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COMMITTEE MEETING

STATE OF CALIFORNIA

INTEGRATED WASTE MANAGEMENT BOARD

SPECIAL WASTE COMMITTEE

JOE SERNA, JR., CALEPA BUILDING

1001 I STREET

2ND FLOOR

COASTAL HEARING ROOM

SACRAMENTO, CALIFORNIA

TUESDAY, OCTOBER 7, 2003

9:30 A.M.

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APPEARANCES

COMMITTEE MEMBERS

Jose Medina

Steven R. Jones

Michael Paparian

STAFF

Mark Leary, Executive Director

Julie Nauman, Chief Deputy Director

Michael Bledsoe, Acting Chief Counsel

Maria Carter, Staff Counsel

Bonnie Cornwall

Jennine Harris, Committee Secretary

Jim Lee, Deputy Director

Matt McCarron

Shirley Willd-Wagner

ALSO PRESENT

John Cupps, San Luis Obispo IWMA

Jim Hemminger, Rural Counties Environmental Services JPA

Alison Hudson, San Joaquin County

George Larson, Kings Waste and Recycle Authority

Rod Miller, City of Folsom, Hazmat Division

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PROCEEDINGS

CHAIRPERSON MEDINA: Good morning. This is the meeting of the Special Waste Committee. Today is Tuesday, October the 7th. And this meeting is called to order.

Please turn off your cell phones and pagers. Put them on vibrating mode.

If we can have roll call, please.

SECRETARY HARRIS: Jones?

COMMITTEE MEMBER JONES: Here.

SECRETARY HARRIS: Paparian?

COMMITTEE MEMBER PAPARIAN: Here.

SECRETARY HARRIS: Medina?

CHAIRPERSON MEDINA: Here.

Board members, any ex partes?

Board Member Jones.

COMMITTEE MEMBER JONES: Larry Sweetser and John Cupps after the meetings yesterday.

CHAIRPERSON MEDINA: Board Member Paparian.

COMMITTEE MEMBER PAPARIAN: Yeah. Yesterday afternoon just a quick meeting with Larry Sweetser, actually about this issue, and Mark Aprea.

CHAIRPERSON MEDINA: Okay. I have none to report at this time.

I do have an announcement that has to be made today. You're all familiar with this announcement. This

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month we will be conducting our full building evacuation drill which may include evacuating this room. This drill will occur without advance notice and may occur during this meeting.

Please look for and note at least two emergency exits. Exits are located inside the public hearing rooms on the first and second floors and in the connecting halls outside the conference rooms within the remainder of the building.

If the alarm sounds, evacuate immediately. Take all valuables with you. Do not use the elevators. If you have mobility concerns that would prevent you from using the stairways, please let the host of the meeting or any other meeting organizer know so that arrangements can be made to have you wait safely in a protected area. You will be directed to a safe stairwell vestibule, and an aid will stay with you until we have heard the all-clear announcement.

Follow your meeting host down the stairways to the relocation site. All occupants will evacuate to Cesar Chavez Park located outside the building and across or southwest of City Hall. If you cannot make it down all floors to the evacuation site, you may wait in a stairwell vestibule. Please make sure that a member of the emergency team posted in or near the vestibule knows you

are there.

Obey all traffic signals and be cautious when crossing the street. Stay at the park until the all-clear signal at the completion of the drill is given. The all-clear signal is a raised green flag that will be posted at the command center set up on the stage. If you do not hear or see this announcement, simply stay with and follow the lead of your meeting host. Thank you for cooperating with our safety program.

With that, I'll now turn it over to Deputy Director Jim Lee. Good morning.

DEPUTY DIRECTOR LEE: Good morning, Chairman Medina, and good morning Committee members. My name is Jim Lee with the Special Waste Division.

I have a few items in my Deputy Director's report this morning. The first up is the Sonoma County waste tire site. The Group 1 landowners have hired a consultant to conduct the biological assessment and archeological site survey for their property. This is an essential first step and critical path item necessary for the CEQA work, which is a precursor of the tire cleanup itself.

