EL DORADO COUNTY
SOLID WASTE ADVISORY COMMITTEE
PUBLIC MEETING

El Dorado County Environmental Management Department
2850 Fairlane Ct., Placerville, CA 95667
January 14, 2008, 2:30–4:30 p.m.

MEMBERS PRESENT:	**Dickson Schwarzbach, Task Force Chairperson** **Don Nizolek, Task Force Co-Chairperson** **Gary Pigg, City of Placerville** **Richard Angelocci, City of South Lake Tahoe (via phone)** **Jeanne Lear, South Lake Tahoe Refuse** **Nancy Spinella, County Resident** **Sue Farris, El Dorado Disposal** **Livia Amidon, Cameron Park CSD**
ALTERNATES PRESENT:	**Lori Tuthill, Cameron Park CSD** **Kristie Downey, El Dorado Hills CSD**
COUNTY STAFF:	**Jon Souza, Environmental Management** **Jeff Rusert, Environmental Management** **Mina Andujar, Environmental Management**
OTHERS PRESENT:	**Jill Firch, CIWMB** **Jason Craft, Amador Disposal / Waste Connections, Inc.** **Jon Lazaro, County Resident**
MEMBERS ABSENT:	**Bill McCluskey, County Resident** **Dianna Hillyer, El Dorado Hills CSD**

I. Call to Order
Dickson Schwarzbach called the meeting to order.

II. Election of EDSWAC Chair and Vice Chair
All were in favor and re-elected Dickson Schwarzbach as Chair and Don Nizolek as Vice-Chair for 2008.

III. Staff Announcements
No staff announcements

IV. Approval of the Agenda
Revise and Prioritize
Mr. Jon Lazaro, County resident was present to make comments in the Open Forum / Public Comments at the end of the meeting.

Revise and Prioritize was included for anyone who would like to propose changes to the agenda format. No changes were presented.

V. Approval of Minutes from November 19, 2007
Jeanne Lear commented and corrected that South Tahoe Refuse does not have an exclusive franchise agreement with the City of South Lake Tahoe for construction and demolition debris.

VI. Old Business

A. Angora Fire-Lessons Learned

Jon Souza distributed a handout regarding Angora Fire Debris Removal Lessons Learned from Jeanne Lear. He suggested that future handouts be mailed out or e-mailed for everyone to read before the meeting.

Don Nizolek thought we followed the Brown Act where handouts should be attached to the minutes. Dickson Schwarzbach suggested we do a research and find out if we follow the Brown Act.

Since disaster disposal doesn't count against our numbers, the disposal from the fire is exempted from our reporting.

Jeanne Lear said that part of the agreement was that El Dorado County would endeavor to get money back from insurance companies. She said that we have collected close to $2.1 million dollars back from the insurance companies. There are still some insurance companies that have not come forward with the money.

B. EDSWAC By-Laws

Jon Souza reported that County Council would be looking at the By-Laws and will decide if they need to be approved by the Board of Supervisors. He said that according to Greg Stanton, Environmental Management Department Deputy Director, the Board of Supervisors shouldn't have to approve the By-Laws because this is an advisory committee and doesn't make county decisions. Don Nizolek said we were trying to demonstrate the support of the Board by having their signature. Jon Souza explained that we are only required to report to the Board at the beginning of each year when there are a number of vacancies coming up or their term of office is up in case they have other candidates.

Members who were up for elections have been approved for another five years.

C. C & D Ordinance Changes Status

Jon Souza made contact with Mr. Costa, Senior Legislative Advocate for the Builders Industry Association, who would be distributing the C & D documents to some of the association members. He will set up a time to meet with Costa in February. He added nomenclature about the exclusive franchise to the Construction and Demolition Ordinance.

Dickson Schwarzbach asked if someone with a small project taking material to the landfill is directed to the C&D line when getting to the MRF gate. Sue Farris said that someone at the gate looks at the material and if a large portion of it is construction and debris the person is sent to the C&D area. Self-haulers are directed to the tipping line if the majority is garbage and WCNX couldn't sort through it.

