

AGENDA

Recycling Board Members

Anu Natarajan, **1st Vice President**
City of Fremont
Rebecca Jewell, **2nd Vice President**
Solid Waste Industry Representative
Don Biddle, *City of Dublin*
Barbara Halliday, *City of Hayward*
Chris Kirschenheuter, *Recycling Programs*
Daniel O'Donnell, *Environmental Organization*
David Ralston, *Environmental Educator*
Steve Sherman, *Source Reduction Specialist*
Minna Tao, *Recycling Materials Processing Industry*
Laureen Turner, *City of Livermore*
Gordon Wozniak, *City of Berkeley*

MEETING OF THE PLANNING AND ORGANIZATION COMMITTEE AND ALAMEDA COUNTY RECYCLING BOARD

**Thursday, November 14, 2013
7:00 p.m.**

**Fremont Recycling and Transfer Station
41149 Boyce Road
Fremont, CA 94538
Phone (510) 252-0500
(Directions provided)
and Teleconference
Laureen Turner
324 Erica Ct
Livermore CA 94550
(925) 606-1840**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice to 510-891-6500.

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS BY THE PRESIDENT

♦ **Board Member Recognition (Gary Wolff)**

IV. CONSENT CALENDAR (P&O & RB)

- | | | |
|---|--|--------------------|
| 1 | 1. Approval of the Draft Joint Minutes of October 23, 2013 (Gary Wolff) | Action |
| 5 | 2. Board Attendance Record (Gary Wolff) | Information |
| 7 | 3. Written Report of Ex Parte Communications | Information |
| 9 | 4. Grants Under \$50,000 (Gary Wolff) | Information |

V. OPEN PUBLIC DISCUSSION

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Board, but not listed on the agenda. Each speaker is limited to three minutes.

VI. REGULAR CALENDAR

- | | | |
|----|---|--------------------|
| 11 | 1. Legislative Planning for 2014 (Gary Wolff & Jeff Becerra)
Staff recommends that the Boards confirm the above priorities for the upcoming legislative year. | Action |
| 19 | 2. Benchmark Report Draft Review (Gary Wolff & Jeff Becerra) | Information |
| 21 | 3. Presentations on Textile and Clothing Reuse and Recycling (Gary Wolff) | Information |

VII. OTHER PUBLIC INPUT

VIII. COMMUNICATIONS/MEMBER COMMENTS **Information**

IX. ADJOURNMENT

Fremont Recycling and Transfer Station

41149 Boyce Road
Fremont, CA 94538
Phone (510)252-0500

Directions

From San Jose and points South:

Take interstate 680 or 880 north and exit on Automall Parkway. Turn left and proceed west on Automall Parkway. Turn right on Boyce Road and proceed .7 miles. Our facility is the first driveway on the left side of Boyce Road after you cross the railroad tracks.

From Hayward:

Take interstate 680 or 880 south and exit on Automall Parkway. Proceed west (toward the bay) on Automall Parkway. Turn right on Boyce Road and proceed .7 miles. Our facility is the first driveway on the left side of Boyce Road after you cross the railroad tracks.

From San Francisco:

From interstate 80 East, take the interstate 80 South exit toward Alameda/San Jose Airport. Merge onto I-880 South/interstate 880. Take the Stevenson Blvd. exit. turn right onto Stevenson Blvd, turn left onto Boyce Road. Destination is on the right.

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**MINUTES OF THE REGULAR MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD, THE RESOURCE
REDUCTION AND RECYCLING BOARD
AND
THE ENERGY COUNCIL (EC)**

Wednesday, October 23, 2013

3:00 p.m.

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

(The Boards will vote separately on the portion of the minutes that are relevant to each Board)

I. CALL TO ORDER

President Biddle (WMA) and 1st Vice President Natarajan (RB) called the meeting to order at 3:03 p.m.

II. ROLL CALL

WMA & EC

County of Alameda
City of Alameda
City of Albany
City of Berkeley
Castro Valley Sanitary District
City of Dublin
City of Emeryville
City of Hayward
City of Fremont
City of Livermore
City of Newark
City of Oakland
City of Piedmont
Oro Loma Sanitary District
City of San Leandro
City of Union City

Scott Haggerty (arrived 3:20 pm, left 4:45 pm)
Lena Tam (arrived 3:05 p.m.)
Peter Maass
Gordon Wozniak
Danny Akagi
Don Biddle
Ruth Atkin (left 4:45 pm)
Barbara Halliday
Anu Natarajan via teleconference (left 4:20 pm)
Laureen Turner
Luis Freitas (left 4:10 pm)
Dan Kalb
Garrett Keating
Laython Landis (left 4:15 pm)
Pauline Cutter
Lorrin Ellis

WMA & EC Absent:

City of Pleasanton

Jerry Pentin

RB:

Recycling Programs
Environmental Organization
Environmental Educator
Source Reduction Specialist
Recycling Materials Processing Industry

Chris Kirschenheuter
Daniel O'Donnell
David Ralston
Steve Sherman
Minna Tao (arrived 3:05 p.m.)