In addition, Board staff have met with land owners to discuss planning for staging areas, access areas, and tire removal strategies. Staff have also arranged for aerial surveys to be conducted in the next

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1 two weeks to further assess these planning and remediation
2 efforts.
3 Senate Bill 20 was passed by the Legislature and
4 signed by the Governor. This bill establishes a system to
5 be implemented by the Board and DTSC for recycling most
6 computer monitors, televisions, and other video screens.
7 The system will be financed with a point of sale fee paid
8 by retailers or manufacturers to the IWMB. For the first
9 year, fees are set at 6 to $10 per unit, depending on
10 screen size. On and after July 1, 2005, the fee will be
11 set based on the actual cost of recycling. The revenue
12 will be used to make E-waste recycling payments to
13 dismantlers and collectors of covered electronics. The
14 amount of e-waste recycling payments will be determined by
15 the Board based on the average cost of recycling.
16 The bill also has provisions for green
17 procurement by DGS as well as reporting requirements for
18 manufacturers regarding their efforts to reduce hazardous
19 materials in their products.
20 Staff is in the process of reorganizing to meet
21 the demands of this new legislation. Staff has been
22 temporarily redirected from other divisions within the
23 Board to form the core of a strike team to initiate
24 preparation of a legislative BCP and do other
25 organizational planning and program set-up tasks. Julie

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Nauman and Shirley Willd-Wagner will head this effort.

While we are on the subject of staff redirection, I want to take this opportunity to gratefully acknowledge the assistance received from the Executive Office and my fellow Deputy Directors to temporarily redirect personnel to the tire program to assist with critical tire manifest, enforcement, and grant responsibilities. Despite the staff shortages and cutbacks that all divisions and programs are dealing with, we were pleased to receive this tangible acknowledgement of the importance and priority of these high visibility programs.

(Thereupon an overhead presentation was presented as follows.)

DEPUTY DIRECTOR LEE: The next item is with regards to the Route 91 retaining wall project in Riverside California.

--o0o--

DEPUTY DIRECTOR LEE: This project was a cooperative effort between Caltrans and the CIWMB. The placement of the tire shreds started September 8th, 2003, and the wall was completed October 1, 2003.

--o0o--

DEPUTY DIRECTOR LEE: The CIWMB's construction oversight contractor, Bryan A. Stirrat, oversaw all construction and supplied the tire shred material for the

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1 project. Lakin Tire was the supplier about of the 816
2 tons of material. Caltrans agreed to use this retaining
3 wall back fill because the tire shread material has
4 beneficial characteristics that should help Caltrans save
5 money on the construction of future retaining walls.
6 The wall has been completely instrumented to
7 correct data on how the tire shreds react with the wall.
8 The data from this project is already being collected and
9 being used in the redesign of another Caltrans retaining
10 wall that is more than 2,000 feet long and is located
11 along Highway 215 in Riverside. That retaining wall is
12 scheduled to be constructed sometime next year.
13 Staff will give a more detailed update regarding
14 these two projects during the December Committee meeting.
15 --o0o--
16 DEPUTY DIRECTOR LEE: And finally, just an update
17 on the CHP stop program. For several years before 1998,
18 '99, the Board has participated in an interagency
19 agreement with the CHP to further -- to provide routine
20 roadside checkpoints. The purpose of this activity is to
21 further increase voluntary compliance of waste tire
22 haulers, to identify with illegal waste tire haulers
23 operating in the state, and to provide an opportunity for
24 CIWMB staff to work in partnership with the CHP.
25 Last fiscal year staff and the CHP set up

1 roadside checkpoints at more than 19 different locations.
2 Of the 212 vehicle inspected, 27 unregistered haulers and
3 46 other violations were identified. The CHP may write
4 tickets for these violations and often do, depending on
5 the severity of the violation. In all counts, violations
6 are followed up by staff to assure compliance in a timely
7 manner.
8 With the assistance of the local enforcement
9 grantees, our goal is to significantly increase the number
10 of checkpoints conducted in an effort to better assure
11 compliance of the waste and used tire hauler and manifest
12 laws and regulations.
13 That concludes my Deputy Director's report. And
14 unless there's any questions, we'll proceed to move on
15 with the single item we have on the agenda this morning.
16 CHAIRPERSON MEDINA: Let me just say in regard to
17 the CHP hauler stops, I think the staff follow-up to the
18 violations, that is a very important part of that.
19 DEPUTY DIRECTOR LEE: Understand.
20 CHAIRPERSON MEDINA: Board Member Jones, do you
21 have anything?
22 COMMITTEE MEMBER JONES: Thanks, Mr. Medina.
23 I just want to make a comment. From this dais I
24 asked our tire staff to give credence to those folks that
25 can sometimes be a pain when they call in and do things.

