

DRAFT

**MINUTES OF THE REGULAR MEETING OF THE  
PLANNING & ORGANIZATION COMMITTEE  
AND  
ALAMEDA COUNTY RECYCLING BOARD**

**Thursday, March 12, 2015  
4:00 p.m.**

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

**Via Teleconference:  
Michael Peltz  
Doubletree Hotel  
1000 NE Multnomah  
Portland, OR 97232  
(503) 281-6111**

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

**I. CALL TO ORDER**

President Daniel O'Donnell, called the meeting to order at 4:05 p.m.

**II. ROLL CALL**

Adan Alonzo, Recycling Programs  
Don Biddle, City of Dublin for Jerry Pentin, City of Pleasanton  
Greg Jones, City of Hayward  
Peter Maass, City of Albany  
Daniel O'Donnell, Environmental Organization  
Michael Peltz, Solid Waste Industry Representative (via teleconference)  
Tim Rood, City of Piedmont  
Steve Sherman, Source Reduction Specialist (arrived 4:10 p.m.)  
Toni Stein, Environmental Educator  
Minna Tao, Recycling Materials Processing Industry

**Absent:**

Lorin Ellis, City of Union City

**Staff Present:**

Gary Wolff, Executive Director  
Wendy Sommer, Deputy Executive Director  
Cassie Bartholomew, Program Manager  
Michelle Fay, Program Manager  
Debra Kaufman, Senior Program Manager  
Justin Lehrer, Senior Program Manager  
Tom Padia, Recycling Director  
Kelly Schoonmaker, Program Manager  
Wes Sullens, Program Manager  
Arliss Dunn, Clerk of the Board  
Audrey Beaman, County Counsel

**Others Present:**

Rick Mauck, Consultant representing Hayward Transfer Station

**III. ANNOUNCEMENTS BY THE PRESIDENT**

President O'Donnell distributed an article regarding KFC's "Scoff-ee Cup". The 100% edible cup is made from a special, wafer-like biscuit, then wrapped in sugar paper and lined with a layer of heat-resistant white chocolate. The cups are being tested in Great Britain.

**IV. CONSENT CALENDAR**

- |  |             |
|--|-------------|
| 1. Approval of the Draft Minutes of February 12, 2015 (Wendy Sommer) | Action      |
| 2. Board Attendance Record (Wendy Sommer)                            | Information |
| 3. Written Report of Ex Parte Communications (Wendy Sommer)          | Information |

Board member Stein made the motion to approve the Consent Calendar. Board member Jones seconded and the motion carried 9-0 (Ellis and Sherman absent).

**V. OPEN PUBLIC DISCUSSION**

There was none.

**VI. REGULAR CALENDAR**

- Request by Todd Fitch and Mike Tejero for an Amendment to the Alameda County Integrated Waste Management Plan to Site the Hayward Transfer Station, a CDI facility, at 3458 Enterprise Avenue in Hayward (P&O & RB)  
(Gary Wolff, Wendy Sommer & Debra Kaufman)**

Authority staff recommends that the Planning & Organization Committee and the Recycling Board (in its role as Local Task Force) recommend to the Authority Board that it hold a public hearing and first reading of the CoIWMP Amendment ordinance (Attachment A) at the March 25<sup>th</sup> meeting to (1) amend the CoIWMP (Exhibit 1) to include the Hayward Transfer Station medium volume construction, demolition and inert debris processing facility in the City of Hayward, and make additional changes for consistency, (2) find that the Hayward Transfer Station Facility conforms to the CoIWMP as amended, (3) make the findings required by CEQA and (4) adopt the Authority Conditions of Approval (Exhibit 3).

Debra Kaufman provided a summary of the staff report. The report is available here:

<http://www.stopwaste.org/sites/default/files/meeting/staff%20report%20for%20hayward%20coiwmp%20amendment%20march%202015%20tg1.pdf>

Board member Tao inquired if the agency has any authority to require the use of more environmentally sound vehicles transporting waste into the facility. Ms. Kaufman responded that in general we do not; we can only impose mitigations for significant environmental impacts. Board member Tao also inquired if we have any influence regarding minimum wage, benefits and environmental conditions for workers at these facilities. Ms. Kaufman stated that while this issue is a concern, it is beyond the scope of the agency's review, which only focuses on the programs and policies contained within the CoIWMP. Mr. Wolff stated that when we processed the request for Recology to develop an organics facility adjacent to EBMUD, we were empowered and required under CEQA to impose all feasible mitigations (that is, we *did* require the company to use CNG vehicles) for a significant environmental impact to the neighborhood (particulate emissions). The CEQA review for Hayward found no significant environmental impacts. Board member Tao thanked staff for the thorough explanation.