RB Absent:

Solid Waste Industry

Rebecca Jewell

Staff Participating:

Gary Wolff, Executive Director
Richard Taylor, Counsel, Authority Board
Arliss Dunn, Clerk of the Board

Others Participating:

Bill Pollock, HHW Program Manager

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III. ANNOUNCEMENTS BY THE PRESIDENTS

President Biddle introduced the new members of the Recycling Board: David Ralston, Steve Sherman, and Minna Tao in her absence. The new Board members provided a brief summary of their background.

IV. CONSENT CALENDAR

- | | |
|---|--------------------|
| 1. Approval of the Draft Minutes of July 24, 2013 (WMA & EC-Separate Votes)
(Gary Wolff) | Action |
| 2. Minutes of the August 23, 2013 Technical Advisory Group (TAG) (EC only) | Information |
| 4. Grants Under \$50,000 (Gary Wolff) | Information |

Mr. Wozniak made the motion to approve the Consent Calendar for the WMA Board. Ms. Turner seconded and the motion carried 13-0 (Haggerty, Pentin and Tam absent).

Mr. Ralston made the motion to approve the Consent Calendar for the P&O/RB Board. Ms. Turner seconded and the motion carried 10-0 (Jewell absent).

Ms. Cutter made the motion to approve the Consent Calendar for the Energy Council. Mr. Kalb seconded and the motion carried 15-0 (Haggerty absent).

V. OPEN PUBLIC DISCUSSION (WMA, P&O//RB & EC)

Steven Knight, Political Director, Save the Bay, presented a thank you card to the WMA Board on behalf of StopWaste' leadership in implementing the reusable bag ban. Mr. Wolff recognized Katy Garrison and Kathleen Strickley from Cal Recycle.

VI. REGULAR CALENDAR (WMA & RB only)

- | | |
|---|---------------|
| 1. Household Hazardous Waste (HHW) Services and Funding
(Gary Wolff) | Action |
|---|---------------|

Provide direction to staff to either: 1) continue with the approach and later dates in the schedule described above, or 2) modify the current approach and schedule.

Mr. Wolff and Mr. Pollack presented a powerpoint presentation and overview of the staff report. The presentation and the report is available here: www.stopwaste.org/docs/10-23-13-hhw-ppt.pdf

Ms. Tao asked if renters will have to pay the fee. Mr. Wolff stated no, the property owner is responsible for paying the fee. Ms. Turner inquired about the proposal to increase the hours at the facility. Mr. Wolff stated that some facility users (or callers asking about using the facility) have long requested that the facility increase its hours of operation. Ms. Turner commended staff on the community event held in Livermore. She stated that the event was well received in Livermore and the video on the website is well done. Ms. Atkin stated that she has concerns about increasing the fee without an open public process and simply mailing a postcard is insufficient notification. Ms. Atkin recommended placing ads in local newspapers, PSA's, etc. Mr. Wolff stated that prior to holding the public meetings extensive outreach was conducted through local jurisdiction's networks, realty associations, etc. informing the public of the fee proposal. Mr. Wolff added it is reasonable to conduct additional outreach and notification informing the public when the fee is up for consideration of adoption.

Mr. Wozniak stated that he supports the idea of a sunset of the fee and proposed a timeline of 10 years and is also pleased to see an increase in matter of hazardous materials to be recycled. Mr. Wozniak added there should be focus and information provided to the public on the percentage of hazardous materials not being recycled and the downside of not having these programs.

Mr. Haggerty asked if there was information provided on the agency budget with respect to the proposed fee. Mr. Wolff stated that the fee has little effect on the agency budget but rather affects the County Trust Fund and budget. The County is responsible for authorizing spending annually, subject to our oversight. More than 90% of the budget is allocated towards operating the County HHW program including the facility in Fremont. The new services would allocate about \$500,000 to StopWaste to conduct outreach, administrative costs, and especially the point of purchase program. StopWaste operates this program through an MOU with

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the County and another MOU with the City of Fremont. Mr. Haggerty stated that he concurs with Ms. Atkin that there needs to be more outreach to the public during the decision process.

Ms. Halliday inquired about attendance at the community meetings. Mr. Wolff stated there were 14 attendees in Livermore, but very little attendance in Castro Valley, Fremont, and Berkeley. Ms. Halliday stated that she concurs with Mr. Wozniak that a sunset clause should be included and she supports the 10 year term.

Mr. Ralston stated his support for the service and asked if the increase in drop-off services will have a substantial increase in participation in Oakland. Mr. Wolff stated that historically, by providing information on the existence and location of the facilities and reminders of the importance of proper disposal of the materials, the facilities see an increase in usage.

Ms. Turner asked for further exploration of pick-up services if they are cost neutral, and also to further explore income related exemptions. Mr. Maass stated that although geographic parity ensures that each area has an event, the less populated areas are accustomed to driving to facilities whereas more densely populated areas incur traffic issues that discourage them from driving to facilities. To this end, to get maximum participation the drop-off events should focus on more densely populated areas in his opinion.

Ms. Tam recommended scheduling the first reading at the December 18 WMA meeting and holding a public hearing and second reading of the fee ordinance at the February 26 WMA meeting. She further recommended providing presentation materials for use by member agency staff. Mr. Wolff stated that such materials can be prepared, and more presentations made if requested.

