

MARIN COUNTY HAZARDOUS & SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY

AB 939 LOCAL TASK FORCE

Wednesday, December 7, 2011
Las Gallinas Valley Sanitary District
300 Smith Ranch Road
San Rafael, CA

8:30 -10:00 AM

AGENDA

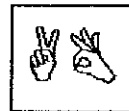
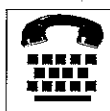
Call to Order.

- 1) Open Time for Public Comment (5 Minutes)
- 2) Approval of the September 7, 2011 JPA Local Task Force Minutes (Action – 5 Minutes)
- 3) Presentation on Plastic Bag Ban by Marin County Department of Agricultural Weights and Measures (Oral Report – 15 Minutes)
- 4) Construction and Demolition Certified Facilities List (Information - 10 Minutes)
- 5) Assembly Bill 341 Approval (Information – 10 Minutes)
- 6) Zero Waste Outreach Program Update (Information – 5 Minutes)
- 7) Update from Staff on Ongoing Activities (Oral Report – 5 Minutes)
- 8) Open Time for Member Comment (15 Minutes)
- 9) Adjourn.

Next scheduled LTF Meeting is January 4, 2011 at 8:30 AM.
Next scheduled JPA Board Meeting is January 26 at 9:00 AM.

The full agenda including staff reports can be viewed at
www.marinrecycles.org/mins_agendas.cfm

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Contact the County's Waste Management Division, at 499-6647 for more information

Draft**MARIN COUNTY HAZARDOUS & SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY**

AB 939 Local Task Force Meeting
 Wednesday, September 7, 2011
 Northgate Mall Community Room
 5800 Northgate Drive, Ste 200
 San Rafael, Calif.

MINUTES**MEMBERS PRESENT**

Kim Sheibly, Marin Sanitary Service
 Jon Elam, Tamalpais CSD
 Loretta Figueroa, Almonte Sanitary District
 Steve McCaffrey, Redwood Empire Disposal
 Renee Goddard, Ross Valley Cities
 Elissa Giambastiani, San Rafael
 Joan Irwin, Southern Marin Cities
 Jennie Pardi, Conservation Corps
 Delyn Kies, Sustainable Novato
 David Haskell, Sustainable Marin
 Matt McCarron, Novato
 Russ Greenfield, LGVSD
 Ramin Khany, Redwood Landfill

MEMBERS ABSENT

Greg Christie, Bay Cities

STAFF PRESENT

Steve Devine, JPA Staff
 Alex Soulard, JPA Staff
 Kiel Gillis, JPA Staff
 Jeff Rawles, County Contractor

OTHERS PRESENT

Cassey Mazzoni, Marin Builders Assn.
 Dee Johnson, Novato Sanitary Dist.
 Andy Campbell, Renew Computers
 Madeline Hope, West Marin Ed. Coord.
 Devi Peri, Marin Sanitary Service

Call to Order. The Local Task Force (LTF) meeting came to order at 8:32 AM.

1. Open Time for Public Comment

Members devoted a moment of silence in remembrance of former LTF member Tania Levy.

2. Approval of the July 6, 2011 JPA Local Task Force Minutes

Delyn Kies noted a necessary correction to the July 6 minutes as she was absent during that meeting. M/s Giambastiani, Figueroa to approve the July 6 JPA LTF minutes as amended. The motion passed unanimously.

3. San Rafael C&D Ordinance and Zero Waste Resolution

Staff provided an update regarding the recent adoption of new waste reduction mandates by the City of San Rafael. The city utilized the JPA Zero Waste Grant awarded to the City of San Rafael to adopt a C&D Ordinance and a Zero Waste Resolution. Staff also reported that they will be working with R3 Consulting Group in developing and implementing a certification process for C&D Facilities in and around Marin County. Once developed, Staff indicated a list of certified facilities will be available on the JPA website (MarinRecycles.org).

4. Zero Waste Challenge Campaign Update and Presentation

The Zero Waste Outreach contractor, The Hive, conducted a presentation updating the LTF on the progress made to the Zero Waste Challenge campaign. The Hive presentation included visual materials, samples from the ZeroWastemarin.org website and the 'Zero Waste Challenge'. The Hive staff fielded questions from LTF members regarding program development and the program timeline. The Hive staff indicated a new Zero Waste Challenge will occur monthly until December. LTF members suggested staff re-connect with the Marin IJ newspapers to reemphasize the importance of the program for Marin County residents.

5. Update on Siting Element

Staff reported on the progress made in updating the Countywide Integrated Waste Management Plan Siting Element. Staff identified that a Request for Proposal (RFP) had been released and submitted to 11 consulting firms, of which 3 responded. Jon Elam suggested the LTF consider forming a sub-committee in order to give this issue sufficient attention. Ramin Khany made note of the application submitted to the County regarding the development of a C&D facility at the Redwood Landfill site.

6. Upcoming Meeting Locations

Staff stated the Community Room at Northgate Mall would not be available for the November and December LTF meetings and requested Members contact Staff via email with suitable alternate locations which are ADA compliant.

7. Open Time for Member Comment

JPA Staff reported on the success of the ongoing Bulb & Battery Take-back Program occurring throughout the County. Devi Peri briefly reported on the progress made regarding the Marin Sanitary Service program to implement a "multi-family" grant program in the canal district. Matthew McCarron briefly explained a program he is heading to implement a thermostat recycling program with HVAC contractors within the state. Loretta Figueroa stated a food waste composting program has begun in the Almonte Sanitary District by Mill Valley Refuse. Ramin Kany identified his satisfaction regarding the progress made by the City of San Rafael in adopting a C&D ordinance. Steve McCaffrey reported the food scrap program in Novato has been implemented. Delyn Kies reported on her attendance of the California Resource Recovery Association (CRRA) recycling conference in August. Jennie Pardi reported on the waste diverted, recycled and composted from the Marin County Fair and Far West Fest by the North Bay Conservation Corps through funding of the Zero Waste Grant awarded to Marin County by the JPA. Dee Johnson identified an e-waste collection event occurring October 7-9 in Novato and will be instituting a monthly pharmaceuticals collection program at the Novato Senior Center. Cassey Mazzoni is working with various Marin County cities on a possible pilot collection program that turns roofing tear-off into road materials.

8. Adjourn.

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

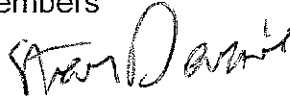
Belvedere:
George Rodericks

Date: December 7, 2011

Corte Madera:
David Bracken

To: Local Task Force Members

From: Steve Devine



County of Marin:
Matthew Hymel

Re: Presentation on Plastic Bag Ban by Marin County Department of
Agricultural Weights and Measures

Fairfax:
Michael Rock

County Agricultural Commissioner, Stacy Carlsen, will provide a
presentation on the status of implementing Marin County's plastic bag
ban.

Larkspur:
Dan Schwarz

Mill Valley:
Jim McCann

A few news articles on similar bag bans being considered for
implementation are attached as additional background information on
this subject.

Novato:
Michael Frank

Attachments

Ross:

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San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

MillValleyPatch

City Hits Brakes on Plastic Bag Ban

With the county facing ongoing litigation over its plastic bag ban ordinance and the Save the Plastic Bag Coalition promising to sue local municipalities who follow the county's lead, City Hall takes a wait-and-see approach.

By Jim Welte

November 21, 2011

Nearly a year after the Marin County Board of Supervisors passed a ban on plastic bags at retail markets, and barely a month before that ban is supposed to go into effect, the Save the Plastic Bag Coalition remains a potent foe for environmental activists.

The organization's founder and attorney Stephen Joseph said he "definitely" plans to appeal a Marin Superior Court ruling in September that threw out his attempt to block the ban. He has until Dec. 12 to file the appeal.

But while the county's ban and the subsequent legal wrangling only apply to retail markets in unincorporated Marin – the Safeway in Strawberry but not Camino Alto, for instance – it's also given pause to cities hoping to follow the county's lead. At its meeting tonight at City Hall, the Mill Valley City Council is considering a mere statement "declaring single-use carryout bags a concern" as opposed to considering its own ban.

Two weeks ago, environmental activists urged the council to adopt a plastic bag ban, along with at least a 5-cent fee on paper bags, similar to the county's ordinance in focusing on grocers and drug stores. The ban is one of the pieces of a countywide Zero Waste initiative to divert 100 percent of its waste from the landfill by 2025.

In doing so, several residents asked the council not to wait until the coalition's lawsuit against the county is resolved. Maureen Parton, aide to Supervisor Kate Sears and the late Supervisor Charles McGlashan, who led the county's bag ban efforts before his passing in March, encouraged the council to move ahead with its own ordinance before January. She said retail markets in unincorporated Mill Valley would be at a disadvantage if nearby stores within city limits offered plastic bags and they did not. Mill Valley Market and the two Whole Foods Markets in Mill Valley don't offer carryout plastic bags, so the focus of a ban within city

limits would be on the drug stores and Safeway at Camino Alto (None of the proposed bans focus on the plastic bags provided for produce and bulk items, however).

"I urge the council to move ahead with the ordinance so we can provide an even playing field for the grocers in the unincorporated," Parton said. "Action is key as it will strengthen our retailers resolve because it will offer that level playing field they seek. It would be an effective way to show a strong unified front for the cities and county to move ahead together."

But the specter of the legal case was on Mill Valley Mayor Ken Wachtel's mind.