## DRAFT

Board member Alonzo inquired if the facility expects to exceed the 174 ton capacity. Ms. Kaufman stated that they cannot exceed the maximum capacity based on their medium volume Construction, Demolition, Inert (CDI) permit that they are applying for. Board member Alonzo asked if there are restrictions on where they can receive materials from. Ms. Kaufman stated that they can receive materials from any third-party haulers. Board member Alonzo inquired if they will receive monthly inspections from regulatory agencies such as the BAAQMD, LEA, etc. Ms. Kaufman answered yes, the LEA will do monthly inspections and there are strict requirements under the permit that requires them to accept materials only from CDI related projects. Board member Alonzo inquired if there is a stipulation on the amount of residual content. Residual content should not exceed 40% and the facility should be recycling 60% under the CDI permit. Board member Alonzo also asked if they have established fees. Rick Mauck, consultant to the project, responded that fees have been established in the amount of \$100 per ton for mixed Construction & Demolition (C&D) and \$50 per ton for clean concrete. Fees for source separated materials will be assessed based on the cleanliness of the loads.

Board member Rood inquired if there was any opposition when the City of Hayward approved the mitigated negative declaration and administrative use permit. Mr. Mauck stated that there was no opposition. Board member Biddle inquired if there are other facilities in the Bay Area that process C&D. Ms. Kaufman stated yes and distributed a list of those facilities. Board member Alonzo inquired about on-site materials processing with respect to conveyor systems, screens, sorting belts, etc. Ms. Kaufman stated it is relatively limited; there will be bunkers and equipment for separating materials. Mr. Mauck added that they are in the midst of obtaining financing and plan on putting in a power screen for easier sorting. He added that it is an outside facility and the City of Hayward conducted an extensive environmental analysis of all potential particulates and greenhouse gas, and didn't find anything significant. Board member Alonzo inquired if they were required to apply for a BAAQMD permit for any outside air operations with respect to the screen. Mr. Mauck answered no.

Board member Maass asked whether the Board needs to consider the item again if the company is sold and has a new name. Ms. Kaufman responded that a name change would be considered minor and could be included in future factual amendment to the CoIWMP. Board member Rood asked if the discussion of a living wage is not considered because it is not part of the CoIWMP. Board member Alonzo stated that the industry has established a template where the ILWU, who represents a majority of the processing labor in the Bay Area and most of the companies including Waste Management, California Waste Solutions, Fremont Recycling, and ACI have established a consistent across the board wage scale for its employees. It would be a fair question to ask if the contractor is planning to follow that basis or decide to use non-union workers. Mr. Mauck stated that he cannot provide a definitive answer but they are planning to get contract workers and expect that they will receive prevailing (that is, comparable) wages.

Board member Stein asked for clarification on the type of expansion and the percentage of Alternative Daily Cover (ADC) that is expected to be generated from the facility. Ms. Kaufman stated that the facility will expand to include a medium volume C&D transfer and processing in addition to their existing debris box, portable toilet and fencing operation. The City of Hayward has restricted the use of materials as ADC as one of their conditions of approval. Board member Stein asked if there are restrictions on hours of operation. Mr. Mauck stated they are allowed to operate from 6:00 am to 5:00 pm and will be closed three holidays per year. The traffic study considered the flow of traffic and the facility is located in a heavy industrial area adjacent to highway 92.

President O'Donnell opened the public hearing. There were no public speakers and the hearing was closed.

Board member Jones made the motion to hold a public hearing and first reading of the CoIWMP Amendment ordinance (Attachment A) at the Waste Management Authority March 25<sup>th</sup> meeting to (1) amend the CoIWMP (Exhibit 1) to include the Hayward Transfer Station medium volume construction,

demolition and inert debris processing facility in the City of Hayward, and make additional changes for consistency, (2) find that the Hayward Transfer Station Facility conforms to the ColWMP as amended, (3) make the findings required by CEQA and (4) adopt the Authority Conditions of Approval (Exhibit 3). Board member Rood seconded and the motion was carried 9-0-1 (Alonzo abstained) (Ellis absent).

**2. Presentations of Product Decisions Projects (P&O & RB) Information**  
**(Wendy Sommer & Justin Lehrer)**

This item is for information only.

Wendy Sommer provided an overview of the staff report and the PowerPoint presentation on Product Decisions Targets. A copy of the PowerPoint presentation is available here:

<http://www.stopwaste.org/file/2290/download?token=4nj0yC9r>

Board member Stein inquired if the reusable transport packaging contains recycled content. Ms. Fay affirmed that most of them do. Board member Alonzo stated that film plastic is a large component of post consumer packaging and is hopeful that staff is looking at this issue. Ms. Fay stated that she is aware of the issue and noted that in most jurisdictions it is not an acceptable item for commercial sector recycling. Board member Alonzo mentioned that City of Fremont staff with the Fremont Transfer Station will be conducting an audit of Tesla and will try to get them to participate in the dry load program and would like StopWaste to provide assistance. Mr. Lehrer stated that he is in contact with staff.