Mr. Sherman stated that he appreciates the WMA Boards commitment to Extended Producer Responsibility. He further stated that the fee could decline if programs increase and inquired how the Paint Care program will affect the projected cost. Mr. Wolff stated it is too early to project the PaintCare program's effect on cost, but that the fee action would require the fee to go down if PaintCare offsets more cost than estimated in the HFH report. Mr. Kalb inquired about the types of information the public is provided about the program and what other materials may be provided and through what channels. Mr. Wolff stated postcard reminders are provided and they have been very effective. Mr. Pollack stated the facility handles approximately 30,000 phone calls a year. Mr. Pollack added outreach is coordinated between the facility and the jurisdictions as to not overload the facility at one time. Mr. Kalb suggested robo calls during the fee consideration period and stated that he supports the increased outreach efforts and Ms. Tam's recommendation. Mr. Wolff said he would look into that possibility.

Ms. Atkin recommended coordinating with the Healthy Homes Department and ethnic media outlets to reach and inform the user of the products and not just the property owner. Mr. Pollock stated that he has been working with lead prevention for 15 years. Mr. Wolff added that the agency also works with the Countywide Stormwater Program on a point of purchase program to address pesticides and fertilizers. Additionally, Mr. Wolff recently conducted an interview with a Chinese Language news outlet about the community meetings and the proposed fee, and they ran a story in Chinese announcing the meetings. Mr. Taylor stated every residential property owner, including landlords, will be paying the HHW fee and how the landlord manages the fee with the tenant is a private matter.

Ms. Cutter suggested coordinating the drop-off events with scheduled city parking lot events. Mr. Wolff affirmed. Mr. Akagi stated his support for the program and inquired about the scheduling of the first event post adoption of the ordinance. Mr. Pollock stated sometime after January 2015, and stated he will ask member agencies to work with the facility to identify sites for hosting the drop-off events. Their help will be important to the effort. Mr. Keating stated that the city of Piedmont is supportive of the program as Piedmont is one of the largest users. Mr. Keating asked if the program fails to meet projections is there a mechanism for the Board to lower the fee. Mr. Wolff stated he believes that the fee ordinance can be written to allow sufficient flexibility to reduce the fee. Mr. O'Donnell asked under the current proposal would the range of materials remain the same or is there the potential to add a wider range of materials. Mr. Pollock stated the facility has added other materials such as sharps, fluorescent lamps, batteries, and other items as they are designated as hazardous waste.

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Board members had no objections to the proposed direction but directed staff to 1) between the first and second readings of the fee ordinance conduct thorough outreach including newspaper ads etc., 2) provide a script for member agency staff to be able to answer questions and inform their respective councils, 3) further explore utilizing robo calls, and 4) include a 'tear off form' in the mailing to enable protests.

There were no public comments on this item.

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

(P&O and Recycling Board meeting - November 14 at 7:00 p.m. – Fremont Recycling and Transfer Station - 41149 Boyce Road, Fremont)

Mr. Wolff asked if any member required an interim appointment for the December 12 meeting. There were no requests for interim appointments. The meeting will be held at 4:00 p.m. at StopWaste. Ms. Turner will teleconference for the November 14 meeting. Board members agreed by consensus to cancel the November 20 WMA meeting.

VII. COMMUNICATIONS/MEMBER COMMENTS (WMA, P&O/RB & EC) Information

Ms. Turner made a request to agendize an action item to extend the opt-out period for the Benchmark Fee. Mr. Wolff stated that to avoid difficulties for the haulers and to inform the budgeting process next year with respect to the number of opt-outs, it is not recommended to extend the op-out period. A mock-up of the report will be provided to the committees in November. Board members decided to place an agenda planning item on the December WMA agenda to determine whether to discuss the opt-out period on a future agenda.

VIII. ADJOURNMENT (WMA, P&O/RB & EC)

The meeting adjourned at 4:55 p.m.

2013 - ALAMEDA COUNTY RECYCLING BOARD ATTENDANCE

	J	F	M	A	M	J	J	A	S	O	N	D
REGULAR MEMBERS												
D. Biddle		X	X	X	X	X	X	A	X	X		
B. Halliday		X	X				X	X	X	X		
N. Ivy	X	X	X	X	X	X	A	A				
R. Jewell	X	X	X	X	X	X	X	X	X	A		
R. Kaplan	X	I	X									
C. Kirschenheuter	X	X	X	X	X	A	X	X	A	X		
J. Mahon	X	A	X	X	X	X						
A. Natarajan	X	X	X	X	X	X	I	I	X	X		
D. O'Donnell	X	X	X	X	X	X	X	X	X	X		
D. Ralston									X	X		
T. Reid	X	X	X	X	X	X	X	A				
S. Sherman									X	X		
M. Tao									X	X		
L. Turner	X	X	I	X	I	X	I	A	X	X		
J. Wile	X	X	I	X	X	X						
G. Wozniak	X	I	I	I	X	X	X	X	X	X		
INTERIM APPOINTEES												
P. Cutter								X				
L. Ellis			X									
D. Kalb			X	X								
Pentin					X		X					
L. Tam							X					

Measure D: Subsection 64.130, F: Recycling Board members shall attend at least three fourths (3/4) of the regular meetings within a given calendar year. At such time, as a member has been absent from more than one fourth (1/4) of the regular meetings in a calendar year, or from two (2) consecutive such meetings, her or his seat on the Recycling Board shall be considered vacant.

