers risk introducing food and liquid contaminants in addition to the problematic plastic film.

Poly-coated paper packaging is currently managed inconsistently in Alameda County, with some jurisdictions directing residents and businesses to place them in organics bins for composting, others directing them to recycling bins, and others to garbage. The inconsistent messaging is

confusing to the public. Staff has surveyed our member agencies to understand the differences in messaging to Alameda County residents. Currently, 13 jurisdictions are accepting poly-coated paper cartons in the organics bin and 10 accept them in the recycling bin (7 accept cartons in either stream). Several jurisdictions are considering revisions which would ultimately restrict poly-coated paper from the organics bin.

We will be interviewing more recyclers to understand how and which poly-coated paper products can be managed in the recycling stream. We also want to better understand the level of food and beverage residue that would be acceptable to recycling.

This is an emerging issue with no easily identified short-term solution for Alameda County or the broader recycling and composting industries. At the March 27 meeting, staff will distribute the Topic Brief, share what it has learned to date and what additional work is needed to progress towards a universally accepted solution to the “milk carton conundrum.”

RECOMMENDATION

This item is for information only.



DATE: March 27, 2019

TO: Waste Management Authority Board

FROM: Wendy Sommer, Executive Director

BY: Michelle Fay, Program Manager

SUBJECT: Reusable Transport Packaging Project Update

SUMMARY

One area of focus within the Agency's work on sustainable packaging is reusable transport packaging. At the March 27 WMA Board meeting, staff will provide an update on current efforts to assist Alameda County businesses with making the switch to reusable transport packaging.

DISCUSSION

While consumer facing packaging often gets more attention, transport packaging remains a large portion of the commercial waste stream. This is the packaging consumers don't typically see: the cardboard used to transport packaged goods, the pallets those boxes are stacked on, and the plastic wrap used to secure those boxes onto the pallet. StopWaste's "Use Reusables" campaign began in the early 2000s and is one of the Agency's longest standing upstream business waste prevention efforts. The project provides tools, technical assistance, and funding to support the switch to durable, reusable transport packaging alternatives.

This informational update will include highlights of our technical assistance efforts, funding opportunities, and examples of local businesses that have made the switch to more durable transport packaging alternatives.

RECOMMENDATION

This item is for information only.

This page intentionally left blank

April 2019
Meetings Schedule

Alameda County Waste Management Authority, the Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste Offices unless otherwise noted)

| SUN | MON | TUES | WED | THURS | FRI | SAT |
|-----|-----|------|---|---|-----|-----|
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 9:00 AM Programs & Administration Committee (Might be cancelled) <hr/> CANCELLED Planning Committee & Recycling Board | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 3:00 PM Joint Meeting Waste Management Authority, Energy Council and Planning Committee and Recycling Board Key Items: 1. Fiscal Year 19/20 Budget Presentation | 25 | 26 | 27 |
| 28 | 29 | 30 | | | | |
| | | | | | | |