Jeanne Lear said small projects are handled in a similar way in Tahoe. However, since Tahoe doesn't have a C&D line and is not able to segregate the items, customers are asked to unload items with same items: wood with wood and metal with metal for instance. When customers don't have their material presorted they are directed to the tipping floor where employees have about thirty minutes to sort through it.

Jason Craft said Amador County has a similar set-up as South Lake Tahoe. When clean material comes in, it is sent directly to a storage area. If not, employees would sort it. Amador County does not receive a large volume from El Dorado County.

Don Nizolek asked that since we have eliminated the reporting from the contractors when they take their material to WCNX, how do we know the changes in the program are successful? He also said that

the franchisee should be responsible for providing data on the diversion to the County. Sue Farris explained that WCNX reports all inbound construction and demolition tonnage. They also have a monthly outbound report on specific material such as concrete, metal, lumber, etc.

Jeanne Lear said that in Tahoe materials from small projects are not tied to physical addresses and contractors might go to the transfer station more than once. Large projects are tracked but their system doesn't track small permits with a particular address yet.

Sue Farris added that at WCNX only self-haulers' loads are not tied to an address. However, WCNX gives out receipts at the station that the self-hauler can use in their reports. Sue Farris feels that the easiest way to track the small projects from the self-haulers is by reporting every C&D inbound time and every C&D outbound time on the recyclables. She also feels asking haulers for a job permit would be a good idea.

Jon Sousa said that each permit is good for three years. During that time most projects have several people responsible for the reporting and many times not all the data is available after going through so many hands.

Nancy Spinella suggested giving the small projects a stamp on a card that they could turn in when their job is done. Dickson Schwarzbach suggested having the subcommittee address specific accountability with Mr. Costa to see what he would propose.

D. Forward Planning Tool

Jeanne Lear said the program is now set up with all the numbers for 2005 and 2006 and will be adding numbers for 2007 for SLT and EL Dorado Disposal. She will also be able to graph the overall information by material type once there is three years of data.

VII. Legislative/Regulatory Update

Senate Bill 1020 and 1016 will be two-year bills. Bill 1016 was going to change from disposal based to program based reporting. Bill 1020 was originally designed to increase the diversion percentage. Jon Souza said there is no increase in the 50% diversion rate at this point, but the Waste Board is still going to be working with per capita, tonnages, and programs implemented. At the Rural Counties meeting, the legislative advocate thought that these bills may go through this year but most of the effort will be on passing a budget and health care.

Jon Souza provided a handout of frequently asked questions for Senate Bill1016 for those who were interested.

VIII. Meeting Assembly Bill 939 Goals

Annual reporting will be due in mid to late March. The two legislative bills mentioned earlier would speed up the reporting. The disposable quantities would most likely be available to us by early February with a 30-day plus advance notice.

Jill Firch offered to include the names of those interested on informational e-mails with updates on Senate Bill 1015. Jon Souza also receives information from other agencies and offered to copy the e-mails to those who are interested as well.

The 50% diversion has not changed and as of last summer the statewide average was 54%.

Jon Souza suggested having a speaker from the Department of Toxics regarding their take back program on manufacturers. There is also a movement called California Bought Products Stewardship

Council. The movement tries to have manufacturers involved in the disposal of the items they produce. An example of this is the making of electronic items with materials that were not hazardous. Jon Souza brought brochures for those interested; he will also arrange a speaker for the May meeting.

IX. Agency/Jurisdiction Reports:

A. Amador County

No report from Amador County

B. Cameron Park Community Service District

Livia Amidon said the Christmas tree recycling event was overwhelming and they decided to extend it until sometime in February. The trees are chipped and used around various parks.

