

MARIN COUNTY HAZARDOUS & SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY

AB 939 LOCAL TASK FORCE

Wednesday, November 7, 2012

Tam Valley Community Center at the Tamalpais Community Services District
203 Marin Avenue
Mill Valley, CA 94941

8:30 – 10:00 AM

AGENDA

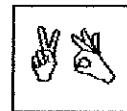
Call to Order.

- 1) Open Time for Public Comment (5 Minutes)
- 2) Approval of the October 3, 2012 JPA Local Task Force Minutes (Action – 5 Minutes)
- 3) Support Letter for Department of Toxic Substance Control Green Chemistry Initiative (Receive and File – 1 minute).
- 4) Extended Producer Responsibility (EPR) Subcommittee Recommendation for LTF to Request the JPA Board Support Increased Outreach of Sharps and Pharmaceuticals Programs (Action – 10 minutes)
- 5) Reports from Subcommittees on LTF Work Plan Progress (Oral Reports – 10 Minutes)
- 6) Open Time for Member Comments (10 Minutes)
- 7) Adjourn.

Next scheduled LTF Meeting is Wednesday, December 5th at 8:30 AM @ Tamalpais CSD

The full agenda including staff reports can be viewed at
www.zerowastemarin.org/who-we-are/2012-jpa-agendas-and-minutes-2/

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Contact the County's Waste Management Division, at 473-6647 for more information

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DRAFT

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

AB 939 Local Task Force Meeting
Wednesday, October 3, 2012
Northgate Mall Community Room
5800 Northgate Drive, Suite 200
San Rafael, CA

MINUTES

MEMBERS PRESENT

Loretta Figueroa, Almonte Sanitary District
Elissa Giambastiani, San Rafael
Joan Irwin, Southern Marin Cities
Russ Greenfield, LGVSD
Jon Elam, Tamalpais CSD
Delyn Kies, Sustainable Novato
Patty Garbarino, Marin Sanitary Svc.
David Haskell, Sustainable Marin
Matt McCarron, City of Novato
Steve McCaffrey, Redwood Empire Disposal
David Green, Unincorporated Marin Co.
Renee Goddard, Ross Valley Cities
Ramin Khany, Redwood Landfill

STAFF PRESENT

Steve Devine, JPA Staff
Alex Soulard, JPA Staff
Kiel Gillis, JPA Staff

OTHERS PRESENT

Kim Scheibly, Marin Sanitary Svc.
Casey Mazzoni, Marin Builders Assn.
Madeline Hope, West Marin Ed. Coordinator
Katherine DaSilva, Sustainable San Rafael
Daniel North, Redwood Landfill
Nancy Mackle, JPA Board Chair

MEMBERS ABSENT

Greg Christie, Bay Cities Refuse
Jennie Pardi, Conservation Corps North Bay

Call to Order. The Local Task Force (LTF) meeting came to order at 8:31 AM.

1. Open Time for Public Comment

Ms. Garbarino provided an update on the recent implementation of curbside food-scrap collection as well as the Food to Energy Program.

2. Approval of the September 5, 2012 JPA Local Task Force Minutes

M/s Figueroa / McCaffrey to approve the September 5, 2012 JPA LTF minutes. The motion passed unanimously.

3. Welcoming New JPA Board Chair Nancy Mackle

JPA Chair Mackle introduced herself to the LTF and conducted a meet and greet with Members and the public. Ms. Mackle overviewed the progress on the plastic bag ban ordinance, the Zero Waste Outreach/ Public Relations campaign, as well as the programs occurring in San Rafael. LTF Chair Elam expressed his appreciation for the Board Chair's attendance, and noted that it was the first time a new Chair had met with the LTF during his affiliation with the agency. No action required.

4. Presentation by Krysty Emery from CalRecycle on Mandatory Commercial Recycling

This agenda item will be rescheduled for a later time. Members identified the quantity of materials included in the agenda packet were excessive and requested that Staff Reports utilize more summaries and/or web links to information.