X=Attended

A=Absent

I=Absent - Interim Appointed

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November 14, 2013

TO: Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Written Reports of Ex Parte Communications

BACKGROUND

Section 64.130 (Q)(1)(b) of the Alameda County Charter requires that full written disclosure of ex parte communications be entered in the Recycling Board's official record. At the June 19, 1991 meeting of the Recycling Board, the Board approved the recommendation of Legal Counsel that such reports be placed on the consent calendar as a way of entering them into the Board's official record. The Board at that time also requested that staff develop a standard form for the reporting of such communications. A standard form for the reporting of ex parte communications has since been developed and distributed to Board members.

At the December 9, 1999 meeting of the Recycling Board, the Board adopted the following language:

Ex parte communication report forms should be submitted only for ex parte communications that are made after the matter has been put on the Recycling Board's agenda, giving as much public notice as possible.

Per the previously adopted policy, all such reports received will be placed on the consent calendar of the next regularly scheduled Recycling Board meeting.

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November 14, 2013

TO: Authority & Recycling Board

FROM: Gary Wolff, Executive Director

SUBJECT: Informational Report on Grants Issued Under ED Signature Authority

General Mini-grant and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the new grant policy is that staff inform Board members of the small grants issued at the next regularly scheduled Board meeting.

Grants – October 15, 2013 through November 14, 2013

Project Name	Grant Recipient	Project Type/Description	Location	Verification	Grant Amount	Board
Business Mini-grants	The Salvation Army – Garden Street Center	Purchase/install organics collection bins and signage.	Oakland	Final Report	\$1,434	WMA

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November 7, 2013

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Gary Wolff, Executive Director

BY: Jeff Becerra, Communications Manager

SUBJECT: Legislative Planning for 2014

BACKGROUND:

The first half of the 2013-2014 regular session of the California Legislature has adjourned. As directed by the Waste Management Authority, StopWaste once again pursued Extended Producer Responsibility (EPR) as the priority area for the 2013 legislative year. At the November 13 Programs and Administration Committee and Planning and Organization Committee/ Recycling Board meetings, staff will report back on results of the 2013 legislative session, and lead a discussion of priorities for the upcoming legislative session.

DISCUSSION:

StopWaste works in Sacramento to support its priorities and protect against legislation or regulations that would be detrimental to the agency. Staff prioritizes its time analyzing and working closely with partner organizations to support or oppose those bills that have the greatest potential to impact—either positive or negative—our waste-reduction goals. This typically amounts to 3-5 priority bills each legislative session with additional monitoring of 30-40 bills.

The Agency's lobbyist, Justin Malan, advocates our positions on a daily basis in the legislature. Staff provides testimony on the Agency's position for priority bills on an as-needed basis, and sends letters on all bills that we support and oppose to the author and local legislators. Agency positions are defined as follows:

- **Support** – An official Agency endorsement of a bill. Occurs when the bill supports or advances Agency priorities and staff has developed a thorough understanding of the bill's implications.
- **Support if Amended** – A position indicating that the Agency could support the bill if one or more of the bill's provisions are modified. A "Support if Amended" position should indicate how the bill would need to change to garner the Agency's full support.
- **Oppose** – Position taken for bills that are expected to have significant, detrimental impacts on Agency priorities.
- **Watch** – A watch position means that the bill is not a high priority bill or issue for the Agency, but one the Agency will follow in the event the language changes significantly enough to potentially affect Agency priorities. A watch position also may be used in cases where we wish to remain neutral on a bill.

Attachment A provides a comprehensive list of bills the agency followed and their resulting status at the end of the legislative session. Of those bills, two rose to the top of our priority list. Both were enacted:

- SB 254 (Hancock) – *EPR for mattresses*: Would establish an EPR program for mattresses, with interim plans due to CalRecycle by April 1, 2014. Sponsored by Californians Against Waste. The Agency worked extensively with the authors and sponsors to ensure that continued success of existing mattress recyclers is facilitated by this bill. StopWaste moved from an oppose to neutral position once our key concerns with the bill were addressed.
- AB 341 (Dickinson-Gordon)—*Green Building Standards*: Would require the California Building Standards Commission and state agencies that propose green building standards to allow for input by other state agencies that have expertise in green building subject areas. The bill concept was developed and supported by StopWaste staff.

In addition to advocating legislative positions through our lobbyist, we also advocate policies that support our mission within the purview of California regulatory agencies (e.g., CalRecycle, the California Air Resources Board, etc.). In both legislative and regulatory work, we collaborate with multiple partners, recognizing that we are much likelier to be successful when part of coalitions rather than acting on our own. While advocating at the state level is important, we have been told by numerous partners that one of the most important things we can do to help at the state level is to demonstrate through local ordinances and actions how various approaches can be successful. This undercuts the arguments of naysayers in Sacramento who argue that various policies and approaches can't be implemented in a practical manner (e.g., the plant debris landfill ban; and going beyond the State's mandatory commercial recycling law to include specific material types banned from landfill and a provision for adequate volume of recycling service).