C. El Dorado County

Environmental Management Department

There will be Household Hazardous Waste events on January 19th, February 12th and 16th at the El Dorado Hills Fire Station.

Jeff Rusert wanted to remind everyone to contact him to advertise jurisdiction spring clean-up events on the Environmental Management website.

The insurance for the Kids Theater is ready and Kitty Work from Art and Soul is working on changes in the script. The theater might be able to start in the spring and finish it in the fall.

El Dorado Disposal/ Western El Dorado Recovery Update

Sue Farris said the Christmas tree recycling event had a great turnout.

El Dorado Disposal is now utilizing a new E-waste recycler from El Dorado County. This gentleman created a lot of computers in Silicone Valley, and now he is giving back to the community by disassembling computers through Pride Industry. He will also be helping with advertising and promoting E-waste at the local buy-back centers.

D. El Dorado Hills Community Service District

El Dorado Hills CSD also had a very good turn- out for their Christmas tree chipping event. However, a large quantity was sent to the Materials Recovery Facility (MRF) because they couldn't get all of them chipped in the four days that the event lasted.

Residents can now recycle electronic batteries at the El Dorado Hills administration office. This is a new program for recycling batteries that came through the County called "The Green Box". It has been advertised on the village newsletter, local papers and local website.

E. City of Placerville

The City of Placerville had two E-waste events within the City limits at the Mosquito Park. This is a monthly event in partnership with Snowline Hospice who receives a percentage of the funds.

The City is still working with PG&E on the fluorescent lights recycling program. They were looking at a pilot within the City limits, but the project is getting too large so they are now trying to set up a program with businesses such as The Home Depot and Ace Hardware to recycle the lights.

All the data from the three-cart pilot is in and now they are in the negotiation stages with El Dorado Disposal.

F. City Of South Lake Tahoe / South Tahoe Refuse Co., Inc.
Richard Angelocci said that South Tahoe Refuse would be going before the City Council on January 29th for approval of their new Resource Recovery Facility. Once approved, they should be able to start working on May 1st. Jeanne Lear they are doing some of the pre-testing needed in order to get their demolition permit before meeting with TRPA.

VII. Open Forum / Public Comments
Jon Souza introduced Mr. Jon Lazarro a property and business owner from El Dorado County who started "Just Junk It" about a year ago. His business removes unwanted items from private property and sorts and recycles as much as it can. He also works with non-profit organizations in order to give back as much as possible to the community. Mr. Lazarro feels his business is a viable business for the community.

He stared working in El Dorado Hills last year but was notified by El Dorado Disposal that they were in violation of the exclusive franchise. He has since ceased operating in the County and has referred customers from El Dorado Hills to El Dorado Disposal for service. Mr. Lazarro's concern is that customers say that EL Dorado Disposal only provides service from the curb.

Mr. Lazarro asked if there was any way "Just Junk It" could provide service to these customers and still operate under the franchise. He has been told that the only way he could provide his service would be by bringing the items from the private property to the curb and/or putting those items in the boxes that EL Dorado Disposal provides.

Sue Farris said that El Dorado Disposal has worked with everyone that has been referred to them. She has personally picked up items at people's homes and has had Snowline meet her at the locations where items were still usable. She stressed that El Dorado Disposal does a lot of free service in the community and has donated a lot of free service to Snowline Hospice. Discussion on this topic will continue at the next EDSWAC meeting.

The next meeting is March 10, 2008.

Meeting Adjourned.
Motion by Dickson Schwarzbach and a second by Sue Farris

Submitted by Jon Souza and Mina Andujar

Approved: _____

Date: _____
Chairperson

Angora Fire Debris Removal Lessons Learned

Mobilization & Pre-Planning

- The Angora project was very well planned with disposal sites already set up and trucking arranged.
- Similar pre planning on future projects should establish locations for trash, metal, and concrete.

