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SOLID WASTE MANAGEMENT COMMITTEE/
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The Honorable Bob Wieckowski
State Capitol, Room 4085
Sacramento, CA 95814

Dear Senator Wieckowski:

CONCERNS REGARDING SENATE BILL 38 (WIECKOWSKI) AS AMENDED ON JUNE 30, 2021 – BEVERAGE CONTAINERS

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) would like to respectfully express its concerns with Senate Bill 38 (SB 38), as amended on June 30, 2021.

If enacted, the proposed legislation would establish the Beverage Container Recycling Program and create an industry-run bottle and can recycling program by July 1, 2024, to replace the current California Beverage Container Recycling and Litter Reduction Act (Bottle Bill), which sunsets on July 1, 2024. The current Bottle Bill, which once served California's recycling needs now requires a comprehensive overhaul to deal with multiple new challenges such as a lack of redemption centers, restrictions on exports of recyclables, and contamination during collection that prevents beverage containers from being recycled into new materials.

The Task Force is encouraged by your efforts to revamp the Bottle Bill and address these challenges, especially ensuring convenient redemption access for customers and ensuring that materials collected are recycled into new commodities.

The Bottle Bill directs CalRecycle to allocate \$10.5 million in unredeemed CRV funds to cities and counties, with each city receiving at least \$5,000 and each county receiving at least \$10,000 annually (Public Resources Code Section 14581(a)(3)). Cities and counties use these funds to support new or existing curbside programs and provide public education opportunities to promote beverage container recycling, litter prevention, and cleanup, to name a few. Under the Bottle Bill, curbside collection operators and waste haulers can also apply for grants for residential curbside recycling programs to fund recycling efforts. SB 38 would eliminate these allocations.

Several groups, including the League of California Cities, oppose SB 38 as written due to concerns with the bill eliminating funding for these existing programs. The Task Force is similarly concerned about eliminating funding to local governments, such as cities and

counties, and the lack of any guaranteed funding for residential curbside recycling programs. Local jurisdictions would like reassurance that city and county grants and payments will be maintained and that curbside programs will continue to be funded from the Beverage Container Recycling Program Fund and receive CRV redemption funding to support their recycling efforts.

The Task Force is also concerned about how the beverage container stewardship organization would manage the program. While many stewardship/extended producer responsibility (EPR) programs and industry-run beverage container programs have successful track records, switching to an EPR model alone does not guarantee the success of the program. The Task Force is concerned that additional measures may be needed once the switch occurs, such as increasing the redemption value as was done in Oregon to make their program work. At this time increasing the redemption value may have an adverse impact on curbside collection programs and local jurisdictions especially during a Pandemic.

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.

Based on the foregoing, the Task Force recommends the bill language be amended to ensure that local governments continue to receive funding for beverage container recycling and litter cleanup activities and that local curbside collection operators and waste haulers continue to receive supplemental funding through grants to ensure the materials are recycled into new commodities.

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August 18, 2021
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Should there be a need, the Task Force would welcome the opportunity to meet with you and/or your staff to discuss the concerns indicated in this letter regarding SB 38. In the interim, 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 Luz Rivas
Each Member and staff of the Assembly Committee on Natural Resources
California State Association of Counties
League of California Cities – Los Angeles County Division
Each Member of the Los Angeles County Board of Supervisors
Fesia A. Davenport, Los Angeles County Chief Executive Officer
Gateway Cities Council of Governments
San Gabriel Valley Council of Governments
South Bay 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 the County of Los Angeles
Each Member of the Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force