"Will the county pay our legal fees if we get sued?" he asked.

Joseph told Mill Valley Patch that he would indeed sue the city if it passed its own plastic bag ban. He pointed to his statement issued after Marin Superior Court Judge Lynn Duryee ruled in late September that the county's ordinance did not require officials to prepare an environmental impact report, as Joseph had argued was required.

In vowing to take the case to the state Court of Appeal, Joseph said Duryee's decision "flies in the face" of a California Supreme Court ruling in similar case in Manhattan Beach case in which the court ruled that all plastic bag bans are not exempt from environmental law and an EIR is required for cities and counties larger than Manhattan Beach (population 35,000) or where there are cumulative impacts as a result of a series of bans. Despite Mill Valley's population falling below that figure, its ban would contribute to that "cumulative impact" element, Joseph said.

Although it won't be weighing a bag ban tonight, the council may choose to speak about the issue. Its discussion at its Nov. 7 meeting proved lively at times.

"It's time to get on with it," said councilmember Stephanie Moulton-Peters. "We've been talking about it for a long time. This is health and safety – it's the proper role of government."

Wachtel wasn't sold, saying that while he would likely vote in favor of a ban, he didn't believe it was necessary to pass one.

"If people truly believed that we shouldn't have plastic bags, they can do that now by not using them," he said.

"You have to pass rules to help people do the right thing," Moulton-Peters responded.

"It's just a bad, lazy habit," councilmember Shawn Marshall added.

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Article

SFGate.com

S.F. shoppers may have to pay for nonplastic bags

Heather Knight, Chronicle Staff Writer

Tuesday, November 15, 2011

That familiar grocery store query - "Paper or plastic?" - may soon apply to how you'd like to pay for the bags holding your milk and apples.

Legislation sponsored by Supervisor Ross Mirkarimi and headed for likely passage by the Board of Supervisors would require San Francisco shoppers to pay 10 cents per bag provided by the store at checkout starting July 1. That charge would jump to 25 cents per bag two years later. The store providing the bag would pocket the money.

Mirkarimi's legislation - one of his final acts before being sworn in as sheriff in January - would also expand the city's current ban on plastic bags in grocery stores and drug stores to all retail stores including department stores, clothing boutiques and bookstores starting July 1.

Restaurants would also be prohibited from bagging takeout items in plastic starting July 1, 2013, though the legislation would allow restaurant diners to continue to take home uneaten portions of their sit-down meals in plastic containers.

All retail establishments could continue to offer recyclable paper bags, compostable bags or reusable bags as long as they charged the customer per bag used. The idea is to encourage shoppers to bring their own bags.

Stores that don't comply with the law would be fined \$100 for the first infraction, \$200 for the second and \$500 each time after that. The Department of the Environment would be in charge of enforcing the law.

A variety of plastic bags would still be allowed, including plastic to wrap items for sale in stores like meat and flowers, bags to keep newspapers dry, dry cleaning bags and plastic bags sold in bulk, such as sandwich bags and garbage can liners.

The legislation was heard by the board's city operations committee Monday and sent to the full board with the recommendation to pass it. The full board is expected to discuss the issue at its meeting next Tuesday.



Leading the nation

Mirkarimi authored the 2007 ordinance to ban plastic bags in large grocery stores and chain drugstores - the first of its kind in the nation - and said he always intended to push for a much broader law.

"It's up to San Francisco, which once led the nation, to take the lead again by expanding the law," he said.

Since San Francisco's original ban, plastic bag prohibitions and charges for other types of bags have become increasingly popular in cities around the country. Washington charges for single-use plastic bags, dropping their use in the district by 81 percent. Malibu, Santa Cruz and San Jose have adopted charges for bags, too.

According to statistics provided by Mirkarimi's office, American shoppers use 102 billion plastic bags every year - more than 500 per customer. They're some of the most harmful debris, gumming up recycling machines, choking waterways, clogging storm drains and harming wildlife, according to the city's environment department.

Further reductions

Melanie Nutter, director of the Department of the Environment, said that the original ban was a good first step, reducing the appearance of plastic bags in the city's waste stream by 18 percent, but that more needs to be done.

"Plastic bags continue to be a problem in San Francisco," she said.

Considering that a wide spectrum of interest groups is behind the legislation - including environmentalists, surfers concerned about ocean trash, the Chamber of Commerce and the Golden Gate Restaurant Association - it is likely to pass the full board.

Support isn't universal, though. Stephen Joseph, counsel for a San Francisco group called Save the Plastic Bag, told the board committee he would sue to block the legislation on the grounds the city must complete a full environmental impact review of the legislation under the California Environmental Quality Act.

Matt Dorsey, spokesman for the city attorney's office, said the planning department determined a less extensive review was appropriate, and that has already been conducted.

"We're confident that the city's environmental review of the legislation is completely defensible," Dorsey said.

E-mail Heather Knight at hknight@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2011/11/15/MNPK1LV2HA.DTL>



Bag ban has yet to inflate

Marin cities lying in wait over when to trash plastic bags...

Cities don't want to be caught holding the bag.

The idea was for cities in Marin to join the county in a show of solidarity and jump on board a ban of single-use plastic carryout bags. It still will happen—probably. But for now, some cities are taking a more cautious wait-and-see approach.

They're waiting for Dec. 12, when the time limit expires on whether a local proxy for the American Chemistry Council and bag manufacturers can file an appeal on a court decision that affirmed the county's bag ban.

In January, county supervisors approved a ban on single-use carryout bags in grocery stores and pharmacies. The county joined a growing global list of entities that recognize the deleterious effects of the plastic bags and have banned them. Marin came late to the table, well behind Bangladesh, one of the first countries to ban single-use bags. The impetus for Bangladesh lay in the problems bags presented to agriculture: they blow into irrigation ditches and clog the stream of water destined for fields. In January, Italy instituted a law to reduce plastic bag use. And many might be surprised to learn that China has placed prohibitions on single-use plastic bags, an especially interesting circumstance considering that it has created an industry in accepting so-called recyclables. What exactly happens to the material sent to that country is the source of much controversy.

In California, jurisdiction after jurisdiction has taken aim at single-use bags, especially of the plastic variety. The San Jose City Council approved one of the toughest bans, which goes into effect in January. Grocery stores, pharmacies and other retailers must stop giving out single-use plastics bags. They can sell paper bags made of 40 percent recycled material for 10 cents each; the price will gradually increase to 25 cents by 2014.

Fairfax was among the first entities to enact a bag ban, but only after ducking a legal attack from bag manufacturers. Shortly after the Fairfax council approved a single-use plastic bag ban in 2007, plastics manufacturers charged that the town had violated the California Environmental Quality Act (CEQA) because the it failed to follow environmental review guidelines. The legal challenge asserted that if the town wanted to proceed, it could do so only after assessing the effects of a plastic-bag ban on the use of paper bags, so-called biodegradable bags and other alternatives. That environmental review can cost tens of thousands of dollars; Fairfax was understandably hesitant.

In a move to bypass CEQA rules, Fairfax took the proposal to voters, who approved the ban by a 79 percent majority.

When Marin supervisors were ready to vote for a ban in unincorporated Marin in January 2011, the group Save the Plastic Bag Coalition raised its familiar refrain and dumped a load of legal objections on the county. It delayed approval by only a few weeks. Supervisor Charles McGlashan, who had spurred the county to approve a bag ban, said the legal challenge would not deter the ultimate outcome. Supervisor Susan Adams, who worked closely with McGlashan on the bag ban, said, "This board is committed to moving forward."

And it did. So did the American Chemistry Council and the bag manufacturers in the guise of the Save the Plastic Bags Coalition. The industry-backed group has roamed the state trying to block bag bans. One of those attempts involved a lawsuit against Manhattan Beach, and one a lawsuit filed in Marin. Although the group, founded by former Tiburon resident and San Francisco attorney Stephen Joseph, put a thumb in the bag-ban dyke, sustainability proponents view the court cases as evidence that the move toward banning single-use bags may now be unstoppable in the state.

The suit against Manhattan Beach went all the way to the state Supreme Court, which ruled that the city did not have to complete the CEQA review because it is a relatively small community and a ban would pose no severe environmental damage no-matter what happened after a single-use bag ban.

But the bag coalition is pleased that the court gave it legal standing. "It means that under certain circumstances, businesses can challenge 'green' projects that may do more harm than good to the environment," states a coalition press release. That charge of harm rests on the supposition that banning plastic carryout bags will increase the use of paper bags, which in many ways pose more of an environmental threat than plastic bags. And that's why the fee on paper bags is an important component of any bag ban. Proponents say it acts as a deterrent. But the low price really presents no major barrier in a county like Marin; however, the fees can be a part of an overall education campaign.

The outcome of the bag coalition's lawsuit against the county's bag ban, which is set to take effect Jan. 1, is at the heart of whether local cities are ready to sign on. Marin has taken a position that it needs no extensive CEQA environmental review because the bag-ban should be what's called categorically exempt. In other words, the ban on plastic bags and a 5-cent fee on paper bags would pose no environmental damage and would, in fact, be environmentally beneficial because the fee helps curtail paper-bag use. A Marin Superior Court judge agreed.

The bag coalition claims the Marin decision "flies in the face" of the state Supreme Court ruling that they say affirms that "bag bans are not exempt from CEQA." The bag coalition has until Dec. 12 to file an appeal.