Board member Stein inquired about the reduction percentage in water use when converting a lawn using sheet mulching. Ms. Schoonmaker stated that replacing a conventional lawn with a Bay-Friendly garden would save approximately 25 gallons per square foot. Board member Alonzo inquired about EBMUD's support of this initiative and asked if they will provide a reduction in water fees if a resident converts to a drought tolerant lawn. Ms. Schoonmaker stated that through the Prop. 84 grant, EBMUD offers a \$.50 per square foot rebate for lawn replacement and they have an a la carte menu for other drought saving techniques as well. While water prices will remain the same, there will be a reduction in water usage as well as the added rebates. Board member Alonzo asked if there was feedback from participants regarding any pests as a result of the lawn conversion. Ms. Schoonmaker stated she has not received any negative feedback. Board member Sherman inquired if staff works with the Association of Realtors as they can provide valuable influence in this area. Ms. Sommer agreed and said that the Bay East Association of Realtors Public Affairs Director converted his own lawn to a drought tolerant one.

Board member Sherman commended staff on the outstanding work that they are doing.

Board member Alonzo inquired about the difference in pricing of virgin versus green products and what the market barriers are. Mr. Sullens stated it depends on the product, for example: fiberglass versus denim, Formica versus quartz, etc. One major barrier is the perception that recycled content products cost more and are inferior. Board member Stein inquired about State and local laws governing the percentages for recycled content. Mr. Sullens said that for fiberglass it is 30% but most manufacturers are between 30-35%. Mr. Wolff added that the CA requirement is in the Public Resources Code.

Board member Rood inquired if the Quantity Quotes website is national in scope. Mr. Sullens affirmed that it is. Board member Jones inquired about the messaging hurdle for composite decking versus lumber. Mr. Sullens stated that while composite decking is more durable, it can be more costly than virgin redwood. Board member Maass commented that select hardwood decking and composite are comparable in price.

Board member Rood inquired about potential health code violations with respect to bringing your own food containers. Ms. Bartholomew acknowledged that this is a complicated issue and staff worked with Clean Water Action to bring together a consortium of health departments to obtain guidance on this issue. There's clear guidance on reusable cups at events because they can be rinsed with hot water but

contamination issues with personal reusable containers have not been resolved and we continue to work on it.

Board member Maass inquired if corn starch beer cups are compostable. Ms. Bartholomew stated that they can be processed in some facilities but not others. This is another area that we are working on. President O'Donnell inquired about messaging from StopWaste regarding the drought and the increase of disposable food service ware. Ms. Bartholomew stated data shows there is still an upside to using reusables versus disposable products.

In regards to recyclability of packaging, Board member Alonzo stated that both the manufacturer and the consumer have a shared responsibility. Mr. Lehrer stated that the FTC publishes green guides and enforces against false environmental claims (“greenwashing”). Board member Sherman inquired if staff is able to track, through Measure D allocations, what percentage of funds are used by cities to focus on waste prevention areas. Mr. Padia stated that the spending guidelines are very broad and we receive very little information on what is spent in specific areas of waste reduction. In past years if there were leftover funds from the budget earmarked for Alameda County to spend on recycled product preferences, it was distributed to cities to go towards environmental purchasing.

Board member Sherman inquired with respect to surplus food if it is possible for cities with franchise agreements to incorporate a requirement to use local non profits as haulers to collect and distribute edible surplus food. Ms. Bartholomew stated that the project focus has primarily been on prepared food and food waste prevention. While we see the opportunity to address surplus food, we have not pursued a larger effort besides some grants. Foodshift (one of our grantees) has a business model that includes collection of surplus food and diverting food for revenue as part of a service. They are partnering with Andronico's in Berkeley to do a pilot project. Board member Sherman inquired about the issue of public funds used to purchase single use water bottles and inquired if such an initiative has been discussed in our area. Mr. Sullens responded that we have given a grant for refilling stations, reducing waste of single use water bottles.

Board member Stein stated that she would like to see more analysis on funds spent towards source reduction if not countywide then maybe just here at StopWaste. Mr. Sullens stated that we did the analysis for our agency last year during the LEED Existing Buildings certification process. The information is on our website and he will make it available to Board members. Board member Stein stated that it would be good to have monthly graphs of the prices of different materials/commodities that we are looking at. Mr. Wolff stated that there are tracking indices that are available. Board member Alonzo stated that these indices are available monthly for buyers.

The Board commended staff on a very thorough and informative presentation.

#### **VII. OTHER PUBLIC INPUT**

There was none.

#### **VIII. COMMUNICATIONS/MEMBER COMMENTS**

There was none.

#### **IX. ADJOURNMENT**

The meeting adjourned at 6:10 p.m.