



LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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DEAN D. EFSTATHIOU
CHAIRMAN

August 11, 2008

The Honorable Patricia Wiggins
State Capitol, Room 4081
Sacramento, CA 95814

Dear Senator Wiggins:

**SENATE BILL 1016 (AMENDED JULY 2, 2008)
REVISION TO DIVERSION RATE MEASUREMENT SYSTEM**

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) **supports** Senate Bill 1016 (SB 1016) **if amended**. SB 1016 would among other things, revise the current diversion rate measurement system to a per-capita disposal based system, using 2003-06 as a base year.

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 the 88 cities within 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, 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.

SB 1016 would modify the current solid waste diversion rate measurement system to a per-capita disposal compliance based system. The Task Force commends your efforts to address jurisdictional compliance measurement deficiencies in AB 939, including the burden of mathematical compliance.

We respectfully submit the following comments for your consideration and request that they be addressed in any future amendments to SB 1016.

1. Section 41780.05(b) (1) - Reinsert the June 10, 2008, language which would "consider a jurisdiction's per capita disposal only as an indication of whether the jurisdiction has adequately implemented its diversion programs. The board shall not consider an increase in the per capita disposal rate to be determinative as to whether the jurisdiction has made a good-faith effort."
2. Section 4012. - The terms "amendments", "revisions," and "updates" need to be defined so that these terms will not be subject to interpretation. Defining these terms reduces ambiguity and the potential for misinterpretation.
3. Subdivisions 41780.05(c)(3) and 41780.05(d)(3) - As proposed, the Waste Board is given the sole authority to set "an alternative method for calculating the equivalent per capita disposal rate that more accurately reflects the jurisdiction's diversion efforts." We strongly recommend that these Subdivisions be revised to allow the jurisdiction to participate in the development of any alternative method.
4. Subdivision 41825(b) - As proposed, the Bill gives the Waste Board further authority "to review whether a jurisdiction is in compliance" when the Waste Board "receives information that indicates the jurisdiction may not be making a good-faith effort to implement its source reduction and recycling element and household hazardous waste element." We strongly recommend that this Subdivision be expanded to require the Waste Board to verify the source and the claim prior to any action which may impact local government.
5. Subdivision 41780.05 - Provide a mechanism to consider economic growth in calculating per capita disposal rates.

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Therefore, the Task Force **supports** SB 1016 **if amended** to include the above recommendations. 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
Council Member, City of Rosemead

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cc: Assembly Speaker Karen Bass
Each Member of the Los Angeles County Legislative Delegation
California State Association of Counties
The League of California Cities
The League of California Cities, Los Angeles County Division
Each Member of the County of Los Angeles' Board of Supervisors
Each City Mayor in Los Angeles County
South Bay Cities Council of Governments
San Gabriel Valley Council of Governments
Gateway Cities Council 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