Even before the county passed its bag ban, the idea was to gather all the cities in Marin under a bag-ban umbrella. Each city could enact its own version, but all the ordinances would embrace similar prohibitions and incentives—which would prevent neighboring cities from having different ordinances and possibly putting local retailers at a disadvantage.

Bob Brown, former community development director in San Rafael, volunteered to work on the bag ban as part of a working group aimed at taking the ban out to the cities in the county. Brown crafted a model ordinance on which Marin cities can base their own bag-ban laws. McGlashan aide Maureen Parton worked with him and, along with representatives from a variety of environmental and sustainability groups, continues to push the bag ban forward. They're working to persuade cities to put a bag ban on their agendas and move as quickly as possible, even in light of the possible bag coalition appeal. Tiburon was first up last week. Town leaders decided to wait until after the coalition's appeal deadline. The Mill Valley City Council took up the bag-ban issue at a meeting Monday. Councilmembers voiced their support for a ban similar to the county's ordinance, but they also said it was wise to wait until the coalition's deadline for an appeal passes. (Cities could join together and pass bag bans with a kind of joint environmental review to help protect them from CEQA lawsuits.)

Still, Brown, Adams and others who have pushed hard for a comprehensive bag ban think the county—and its cities—ultimately will prevail. "We will be together at the end of the day," says Brown. Part of that optimism stems from the groundwork that Adams, McGlashan, Brown and the bag-ban working group have accomplished. An outreach campaign to grocers and retailers helped everyone understand what was possible and permissible. Brown says representatives from the grocers and restaurants provided input to the working group, which led to their support of a set of comprehensive bag bans. "I think what we are recommending is very consistent with what they can live with," says Brown. If Fairfax is any indication, that should be true. Businesses there have accepted and embraced the bag ban and show no signs of distress. In Mill Valley, two big markets, Whole Foods and Mill Valley Market, already eschew plastic carryout bags.

As Adams says, "We are seeing movement in the right direction." And that movement can help trigger calls for bag bans in states across the country that haven't achieved the bag-ban momentum in this state, although many communities across the country have individually embraced the bag-ban ethos. When McGlashan and Adams first started working on a bag ban, they saw the county's move as a first step. "A de facto move was the hope when we put the ban in play," says Adams. United Markets in San Rafael already turns its back on plastic carryout bags, even though that city hasn't passed an ordinance.

In his presentation to city councils, Brown notes that although plastic bags account for a relatively insignificant amount of waste in landfills from a weight perspective, from an environmental and bottom-line perspective, they clearly are a blight. According to statistics presented at the Mill Valley City Council meeting, Marin retailers distribute about 128 million plastic carryout bags and 15 million paper bags every year—about 600 bags per person per year. Redwood Landfill has one full-time person assigned to capture errant plastic bags.

The long-range goal for bag-ban proponents is nothing short of a cultural shift in the retail sphere. Plastic bags are a place to start. The ultimate goal is to get as close as possible to eliminating single-use bags, paper or plastic. Groceries and pharmacies are the starting point. Savvy entrepreneurs might see a long-range market in canvas bags. And retailers could use bags as an effective marketing mechanism.

The bag bans are just one part of a host of proposed ordinances designed to move the county and its cities to zero waste. Although the county has made progress on reducing the percentage of material it sent to the landfill, the news is not all good. As Brown noted at the Mill Valley meeting, and zero-waste proponents have been saying right along: The county has reduced its waste stream on a percentage basis, but the gross tonnage it sends to the landfill has not substantively decreased. And, Brown added, the end of the useful life of the landfill is right over the horizon.

As fast and as hard as sustainability and zero-waste proponents want the county and its cities to move toward zero waste and bag bans, Adams notes it takes time to reach critical mass. "Some cities are pushing harder than others. But look at how long it took for all of our cities to become unified" and join the Marin Energy Authority. All cities are now members of the joint powers agency, and all residents can choose whether to buy power from Marin Clean Energy or stay with PG&E.

The county and its cities will know by early December whether the bag coalition will make good on its stated goal of filing an appeal of the case that ruled in favor of the county's bag ban. Whatever happens, the question is: Are the legal maneuvers just a delaying tactic, a temporary nuisance?

Zero-waste proponents believe the tide has turned, and legal delays might postpone the bans but they will not prevent the inevitable.

==| Contact the writer at peter@pseidman.com.==

marinij.com

Judge OKs Marin's plastic bag ban

By Nels Johnson
Marin Independent Journal

Posted: 09/27/2011 10:56:31 AM PDT

A move to block Marin's plastic bag ban was tossed out Tuesday when a Marin Superior Court judge rejected assertions the ban violated environmental rules.

Judge Lynn Duryee, embracing the ban as a reasonable decision by local government, said the legislation did not require officials to prepare an environmental impact report.

Stephen Joseph, representing Save the Plastic Bag Coalition, vowed to take the case to the state Court of Appeal, saying outlawing plastic required a study of environmental impacts.

"The court finds the county acted reasonably in enacting the ordinance," Judge Duryee declared. "The court finds the county acted appropriately."

Marin supervisors in January — in a move championed by the late Supervisor Charles McGlashan — unanimously approved a measure that, effective in January 2012, will ban plastic bags at checkout stands at retail markets in the county's unincorporated areas. The ban does not apply to bags used to package produce. It imposes a 5-cent fee on paper bags.

Fairfax already bans plastic bags. San Rafael is considering an ordinance modeled on the county's.

Joseph, saying environmental study was

needed, asserted Duryee's decision "flies in the face" of a California Supreme Court ruling in a Manhattan Beach case in which the justices ruled that all plastic bag bans are not exempt from environmental law. Though the court ruled that Manhattan Beach's plastic ban did not require

environmental review, Joseph said it also ruled environmental review is required "for cities and counties larger than Manhattan Beach (population 35,000) or where there are cumulative impacts as a result of a series of bans.

"For this reason, cities and counties are strongly cautioned not to assume that the Marin decision is reliable guidance. ... If necessary, we will litigate against cities and counties to enforce the ruling of the Supreme Court," Joseph said in a statement issued after the judge first indicated she would toss out the suit several weeks ago.

"We will obviously appeal the Marin court's decision."

Duryee backed County Counsel David

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Zaltsman, who asserted that the ban-and-fee program was "categorically exempt" from the California Environmental Quality Act because the ordinance protected the environment.

The judge issued a tentative decision Sept. 15, then went on vacation, taking time to bicycle through the vineyards of Napa County. The judge said she was appalled at what she saw on the roadside — plastic bags scattered everywhere, littering ditches and caught in trees, along with a lot of single-use coffee cups. "My eye was drawn like a magnet to every plastic bag on the highway," she said. "It was obvious to me that it was a blight on the environment."

The situation, she added, "reminds me of the famous Bob Dylan quote: You don't need to be a weatherman to know which way the wind blows."

Zaltsman and Joseph vowed to fight on in higher court: "It's on to the Court of Appeal," Zaltsman said outside Duryee's courtroom as a smiling Joseph stood nearby.

McGlashan's widow, Carol Misseldine, and environmental activists who rallied to support the bag ban, including Green Cities California, Green Sangha and Californians Against Waste, were cheered by the court action, saying it could prompt other jurisdictions to ban plastic bags.

"We are thrilled that the judge agreed with the county that its bag ordinance is categorically exempt from CEQA review," said Misseldine, head of Green Cities California, noting it was six months to the day since McGlashan died.

"It is a really poignant day," she observed.

"Charles would be elated with this ruling."

Andy Peri of Green Sangha also applauded the ruling. "Because Marin County's ordinance bans plastic bags and requires a fee on paper bags, the use of both will decrease," Peri said. "This is a great day."

A press release issued by bag ban boosters indicated support from Marin County Supervisor Kate Sears, who replaced McGlashan on the board. "We need to aggressively move from single-use bags, whether plastic or paper, towards durable products, and this ordinance helps Marin County do that," she said.

And Supervisor Susan Adams, who joined McGlashan to co-author the bag ordinance, noted that bringing a re-usable shopping bag to the market is "such a small behavior change" but represents "a critically important step toward our zero waste goal."

Contact Nels Johnson via email at ij.civiccenter@gmail.com

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MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere:
George Rodericks

Date: December 7, 2011

Corte Madera:
David Bracken

To: Local Task Force Members

From: Steve Devine



County of Marin:
Matthew Hymel

Re: Construction and Demolition Certified Facilities List

Fairfax:
Michael Rock

As part of the JPA's effort to target diversion of Construction and Demolition waste a list of approved certified facilities has been prepared by the JPA's contractor, R3 Consulting Group. R3 has solicited applications from interested Construction and Demolition Facilities, inspected the facilities and has developed the final attached list.

Larkspur:
Dan Schwarz

Mill Valley:
Jim McCann

As part of the JPA's Zero Waste Tool Kit R3 Consulting Group developed a model Construction and Demolition Ordinance. The ordinance was to meet criteria set forth by the Community Development Agency Directors, local facilities, and community groups. The JPA has recommended adoption of the ordinance by all incorporated Cities, Towns and the County. The JPA's role is to certify facilities that meet the ordinance's goals and provide that list to each Community Development Agency and Building Department.

Novato:
Michael Frank

Ross:

San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

Starting in early October, R3 and JPA staff began contacting local and regional facilities to determine which locations wished to be certified. Following submittal of an application R3 staff toured each facility to determine what materials were sorted and what the final destination and use was for each material type. The facility inspections were completed on November 16, 2011.

