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MONTEREY REGIONAL WASTE MANAGEMENT DISTRICT

Home of the Last Chance Mercantile

WILLIAM MERRY, P.E., DEE
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ADMIN. SERVICES MGRROBERT WELLINGTON
COUNSEL

April 20, 2007

The Honorable Joe Simitian
Chairman, Senate Environmental Quality Committee
State Capitol, Room 2080
Sacramento, Ca. 95814

RE: SB 1020 (Padilla) - CONCERNS

Dear Senator Simitian:

The Monterey Regional Waste Management District, a Special District of the State of California, provides solid waste management services to western Monterey County, and operates the Monterey Peninsula Landfill. The District received the first ever Gold Excellence Award from the Solid Waste Association of North America (SWANA) as the "Best Integrated Solid Waste Management System in North America", a reflection of the comprehensive waste management programs it carries out. Its member agencies include the Cities of Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, Marina, Seaside and Del Rey Oaks, the Pebble Beach Community Services District, and the County of Monterey. This letter is sent on behalf of the District and its member agencies.

The District has been fully committed to an integrated approach to waste management that includes a priority on reducing, reusing and recycling wastes, with the City of Carmel-by-the-Sea leading the way with one of the nation's first curbside recyclables collection programs in the late 1970's. Since then, the District and its member agencies have achieved over 50% diversion rates as required under AB939. The District makes a significant contribution to local diversion efforts, with 2006 District on-site programs diverting 37% or 135,000 tons of material coming in the gate at the Monterey Peninsula Landfill.

The District is committed diverting as much material from landfilling as possible. However, the District respectfully requests that the Legislature allow more time before establishing a higher diversion mandate in order that a comprehensive discussion can be held with stakeholders regarding a number of issues that impact diversion programs. These issues include the following:

- Provide a phased approach to any increases in diversion
- Provide assurances to local government that technical and financial resources and assistance will be provided for in the legislation, to achieve the higher diversion mandate.
- The bill should provide for manufacturer responsibility for increased diversion.

The Honorable Joe Simitian

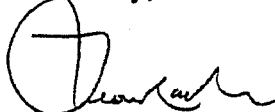
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- Provide for increased diversion responsibility from the commercial sector including proactive involvement and accountability from private waste haulers.
- Programs, and not always numbers, should be a means of determining compliance at least in some instances.
- Penalties should no longer be in the code. The State should instead implement a truer partnership with local governments.
- Diversion credit must be granted – at a minimum – for activities such as the conversion of biomass to ethanol and other conversion activities that promote the usage of alternative fuels and/or assist the State in the implementation of AE 32.

The District looks forward to working with the author and other stakeholders on moving beyond AB 939 and towards a new system that will facilitate further reductions in the amount of waste disposed of in California. If you have any questions, please contact District General Manager William Merry at 831-384-5313.

Sincerely,



Leo Laska

Chair

cc: Senator Alex Padilla
Other Members, Senate Environmental Quality Committee
Governor Arnold Schwarzenegger
The Honorable John Laird, 27th District State Assembly
The Honorable Anna Caballero, 28th District State Assembly
The Honorable Abel Maldonado, 15th District State Assembly
The Honorable Jeff Denham, 12th District State Assembly
Paul Yoder, Legislative Advocate, SWANA California Chapters

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RICHARD NORTON
ADMIN. SERVICES MGR.

ROBERT WELLINGTON
COUNSEL

The Honorable Loni Hancock
State Assembly, 14th District
Chairwoman, Assembly Natural Resources Committee
State Capitol, Room 4126
P.O. Box 942849
Sacramento, CA 94249-0014

Re: AB 1610 (Nunez) – Solid Waste Fees: OPPOSE Unless Amended

Dear Assemblywoman Hancock:

The Monterey Regional Waste Management District (District), a Special District of the State of California, provides solid waste management services to western Monterey County, and operates the Monterey Peninsula Landfill. The District received the first ever Gold Excellence Award from the Solid Waste Association of North America (SWANA) as the "Best Integrated Solid Waste Management System in North America", a reflection of the comprehensive waste management programs it carries out. Its member agencies include the Cities of Monterey, Carmel-by-the-Sea, Pacific Grove, Sand City, Marina, Seaside and Del Rey Oaks, the Pebble Beach Community Services District and the County of Monterey. This letter is sent on behalf of the District and its member agencies.

