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MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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July 8, 2015

The Honorable Bob Wieckowski, Chair
Senate Committee on Environmental Quality
State Capitol, Room 2205
Sacramento, CA 95814

Dear Senator Wieckowski:

**ASSEMBLY BILL 1239: OPPOSE
CALIFORNIA TIRE REGULATORY FEE AND WASTE TIRE PROGRAM**

The Los Angeles County Integrated Waste Management Task Force (Task Force) **opposes** Assembly Bill 1239 (AB 1239) as amended May 5, 2015. If enacted, this legislation would repeal the Rubberized Pavement Market Development Act and establish the Tire Incentive Recycling Program (TRIP) Act to provide financial incentive to public and private entities who invest in activity using recycled tires. The bill would also requires tire retailers to pay a California tire regulatory fee at an amount to be determined by the Department of Resources recycling and Recovery (CalRecycle) to generate sufficient revenues for CalRecycle regulatory cost of the program not exceeding \$1.25 per tire.

Pursuant to the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended) and Chapter 3.67 of the Los Angeles County Code, the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated and cost-effective and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

AB 1239 would allocate an annual appropriation of \$30 million to TRIP for the purposes of, among other things, financially incentivizing local municipalities and government agencies, as well as school districts, to invest in construction projects using recycled tires. The legislation would also award payment to private

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manufacturers who produce and sell products using recycled tires. Where the Task Force takes exception with AB 1239 is in what it deems as an unprecedented regulatory authority to CalRecycle to impose fees on tire retailers and whose aim appears to be for recovering its own administrative costs. Regulatory fees are generally implemented with the purpose of assisting the State in the implementation of program objectives and the policies those programs are aimed to advance. The language in AB 1239 is inconsistent with this understanding and does not provide sufficient detail justifying the levy of this fee, particularly as it appears to be solely intended for CalRecycle's own use.

Based on the foregoing, the Task Force **opposes** AB 1239, for the reasons described above. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor, City of Rosemead

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cc: Assembly Member Richard Gordon
Each member of the Senate Committee on Environmental Quality and Staff
California State Association of Counties
League of California Cities
Each Member of the County of Los Angeles Board of Supervisors
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each Member of the Los Angeles County Integrated Waste Management Task Force