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

Attachment

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Consulting Group, Inc.

Resources Responsibility Respect

4811 Chippendale Drive, Suite 708

Sacramento, CA 95841

Tel: 916-576-0306

Fax: 916-331-9600

www.r3cgi.com

November 29, 2011

Mr. Steve Devine
Marin County Hazardous and Solid Waste Management JPA
c/o Department of Public Works
P.O. Box 4186
San Rafael, CA 94913-4186

Subject: C&D Facility Interim Certification Process

Dear Mr. Devine:

The Marin County Hazardous and Solid Waste Management Joint Powers Authority (JPA) engaged R3 to assist with the process of certifying Construction and Demolition (C&D) facilities as part of the JPA's effort to increase the diversion of C&D materials. This letter report presents the results of that process.

Background

R3 prepared a Model Construction and Demolition Debris Program Ordinance (Ordinance) for the JPA as part of the JPA's Zero Waste planning process. As part of the Ordinance, applicable parties applying for a building permit are required to complete a Diversion Report in order to document compliance with the Ordinance's diversion requirements. To receive diversion credit, materials must be delivered to an Approved C&D Recovery Facility or hauled by an Approved C&D Hauler that would be required to deliver all C&D loads to an Approved C&D Recovery Facility.¹ To be certified as an Approved C&D Recovery Facility, the facility must complete a Facility Certification Application (Application). Facilities that have a solid waste facility permit and receive mixed loads of C&D materials are required to process all such mixed C&D loads and achieve a diversion rate of 80 percent as of December 31, 2012.

As a first step in the certification process, JPA staff, with assistance from R3, conducted an interim certification process. That process, which is discussed in more detail below, included identifying facilities interested in applying for certification, having those facilities complete the required Application, and assessing each facility's current compliance with the required processing capabilities and diversion rates.

Interim Certification Process

The JPA engaged R3 to conduct a C&D facility Interim Certification Process and train JPA staff on certification procedures. As a first step in the certification process, a list of facilities was developed within a defined geographic area.

Two applications were developed: (1) a Full Certification Application and (2) an Administrative Facility Certification Application (Attachment A). Facilities that do not have a solid waste facility permit and handle only source separated non-solid waste material are classified as

¹ Prior to final inspection and issuance of occupancy permit, a Member Agency could assess an avoided disposal fee if the building permit applicant does not demonstrate that it used an Approved C&D Hauler or that the materials generated from the project were delivered to an Approved C&D Recovery Facility.

Administrative Facilities. The application and annual reporting requirements for Administrative Facilities are much less detailed than those for facilities which have solid waste facility permits and handle mixed C&D loads. These facilities are required to complete a Full Certification Application, and are classified as one of the following types:

- **Transfer Only Facility** – Facilities that do not process mixed C&D materials, but instead transfer those materials to another C&D Certified Facility;
- **Transfer Station / Processing Facility** – Transfer stations that receive solid waste and process mixed C&D materials; or
- **Landfill / Processing Facility** – Landfills that receive solid waste and process mixed C&D materials.

Table 1 provides a list of facilities with solid waste facility permits that were contacted as part of the certification process:

| TABLE 1 Potential C&D Recovery Facilities for Certification | | | |
|--|--|-------------|----------------------|
| Facility Name | Operator/ Business Owner | Location | Interest |
| Alameda County | | | |
| Pleasanton Garbage Service | Pleasanton Garbage Service | Pleasanton | Not interested |
| Davis Street Transfer Station / Resource Recovery Complex | Waste Management of Alameda County | San Leandro | Application received |
| Alameda County Industries Direct Transfer Facility | Alameda County Industries | San Leandro | Not interested |
| Fremont Recycling and Transfer Station | CLT Enterprises of Fremont | Fremont | Not interested |
| Commercial Waste and Recycling, LLC | Commercial Waste & Recycling | Oakland | Application received |
| Berkeley Solid Waste Transfer Station | Berkeley Solid Waste Management Division | Berkeley | Not interested |
| Contra Costa County | | | |
| Contra Costa Transfer Station and Recovery | Allied Waste Industries | Martinez | Not interested |

| TABLE 1 Potential C&D Recovery Facilities for Certification | | | |
|--|---|-----------------|---|
| Facility Name | Operator/ Business Owner | Location | Interest |
| Central Processing Facility | West County Resource Recovery | Richmond | Application received |
| West Contra Costa Sanitary Landfill | West Contra Costa Sanitary Landfill | | |
| Golden Bear Waste Recycling Center | Golden Bear Transfer Services | | |
| Recycling Center and Transfer Station | Contra Costa Waste Services | Pittsburg | Not interested |
| Marin County | | | |
| Redwood Sanitary Landfill | Redwood Sanitary Landfill | Novato | Application received |
| Marin Sanitary Services Transfer Station | Marin Sanitary Service | San Rafael | Application received |
| Inert Processing | | | |
| Marin Resource Recovery Center | | | |
| Napa County | | | |
| Devlin Road Transfer Station | Napa-Vallejo Waste Management Authority | American Canyon | Application received |
| Pacific Union College Transfer Facility | Pacific Union College | Angwin | Not interested |
| Sonoma County | | | |
| Howarth Park Transfer Station | City of Santa Rosa Public Works Dept. | Santa Rosa | Not interested – only being used by the City for yard waste |
| Global Materials Recovery Systems | Global Materials Recovery Systems | Santa Rosa | Not interested |

| TABLE 1 Potential C&D Recovery Facilities for Certification | | | |
|--|-------------------------------------|-----------------|--|
| Facility Name | Operator/ Business Owner | Location | Interest |
| Daniel O. Davis, Inc. | Daniel O. Davis | Santa Rosa | Application received |
| Windsor Material Recovery Facility / M&M Services, Inc. | Dustin Abbott | Windsor | Application received |
| West College Transfer Station | City of Santa Rosa | Santa Rosa | Not interested – transfer station for water only |
| Central Transfer Station | County of Sonoma Public Works Dept. | Petaluma | Not interested |
| Central Disposal Site | | Petaluma | |
| Guerneville Transfer Station | | Guerneville | |
| Sonoma Transfer Station | | Sonoma | |
| Healdsburg Transfer Station | | Healdsburg | |
| Annapolis Transfer Station | | Annapolis | |

In addition to the above table, JPA staff sent out notification letters to inform Administrative Facilities of the JPA's certification process and solicit their participation. The letter is included as Attachment B.

Full Certification Applications

The JPA received seven (7) Full Certification Applications from the following facilities that are listed in Table 2 below:

- Commercial Waste & Recycling, LLC;
- Davis Street Transfer Station / Resource Recovery Facility;
- Devlin Road Recycling and Transfer Facility;
- Marin Resource Recovery Center;
- Redwood Sanitary Landfill;
- West Contra Costa Sanitary Landfill; and
- Windsor Material Recovery Facility (a division of M&M Service, Inc.).

| TABLE 2 On-Site Reviews | | |
|---|--------------------------------------|---|
| Interested Facility | Facility Type | Reviewed By |
| Commercial Waste & Recycling, LLC | Transfer Station/Processing Facility | Steve Devine, JPA Alex Soulard, JPA Carrie Baxter, R3 Melody Lasiter, R3 |
| Davis Street Transfer Station/ Resource Recovery Facility | Transfer Station/Processing Facility | Steve Devine, JPA Alex Soulard, JPA Carrie Baxter, R3 Melody Lasiter, R3 |
| Devlin Road Recycling and Transfer Facility | Transfer Station/Processing Facility | William Schoen, R3 |
| Marin Resource Recovery Center | Transfer Station/Processing Facility | Steve Devine, JPA Alex Soulard, JPA Carrie Baxter, R3 |
| Redwood Sanitary Landfill | Transfer Only Facility | Alex Soulard, JPA William Schoen, R3 Carrie Baxter, R3 |
| West Contra Costa Sanitary Landfill | Transfer Station/Processing Facility | Carrie Baxter, R3 |
| Windsor Material Recovery Facility (a division of M&M Services, Inc.) | Transfer Station/Processing Facility | Alex Soulard, JPA William Schoen, R3 Carrie Baxter, R3 |

R3 and JPA staff conducted on-site reviews of each of the facilities that submitted Full Certification Applications. Those on-site reviews were conducted to assess existing C&D processing capabilities, as well as policies and procedures that will be used to comply with the various requirements included in the Facility Certification Standards (Attachment C). In all cases, with the exception of the Redwood Sanitary Landfill,² those facilities which applied for Full Certification are currently processing mixed C&D loads in a manner that is consistent with the certification requirements as they relate to processing of mixed C&D loads.³

² The Redwood Landfill is currently operating as a "Transfer Only" facility, sending its loads of mixed C&D debris to the Davis Street Transfer Station for processing. It is currently in the process of developing on-site C&D processing capacity.

³ Processing at a Transfer Station/Processing Facility must include, at a minimum, physical separating (hand pickers, floor sorters, etc.) supported by dedicated heavy equipment (front-end loaders, skip loaders, grapplers etc.). A Landfill/Processing Facility must have, at a minimum, a dedicated mechanical C&D processing line and/or mechanical separation equipment (e.g., shaker screens, magnets, etc.), supported by dedicated heavy equipment.