The Agency works most closely with Californians Against Waste and the California Product Stewardship Council, providing financial support to both.

- Californians Against Waste is a non-profit environmental research and advocacy organization that develops and monitors statewide waste-management policy. Expected CAW priorities for the 2014 legislative session are likely to include (subject to approval by their board):
 - **Organics** – Continue to push for a comprehensive organics policy. Key policy elements include eliminating diversion credit for greenwaste used as ADC and require large commercial generators of organic materials to subscribe to separate collection and recycling services.
 - **Bottle Bill** – Maintain funding, include all beverage container types, and reduce program inefficiencies and administrative costs.
 - **Plastic Bag** – Statewide reusable bag ordinance via SB 405, technically still eligible for reconsideration next year.
 - **Market Development** – Keeping prior year bills alive designed to reduce costs of equipment for recycled material processing and creating a market development program for CRT glass.
 - **Fast food** – Support Senator Leno's fast food packaging bill to reduce non-recyclable 'fast food' packaging waste, litter and associated local government cleanup costs.
- The California Product Stewardship Council is a coalition of local governments, non-government organizations, businesses, and individuals supporting product stewardship and extended producer responsibility (EPR). The goal of product stewardship and EPR is to have producers and manufacturers take responsibility for end-of-life management of their products that are hazardous and/or difficult to recycle. CPSC's priorities for the upcoming legislative year are

likely to include one or all of the following, but depend on some conversations that are scheduled to occur in December:

- **Pharmaceuticals** – Pursue statewide pharmaceutical legislation consistent with Alameda County’s ordinance.
- **Batteries** – Continue to push for a product stewardship program to increase battery recycling.
- **Sharps** – Establish an EPR program for home-generated pharmaceuticals.
- **Mattresses** – Work with CalRecycle and key stakeholders to ensure that clean up legislation on the mattress bill ensures a “best in class” EPR model.

For the upcoming year, staff intends to focus on the following legislative and regulatory issues:

- Extended Producer Responsibility: Support for EPR as a mechanism to deal with problem products continues to grow. For StopWaste, EPR has the potential to reduce the disproportionate (per ton) local fee payer financial burden associated with managing products that are processed via the four in-County Household Hazardous Waste facilities. Consequently, we propose to focus on any EPR proposal that would actually reduce financial burden locally.
- Organics Processing: The Agency will work to ensure that regulations from local and state air and water boards are not detrimental to siting an in-county compost facility or operating compost facilities that serve us. In particular, we support state requirements that would prohibit or reduce plant debris or food scraps from being landfilled.
- Other Agency Priorities: Staff will assist as needed with legislation and related opportunities to strengthen the implementation of Cal Green building codes and support the work of the Energy Council.

As we did last year, we anticipate bringing updates to the Boards in April and June. The April update will include electronic links to the analysis by the Legislative Analyst's Office (LAO), as requested by the Board members last year.

RECOMMENDATION:

Staff recommends that the Boards confirm the above priorities for the upcoming legislative year.

Legislative Memo Attachment A

Final Status of Agency Followed Bills
2013 Legislative Session

Extended Producer Responsibility

- AB 403 (Stone) – *EPR for home-generated sharps*: Would establish an EPR program for all home-generated sharps. Mandates previous voluntary sharps producer responsibility. Sponsored by the California Product Stewardship Coalition.

Agency Position: Support

Status: Held in Appropriations Committee. May be reintroduced in 2014

- AB 488 (Williams) – *EPR for single-use household batteries*: Would require a producer of single-use primary household batteries or stewardship organization to submit a single-use primary household battery stewardship plan to the department. Follows on StopWaste battery EPR efforts; sponsored by the California Product Stewardship Coalition.

Agency Position: Support

Status: Dead; Held in Appropriations Committee. May be reintroduced in 2014

- SB 254 (Hancock) – *EPR for mattresses*: Would establish an EPR program for mattresses, with interim plans due to CalRecycle by April 1, 2014. Sponsored by Californians Against Waste. The Agency worked extensively with the authors and sponsors to ensure that continued success of existing mattress recyclers is facilitated by this bill.

Agency Position: Neutral

Status: Enacted

- SB 727 (Jackson) – *EPR home-generated pharmaceutical waste*: Would establish an EPR program for home-generated pharmaceuticals. Sponsored by the California Product Stewardship Coalition. Supports the Alameda County medications EPR ordinance.

Agency Position: Support

Status: Held in Senate Environmental Quality Committee. Will move in early 2014

Plastic Bags/Single use take-out containers

- AB 158 (Levine) – *Single-use carryout bags*: Would prohibit certain stores from providing single-use carryout bags. This, in addition to SB 405 (Padilla), is the bag ban bill supported by most environmental groups and local government.

Agency Position: Support if no retroactive preemption of local ordinances, OR the bill has provisions that prevent 'back-sliding' from our existing local ordinance.