Rights-of-Entry Form

- Include tree removal & erosion control on ROE from the beginning.
- Add section stating that if the County/City removes trees and/or recyclable materials as part of the debris removal project, the property owner understands that they will not receive any proceeds (if generated)

the debris removal proje[illegible]ne property owner understands that they will not receive any proceeds (if generated).

- Special Instructions segment on form proved to be a great success with property owners. Requests were honored if considered reasonable and within removal guidelines.

Debris Removal Program Abstainers

- Insist property owners follow same specifications as contractors hired by local government.
- Publish specifications for property owners.

Incident Website

- The creation of an incident website was instrumental in providing critical information to property owners and the public. Links were added to provide the following:
  - Contacts at local, state and federal agencies (email & phone)
  - Critical documents (ROEs, Permits, etc.)
  - Allow signup/subscription for email notification of new information posted

Debris Removal Project Signs

- Creation of theses signs was a great idea. Extremely easy way for everyone, especially the property owner, to see where each lot was in the debris removal process. Advocate these be used in future events.
- County placed address number sign for easy identification of lots.

Insurance

- Insurance collection needs to be started much earlier in the debris removal process in order insure that property owners pay this to the County.
- Payment needs to be made immediately after the property owner receives their check.

Jurisdiction

- County needs to assign staff to coordinate with all the various jurisdictional issues that arise (who's responsible on various vacant lots for tree removal & erosion issues)

Angora Fire Lessons Learned

Logistics

- Each new project will be different so some items will vary.
- Update tracking system daily, use single system to track all the information. Too many spreadsheet creates a lot of unnecessary work.
- Coordination between County & contractor for routine purchasing & contracting in the area.

Coordination

- Process would be much easier if the local jurisdiction was coordinating the whole process with state agencies providing support.

Disaster Zone

- Lack of a secured envelop encompassing the disaster zone, increased traffic, which increased safety risks, allowed sightseers and contract hunters to enter the area, without credentials, exposed residents to unwanted solicitation, exacerbated emotions and diluted the privacy of the residents. Only folks with authorization should be allowed, authorization stickers could be issued by the County at the DROC.
- Existing speed limit signs in the area should be covered and temporarily reduced signs put in place until all operations have moved from the area.
- More law enforcement presence in the area is needed. The property sites were hot zones and strangers were caught going through the debris for personal items, metals, etc.

Staffing

- County departments and CalEpa provided part time staff to assist with management of the debris removal phase. They were often over burdened as the work at the DROC was in addition to their daily duties. Providing (or hiring) staff that will remain or would rotate during the project is recommended.

Operations

Debris Removal Operations Center (DROC)

- A reception area should be included where guests could be screened. Home owners should have access to a "Visitors Station" in the center. This would cause less interrupt to staff, give the owners a sense of privacy and enhance professionalism.

Directional Strategy

- Developed to accommodate a variety of needs. Most significant was the timeliness of ROEs received at the DROC. These were used at planning meetings to direct work flow.

Angora Fire Lessons Learned

Meetings

- Daily planning meetings were key at maintaining; production, situational awareness, coordination & forecasting.
- Early morning briefings were instrumental at keeping workforce informed on topics such as; daily weather, safety practices, productions, etc.

Utilities

- Get copies of work done at each removal site (prior to removal beginning) from the utility companies (gas, water, and sewer) of what exactly was done at that site.

Watering

- Pre-watering with large water trucks for a minimum of 72 hours.
- Dust Control with 1-1/2" fire hoses was only moderately successful. Large improvements can be made by using small diesel booster pumps to provide high enough pressures for a good fog spray pattern. This simple improvement can produce large cost savings. For example: heavy watering results in wet loads that may add up to a ton or two of water to the dirt and debris. If 3,000 truck loads were moved during a project and only a 1/2 ton of moisture per truck load were reduced the savings is 3,000 times .5 = 1,500 tons @ average cost of $25 per ton equals $37,500.
- A hands-on training class in water usage and proper dust control would be valuable to all laborers prior to beginning work. No amount of talking seems to replace hands on training.