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And I want to congratulate Don Dire and his staff for following up on a couple of those complaints that actually resulted in the fact that they were illegal haulers hauling material, and Don's group was able to do that. So I appreciate, you know, sometimes this dais works when we kind of give out some direction or hope to. But I appreciate that, and I wanted your staff to know.

DEPUTY DIRECTOR LEE: Thank you, Mr. Jones.

Chairman Medina, we only have one item. Very abbreviated package of items for you this morning. This item is discussion of potential changes to the household hazardous waste grant program.

This is an item that is partly in response to some concerns and issues that were raised by various Board members at last month's HHW grant awards. It also speaks to some recently -- some legislation, AB 501, by Cogdill that was introduced earlier in this legislative session. And basically the purpose, as Shirley Willd-Wagner and Bonnie Cornwall will get into in a moment, is basically to present some various options, you know, for a discussion, to elicit discussion from the Committee and from interested stakeholders so that we can better know how to propose to shape this program going into the future.

With that introduction, I'll turn it over to Shirley Willd-Wagner.

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1 MS. WILLD-WAGNER: Thank you. Good morning,
2 Chairman Medina and Board members.
3 As Jim said, this item today is really a
4 discussion. It's at the early stages in the early points
5 of the HHW criteria development for next cycle.
6 And before we get started, I want to introduce --
7 Bonnie Cornwall has joined our group several months ago
8 back in February, I think it was. But this is her first
9 opportunity before the Board. We are very fortunate that
10 she chose to work here as opposed to any other agencies
11 during that short window of time when we were able to hire
12 off the surplus SROA list. Bonnie has lots of experience
13 with trade and commerce in both contracts and grants, and
14 she is really bringing some new fresh ideas to our
15 program, which is what this item is all about, coming up
16 with some new and fresh ideas.
17 I want to kind of take advantage of the fact, if
18 you can indulge us, that this is our only item today and
19 try to be really informal and have a discussion with the
20 people, the stakeholders that have come, and really to try
21 to get your input and your ideas on ways that we might
22 consider to improve the household hazardous waste grant
23 program. I'll go through some of the background -- oh, I
24 need the Power Point, don't I?
25 I'll go through some of the background of the

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1 grant program and discuss some of the trends, and then
2 we'll try to get into some good discussion, I hope, this
3 morning.
4 (Thereupon an overhead presentation was
5 presented as follows.)
6 MS. WILLD-WAGNER: We've got a couple of other
7 partners here within the Board today that I've been
8 working closely with on this item from both the Legal
9 Office -- Marie Carter has been working closely with me,
10 and Caroll Mortenson and Pat Chartrand from the
11 Legislative Office. So I please invite them to jump in at
12 any time with comments. Or if you have questions for
13 them, they both work really closely with me on this, ideas
14 and ways we might be able to move forward.
15 For the small amount of money in the HHW
16 program -- it's usually been about 3 million a year --
17 this, I feel, has been a very effective use of the Board's
18 money and has really had some big impacts throughout the
19 state. The local governments are very engaged in the
20 program and will work with us towards any developments
21 that we want to try to implement. We have a very ready
22 stakeholder group through our bimonthly household
23 hazardous waste information exchanges that we work with.
24 They're ready all the time to give input. As I said, some
25 have been invited today and will provide some specific

ideas, and I think that makes for a real strong partnership with our local constituents.

--o0o--

MS. WILLD-WAGNER: As you know, every year the Board establishes the annual program criteria. In September, as Jim mentioned, we raised a couple questions about the cost effectiveness of the projects and some of our criteria for the e-waste and door to door programs, et cetera. So with this item, we want to begin the discussion before we come to you with the next criteria for the 13th cycle for the household hazardous waste grants.