Attachment D includes photos from the on-site reviews. It should be noted that while all of the facilities listed in Table 2 are currently in compliance with the minimum processing requirements, only two (2) of the facilities reported diversion levels above the 80 percent that is required by December 31, 2012. It is certainly conceivable that certain facilities which are effectively processing mixed C&D loads will not meet the JPA's diversion requirements. In such cases, those facilities can still be certified, provided they can demonstrate to the JPA's satisfaction a "good faith effort." We would suggest that the current processing practices and procedures of each of the facilities listed in Table 2 constitute a "good faith effort," regardless of their net diversion rate.

Unless otherwise noted, C&D materials accepted by these facilities include:

- | | | | |
|----------------|--------------|---------------|---------------|
| ▪ AC Grindings | ▪ Carpet | ▪ Ferrous | ▪ Shingles |
| ▪ Aggregate | ▪ Carpet Pad | ▪ Metals | ▪ Stainless |
| ▪ Aluminum | ▪ Ceramics | ▪ Green Waste | ▪ Tin |
| ▪ Asphalt | ▪ Clean Fill | ▪ Iron | ▪ Tree Stumps |
| ▪ Base Rock | ▪ Concrete | ▪ Mixed C&D | ▪ Wallboard |
| ▪ Brass | ▪ Copper | ▪ Paint | ▪ Wire |
| ▪ Brick | ▪ Dirt/Soil | ▪ Plastic | ▪ Wood |
| ▪ Cardboard | ▪ E-waste | ▪ Porcelain | |

Each facility's operation is unique. The following describes each facility and how they qualify to be certified through the JPA's certification program.

Commercial Waste & Recycling, LLC

Commercial Waste & Recycling, LLC (CW&R) is a transfer station / processing facility. The facility does not accept paint, E-waste, AC Grindings, or Clean Fill. CW&R is permitted as a Medium Volume CDI Processing Facility and a small volume chipping and grinding facility. The state requires that all Medium Volume CDI Processing Facilities meet a minimum diversion of 60 percent of incoming materials.

The facility received 18,062 tons of Mixed C&D in 2010. It recycled 1,034 tons, and 12,020 tons were diverted for beneficial reuse. CW&R also transformed 3,253 tons into biomass, and disposed of 1,755 tons. This equates to a 90 percent diversion rate of C&D materials.

Davis Street Transfer Station / Resource Recovery Facility

Davis Street Transfer Station (Davis Street TS) is a transfer station / processing facility. The facility does not accept paint, but does accept fines. Davis Street TS is owned by Waste Management, who also owns Redwood Landfill in Novato and the Altamont Landfill in Livermore.

The Davis Street TS has been in operation since August 28, 2011 and has received 1,836 tons of C&D from outside of Alameda County in the months of September and October. The facility diverted 978 tons of C&D to various markets (wood, metals, cardboard, plastics and fines), used 231 tons as ADC, set aside 49 tons for on-site beneficial use and disposed of 577 tons. This equates to a 69 percent diversion rate of C&D materials.

Devlin Road Recycling and Transfer Facility

Devlin Road Recycling and Transfer Facility is a transfer station / processing facility. The facility accepts reuse items such as clothes, furniture, doors, windows, sports equipment, etc., in addition to the list of C&D materials noted above. All mixed C&D loads are pre-processed with an excavator and then loaded onto the feed belt of the C&D sort line. All material is pre-processed on a 2 inch minus screen to remove dirt and fines for ADC. The remaining material is then hand sorted manually in a sort line.

In 2010, the facility accepted 173,081 tons of material, including 40,924 tons of mixed C&D material. The facility diverted 19,287 tons of C&D to various markets (compost, metals, cardboard, concrete, gypsum, carpet and padding, e-waste, glass, paper, plastic, batteries, mixed reuse, tires and oil), used 22,348 tons as ADC, and disposed of 15,218 tons. This equates to a 63 percent diversion rate of C&D materials.

Marin Resource Recovery Center

Marin Resource Recovery Center is a transfer station / processing facility. The facility accepts all materials except E-Waste and Paint, which are received at the HHW facility on-site. All loads are processed using conveyor belts, mechanical separators and staffed sorting stations.

In 2010, the facility accepted 187,385 tons of material, diverted 121,715 tons to various markets (wood, compost, metals, cardboard, dirt, concrete, gypsum and tires), used 14,576 tons as ADC and disposed of approximately 51,094 tons. This equates to a 73 percent diversion rate of C&D materials.

Redwood Sanitary Landfill

Redwood Sanitary Landfill is a transfer only facility. The facility accepts all materials except E-Waste and paint. Mixed C&D loads are sent to the Davis Street Transfer Station, which has completed the Full Certification Application and is owned by the same company, for processing.

In 2010, the facility accepted 450,000 tons of material. The facility diverted 32,370 tons of C&D to various markets (wood-chips, mulch, compost, metals and mixed C&D), used 12,880 tons as ADC, set aside 110,690 tons for on-site beneficial use and disposed of 292,950. This equates to a 35 percent diversion rate of materials. However, since all designated C&D loads are sent to Davis Street Transfer Station, that facility's rate of 69 percent diversion for C&D materials would apply to all loads which have been paid for at the C&D recycled rate.

West Contra Costa Sanitary Landfill

West Contra Costa Sanitary Landfill is transfer station / processing facility. The facility accepts all materials except paint, E-Waste and dirt/soil; clean fill is accepted on an as needed basis only. The facility uses an excavator and bulldozer along with an elevated conveyor to aid in the processing of the C&D loads. Manual labor is also used, both on the ground and at the conveyor to sort through the mixed C&D materials.

Full mixed C&D operation has only been in place since May, 2011. In July, 2011 the facility diverted 32 tons of C&D to various markets (metals, cardboard, and plastics), used 112 tons for on-site beneficial use and disposed of 144 tons. This equates to a 50 percent diversion rate of C&D materials.

Windsor Material Recovery Facility (a division of M&M Services, Inc.)

Windsor Material Recovery Facility is a transfer station / processing facility. The facility accepts all materials except paint, and also accepts treated lumber. The facility hand sorts all materials.

In 2010, the facility accepted 19,832 tons of material, diverted 13,117 tons to various markets, used 1,988 tons as ADC and disposed of 4,806 tons. This equates to a 76 percent diversion rate of C&D materials.

Administrative Facility Certification Applications

The JPA received five (5) Administrative Certification Applications from the following facilities:

- The Away Station;
- Building Resources;
- Daniel O. Davis, Inc.;
- Heritage Salvage; and
- Urban Ore.

The Administrative Certification Application was completed by facilities that do not have solid waste permits and handle only source separated non-solid waste materials.

Next Steps

Notification to Certified Facilities

As a next step, the JPA should send notification to certified facilities, informing them of the JPA's decision to accept the facilities' certification. In addition, several facilities inquired about reporting requirements. A facility quarterly tonnage report form has been developed and is included as Attachment E. We recommend the JPA include this reporting form when sending the notification, and require that facilities begin providing quarterly reports starting in 2012.

Notification to JPA Member Agencies

Notification should be sent to the JPA Member Agencies of all approved C&D recovery facilities that are being certified by the JPA. A complete list of facilities that are being certified by the JPA has been developed and is included as Attachment F.

Bi-annual Certification Process

During the bi-annual certification process, beginning in approximately 18 months, the JPA should review relevant data, including the facility's original application and quarterly reports from the most recent calendar year and year-to-date. The re-certification process should include:

- Contacting facilities in the geographical area to determine interest;
- JPA staff visiting / revisiting interested facilities to conduct on-site reviews of facility operations and methods used to track and report data;
- Confirming that C&D materials are processed and shipped for secondary use; and
- Completion and submission of a facility certification application by interested facilities (Attachment A).

* * * * *

Mr. Steve Devine
November 29, 2011
Page 9

We appreciate the opportunity to assist the JPA in the Interim Certification Process. Please feel free to contact Richard Tagore-Erwin or me by phone at (916) 576-0306, or by e-mail at cbaxter@r3cgi.com or rterwin@r3cgi.com, if you have any questions or comments regarding this letter report.

Sincerely,

R3 CONSULTING GROUP



Carrie Baxter
Associate II

Attachment A: Full Certification Application and Administrative Facility Certification Application

Attachment B: Administrative Facilities Notification Letter

Attachment C: Facility Certification Standards

Attachment D: Photos from On-Site Reviews

Attachment E: Facility Quarterly Tonnage Report

Attachment F: Approved C&D Recovery Facilities

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere:
George Rodericks

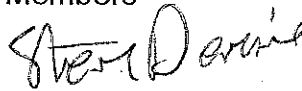
Date: December 7, 2011

Corte Madera:
David Bracken

To: Local Task Force Members

County of Marin:
Matthew Hymel

From: Steve Devine



Re: Assembly Bill 341 Approval

Fairfax:
Michael Rock

On October 5, 2011 Governor Jerry Brown signed into AB 341 (attached) into law. The Bill, which was supported by the JPA, has many different elements, which will help attain the JPA's Zero Waste Goals. The new Law increases the waste diversion goal from 50% to 75% by 2020 and puts new recycling requirements on commercial entities and multifamily dwellings.

Larkspur:
Dan Schwarz

Mill Valley:
Jim McCann

Novato:
Michael Frank

The new regulations will require businesses that generate more than four cubic yards of waste a week or a multifamily residential dwelling of five units or more to arrange for recycling services. The requirements will also require local jurisdictions (i.e. the JPA) to provide education, outreach, identification, and monitoring, and if applicable, enforcement efforts and exemptions. The roles of each agency will become clearer as the rulemaking process proceeds.