Traffic Control

- Coordination with local law enforcement and CHP was key and successful.
  - Detours
  - Speeding vehicles in work zones
- We were not expecting quite so many locations with flagging and could have brought more supplies. Plan on supplies for at least 8 active flagging sites.

Scales

- Unless the next project has a landfill within a 10 mile radius a portable scale should be set up to weigh loads and bringing the weights up to close to maximum. On this project scale weights varied wildly from way over legal to way too light. Estimating weights from looking at the load is ineffective and most trucks and trailers do not have built in scales.

Recycling

- Significant cost savings can be made on future debris removal projects if more asphalt and concrete can be recycled either onsite or at a nearby supplier's facility. No hard and fast rules can be made because each location will have different facilities. A general rule might be to look very hard for any way to stay very close to the fire site with a place to recycle. This will significantly reduce trucking costs and create a valuable product.

Angora Fire Lessons Learned

Subcontracting Standards

- Standards should be set beforehand for various types of subcontractors addressing overhead costs such as overtime, drive time, lodging and per diem, hourly rates, fuel charges and standby to avoid misunderstandings once the project is in operation.

Tracking

- Bills of Lading and/or Trucking Invoices should be simplified and standardized to obtain necessary tracking information while avoiding undue or repetitious paperwork on trucking companies. Adequate staffing is needed to keep up with the influx of tracking paperwork including audit or cross checking capability.

Landfills

- Regional landfills should be identified, including what materials they will accept, i.e., the various types of debris that could be anticipated for different disasters. It may be that reduced rates can be negotiated based on the volume and type of materials.

Jan. meeting.

SB 1016 (WIGGINS): FREQUENTLY ASKED QUESTIONS

CIWMB Handout

Q. What is the deficiency in current law??

A. The Integrated Waste Management Act (IWMA) has contributed greatly to California establishing the most extensive diversion program infrastructure in the country. Each jurisdiction plans, selects and implements a variety of diversion programs to achieve 50 percent diversion. Jurisdictions include cities, unincorporated counties, or regional agencies (groups of cities and/or counties that have formed joint powers authorities to meet the requirements of the IWMA). Every two years the Board reviews each jurisdiction's progress in implementing diversion programs and achieving the diversion requirement. While marked successes have been experienced with the current program many concerns on accuracy and timeliness have also arisen regarding the existing diversion measurement system. As a result of these concerns about accuracy and the timeliness of jurisdictions reporting and the immediate impact the CIWMB can have on a jurisdiction meeting the requirements under AB 939, SB 1016 was introduced to address these concerns.

Q. What is SB 1016 attempting to solve?

A. Change the current diversion measurement system to a disposal-based measurement system. Current emphasis is on a diversion "goal", which is determined through mathematical models to assist jurisdiction with meeting their 50% diversion requirements. This measurement methodology process takes on average 12 months to calculate and when a jurisdiction submits its' calculations to the CIWMB, it is almost two years later and impossible to correct any deficiencies in a timely manner. SB 1016 is attempting to address the deficiencies in the current diversion measurement methodology used to determine compliance by each jurisdiction. SB 1016 attempts to move away from an estimated diversion rate and move to an actual measured disposal number and place the emphasis on source reduction, recycling and reuse programs to divert solid waste from the landfills.

Q. What does SB 1016 do?

A. Language is meant to be a framework:

1. Switching to disposal-based measurement.
2. Changing the frequency of jurisdiction reporting and board review.

Q. Why does the current system need to be changed?

A. The current waste diversion accounting system was established by AB 939 (Sher) in 1989. The intent of this bill was to reduce dependency on landfill disposal. Current emphasis is on a diversion "goal", which is determined through mathematical models to assist jurisdiction with meeting their 50% diversion requirements. SB 1016 seeks to address the deficiencies in the current diversion measurement methodology used to determine compliance by each jurisdiction. SB 1016 attempts to move away from an estimated diversion rate and move to an actual measured disposal number and place the emphasis on source reduction, recycling and reuse programs to divert solid waste from the landfills.