--o0o--

MS. WILLD-WAGNER: Through the years, the program criteria has been driven by statute. Changes in 1992 and '93 shifted the priority focus to rural, underserved, and small agencies, to regional programs, and to collection of targeted waste with innovative or more cost effective methods of collection. This was done through Assembly Bills 3348 and AB 1220. It also reduced the funding authority to $3 million and then specifically mentioned these three priority areas in statute.

CHAIRPERSON MEDINA: What had been the priority areas prior to this change?

MS. WILLD-WAGNER: Prior this, it was a

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1 noncompetitive program at $4 million. It was based on a
2 reimbursement basis where the local governments
3 implemented their programs throughout the year and came to
4 us for reimbursement at the end of the year. Any moneys
5 leftover after the 4 million was then available for a
6 competitive pot that was actually tied to -- a little more
7 to the HHW element that the local jurisdictions submit
8 through our Office of Local Assistance. It was very long
9 and cumbersome actually, and we usually only had about 3
10 to $500,000 leftover after the nondiscretionary portion of
11 the grant.
12 AB 1220 shifted it. There was no longer the per
13 capita reimbursement program. It was all a competitive
14 program with preferences for these three areas. Does that
15 answer your question?
16 CHAIRPERSON MEDINA: Yes.
17 MS. WILLD-WAGNER: And actually those -- all of
18 the moneys that we've given out are on Attachment 1 in the
19 agenda item that goes all the way back to -- 1990 I
20 believe was the first year. 1992.
21 --o0o--
22 MS. WILLD-WAGNER: This goes into this next
23 slide, actually. There's been 12 cycles of funding so
24 far. The average funding level has been 3 million. This
25 year, however, we did have 4 1/2 million that was

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1 approved. The Board took the step a couple of years ago
2 to increase our spending authority legislatively up to 5
3 million, and then a BCP was approved last year by the
4 Department of Finance to increase it to 4 1/2 million.
5 That was really good news for the local governments. We
6 funded $323 worth of programs and 290 grants.
7 As I said for the small program, I think it's had
8 a huge impact. One of the handouts we placed on your dais
9 this morning and is in the back of the room is a map
10 showing where some of the permanent facilities are located
11 throughout the state. Actually, that shows permanent
12 facilities, temporary facilities, recycle-only facilities.
13 Not all of these, of course, were funded through the HHW
14 programs, but many of them were. And many of them have
15 bits and pieces or public education that are tied to those
16 facilities.
17 --o0o--
18 MS. WILLD-WAGNER: Moving into some trends now.
19 Jim mentioned in his Deputy Director report, the SB 20
20 passage of the e-waste. This will create the advanced
21 recycling fee and will generate funds for local
22 governments as collectors to collect the electronic
23 wastes. It also creates funding for recyclers to actually
24 recycle and process CRTs and CRT-containing devices.
25 The past couple of cycles, as you know, have

1 focused very heavily in the HHW priority area to give
2 points to electronic waste activities, collection and
3 recycling. This may be an area we don't need to focus on
4 so much in the future because we will have separate
5 funding through SB 20. There may be a period of time
6 where we need to fund some of it in the transition because
7 the SB 20 moneys won't be going out the door immediately.
8 Also, there still may be some expenses in areas
9 that we might want to fund related to permanent
10 facilities, and especially they're going to have a need
11 for greater storage areas in local government to store all
12 those monitors and televisions.
13 --o0o--
14 MS. WILLD-WAGNER: It's been mentioned to us --
15 this item was kind of prompted by a lot of discussion at
16 our information exchanges about the needs in local
17 governments for some ongoing operations and maintenance
18 costs. In the past, because our moneys have been so
19 limited, we've been focusing on development of new
20 facilities, new programs. But they often are saying they
21 don't have enough money to maintain and operate those
22 facilities that they open with the Board money. There
23 seems to be quite a need for that that they've -- local
24 government representatives have expressed to me.
25 We've been investing in the facilities since the