Status: Dead; Held in Appropriations Committee

- AB 521 (Hueso/Stone) – *Plastic pollution*: Would create the Plastic Pollution Reduction Act and declare intent to establish EPR for certain packaging. Sponsored by the Natural Resources Defense Council.

Agency Position: Review, with likely support, when substantive language is added.

Status: Dead; Held in Appropriations Committee. May come back in 2014 in different form.

- AB 1337 (Allen) – *Plastic bag recycling*: Placeholder bill likely intended to be detrimental to reusable bag ordinances.

Agency Position: Oppose because it is likely detrimental compared with local bag ordinances

Status: Failed to get out of Natural Resources Committee

- SB 405 (Padilla) – *Single-use carryout bags*: Would prohibit certain stores from providing a single-use carryout bag to customers. This, in addition to AB 158 (Levine), is the bag ban bill supported by most environmental groups and local government.

Agency position: Support if no retroactive preemption of local ordinances, OR the bill has provisions that prevent 'back-sliding' from our existing local ordinance.

Status: Held on Senate Floor. Likely to be moved early 2014

- SB 529 (Leno) – *Fast food take-out containers*: This bill would go beyond last year's single use polystyrene take-out container ban and would prohibit the use of single-use fast food containers unless they meet certain compostable or recycled content requirements.

Agency Position: Support

Status: Dead; Held in Appropriations Committee

- SB 700 (Wolk) – *Carryout bags*: Would require a retail establishment to collect a charge of \$0.05 for each single-use carryout bag provided to a customer. A new tax on plastic bags in lieu of an outright ban. There are concerns from reusable bag ordinance advocates that it may deflect support from a statewide ban.

Agency Position: Neutral; consider oppose if it undermines support for SB 405 and AB 158

Status: Dead; Held in Appropriations Committee

Organics Processing

- AB 323 (Chesbro) – *Diversion of green materials*: Would require CalRecycle to adopt regulations that prohibit green material as alternative daily cover or alternative intermediate cover by January 1, 2020.

Agency Position: Support

Status: Dead; Held in Appropriations Committee

- AB 794 (Gorell) – *CEQA exemption for use of landfill and organic waste*: Would exempt from CEQA requirements a project that takes landfill materials or organic waste and converts them into renewable green energy if the lead agency finds that the project will result in a net reduction in greenhouse gas emissions or supports sustainable agriculture.

Agency Position: Watch until additional review is conducted

Status: Dead; Held in Natural Resources Committee

- AB 997 (Chesbro) – *Composting and anaerobic digestion*: Would revise the definition of the term composting to include anaerobic digestion. Codifies existing practice.

Agency Position: Support

Status: Held on Senate Floor: Operative language placed in AB 1398

- SB 804 (Lara) – *Solid waste to energy*: Includes conversion technologies in the definition of biomass conversion. Clarifies that for the purposes of complying with specified provisions of the integrated waste management act, composting includes aerobic and anaerobic decomposition of organic wastes.

Agency Position: Oppose

Status: Vetoed 10/11/2013

Medical Waste

- AB 333 (Wieckowski) – *Medical Waste Management Act*: Would provide for technical amendments to the Medical Waste Management Act. Sponsored by Stericycle, the bill is intended to harmonize California law with federal law. Some concerns over proposed draft language that may preempt local government authority and limit small quantity generator exemption. Staff will review more fully when substantive amendments are added.

Agency Position: Watch until more information available

Status: Held in committee. Will be moved early 2014.

Climate Change

- AB 416 (Gordon) – *State Air Resources Board: Local Emission Reduction Program*: Would have provided grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state. Could have helped with developing local compost facilities and energy recovery.

Agency Position: Support

Status: Dead; Held in Assembly Appropriations Committee

Green Buildings

- AB 341 (Dickinson-Gordon) – *Green Building Standards*: Would require the California Building Standards Commission and state agencies that propose green building standards to allow for input by other state agencies that have expertise in green building subject areas.

Agency Position: Support

Status: Enacted

Recycling: Market Development

- AB 513 (Frazier) – *Tire Recycling Program: Rubberized Asphalt*: This bill directs CalRecycle to expend up to \$10 million of its special tire funds for direct incentive payments to California manufacturers utilizing scrap tires and awards grants for certain public agency projects that utilize rubberized asphalt concrete.

Recommended Position: Support

Status: Enacted

- AB 1021 (Eggman) – *Alternative Energy: Recycled Feedstock*: Current law authorizes the authority to approve a project for financial assistance in the form of the sales and use tax exclusion. This bill would have expanded projects eligible for the sales and use tax exclusion to include projects that process or utilize recycled feedstock, as defined, that is intended to be reused in the production of another product or soil amendment.

Recommended Position: Support

Status: Dead; Held in Senate Appropriations Committee

- AB 1022 (Eggman) – *Electronic Waste: CRT Glass Market Development Payments*: This bill would direct the Department of Toxic Substances Control to spend up to \$10 million of their surplus e-waste funds for direct incentive payments for value-added processing of CRT glass in California.