The California Integrated Waste Management Act of 1989 requires each operator of a disposal facility in the state to pay a quarterly fee for all waste disposed of at each disposal site, not to exceed \$1.40 per ton. AB 1610 would increase the fee amount up to not more than \$2 per ton.

The District is opposed to AB1610, unless amended as follows:

1. Provide a justification in the final bill, based on a needs assessment, for any fee increase.
2. Provide sufficient time for local government to implement the state mandated fee increase. Many local governments are now preparing their fiscal year budgets for adoption in June. The earliest reasonable date to implement any fee increase should be July 1, 2008.
3. None of the fee increase should be used to support landfill closure or post-closure funds. Funds for landfill closure and long term post-closure care should be established by individual landfill owners.

The Honorable Loni Hancock

April 20, 2007

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Thank you for your consideration of the District's position on AB 1610, OPPOSE unless amended.

Sincerely,



Leo Laska
Chair

cc: The Honorable Fabian Nunez, Speaker of the Assembly
Members of Assembly Natural Resources Committee
Governor Arnold Schwarzenegger
The Honorable John Laird, 27th District State Assembly
The Honorable Anna Caballero, 28th District State Assembly
The Honorable Abel Maldonado, 15th District State Assembly
The Honorable Jeff Denham, 12th District State Assembly
Paul Yoder, Legislative Advocate, SWANA California Chapters

-----Original Message-----

From: Cloud93921@aol.com [mailto:Cloud93921@aol.com]

Sent: Friday, April 27, 2007 10:21 PM

To: William Merry

Subject: sacramento

SB 1020 and SB 1016: Bills Would Impact Solid Waste Diversion in California

The League has received a number of inquiries about SB 1020 (Padilla) and SB 1016 (Wiggins). Both measures, if passed, would have significant impact on the California Integrated Waste Management Act of 1989 (commonly referred to as AB 939).

If signed into law, SB 1020 would increase the AB 939 solid waste diversion mandate from 50 percent to 75 percent for all jurisdictions in California beginning on Jan. 1, 2012.

SB 1016 had originally proposed a number of major changes regarding how local jurisdictions track and report their compliance with AB 939. These changes were based on a series of stakeholder meetings held in 2004 by the California Integrated Waste Management Board (CIWMB).

It was clear, however, that the language did not reflect the intent of the CIWMB and the language was subsequently amended out of the bill on April 10.

In its current form, SB 1016 would authorize the California Integrated Waste Management Board (CIWMB) to allow a city or county to submit their annual report every two years, if the jurisdiction has diverted more than 50 percent of its solid waste from landfill disposal through source reduction, recycling and composting activities.

League Position

The League currently has **no position** on SB 1020 or SB 1016. Existing League policy does not address increasing the statewide diversion requirements above 50 percent. Based on League policy committee review of similar past bills, however, the League has indicated that while it does not have a position on an increased AB 939 goal, any such proposal must also include significant efforts to streamline the provisions of AB 939 to assist in compliance.

In addition, existing League policy supports legislation to provide changes to AB 939 to place more emphasis on implementation of waste diversion programs and less upon strict mathematical accounting (i.e. bean counting); and expansion of market development activities. This includes the development of non-burn transformation technologies and providing funding for research and development of recyclable materials.

Future Developments

SB 1016 and 1020 passed the Senate Environmental Quality Committee on Monday, March 16, and will now go to the Senate Appropriations Committee where they will likely be heard in May.