The current formula used to determine a jurisdiction's diversion rate is:

Estimated Waste Generation – Actual Waste Disposed = Diversion Rate

Within the current formula to calculate a diversion rate, the only actual known number is the waste disposed number. Thus, to avoid continued "number games" from accounting calculations and inconsistent diversion credits, SB 1016 attempts to move away from these inaccurate and labor intensive

mathematical models and focus efforts to promote further development and enhancement of source reduction, recycling and reuse programs.

Furthermore, this calculated diversion rate does not adequately reflect the legislative intent of AB 939, which is to reduce California's reliance on solid waste landfills. In 1990, 42 million tons of municipal solid waste was disposed in California's landfills. In 2005, 44 million tons of municipal solid waste was still being disposed in California landfills. However, waste generation has increased from 51 million tons in 1990 to 88 million tons in 2005. Each California generates 13.4 lbs/pp/day of waste, almost double the national level, which does not seem to reflect California's leadership on protecting the environment and our natural resources.

Q. What is the Disposal Reporting System?

A. Current law requires solid waste disposal facility operators to submit to counties specified information on the disposal tonnages by jurisdiction or region of origin, which are disposed of at each facility, and requires counties to submit periodic reports to cities within the county and to the regional agency of which it is a member agency, and to the CIWMB, on the amounts of waste disposed by jurisdiction or region of origin. In 2000, SB 2202 was enacted requiring the CIWMB, along with a large stakeholder working group, to revise the disposal reporting system regulations. To ensure increased accuracy, the new regulations included requirements for scales and weighing at solid waste disposal facilities; increased frequency of haulers reporting the origins of their waste, and additional tracking of specific waste types by city or county. The waste disposed number takes six months to report and thus, jurisdictions report this number at the time they submit their annual report.

Q. How is waste generation calculated each year?

A. To calculate current generation, we apply demographic factors to the base-year. The adjustment method uses changes in population, employment and taxable sales (as adjusted for inflation) to account for changes in solid waste generation since the base-year. We know that the adjustment method does not fully account for changes in solid waste generation. While it is a complex calculation to do, it is much simpler than the complexities of the real world of solid waste. Some jurisdiction's growth is not adequately reflected because construction activities cannot be factored in adequately. Other jurisdictions benefit from adjustment factors that over estimate their growth and inflate their diversion rates.

There are many choices of factors: 2 for population, 4 for employment, 2 for taxable sales, and at least 2 for inflation correction. These choices are needed because situations vary and some flexibility is needed to account for regional economies and such. However, it can also result in the process being just a numbers game of shopping for the factor combination that maximizes the generation amount and the diversion rate. Many people struggle to understand the math and the relationships behind the math. Even with the Board's automated on-line calculators, many jurisdictions hire consultants to do their calculations for them. The factors themselves also are problematic. They are produced by a variety of state agencies for their own purposes and released in accordance with their time schedules. As a result, over the years they have delayed diversion rate reporting more and more. Currently, some factors are released more than 12 months after a reporting year is over. As a result, reporting is delayed and jurisdictions do not know what specific target they should have been aiming at until long after they can do anything about it.

Q. Where did the proposed language for SB 1016 come from?

A. Feedback from our Alternative Diversion Measurement System workshops that began in 2004, per AB 2202, led us to our recommendation to change the measurement system.

- Overwhelmingly stakeholders wanted a more timely system and more focus on program implementation than numbers, etc.

- At the time of the workshops many jurisdictions liked the concept of going to countywide number as an indicator only, with program review at the jurisdiction level being the focus.