Recommended Position: Support

Status: Dead; Held in Senate Appropriations Committee

Recycling Payments for Nonferrous Scrap Metals (excluding redemption value aluminum cans)

- AB 841(Torres) – *Payment for Nonferrous Scrap Metal Purchased by a Junk Dealer or Recycler*
This bill will require a payment for nonferrous scrap metal purchased by a junk dealer or recycler to be a check only and be mailed directly to the seller as opposed to the current payment method which allows a seller to pick up cash or check payment from the junk dealer or recycler after the third business day.

Recommended Position: Oppose

Status: Enacted



November 8, 2013

TO: Programs and Administration Committee
Planning and Organization Committee/ Recycling Board

FROM: Gary Wolff, Executive Director

BY: Jeff Becerra, Communications Manager

SUBJECT: Benchmark Report Draft Review

BACKGROUND:

We currently plan to distribute the first Benchmark Service report to residential and commercial customers in January 2014. At the November 14 Programs and Administration Committee, and Planning and Organization Committee/ Recycling Board meetings, staff will share a draft layout of the first report with Board Members.

DISCUSSION:

The purpose of the Benchmark Service is to communicate directly with those who pay hundreds of millions of dollars of disposed waste bills each year. Account holders deserve to know the quantity of valuable materials they are sending to landfills unnecessarily, and how to make better use of the infrastructure that they are, in most cases, already paying for.

The draft report has been distributed to members of the Technical Advisory Committee for their review and feedback, and staff is obtaining review from those with expertise in the field of behavioral science as well. We currently plan to finalize the report in December and distribute it in January.

RECOMMENDATION:

This report is informational; we have no recommendations at this time.

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November 8, 2013

TO: Recycling Board/ Planning and Organization Committee
FROM: Gary Wolff, Executive Director
SUBJECT: Presentations on Textile and Clothing Reuse and Recycling

BACKGROUND

The Board requested presentations on textile and clothing reuse and recycling, and we have arranged for two experts in the field to speak. Textiles and leather comprised 3.9% of the Alameda County origin 'disposed wastes' in the 2008 Waste Characterization Study (about 46,000 tons countywide).

Jennifer Gilbert is the Chief Marketing Officer for I:Collect USA, LLC, located in Los Angeles. They are part of an international company that works with retailers to take-back used clothing and shoes at point of retail and give shopping credits for customers who bring these materials back to the stores. More information on I:Collect is available at: <http://www.ico-spirit.com/en/homepage/>

Mattias Wallender is the Chief Executive Officer for a Chicago based, national company that collects used clothing donations at drop-boxes, and that has a processing facility in Hayward. More information on their company is available at: www.usagain.com

A very basic how-to article on creating textile recycling programs is also attached for your reading pleasure.

RECOMMENDATION

None, this item is informational.

However, it may be possible to work with companies like these in future fiscal years if sufficient funds are available and we can identify projects that would be useful in Alameda County. Any ideas -- from the speakers, board members, or public -- are of course welcome.

Att: Resource Recycling article from September 2013 ("Sew It Up")

Collecting used textiles is a strategy that more and more communities are using to decrease the volume of their trash and save money on disposal fees. Our author shows how to make it work in communities of all sizes.

SEW IT UP

BY MARY ANN REMOLADOR

With the continued budgetary constraints hitting all levels of government, collecting used textiles is a strategy that more and more communities are using to decrease the volume of their trash and save money on disposal fees. According to the U.S. Environmental Protection Agency, every person in the U.S. generates approximately 82 pounds of textiles per year. In that same EPA report, it's estimated that only 15 percent of the textiles generated nationwide get collected for reuse or recycling. This means that 85 percent of used textiles are reaching landfills and incinerators, at significant cost.

To illustrate, use the formulas in Table 1 on the next page to calculate how much a community is paying to throw away textiles – the cost can be stunning. For example, one Vermont town – with 10,000 people and \$96 per ton landfill tip fee – spends approximately \$33,456 per year to dispose of used textiles. But, there is an alternative to disposal that all can benefit from – the U.S. has a robust infrastructure to collect, distribute and recycle these materials.

Existing textiles collection infrastructure

Box collection system – I'm sure readers have seen the large metal collection boxes on the side of the road with signs that say something like "Drop used clothes here." This type of textiles collection has been used for many years and is dependent upon individuals dropping off their filled bags on the way to work or when running errands. Those boxes are commonly owned and managed by charitable organizations. Due to the growing volume of used textiles in this country, the markets have grown accordingly and many for-profit companies are now also collecting textiles in roadside boxes.

Secondhand stores – The large secondhand stores are still run by charitable organizations. Most use a dual approach for collecting the textiles with roadside bins and drop-offs directly at their stores.

Textile reuse and recycling markets

According to the Council for Textile Recycling (CTR) and the

Secondary Materials & Recycling Textiles Association (SMART), 45 percent of the collected textiles in the U.S. are sold and reused as secondhand apparel, 30 percent become wiping and polishing cloths, 20 percent are reprocessed into fiber and the remaining 5 percent are unusable. Of the collected used clothing, only 2-4 percent is sold in this country and the rest is sold overseas by both charitable organizations and businesses.