5. Reports from Subcommittees on LTF Work Plan Progress

Subcommittees provided reports on the progress made. The EPR Subcommittee (LTF Members: Giambastiani, Garbarino, Green, Public Participant: Sheibly) reporting on meeting with Whitney King (from Environmental Health Services of Marin County's Community Development Agency). Mr. King presented information on the Countywide sharps and pharmaceutical collection program. Ms. Sheibly noted that Mr. Whitney's information identified 21 collection locations within the County, and that sharps are processed in the Bay Area and pharmaceuticals shipped to a North Dakota facility for incineration. Ms. Sheibly also shared that Mr. King reported a number of past participants dropped out of these programs due to liability concerns. It was also noted that pending legislation may resolve some issues and that the number of existing locations seems sufficient, but more education and outreach such as brochures or pill bottle labels could be beneficial. Mr. Haskell stated that legislation is the solution, not more funding.

The Construction & Demolition Subcommittee (LTF Members: Kies, Khany, Garbarino, Public Participant: Mazzoni) provided an update on asphalt roof tear-offs. Ms. Mazzoni shared that the Subcommittee and JPA Staff conducted a tour of Asphalt Shingle Recyclers, LLC facility in Oakland which processes asphalt shingles for reuse in asphalt paving. Ms. Mazzoni noted that it would be desirable to be able to showcase a highly visible location that utilized asphalt with recycled shingle content to help promote this concept. She also noted Caltrans Specs presently allow 0% recycled asphalt shingle content, and private roads are able to incorporate 25% recycled content.

The JPA Long Tern Funding Subcommittee (LTF Members: Irwin, McCarron) identified they are working with Staff on reviewing fiscal data on JPA operations. Mr. McCarron identified they are analyzing if funding will be available to meet the 2025 Zero Waste Goal and noted Marin County's affluence is linked directly with its high disposal rates.

6. Open Time for Member Comments

Mr. Khany stated he would like to resign his position as the Solid Waste Hauler Representative for Redwood Landfill and be succeeded by Dan North, Waste Management District Manager. Ms. Goddard identified work on a Ross Valley recycling program for area schools. Mr. McCaffrey thanked Jessica Jones for her diligence and efforts to address public concern during her time at Redwood. Staff provided an update on the CalRecycle Oil Grant (OPP3) as well as the CalRecycle CAPRS Grant which will be used fund purchase of recycling receptacles in West Marin. Ms. Hope thanked the San Rafael Fire Department and JPA Staff for coordinating the Toxic Away Day this past September.

7. Adjourn.

**MARIN COUNTY HAZARDOUS AND SOLID WASTE
MANAGEMENT JOINT POWERS AUTHORITY**

Belvedere:
Vacant

Date: November 7, 2012

Corte Madera:
David Bracken

To: Local Task Force Members

County of Marin:
Matthew Hymel

From: Steve Devine, Program Manager



Fairfax:
Judy Anderson

Re: Support Letter to DTSC for Green Chemistry Initiative

Larkspur:
Dan Schwarz

The Marin County Hazardous and Solid Waste Management Joint Powers Authority issued the attached support letter for the Department of Toxic Substances Control's Green Chemistry Initiative – consistent with the JPA's legislative platform developed by the Local Task Force.

Mill Valley:
Jim McCann

Novato:
Michael Frank

On October 4, 2012 the San Francisco Chronicle published an article regarding legislators seeking to delay implementation regulations proposed by the DTSC which can be found here:

<http://www.sfgate.com/business/bottomline/article/Lawmakers-seek-green-chemistry-delay-3920587.php> and is attached.

Ross:
Rob Braulik

Attachments.

San Anselmo:
Debbie Stutsman

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San Rafael:
Nancy Mackle

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere:
Vacant

October 10, 2012

Corte Madera:
David Bracken

DTSC
Office of Legislation and Regulatory Policy
P. O. Box 806
Sacramento, CA 95812-0806

County of Marin:
Matthew Hymel

Submitted via e-mail to: gcregs@dtsc.ca.gov

Fairfax:
Judy Anderson

RE: Comments on Draft Regulations for Safer Consumer Product Alternatives

Larkspur:
Dan Schwarz

Dear Director Raphael:

Mill Valley:
Jim McCann

The Marin County Hazardous and Solid Waste Joint Powers Authority is a supporter of the development of the Green Chemistry program as a way to reduce toxic chemicals at the source. The stream of products requiring special end-of-life management is growing every year. Many products sold have hazardous constituents and require special handling in order to reduce contamination to storm water, sewer systems and the natural environment that are very expensive to properly manage or remediate. **We support the development of regulations that would promote the re-design of these problem products.**

Novato:
Michael Frank

Ross:
Rob Braulik

The U.S. Environmental Protection Agency (EPA) data establishes that 75% of the municipal waste stream is made up of products and packaging. Significant and growing shares of these products contain hazardous constituents, and are banned from the landfill at the end of their useful life. Local government household hazardous waste (HHW) programs have borne the burden of managing these products for many years. Because the HHW programs around the state are identified as the primary collection mechanism, substantial infrastructure and funding are necessary to collect and manage these wasted materials.

