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SOLID WASTE MANAGEMENT COMMITTEE/
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September 11, 2009

Ms. Yvonne Hunter, Program Director
Institute for Local Government
1400 K Street, Suite 205
Sacramento, CA 95814

Dear Ms. Hunter:

COMMENTS REGARDING THE DRAFT SAMPLE COMMERCIAL RECYCLING ORDINANCE (RELEASED FOR PUBLIC COMMENT ON AUGUST 18, 2009)

On behalf of the Los Angeles County Integrated Waste Management Task Force (Task Force), I would like to thank the Institute for Local Government for your efforts to develop the Draft Sample Commercial Recycling Ordinance (Sample Ordinance) and provide comments for consideration. We appreciate that the Sample Ordinance recognizes California's diversity and the need for each city and county to address its own unique circumstances. As such, the Sample Ordinance is drafted in such a way to allow a local city or county to consider different options without prescribing a "one-size-fits-all" approach.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (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 its 88 cities in Los Angeles County with a combined population in excess of 10 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, the County of Los Angeles Board of Supervisors, the City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

We appreciate consideration of the following comments. Our proposed revisions/additions are italicized and in bold and deletion are shown with strikethrough.

1. Section 10-10-100: Purpose

- a. Revise subsection (a) to the following: (a) promote recycling ~~recycling~~ **diversion** by

requiring businesses, non-residential properties, and commercial buildings to source separate recyclable **recoverable** materials from all other solid waste for recycling, **diversion, or other beneficial purpose** and provide for the collection of these materials;

2. Section 10-10-110: Findings

- a. (1) The **goal of the** California Integrated Waste Management Act of 1989 as amended to **divert** reduce, reuse and recycle solid waste generated in the state to the maximum extent feasible before disposal of waste, to conserve water, energy and other natural resources, and to protect the environment.

3. Section 10-10-120: Definitions

- a. The Sample Ordinance reinforces the importance of policy flexibility at the local government level and reflects the position of the Task Force. As such, we recommend that the definition of *recycling* and *recycling facility* be broadened to **diversion and diversion facility** respectively in order to reflect the various options of disposal reduction from the commercial sector. Diversion includes source reduction, reuse, recycling, composting, conversion, and recycling.
- b. Broaden the definition of recyclable materials to **recoverable materials**, consistent with the changes above.
- c. More clarity is needed in the definition of “trash”, since the current Sample Ordinance excludes recyclable and compostable materials, household hazardous waste, and construction and demolition debris from this definition. The California Integrated Waste Management Board estimates that 73 percent of the current municipal solid waste stream is organic (including food waste, yard trimmings, wood waste, and mixed paper). Most of the remaining material is inert. As such, which materials would be categorized as “trash”?
- d. Expand the Definitions Section to specifically define the terms “refuse” and “garbage.” ~~are not explicitly defined.~~
- e. The definition of conversion technologies should be added to Section 10-10-120. The Sample Ordinance references conversion technologies on page 13; however, we did not see them explicitly defined. Conversion technologies may be defined as followed: **Conversion technology means the processing of solid waste through noncombustion thermal, chemical or biological processes, other than composting.**

Ms. Yvonne Hunter
September 11, 2009
Page 3

We appreciate the efforts of the Institute for Local Government and would like to see the California Integrated Waste Management Board take a similarly flexible approach in their development of commercial recycling regulations. Should you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147.

Sincerely,

Margaret Clark

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

TM/CS:

cc: Each Member of the California Integrated Waste Management Board
California Integrated Waste Management Board (Mark Leary, Howard Levenson &
Tracey Harper)
California State Association of Counties
League of California Cities
League of California Cities, Los Angeles County Division
Each Member of the County of Los Angeles Board of Supervisors
Each City Mayor in the County of Los Angeles
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Counsel of Governments
Southern California Association of Governments
Each City Recycling Coordinator in Los Angeles County
Each Member of the Los Angeles County Integrated Waste Management Task Force