The growth of the overseas markets for used clothing has developed over the last 25 years. Many developing countries have established infrastructures for repairing, modifying and selling used clothing from the U.S. The people of these countries greatly depend on the used clothing markets for supporting jobs and providing a cheaper alternative for buying quality clothing. According to Eric Stubin, President of CTR and CEO of Trans-Americas, his company “currently ships to more than 45 countries on six continents,” and “approximately 60 percent of the exported used clothing they wholesale is sold to Africa.”

Unlike the used clothing markets, the recycling markets for wiping cloths and fiber are primarily based in the U.S.

Textiles – more than just the clothes off your back

Today’s definition of textiles has dramatically changed from the one used years ago. It now includes new, old, stained, ripped or torn clothing and leather products, shoes, belts, beddings, draperies and slipcovers, as well as stuffed animals.

Starting a textiles collection program

Step 1. Develop a plan – When first thinking about developing a textiles collection program in your community, the following questions will help you define the plan:

Table 1 | Calculate the amount your community spends on textiles

82 lbs. of textiles/person x XX people in community = XX lbs. of textiles generated/year
 XX lbs. x 85 percent (estimated rate being disposed) = XX lbs. of textiles being thrown out
 XX lbs./2,000 lbs. = XX tons of textiles
 XX tons x \$XX/ton tipping fee = \$XX/year

Sidebar 1 | Importance of vendor transparency

Over the last several years, there has been bad press about textiles collection operations that are not doing what they say they are with the collected textiles. One way to avoid discrepancies related to your program is to require complete transparency from your vendor up front. You should be able to find out what they do with the collected textiles, where they sell the collected textiles, and if they are partnering with a charity or business and how.

SMART has addressed this issue by requiring each of its members that operate collection bin services to abide by a code of conduct (<http://tinyurl.com/SMART-Vendor>) that includes the requirement of complete transparency.

- Does your community have an ordinance regarding collection boxes?
- Does it matter to you if the entity you work with to collect the textiles is a nonprofit or for-profit?
- Do you expect to gain revenue from the collected textiles?
- Do you expect data on the amount of textiles collected? If so, how frequently?
- How often would you want the collection box emptied?
- Where might you place the collection box so that it is in a well-lit area and easily accessible to residents? Do you have the permission of the property owner or supervisor to place the box at that location?
- Is one box enough for your community?
- What organizations, institutions, or groups can you partner with to help spread the word to residents about the importance of diverting textiles to the collection box(es) so that the town can save money on disposal and to be more environmentally friendly?

Step 2. Find companies or organizations that collect textiles in your area

There are many ways to find the entities that

collect textiles in your area. Here are a few strategies to use:

- Search the Internet under “textile collection” or “recycling textiles” for your municipality or state.
- Go directly to the websites for collection entities you are aware of (e.g., Goodwill Industries, St. Vincent de Paul Society, Baystate Textiles, etc.).
- Call the recycling coordinator for your municipality and say you are looking for any companies or organizations collecting textiles. If you are in an area with no recycling coordinator, contact your state’s environmental agency and ask to speak with someone in the recycling department that deals with textiles.

Step 3. Conduct due diligence on potential vendors

Once you know who services your area, it is wise to do some due diligence on the company or organization that you are thinking about engaging in an agreement with. You want to be sure that the operation is reputable and that it meets your expectations and requirements, as detailed in Sidebar 1.

Strategies for researching information on non-

- Go to Charity Navigator (www.charitynavigator.org) and Charity Watch (www.charitywatch.org) and search for the independent rating of the nonprofit you are thinking of working with.
- Visit the organization's website and find out what they say they do.
- Research them on the Internet to find out what others are saying about them.
- Contact your state's Better Business Bureau and inquire if there are any complaints against the organization.

Strategies for researching information on for-profit companies

- Visit the company's website and find out what the company says they do.
- Research the company on the Internet to find out what others are saying about it.
- Contact your state's environmental regulatory agency and ask if the company is in compliance with State requirements.
- Contact your state's Better Business Bureau and inquire if there are any complaints against the company.

Table 2 | Textiles reuse and recycling resources

Bureau of International Recycling/Textiles Division	www.bir.org
Council for Textile Recycling	www.weardonaterecycle.org
Secondary Materials & Recycled Textiles Association (SMART)	www.smartasn.org

Step 4. Develop and sign a contract agreement with the selected vendor

Once you have completed steps 1-3 and feel confident that you have the information you need, contact the company or nonprofit you are interested in working with. You can then negotiate the details of your agreement. It is important to have a signed copy of the agreement for your records and to refer to later on. Once you have that in hand, it's time to schedule the start date for your collection program.

Step 5. Spreading the word

Now that the program has started, it is time to let residents know about it and that it's a money-saving strategy for the town (and taxpayers) that also supports environmental stewardship via material reuse and resource conservation. Some low-cost outreach strategies are:

- Announcements in local newspapers and on local television and radio stations.

- Outreach to schools, churches, non-profit organizations and civic groups.
- Facebook and Twitter announcements.
- Add the information to recycling lists and announcements.

Once a textiles recovery program is up-and-running, it can be an essential part of a community's waste diversion efforts, one that can not just save taxpayer money, but also add to any given program's bottom line.



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