Q. Why are we using 2006 as the base year?

A. We need to set a base from which to measure disposal, but there are several options we could use.

We selected 2006 for several reasons:

- 2006 is a single starting point and would create a level playing field.
- 2006 is after all the 1066 extensions have expired so jurisdictions would all be starting from similar statuses.
- 2006 is after the disposal reporting improvements (scales, more frequent origin surveys, etc.) so the data should be more accurate.
- 2006 has already passed, so there is no way to manipulate the numbers for future benefit.

Q. Could we use a three year average as the new base year?

A. We could use an average of prior years. We could use the maximum disposal from a range of prior years to reflect the progress jurisdictions have already made. Older data, especially original base-year data which pre-dates the disposal reporting system is very inaccurate. Even disposal reporting data from the 1990s is much less accurate than 2006. It has taken time for haulers, facilities and counties to learn and adequately implement the disposal reporting system. Jurisdictions have anomalous years in which disposal may be much higher than normal due to peak construction, a disaster, or major events. A high year like this will build in automatic disposal reduction credit when disposal returns to normal in subsequent years.

Q. How does transformation and biomass credit translate to a disposal measurement system?

A. As a preface, SB 1016 seeks to establish a level playing field for moving forward. Since AB 939 was enacted, there have been numerous credits, re-definitions, adjustments, and corrections added to the statute. While everyone agrees that the system is too complicated and should be simplified, it will be difficult to change many of these modifications.

Transformation, biomass and emerging technologies all need to be clearly addressed in this proposal. Because they are very different in practical measurement terms it would really help if we can talk about them separately and not lump them together.

Q. What is the overarching benefit of reducing waste and increasing markets for recyclables?

A. CIWMB programs are now conducted in support of the California Global Warming Solutions Act of 2006. With an emphasis on reducing materials going into landfills, the CIWMB can promote programs that reduce greenhouse gas emissions, including diverting organic materials for composting; use landfill gas for energy or fuel production; and foster commercial recycling programs. The CIWMB can assist processing facilities, including composting facilities and material recovery facilities, in implementing facility upgrades in response to regulatory requirements promulgated by Air Quality Management and Air Pollution Control Districts, and Regional Water Quality Control Boards. Further, the CIWMB can assist jurisdictions with prevention and cleanup illegal dumping and increased enforcement at solid waste facilities.

Existing AB 939 Diversion Measurement Requirements Compared to Proposed Disposal Measurement Requirements under SB 1016

EXISTING SYSTEM	SB1016
Intent Current language in PRC Section 40001: • Responsibility for solid waste management shared between local and state government. • Policy of state to assist local governments from duplicating effort and minimizing costs incurred. • Market development is critical to the successful and cost-effective implementation of a solid waste plan and to achieve 25 and 50 percent diversion.	**Intent** Added language to PRC Section 40001: • Support AB 32 requirements • Emphasize the increase environmental benefits through comprehensive array of diversion programs • Change the diversion rate reporting requirement to a jurisdictional equivalent disposal measurement requirement for accuracy and timeliness • Disposal will be measured using the CIWMB's disposal reporting system • Expand the emphasis on the hierarchy in Section 40051.
Hierarchy Current language in PRC Section 40051: • Promotes waste management practices in order of priority: source reduction, recycling and composting, environmentally safe transformation and disposal.	**Hierarchy** No change to PRC Section 40051.
Definitions Current language in PRC Sections 40100-40201: • Defines terms such as solid waste disposal, diversion, recycling, rural city and county, composting, source reduction, transformation.	**Definitions** Added to current definition, four new terms: • Diversion program, • Jurisdiction, • Rural City, redefines rural city and rural regional agency to mean a city or regional agency that is located within a rural county as defined by Section 40184. • Rural County, redefines rural county as any county or multi-county regional agency from which no more than 200,000 tons of solid waste are disposed annually (Section 40184). • Uniform Electronic Transactions Act
Measurement System Current language in PRC Sections 41780-41786: • Established a 25 percent diversion requirement by January 1, 1995 and 50 percent diversion on and after January 1, 2000 and set requirements to establish a jurisdiction waste generation (disposal + diversion) base year (Sections 41780, 41780.1, 41780.2 and 41781).	**Measurement System** Amends and adds language to PRC Sections 41780-41786: • Requires jurisdictions to continue implementing source reduction, recycling and composting activities according to the hierarchy of 40051. • Maintains the 50 percent diversion requirement, while transitions from a diversion measurement

