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MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Home of the Last Chance Mercantile

July 20, 2007

WILLIAM MERRY, P.E., DEE
GENERAL MANAGER/
DISTRICT ENGINEERTIMOTHY S. FLANAGAN
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SENIOR ENGINEERRICHARD NORTON
ADMIN. SERVICES MGR.ROBERT WELLINGTON
COUNSEL

The Honorable Kevin DeLeon
State Capitol Room 4140
Sacramento, CA 94249-0045

RE: AB 712 (DeLeon) - Opposed

Dear Assembly Member DeLeon:

The Monterey Regional Waste Management District (District) **opposes Assembly Bill 712 (AB 712)**, which would establish a 50 cent per ton surcharge on each ton of solid waste disposed in California. The surcharge would be used to reimburse operators of off-road solid waste and recycling vehicles to comply with California Air Resources Board regulations.

Assembly Bill 712 proposes to establish a 50 cent per ton surcharge on each ton of solid waste disposed in California, generating between \$22-25 million annually. This generated revenue would be deposited in an account controlled by the State. The funds would be distributed to the solid waste and recycling industries to defray their costs for complying with regulations developed by the State Air Resources Board (ARB), which are designed to reduce particulate matter and criteria air pollutant emissions from off-road vehicles. Additionally, up to a maximum of \$4 million of the fund could be used annually by the California Integrated Waste Management Board (CIWMB) to provide grants for a specific list of solid waste related projects.

The District strongly supports reducing particulate matter and other air pollutant emissions from off-road diesel vehicles. However, we are concerned AB712 would create a bad precedent by allowing the State to impose solid waste disposal fees that selectively reimburses certain private or public entities for compliance with ARB regulations. More distressing is that funding would be used to relieve responsibility from operators of off-road diesel vehicles for compliance with State regulations. This responsibility has been and should continue to be born by any operator/firm as a function of doing business in California.

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The District will continue to comply with ARB requirements while actively promoting alternatives to landfill disposal. However, the provisions of AB 712 create a number of adverse precedents. Therefore the District opposes AB 712. Please let me know if I can answer any questions or provide additional information.

Sincerely,

William Merry, P.E., DEE
General Manager

cc: The Honorable Anna Caballero, 28th District State Assembly
The Honorable Abel Maldonado, 15th District State Senate
Nick Chiulos, County of Monterey, Intergovernmental & Legislative Affairs
Paul Yoder, Legislative Advocate, SWANA California Chapters
Steve Johnson, Salinas Valley Solid Waste Authority

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