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From: Mike Mohajer [mailto:mikemohajer@yahoo.com]

Sent: Saturday, June 21, 2008 5:55 PM

To: Senator Patricia Wiggins

Cc: Garbien, Ania; MacMillan, Elizabeth; Margo Reid Brown; Rosalie Mule; Leary, Mark (CIWMB.ca.gov); Levenson, Howard (CIWMB.ca.gov); Block, Elliot (CIWMB.ca.gov); Elizabeth Huber; Morgan, Cara (CIWMB.ca.gov)

Subject: Senate Bill 1016 - Last Amended June 10, 2008

The Honorable Patricia Wiggins,

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force), I would like to express our appreciation for your efforts to address jurisdictional compliance measurement deficiencies in AB 939 (Sher, 1989 statutes). The Task Force reviewed and considered your legislative proposal, Senate Bill 1016 as amended on June 10, 2008, at its June 17, 2008 meeting. However, due to lack of a quorum, the Task Force delayed taking a formal position on the bill until its next meeting. However, the consensus of those members of the Task Force present at the meeting was for the "Support And Amend" position for the June 10, 2008 version of SB 1016. We, therefore, respectfully submit the following comments for your consideration and request that they be addressed in a future amendment to SB 1016.

1. Section 40127 -- The terms "*amendments*", "*revisions*" and "*updates*" need to be defined. Otherwise these terms will be subject to interpretation and may negatively subject a jurisdiction to a substantial financial impact.

2. Subdivisions 41780.05 (c) (3) and 41780.05 (d) (3) -- As proposed, the Waste Board is given the "sole" authority to "*use an alternative method for calculating the equivalent per capita disposal rate that more accurately reflects the jurisdiction's diversion efforts.*" We strongly recommend that these Subdivisions be revised to allow the jurisdiction to participate in the development any alternative method.

3. Subdivision 41821 (c) (3) (A) -- In this Subdivision a reference has been made to a "*solid waste facility*" and a "*regional diversion facility.*" While the term "solid waste facility" has been defined, the term "regional diversion facility" or "diversion facility" has yet to be defined by an existing statute and/or regulation. Therefore, it is recommended that the term "regional diversion facility" or "diversion facility" be defined.

4. Subdivision 41825 (b) -- This Subdivision gives the Waste Board a further authority "*to review whether a jurisdiction is in compliance*" whenever the Waste Board "*receives **information** that indicates the jurisdiction may not be making a good faith effort to implement its source reduction and recycling element and household hazardous waste element.*" (**emphasis added**) We do not see any justification for such a requirement. However, should the issue be pursued, we strongly recommend that this Subdivision be expanded to require the Waste Board to verify the source and the claim prior to subjecting the jurisdiction to unjustifiable related efforts and expenditure.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (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 within 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, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

Again, the Task Force appreciates your efforts in authoring SB 1016, as well as the work of the bill's sponsors. We look forward to working with you to address the concerns list above.

Regards,

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cc: Ea Member of the Task Force