EXISTING SYSTEM	SB1016
• Allows base year sludge diversion credit if requirements are met (Section 41781.1). • Restricts base year diversion credit for restricted waste such as: inert, scrap metal, agricultural wastes and white goods (Section 41781.2) • Allows disposal adjustment for treated medical waste and regional diversion facility residues (Section 41782) • Jurisdictions required use adjustment factors to estimate future year generation (Section 41781). • Ensures a city or county who are below 50% diversion, are not required to establish a transformation facility to achieve that 50% requirement and no penalties can be assessed. (Section 41784)	system to a disposal measurement system equivalent. • After 1/1/07, the Board will evaluate jurisdiction compliance with the diversion requirements by using per capita disposal rate as an indicator of program implementation. • Defines per capita disposal (Section 41780). • Allows Board to use any increase as an indicator that program implementation efforts must be more closely examined when increases in per capita disposal indicates that a jurisdiction has allowed disposal amounts to increase faster than the jurisdiction has grown.
Transformation and Biomass • Current language in PRC Sections 41783-41783.1: • Jurisdictions may claim either transformation or biomass conversion as diversion starting in 2000. The jurisdiction may only claim biomass conversion credit, or transformation credit of up to 10% of waste generation.	**Transformation and Biomass** Amends PRC Sections 41783-41783.1: • Jurisdictions may subtract transformation conversion tonnage up to 20 percent of disposal tons. (equivalent to a 10 % diversion credit) • No change to the Biomass conversion credit as it is implemented outside of the disposal reporting system..
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Jurisdiction Reporting and Board Review Current language: • Requires jurisdictions to submit plans in the mid 1990's and allows early submittal and implementation (Sections 41791, 41791.5, 41792 and 41794). • Provides schedule and procedures for CIWMB review of restricted waste diversion claims in 1990 base years (Sections 41801.5 and 41811.5) • Jurisdiction submits annual progress report. Annual progress reports are delayed by over 18 months for the reporting year because of the delay in receiving local and BOE adjustment factors to estimate the diversion rates. (Section 41821)	**Jurisdiction Reporting and Board Review** Amends language to: • Provides new reporting schedule and jurisdiction reporting requirements (Sections 41821, 41825). • Jurisdictions that were found in compliance during the 2005-06 biennial review would have to submit a report on their program implementation every four years starting September 1, 2014. (Section 41821) • Jurisdictions that were on compliance as of 2007 or placed on compliance during the 2005-06 biennial review would have to submit a report on their program implementation every two years starting September 1, 2012. Note that the gap in time between biennial reviews from 2008 to the next review in 2012 would allow time for jurisdictions to begin shifting to a disposal based measurement system, to evaluate

EXISTING SYSTEM	SB1016
	their program implementation in relationship to their per capita disposal. • Uses per capita disposal as an indicator of program implementation efforts. The Board would evaluate how a jurisdiction is addressing significant increases in per capita disposal through their program implementation efforts. • Incorporates demonstration of good faith effort into the biennial review determination.
State Agencies and large facilities • Requires state agencies and large facilities to divert 25 percent of all solid waste by January 1, 2002 and 50 percent through source reduction, recycling and composting activities. • Allows for adjustment factors and time extensions.	**State Agencies and large facilities** • Creates a parallel disposal measurement process for state agencies and large facilities (Section 42921 and 42926). • Adds language for community colleges to impose fees as necessary to assist in the costs associated with implementing a state agency integrated waste management plan.