Ross:

San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

A timeline and processes for enactment and enforcement of the new requirements is still to be determined. CalRecycles will be holding a workshop in mid-December that may address some of these issues.

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

Attachment

F:\Waste\JPA\JPA Agenda Items\LTF 111207\AB341.doc

Assembly Bill No. 341

CHAPTER 476

An act to amend Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, to add Sections 40004, 41734.5, and 41780.01 to, to add Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and to add and repeal Section 41780.02 of, the Public Resources Code, relating to solid waste.

[Approved by Governor October 5, 2011. Filed with
Secretary of State October 6, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 341, Chesbro. Solid waste: diversion.

(1) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components, including a source reduction component, a recycling component, and a composting component. With certain exceptions, the source reduction and recycling element of that plan is required to divert 50% of all solid waste from landfill disposal or transformation by January 1, 2000, through source reduction, recycling, and composting activities. The department is required to file an annual progress report with the Legislature by March 1 that includes specified information regarding the act.

This bill would make a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020, and would require the department, by January 1, 2014, to provide a report to the Legislature that provides strategies to achieve that policy goal and also includes other specified information and recommendations. The bill would allow the department to provide the report required by the bill in conjunction with the annual progress report, if the combined report is submitted by January 1, 2014. The bill would repeal the report requirement on January 1, 2017.

(2) Existing law requires a city, county, and city and county to incorporate the nondisposal facility element and any amendment to the element into the revised source reduction and recycling element at the time of the 5-year revision of the source reduction and recycling element. Existing law requires the department to review an amendment to a nondisposal facility element and requires a local task force to review and comment on amendments to a nondisposal facility element.

This bill would repeal those requirements. The bill would instead require a city, county, city and county, or regional agency to update all information

required to be included in the nondisposal facility element. The bill would provide that the update is not subject to approval by the department or comment and review by a local task force.

(3) Existing law requires a local agency to impose certain requirements on an operator of a large venue or event to facilitate solid waste reduction, reuse, and recycling.

This bill would require a business, defined to include a commercial or public entity, that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more to arrange for recycling services, on and after July 1, 2012.

The bill would also require a commercial waste generator to take specified actions with regard to recyclable materials.

The bill would require a jurisdiction, on and after July 1, 2012, to implement a commercial solid waste recycling program meeting specified elements but would not require the jurisdiction to revise its source reduction and recycling element if the jurisdiction adds or expands a commercial solid waste recycling program to meet this requirement. The bill would authorize a local agency to charge and collect a fee from a commercial waste generator to recover the local agency's costs incurred in complying with the commercial solid waste recycling program requirements. By requiring a jurisdiction to implement a commercial solid waste recycling program, this bill would impose a state-mandated local program.

The bill would require the department to review a jurisdiction's compliance with the above requirement as a part of the department's review of a jurisdiction's compliance with the 50% solid waste diversion requirement and would authorize the department to review a jurisdiction's compliance pursuant to a specified procedure.

(4) Existing law requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste that is due on September 1 of each year starting in 2009.

This bill would change the due date to May 1 of each year.

(5) Existing law requires an operator of a solid waste facility that wants to change the design or operation of the solid waste facility in a manner not authorized by the current permit to apply for a revised permit. Within 60 days of receipt of the application for the revised permit, the enforcement agency is required to inform the operator, and in some circumstances the department, of its determination to allow the change without revision of the permit, disallow the change, require a revision of the permit to allow the change, or require review under the California Environmental Quality Act before a decision is made.

This bill would also require the enforcement agency to give notice of its determination to allow certain changes without a revision to the permit through a modification to the permit allowed by regulations developed by the department.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares both of the following:

(1) Since the enactment of the California Integrated Waste Management Act of 1989 (Division 30 (commencing with Section 40000) of the Public Resources Code), local governments and private industries have worked jointly to create an extensive material collection and recycling infrastructure and have implemented effective programs to achieve a statewide diversion rate above 50 percent.

(2) Although the state now leads the nation in solid waste reduction and recycling, the state continues to dispose of more than 40 million tons of solid waste each year, which is more than the national average on a per capita basis. Additional efforts must be undertaken to divert more solid waste from disposal in order to conserve scarce natural resources.

(b) The Legislature further finds and declares all of the following:

(1) Approximately 64 percent of the state's solid waste disposal is from commercial sources, including commercial, industrial, construction, and demolition activities. In addition, 8 percent of the state's solid waste disposal is from multifamily residential housing that is often collected along with the commercial waste stream.

(2) The state's local governments have made significant progress in reducing the amount of solid waste disposal from single-family residential sources that make up 28 percent of the state's disposal, but have faced more challenges in reducing disposal from the commercial and multifamily sources.

(3) The disposal of recyclable materials in the commercial solid waste stream prevents materials from circulating in the state economy to produce jobs and new products. Reducing the disposal of these materials will conserve landfill capacity and contribute to a reduction in greenhouse gas emissions and climate change.

(4) The state has long been a national and international leader in environmental stewardship efforts and mandating the diversion of solid waste away from disposal. Bold environmental leadership and a new approach are needed to divert commercial solid waste away from disposal.

(5) By exercising a leadership role, the state will lead the business community toward a future in which the environment and the economy both grow stronger together by recycling materials, which creates new jobs, instead of burying resources, which exit the economy forever.

(6) By requiring commercial recycling, the state will help businesses reduce costly disposal fees and reclaim valuable resources.

SEC. 2. Section 40004 is added to the Public Resources Code, to read:

40004. (a) The Legislature finds and declares all of the following:

(1) Solid waste diversion and disposal reduction require the availability of adequate solid waste processing and composting capacity.

(2) The existing network of public and private solid waste processing and composting facilities provides a net environmental benefit to the communities served, and represents a valuable asset and resource of this state, one that must be sustained and expanded to provide the additional solid waste processing capacity that will be required to achieve the additional solid waste diversion targets expressed in Section 41780.01 and the commercial solid waste recycling requirement expressed in Section 42649.

(3) The provisions in existing law that confer broad discretion on local agencies to determine aspects of solid waste handling that are of local concern have significantly contributed to the statewide diversion rate exceeding 50 percent, and further progress toward decreasing solid waste disposal requires that this essential element of local control be preserved.

(b) It is the intent of the Legislature to encourage the development of the additional solid waste processing and composting capacity that is needed to meet state objectives for decreasing solid waste disposal by identifying incentives for local governments to locate and approve new or expanded facilities that meet and exceed their capacity needs, and to recognize local agencies that make significant contributions to the state's overall solid waste reduction and recycling objectives through the siting of facilities for the processing and composting of materials diverted from the solid waste stream.

(c) By setting new commercial solid waste recycling requirements in Section 42649, the Legislature does not intend to limit a right afforded to local governments pursuant to Section 40059, or to modify or abrogate in any manner the rights of a local government or solid waste enterprise with regard to a solid waste handling franchise or contract.

SEC. 3. Section 41730 of the Public Resources Code is amended to read:

41730. Except as provided in Section 41750.1, each city shall prepare, adopt, and, except for a city and county, transmit to the county in which the city is located a nondisposal facility element that includes all of the information required by this chapter and that is consistent with the implementation of a city source reduction and recycling element adopted pursuant to this part. The nondisposal facility element and any updates to the element shall not be subject to the approval of the county and the majority of cities with the majority of the population in the incorporated area.

SEC. 4. Section 41731 of the Public Resources Code is amended to read:

41731. Except as provided in Section 41750.1, each county shall prepare, adopt, and, except for a city and county, transmit to the cities located in the county a nondisposal facility element that includes all of the information required by this chapter and that is consistent with the implementation of a county source reduction and recycling element adopted pursuant to this part. The nondisposal facility element and any updates to the element shall not be subject to the approval of the majority of cities with the majority of the population in the incorporated area.

SEC. 5. Section 41734 of the Public Resources Code is amended to read:

41734. (a) (1) Prior to adopting a nondisposal facility element, the city, county, or regional agency shall submit the element to the task force created pursuant to Section 40950 for review and comment.

(2) Prior to adopting a regional agency nondisposal facility element, if the jurisdiction of the regional agency extends beyond the boundaries of a single county, the regional agency shall submit the element for review and comment to each task force created pursuant to Section 40950 of each county within the jurisdiction of the regional agency.

(b) Comments by the task force shall include an assessment of the regional impacts of potential diversion facilities and shall be submitted to the city, county, or regional agency and to the department within 90 days of the date of receipt of the nondisposal facility element for review and comment.

SEC. 6. Section 41734.5 is added to the Public Resources Code, to read:

41734.5. (a) Once a nondisposal facility element has been adopted, the city, county, or regional agency shall update all information required to be included in the nondisposal facility element, including, but not limited to, new information regarding existing and new, or proposed, nondisposal facilities.

(b) Updates shall be provided to the department within 30 days of any change in information.

(c) Copies of the updated information shall also be provided to the local task force and shall be appended or otherwise added to the nondisposal facility element.

(d) The local task force shall not be required to review and comment on the updates to the nondisposal facility elements.

(e) Updates to the nondisposal facility elements are not subject to approval by the department.

SEC. 7. Section 41735 of the Public Resources Code is amended to read:

41735. (a) Notwithstanding Division 13 (commencing with Section 21000), the adoption or update of a nondisposal facility element shall not be subject to environmental review.

