



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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GAIL FARBER, CHAIR
MARGARET CLARK, VICE-CHAIR

August 4, 2011

The Honorable Christine Kehoe, Chair
Senate Appropriations Committee
State Capitol Room 2206
Sacramento, CA 94248-0001

Dear Senator Kehoe:

**ASSEMBLY BILL 341 (AMENDED MAY 5, 2011)
SOLID WASTE: DIVERSION**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to restate its **strong opposition** to Assembly Bill 341 (AB 341), which would increase the State's Solid Waste Diversion Mandate from 50 percent to 75 percent, impose mandatory commercial solid waste recycling requirements, require a local enforcement agency to approve solid waste facility permits (SWFP) through a pro-forma approval process, and eliminate current provisions in State law for the local task force to comment and review updates of Non-Disposal Facilities Elements (NDFE). The Task Force is also opposed to proposed amendments to AB 341 that attempt to incorporate language from Assembly Bill 34 (AB 34 - Williams, amended May 10, 2011) currently held in suspense in the Assembly Appropriations Committee.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, waste management industry, environmental groups, the public, and a number of other governmental agencies.

AB 341 would require the Department of Resources Recycling and Recovery (CalRecycle) to ensure that 75 percent of all solid waste “generated is source reduced, recycled, or composted,” rather than simply “diverted from disposal” by January 1, 2020. Without any consideration for alternatives to recycling and composting processes, such as conversion technologies, the bill does not provide local governments the tools to achieve and sustain the desired diversion rates. We are very concerned that this bias may provide the Legislature with justification to impose additional mandates on local governments without any consideration for (a) alternatives to recycling and composting, (b) requiring a detailed lifecycle analysis of all viable alternatives including recycling and composting, (c) needed in-State manufacturing infrastructure and market development to utilize the recovered materials, and (d) input from local governments. As such, CalRecycle would be compelled to enforce programmatic changes directly on local governments to meet the mandate. Local governments are already experiencing such impacts through the mandatory commercial recycling regulations, which impose a significant financial and resource burden on local governments, residents of multi-family dwellings, and all California businesses while further expanding the shipment of recovered materials to the Pacific Rim countries where the environmental law and regulations are either non-existence or significantly below those in California.

The provision of this bill in regards to mandatory commercial recycling is also unnecessary because it is duplicative of actions already being undertaken by State agencies. Under the authority of Assembly Bill 32 and the AB 32 Scoping Plan, CalRecycle and the California Air Resources Board are currently in the process of developing mandatory commercial recycling regulations through an open process of workshops and hearings that rely upon stakeholder input and participation.

The Task Force is also opposed to the provision of the bill that would eliminate local review and input over certain changes to SWFPs and NDFEs. The Task Force has consistently raised concerns regarding such provisions since they directly reduce local governments’ land use authority as well as negatively impact local solid waste management planning efforts.

Lastly, the Task Force opposes the proposal to incorporate the provisions of AB 34 into this bill. AB 34, which was held in suspense due to its fiscal impact, would provide exemptions to composting operations under certain conditions when those operations receive odor complaints. The Task Force insists that AB 341 be re-referred to the Assembly Appropriations Committee if it is amended to include provisions similar to AB 34.

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For the reasons described above, the Task Force is in **strong opposition** to AB 341. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Council Member, City of Rosemead

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cc: Senate President Pro Tem Darrell Steinberg
Assemblymember Wesley Chesbro
Each Member of the Senate Appropriations Committee
Each Member of the Assembly Appropriations Committee
Each Member of the Los Angeles County Legislative Delegation
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor and City Manager in the County of Los Angeles
Municipal Management Assistants of Southern California
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
Contract Cities Association
Independent Cities Association
Southern California Association of Governments
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
San Fernando Valley Council of Governments
Gateway Cities Council of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force