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MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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September 6, 2016

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol Building
Sacramento, CA 95814

Dear Governor Brown:

REQUEST FOR VETO – ASSEMBLY BILL 1103 (ENROLLED AUGUST 29, 2016)
SOLID WASTE DISPOSAL: SELF-HAULERS

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) respectfully requests that you veto Assembly Bill 1103 (AB 1103). If enacted, AB 1103 would require “self-haulers” of solid waste and recyclables, compostable or food waste materials to submit periodic information to CalRecycle on the types, quantities, and destinations of materials that are disposed of, sold, or transferred. In addition, AB 1103 would require CalRecycle to adopt regulations that define “self-hauler” which, **at a minimum**, must include a person or entity that generates and transports more than one cubic yard of its own food waste per week to a facility that is not owned and operated by that person or entity (emphasis added).

The Task Force is concerned with the phrase “at a minimum” which must be included in the future definition of “self-hauler” pursuant to Section 41821.5(b)(2) of the bill. Given the bill’s failure to clearly define “self-hauler” (those who would be impacted by the legislation) and giving a State agency unrestricted freedom to define the term through regulation is problematic. This broad definition may be the initial step to prohibit self-hauling which is a regulatory overreach in a matter more appropriately left to private individuals and entities to choose whether or not to manage their own waste.

In addition, the bill does not define an “end user” with respect to reporting of recyclable and compostable materials. The Task Force is particularly concerned with materials being shipped to “end users” outside the state of California or the United States, and the difficulty it would pose to self-haulers and all waste haulers who would be required to report that information, or face substantial penalties under the law for failure to comply. The said requirements appear to be best suited to exporters and brokers.

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Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), 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, waste management industry, environmental groups, the public, and a number of other governmental agencies.

Therefore, the Task Force opposes AB 1103, and respectfully requests that you veto this legislation. If you have any questions, please contact Mr. Mike Mohajer, a Member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



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

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cc: Assembly Member Bill Dodd
Graciela Castillo-Krings, Office of Governor Edmund G. Brown, Jr.
Each Member of the Los Angeles County Board of Supervisors
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
San Fernando Valley Council of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
California Product Stewardship Council
Each City Mayor and City Manager in the County of Los Angeles
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force