(b) Local agencies may impose a fee on project proponents to fund their necessary and actual costs of preparing and approving updates to nondisposal facility elements.

SEC. 8. Section 41736 of the Public Resources Code is amended to read:

41736. It is not the intent of the Legislature to require cities and counties to revise their source reduction and recycling elements to comply with the requirements of this chapter.

SEC. 9. Section 41780.01 is added to the Public Resources Code, to read:

41780.01. (a) The Legislature hereby declares that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter.

(b) Notwithstanding subdivision (a), the department shall not establish or enforce a diversion rate on a city or county that is greater than the 50 percent diversion rate established pursuant to Section 41780.

SEC. 10. Section 41780.02 is added to the Public Resources Code, to read:

41780.02. (a) On or before January 1, 2014, the department shall submit a report to the Legislature that provides strategies to achieve the state's policy goal that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020, and annually thereafter, pursuant to Section 41780.01.

(b) The report shall also include all of the following:

(1) A review and update of the information required pursuant to subparagraph (A) of paragraph (4) of subdivision (c) of Section 40507, with emphasis on new and emerging trends in resource management.

(2) Identification of problematic waste streams and sources and recommendations on handling those waste streams.

(3) Evaluation of current programs and their effectiveness, and recommendations for changes to those programs.

(4) Recommendations for reprioritizing existing resources to best achieve the purpose of Section 41780.01.

(5) Recommendations for legislative changes, if any, that are necessary to achieve the goals of Section 41780.01.

(6) Report on regulatory changes, if any, that are necessary, to achieve the goals of Section 41780.01.

(7) Any other information or recommendations the department deems pertinent.

(c) The department may provide the report required pursuant to this section in conjunction with the report required pursuant to Section 40507 if the combined report is submitted on or before January 1, 2014.

(d) The department may hold public workshops to gather input from stakeholders.

(e) (1) Pursuant to Section 10231.5 of the Government Code, this section is repealed on January 1, 2017.

(2) The report shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 11. Section 41800 of the Public Resources Code is amended to read:

41800. (a) Except as provided in subdivision (b), within 120 days from the date of receipt of a countywide or regional integrated waste management plan that the department has determined to be complete, or any element of the plan that the department has determined to be complete, the department shall determine whether the plan or element is in compliance with Article 2 (commencing with Section 40050) of Chapter 1 of Part 1, Chapter 2 (commencing with Section 41000), and Chapter 5 (commencing with Section 41750), and, based upon that determination, the department shall approve, conditionally approve, or disapprove the plan or element.

(b) (1) Within 120 days from the date of receipt of a city, county, or regional agency nondisposal facility element that the department has determined to be complete, the department shall determine whether the element that the department has determined to be complete is in compliance

with Chapter 4.5 (commencing with Section 41730) and Article 1 (commencing with Section 41780) of Chapter 6, and, based upon that determination, the department shall approve, conditionally approve, or disapprove the element within that time period.

(2) In reviewing the element, the department shall:

(A) Not consider the estimated capacity of the facility or facilities in the element unless the department determines that this information is needed to determine whether the element meets the requirements of Article 1 (commencing with Section 41780) of Chapter 6.

(B) Recognize that individual facilities represent portions of local plans or programs that are designed to achieve the diversion requirements of Section 41780 and therefore may not arbitrarily require new or expanded diversion at proposed facilities.

(C) Not disapprove an element that includes a transfer station or other facility solely because the facility does not contribute toward the jurisdiction's efforts to comply with Section 41780.

(c) If the department does not act to approve, conditionally approve, or disapprove an element that the department has determined to be complete within 120 days, the department shall be deemed to have approved the element.

SEC. 12. Chapter 12.8 (commencing with Section 42649) is added to Part 3 of Division 30 of the Public Resources Code, to read:

CHAPTER 12.8. RECYCLING OF COMMERCIAL SOLID WASTE

42649. (a) It is the intent of the Legislature to require businesses to recycle solid waste that they generate.

(b) It is the intent of the Legislature to allow jurisdictions flexibility in developing and maintaining commercial solid waste recycling programs.

(c) It is the intent of the Legislature to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California.

42649.1. For purposes of this chapter, the following terms mean the following:

(a) "Business" means a commercial or public entity, including, but not limited to, a firm, partnership, proprietorship, joint stock company, corporation, or association that is organized as a for-profit or nonprofit entity, or a multifamily residential dwelling.

(b) "Commercial solid waste" has the same meaning as defined in Section 17225.12 of Title 14 of the California Code of Regulations.

(c) "Commercial waste generator" means a business subject to subdivision (a) of Section 42649.2.

(d) "Self-hauler" means a business that hauls its own waste rather than contracting for that service.

42649.2. (a) On and after July 1, 2012, a business that generates more than four cubic yards of commercial solid waste per week or is a multifamily residential dwelling of five units or more shall arrange for recycling services, consistent with state or local laws or requirements, including a local ordinance or agreement, applicable to the collection, handling, or recycling of solid waste, to the extent that these services are offered and reasonably available from a local service provider.

(b) A commercial waste generator shall take at least one of the following actions:

(1) Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that includes collection, self-hauling, or other arrangements for the pickup of the recyclable materials.

(2) Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation.

(c) A property owner of a multifamily residential dwelling may require tenants to source separate their recyclable materials to aid in compliance with this section.

42649.3. (a) On and after July 1, 2012, each jurisdiction shall implement a commercial solid waste recycling program appropriate for that jurisdiction designed to divert commercial solid waste from businesses subject to Section 42649.2, whether or not the jurisdiction has met the requirements of Section 41780.

(b) If a jurisdiction already has a commercial solid waste recycling program as one of its diversion elements that meets the requirements of this section, it shall not be required to implement a new or expanded commercial solid waste recycling program.

(c) The commercial solid waste recycling program shall be directed at a commercial waste generator, as defined in subdivision (b) of Section 42649.1, and may include, but is not limited to, any of the following:

(1) Implementing a mandatory commercial solid waste recycling policy or ordinance.

(2) Requiring a mandatory commercial solid waste recycling program through a franchise contract or agreement.

(3) Requiring all commercial solid waste to go through either a source separated or mixed processing system that diverts material from disposal.

(d) The commercial solid waste recycling program shall include education, outreach to, and monitoring of, businesses. A jurisdiction shall notify a business if the business is not in compliance with Section 42649.2.

(e) The commercial solid waste recycling program may include enforcement provisions that are consistent with a jurisdiction's authority, including a structure for fines and penalties.

(f) The commercial solid waste recycling program may include certification requirements for self-haulers.

(g) The department shall review a jurisdiction's compliance with this section as part of the department's review required by Section 41825. Each jurisdiction shall report the progress achieved in implementing its commercial recycling program, including education, outreach, identification,

and monitoring, and if applicable, enforcement efforts, by providing updates in the annual report required by Section 41821.

(h) The department may also review whether a jurisdiction is in compliance with this section at any time that the department receives information that a jurisdiction has not implemented, or is not making a good faith effort to implement, a commercial recycling program.

(i) During its review pursuant to subdivision (g) or (h), the department shall determine whether each jurisdiction has made a good faith effort to implement its selected commercial recycling program. For purposes of this section, “good faith effort” means all reasonable and feasible efforts by a jurisdiction to implement its commercial recycling program. During its review, the department may include, but is not limited to, the following factors in its evaluation of a jurisdiction’s good faith effort:

(1) The extent to which businesses have complied with Section 42649.2, including information on the amount of disposal that is being diverted from the businesses, if available, and on the number of businesses that are subscribing to service.

(2) The recovery rate of the commercial waste from the material recovery facilities that are utilized by the businesses, all information, methods, and calculations, and any additional performance data, as requested by the department from the material recovery facilities pursuant to Section 18809.4 of Title 14 of the California Code of Regulations.

(3) The extent to which the jurisdiction is conducting education and outreach to businesses.

(4) The extent to which the jurisdiction is monitoring businesses, and notifying those businesses that are out of compliance.

(5) The availability of markets for collected recyclables.

(6) Budgetary constraints.

(7) In the case of a rural jurisdiction, the effects of small geographic size, low population density, or distance to markets.

42649.4. (a) If a jurisdiction adds or expands a commercial solid waste recycling program to meet the requirements of Section 42649.3, the jurisdiction shall not be required to revise its source reduction and recycling element, or obtain the department’s approval pursuant to Article 1 (commencing with Section 41800) of Chapter 7 of Part 1.

(b) If an addition or expansion of a jurisdiction’s commercial solid waste recycling program is necessary, the jurisdiction shall update in its annual report required pursuant to Section 41821.

42649.5. (a) This chapter does not limit the authority of a local agency to adopt, implement, or enforce a local commercial solid waste recycling requirement that is more stringent or comprehensive than the requirements of this section or limit the authority of a local agency in a county with a population of less than 200,000 to require commercial solid waste recycling.

(b) This chapter does not modify, limit, or abrogate in any manner any of the following:

(1) A franchise granted or extended by a city, county, or other local government agency.

(2) A contract, license, or permit to collect solid waste previously granted or extended by a city, county, or other local government agency.

(3) The existing right of a business to sell or donate its recyclable materials.

42649.6. A local agency may charge and collect a fee from a commercial waste generator in order to recover the local agency's costs incurred in complying with this chapter.