San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

While we generally support the proposed regulations, we request that you consider the following modifications:

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

(1) End of life management requirements – Proposed stewardship plans (page 58, starting on line 1) should be posted on the DTSC website and DTSC should be inviting input from the California Product Stewardship Council (CPSC) and local government agencies and the public prior to approving the plan.

(2) Municipality Costs - Add cost to municipalities as a prioritization factor. Removing problem chemicals from products means HHW programs will be managing fewer products. Less management results in a lesser burden on taxpayers and ratepayers. The cost savings could be in the tens of millions.

Now is the time for California to meld the best elements of current programs and become a world leader in creating producer responsibility systems that drive green design and add to California's leadership as a wellspring of industrial innovation for sustainability.

Sincerely,



Michael Frost
Executive Officer

Cc: JPA Board Members

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Marin County Department of Public Works, P.O. Box 4186, San Rafael, CA 94913
Phone: 415/473-6647 - FAX 415/473-7373

Lawmakers seek 'green chemistry' delay

Andrew S. Ross, Chronicle Columnist
Published 5:11 p.m., Thursday, October 4, 2012

Here's an interesting test case for California's much-debated business climate.

Last week, 17 lawmakers from Gov. **Jerry Brown's** own party asked him to put a hold on recently issued regulations that could "impact every manufacturer, business and consumer in California and beyond."

The regulations concern California's 2008 "green chemistry" law requiring businesses to identify and, where judged necessary and feasible, find alternatives to approximately 1,200 "chemicals of concern," like formaldehyde and lead, found in a wide range of products.

Chewed over for four years with input from business groups and environmental and health care advocates, the regulations were issued by the **Department of Toxic Substances Control** on July 27, subject to a final comment period.

"We see this as a two-for-one initiative," said **Debbie Raphael**, the department's director, in a news release. "Public health and the environment benefit by lessening our use of toxic chemicals, and California companies get a significant boost into markets that are rapidly expanding." Business executives praised the regulations as providing "an orderly transition to safer materials and products" and "promoting a healthy economy, healthy environment and healthy people."

Others don't see it that way. At a public hearing last month, a representative of the **Association of Global Automakers** warned that the regulations will result in the supply of older replacement parts being disrupted, and "consumers' warranties or repairs may not be able to be fulfilled."

Pointing to conflicts with federal regulations, an attorney representing members of the construction, home appliance and aircraft industry said the provisions would result "ultimately to the detriment of California's economy by encouraging businesses both large and small to exit California for a more predictable business climate."

Enter state Sen. **Michael Rubio**, D-Shafter (Kern County), incoming chairman of the Senate Committee on Environmental Quality.

In a letter to Brown, signed by 16 fellow Democrats, Rubio called for halting the "open-ended, virtually unlimited in scope" regulations "until a robust economic impact study is completed," including the number of businesses affected, the costs entailed and jobs endangered (or created).

Rubio said an analysis conducted by the Department of Toxic Substances Control left more questions than answers, and he cites another state law to back up his case. That would be SB617,

<http://www.sfgate.com/business/bottomline/article/Lawmakers-seek-green-chemistry-delay-3920587.htm>

Lawmakers seek 'green chemistry' delay - SFGate
signed last year by Brown, requiring a stricter cost-benefit analysis before new regulations are promulgated.

The **Toy Industry Association** sent a similar letter to Brown last week, calling for SB617 to be applied to green chemistry regulations. "These regulations may saddle toy companies, both large and small, with unpredictable costs related to testing, data collection, complex expert analysis, reporting, etc.," said the letter. "Some companies may not have the resources needed for compliance, and could be at risk of being put out of business."

One problem, however: SB617 does not take effect until Jan. 1. Rubio wants the governor to delay the green chemistry regulations until the analysis prescribed by SB 617 is conducted.

In response to concerns raised earlier, the Department of Toxic Substances Control extended the initial 45-day comment period until Oct. 11. It has since been in touch with Rubio, said the agency's deputy director, **Jim Marxsen**, who was referred to me for comment by Brown's office.

