



MARK PESTRELLA, CHAIR
MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
900 SOUTH FREMONT AVENUE, ALHAMBRA, CALIFORNIA 91803-1331
P.O. BOX 1460, ALHAMBRA, CALIFORNIA 91802-1460
www.lacountyiswmtf.org

June 27, 2019

The Honorable Anthony J. Portantino, Chair
Senate Committee on Appropriations
State Capitol, Room 2206
Sacramento, CA 95814

Dear Senator Portantino:

**SUPPORT IF AMENDED – ASSEMBLY BILL 187 (CRISTINA GARCIA AND BIGELOW)
AS AMENDED ON JUNE 26, 2019 – USED MATTRESS RECOVERY AND
RECYCLING ACT (ACT)**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports if amended** Assembly Bill 187 (AB 187), as amended on June 26, 2019, if amended to include the recommendations in this letter.

If enacted, the proposed legislation, among other things, would require the stewardship organization, formed pursuant to the Act, to revise its plan every five years, to include additional specified information and goals in the plan, the budget, and the annual reports, and to consider and respond in writing to the advisory committee's written recommendations. The bill would prohibit commencing with the Fiscal Year 2027–28, the organization's financial reserve from exceeding 60 percent of its annual operating expenses, from reducing the mattress recycling charge unless the organization is meeting all goals and requirements of the program, and from expending the revenue for the specified purposes of paying civil penalties and litigation with the state. The bill would also require State Department of Resources Recycling and Recovery (CalRecycle) to establish a process and schedule for an orderly transition of responsibility from a decertified mattress recycling organization to a successor organization. Currently there are loop holes in the existing Act that are being exploited, such as maintaining and not utilizing a significant financial reserve, lack of transparency, lack of California-based representation on the stewardship organization's board, and California fee money does not prioritize California processing infrastructure. All of these loop holes are contributing to the failure of the existing stewardship organization to achieve higher levels of mattress recovery and recycling to reduce/prevent illegal dumping and significant costs to local jurisdictions. The bill's

proposed remedies together with the following suggested amendments to the proposed legislation are crucial for the success of the program.

Therefore, the Task Force **supports** the proposed legislation **if amended** to also include:

1. The Stewardship Organization ought to remain a 501(c)3, without the option to become a 501(c)6 and have a majority of California-based industry representatives on the Board of Directors.
2. California fee payer money ought to prioritize increasing processor capacity in California.
3. Convenience collection goals need to be effective sooner than 2022.
4. The prohibition on the organization's financial reserve from exceeding 60 percent of its annual operating expenses ought to commence earlier than Fiscal Year 2027–28, such as in Fiscal Year 2021.
5. Any reports, studies, or other documents developed with fee money must be made public within 30 days of completion and submitted to CalRecycle to notice on their website.
6. In the event the stewardship organization ceases program operation, the bill ought to establish a bridge plan to provide mechanisms to minimize disruptions to the recycling infrastructure by ensuring any and all available funds are transferred back to the state.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939), 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.

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Based on the foregoing, the Task Force **supports** AB 187, **if amended** to include the recommendations in this letter. 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
Mayor, City of Rosemead

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Cc: Assembly Member Cristina Garcia
Assembly Member Bigelow
Each Member and staff of the Senate Committee on Appropriations
California State Association of Counties
League of California Cities – Los Angeles County Division
Each member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
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 City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Solid Waste Management Committee/Integrated
Waste Management Task Force