42649.7. If the State Air Resources Board adopts regulations for commercial recycling prior to the effective date of the act of the 2011–12 Regular Session of the Legislature adding this section, those regulations shall be deemed to have been adopted by the department, and they shall be added to the department's regulations and deleted from the board's regulations as if it were a change without regulatory effect.

SEC. 13. Section 42926 of the Public Resources Code is amended to read:

42926. (a) In addition to the information provided to the department pursuant to Section 12167.1 of the Public Contract Code, each state agency shall submit an annual report to the department summarizing its progress in reducing solid waste as required by Section 42921. The annual report shall be due on or before May 1, 2012, and on or before May 1 in each subsequent year. The information in this report shall encompass the previous calendar year.

(b) Each state agency's annual report to the department shall, at a minimum, include all of the following:

(1) Calculations of annual disposal reduction.

(2) Information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors.

(3) A summary of progress made in implementing the integrated waste management plan.

(4) The extent to which the state agency intends to utilize programs or facilities established by the local agency for the handling, diversion, and disposal of solid waste. If the state agency does not intend to utilize those established programs or facilities, the state agency shall identify sufficient disposal capacity for solid waste that is not source reduced, recycled, or composted.

(5) Other information relevant to compliance with Section 42921.

(c) The department shall use, but is not limited to the use of, the annual report in the determination of whether the agency's integrated waste management plan needs to be revised.

SEC. 14. Section 44004 of the Public Resources Code is amended to read:

44004. (a) An operator of a solid waste facility shall not make a significant change in the design or operation of the solid waste facility that is not authorized by the existing permit, unless the change is approved by the enforcement agency, the change conforms with this division and all regulations adopted pursuant to this division, and the terms and conditions of the solid waste facilities permit are revised to reflect the change.

(b) If the operator wishes to change the design or operation of the solid waste facility in a manner that is not authorized by the existing permit, the operator shall file an application for revision of the existing solid waste facilities permit with the enforcement agency. The application shall be filed at least 180 days in advance of the date when the proposed modification is to take place unless the 180-day time period is waived by the enforcement agency.

(c) The enforcement agency shall review the application to determine all of the following:

(1) Whether the change conforms with this division and all regulations adopted pursuant to this division.

(2) Whether the change requires review pursuant to Division 13 (commencing with Section 21000).

(d) Within 60 days from the date of the receipt of the application for a revised permit, the enforcement agency shall inform the operator, and if the enforcement agency is a local enforcement agency, also inform the department, of its determination to do any of the following:

(1) Allow the change without a revision to the permit.

(2) Allow the following changes without a revision to the permit through a modification to the permit allowed pursuant to regulations developed by the department:

(A) The proposed change is to allow a nondisposal facility to increase the amount of solid waste that it may handle and that increased amount is within the existing design capacity as described in the facility's transfer processing report and review pursuant to Division 13 (commencing with Section 21000).

(B) The proposed change is to allow a disposal facility to add a nondisposal activity to the facility that will increase the amount of solid waste that may be handled as described in the facility's report of facility information and review pursuant to Division 13 (commencing with Section 21000).

(3) Disallow the change because it does not conform with the requirements of this division or the regulations adopted pursuant to this division.

(4) Require a revision of the solid waste facilities permit to allow the change.

(5) Require review under Division 13 (commencing with Section 21000) before a decision is made.

(e) The operator has 30 days within which to appeal the decision of the enforcement agency to the hearing panel, as authorized pursuant to Article 2 (commencing with Section 44305) of Chapter 4. The enforcement agency shall provide notice of a hearing held pursuant to this subdivision in the same manner as notice is provided pursuant to subdivision (h).

(f) Under circumstances that present an immediate danger to the public health and safety or to the environment, as determined by the enforcement agency, the 180-day filing period may be waived.

(g) (1) A permit revision is not required for the temporary suspension of activities at a solid waste facility if the suspension meets either of the following criteria:

(A) The suspension is for the maintenance or minor modifications to a solid waste unit or to solid waste management equipment.

(B) The suspension is for temporarily ceasing the receipt of solid waste at a solid waste management facility and the owner or operator is in compliance with all other applicable terms and conditions of the solid waste facilities permit and minimum standards adopted by the department.

(2) An owner or operator of a solid waste facility who temporarily suspends operations shall remain subject to the closure and postclosure maintenance requirements of this division and to all other requirements imposed by federal law pertaining to the operation of a solid waste facility.

(3) The enforcement agency may impose any reasonable conditions relating to the maintenance of the solid waste facility, environmental monitoring, and periodic reporting during the period of temporary suspension. The department may also impose any reasonable conditions determined to be necessary to ensure compliance with applicable state standards.

(h) (1) (A) Before making its determination pursuant to subdivision (d), the enforcement agency shall submit the proposed determination to the department for comment and hold at least one public hearing on the proposed determination. The enforcement agency shall give notice of the hearing pursuant to Section 65091 of the Government Code, except that the notice shall be provided to all owners of real property within a distance other than 300 feet of the real property that is the subject of the hearing, if specified in the regulations adopted by the department pursuant to subdivision (i). The enforcement agency shall also provide notice of the hearing to the department when it submits the proposed determination to the department.

(B) The enforcement agency shall mail or deliver the notice required pursuant to subparagraph (A) at least 10 days prior to the date of the hearing to any person who has filed a written request for the notice with a person designated by the enforcement agency to receive these requests. The enforcement agency may charge a fee to the requester in an amount that is reasonably related to the costs of providing this service and the enforcement agency may require each request to be annually renewed.

(C) The enforcement agency shall consider environmental justice issues when preparing and distributing the notice to ensure that the notice is concise and understandable for limited-English-speaking populations.

(2) If the department comments pursuant to paragraph (1), the department shall specify whether the proposed determination is consistent with the regulation adopted pursuant to subdivision (i).

(i) (1) The department shall, to the extent resources are available, adopt regulations that implement subdivision (h) and define the term "significant change in the design or operation of the solid waste facility that is not authorized by the existing permit."

(2) While formulating and adopting the regulations required pursuant to paragraph (1), the department shall consider recommendations of the Working Group on Environmental Justice and the advisory group made pursuant to Sections 71113 and 71114 and the report required pursuant to Section 71115.

SEC. 15. Section 50001 of the Public Resources Code is amended to read:

50001. (a) Except as provided by subdivision (b), after a countywide or regional agency integrated waste management plan has been approved by the Department of Resources Recycling and Recovery pursuant to Division 30 (commencing with Section 40000), a person shall not establish or expand a solid waste facility, as defined in Section 40194, in the county unless the solid waste facility meets one of the following criteria:

(1) The solid waste facility is a disposal facility or a transformation facility, the location of which is identified in the countywide siting element or amendment to that element, which has been approved pursuant to Section 41721.

(2) The solid waste facility is a facility that is designed to recover for reuse or recycling at least 5 percent of the total volume of material received by the facility, and that is identified in the nondisposal facility element that has been approved pursuant to Section 41800 or is included in an update to that element.

(b) Solid waste facilities other than those specified in paragraphs (1) and (2) of subdivision (a) shall not be required to comply with the requirements of this section.

(c) The person or agency proposing to establish a solid waste facility shall prepare and submit a site identification and description of the proposed facility to the task force established pursuant to Section 40950. Within 90 days after the site identification and description is submitted to the task force, the task force shall meet and comment on the proposed solid waste facility in writing. These comments shall include, but are not limited to, the relationship between the proposed solid waste facility and the implementation schedule requirements of Section 41780 and the regional impact of the facility. The task force shall transmit these comments to the person or public agency proposing establishment of the solid waste facility, to the county, and to all cities within the county. The comments shall become part of the official record of the proposed solid waste facility.

(d) The review and comment by the local task force shall not be required for an update to a nondisposal facility element.

SEC. 16. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere:
George Rodericks

Date: December 7, 2011

Corte Madera:
David Bracken

To: Local Task Force Members

County of Marin:
Matthew Hymel

From: Steve Devine

Steve Devine

Re: Zero Waste Outreach Program Update

Fairfax:
Michael Rock

The Zero Waste Outreach Program, which has been underway since late August, has just started the portion of the campaign targeting single use bags. This is the fourth item that has been targeted through the campaign that aims to change behavior to reduce consumption of problematic items.

Larkspur:
Dan Schwarz

Mill Valley:
Jim McCann

The Hive has provided the attached update on the success metrics for the online portion of the program. JPA staff have been updated on these metrics monthly. The next update should be available the second week of December.

Novato:
Michael Frank

Ross:

San Anselmo:
Debbie Stutsman

In addition to the media buy, the JPA is utilizing a new outreach program designed by the County Administrator's office to create public service announcements. These announcements will be aired on public access channels, placed on the County's website and on Youtube. They will include full versions of the ads and an overall description of the program.

San Rafael:
Nancy Mackle

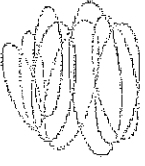
Sausalito:
Adam Politzer

Attachment

Tiburon:
Margaret Curran

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ZERO WASTE MARIN



Since launching on August 22, the program has:

- Traffic
 - 3222 visits
 - 2150 new visits
 - 1072 returning visit
 - Top 3 Marin cities
 - Larkspur
 - San Rafael
 - Mill Valley
- Participation
 - 127 program registrations
 - 151 “likes” on Facebook
- Engagement
 - 16,247 page views
 - 4.87% bounce rate
 - Average time on site 3.15 minutes
 - Top pages : Homepage, registration, mission, tips