"We did put together a general analysis, which was our best analysis at the time, because we haven't yet identified the products containing chemicals of concern that we will initially be targeting," said Marxsen. "We're looking at products containing chemicals with high potential of exposure to people using them, and will then do a further economic analysis," including the impact of switching to alternatives to the chemicals.

Rubio says he's confident that a meeting of the minds can be reached, perhaps with the assistance of the administration's new GO-Biz office, headed by Brown's job czar, **Mike Rossi**. "I believe we can find a way that works for everybody," he said.

*Andrew S. Ross is a San Francisco Chronicle columnist. E-mail: bottomline@sfbchronicle.com
Blog: www.sfgate.com/columns/bottomline Twitter: [@andreusross](https://twitter.com/andreusross) Facebook: [sfg.ly/doACKM](https://www.facebook.com/sfg.ly/doACKM)*


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<http://www.sfgate.com/business/bottomline/article/Lawmakers-seek-green-chemistry-delay-3920587.htm>

MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere: Date: November 7, 2012
Vacant

Corte Madera: To: Local Task Force Members
David Bracken

County of Marin: From: Steve Devine, Program Manager 
Matthew Hymel

Fairfax: Re: Extended Producer Responsibility (EPR) Subcommittee
Judy Anderson Recommendation for the LTF to Request the JPA Board Support
Increased Outreach of Sharps and Pharmaceuticals Programs

Larkspur: Following formation of the Local Task Force's Subcommittees on
Dan Schwarz September 5, 2012 the Extended Producer Responsibility (EPR) Sharps
and Pharmaceuticals Subcommittee has met several times and developed
a recommendation to the LTF.

Mill Valley:
Jim McCann

Novato:
Michael Frank

Ross:
Rob Braulik

San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

Sausalito:
Adam Politzer

Tiburon:
Margaret Curran

The group first met on September 17, 2012 to familiarize themselves on existing programs. The subcommittee met again on October 2, 2012 with Whitney King of the Community Development Agency (CDA) to discuss the Sharps and Pharmaceuticals programs. At the October 3, 2012 LTF meeting the group reported their initial findings to the Task Force, noting that there was an opportunity for enhanced outreach for the programs.

On October 24, 2012 the subcommittee had a follow up meeting to continue discussion of the Community Development Agency's Sharps and Pharmaceuticals Programs. The subcommittee developed a recommendation to the LTF to support providing outreach funding to CDA to increase the effectiveness of the existing programs.

If the LTF follows the subcommittee's recommendation, the item will be brought to the JPA Board at their January meeting. The JPA Board will then determine if outreach funding should be paid for out of budget reserves. JPA staff will be meeting with Community Development Agency staff to define the appropriate level of funding, which will be included in the final recommendation to the JPA Board.

Recommendation

Adopt a Motion that the Local Task Force recommend the JPA Board provide funding for the Community Development Agency to develop and implement outreach materials and program for the sharps and pharmaceuticals take-back programs, with an amount of funding and scope of services to be determined in conjunction with the Community Development Agency.

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MARIN COUNTY HAZARDOUS AND SOLID WASTE MANAGEMENT JOINT POWERS AUTHORITY

Belvedere:
Vacant

Date: November 7, 2012

Corte Madera:
David Bracken

To: Local Task Force Members

County of Marin:
Matthew Hymel

From: Steve Devine, Program Manager



Fairfax:
Judy Anderson

Re: Reports from Subcommittees on LTF Work Plan Progress

Larkspur:
Dan Schwarz

At your August 1, 2012 meeting the Local Task Force voted to adopt a work plan. At the September 5, 2012 LTF Meeting, the LTF consolidated the work plan items into three groups – to be addressed by subcommittees. The subcommittees are:

Mill Valley:
Jim McCann

- EPR, Sharps and Pharmaceuticals Subcommittee
- JPA Long Term Funding Subcommittee
- Construction and Demolition/Asphalt Shingle Subcommittee

Novato:
Michael Frank

Ross:
Rob Braulik

Subcommittee members will be reporting back on progress they have made researching and addressing the issues at each LTF Meeting.

San Anselmo:
Debbie Stutsman

San Rafael:
Nancy Mackle

Sausalito:
Adam Politzer

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Tiburon:
Margaret Curran