1 program began in the 1990s. Well, I guess that pretty
2 much sums it up. They really are needing the ongoing
3 operation costs also.
4 In fact, we found that some local governments
5 have to almost close down their program at the end of the
6 year because they don't have any more funding to carry out
7 and manage all the waste that comes in.
8 --o0o--
9 MS. WILLD-WAGNER: I wanted to mention cost
10 effectiveness, as Member Jones mentioned at the last
11 Committee meeting last month. Generally speaking, we have
12 found that permanent facilities are more cost effective
13 than some of the temporary events and door to door
14 options. However, truthfully we've been struggling with
15 this for quite a while. We're trying to get the cost
16 information from local governments, and there's even a
17 national effort going on to try to determine exactly how
18 much it does cost. Everybody tracks their cost in
19 different ways. Does it include the development of the
20 infrastructure prorated over a number of years? Does it
21 include all the staff costs and public education, or are
22 they just counting the number of man hours it takes to
23 work the facility?
24 I don't feel we have a completely good picture of
25 that. I think if we wanted to change this program, that

1 would be one of the first steps. We need to invest time
2 and effort into getting a more solid number for the cost
3 effectiveness of these programs and what it really takes
4 to run the program maybe on a per pound basis. And I
5 believe some of our speakers, as I said, will speak to
6 that today.
7 --o0o--
8 MS. WILLD-WAGNER: This refers again back to the
9 map. The permanent facilities we do have, there are
10 permanent facilities in 21 counties, which is about a
11 third of the state. San Bernardino has 16, more than any
12 other county. And they're spread throughout the
13 jurisdiction. L.A. and San Diego each have seven
14 facilities. The city of L.A. just started developing
15 facilities a couple of years ago, and they have three that
16 are run by the city themselves and some of the other small
17 cities within L.A. -- small and large cities, Redondo
18 Beach. Those are listed on Attachment 2.
19 CHAIRPERSON MEDINA: Excuse me. Board Member
20 Jones has a question.
21 COMMITTEE MEMBER JONES: Just a question,
22 Shirley.
23 The permanent facilities can be a -- to try to
24 make it as descriptive as I can, almost look like a 40
25 yard covered debris box that has three separate cells in

it to contain the three different types of waste and keep them separate. So when we see that San Bernardino has 16 facilities, we're not talking about brick and mortar. We're talking about, in most cases, those permanent containers, and they may add on from it and things like that; right?

MS. WILLD-WAGNER: That's correct. Permanent facilities, the definition is based on the Department of Toxic Substances Control permit that they receive that is defined in statute as a permanent facility.

They do range from the roll-off type bins that are permanently installed there also from -- some of them are very simple construction with some brick and mortar, a few storage bins. And some are quite elaborate and sophisticated using recycled content materials and all sorts of things. In fact, San Joaquin just opened a beautiful new permanent facility that did use a lot of green content in their building. It would be a great tour, if we get around to doing something like that again here in the future. They've done what -- a substantial amount of the funding came from our program.

They can definitely vary all over the place. Thanks for pointing that out.

--o0o--

MS. WILLD-WAGNER: I wanted to briefly touch

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again on the door to door curbside programs. Again, I provided a handout this morning that shows the programs that did have door to door programs that were approved in the September item for household hazardous waste collection. There were three grantees that had those programs approved, a total of about 8 percent of the funding that was allotted in the HD 12 cycle, the last cycle of the household hazardous waste. Most of those went to programs for the elderly, disabled, or homebound. And that's this attachment. It's in the back of the room also. It's not actually an attachment of this chart. That describes at the bottom what those programs are going for.

The Berkeley program does target low income residents and seniors and disabled persons without automobiles. And in Diamond Bar they're focusing on the Asian populations and small rural underserved populations.

--o0o--

MS. WILLD-WAGNER: That's just a question for us to consider later. Should those be considered before infrastructure needs?

--o0o--

MS. WILLD-WAGNER: Moving into a couple of ideas for where to go from here, I wanted to mention -- or perhaps suggest that we might look at the model that was

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1 done in the rubberized asphalt concrete program last
2 month. The Board approved a process whereby grant cycles
3 or the grant applications would be ranked depending on a
4 single criteria. They would be ranked to make sure they
5 were eligible for the program, and then whether or not --
6 how many tires -- how much RAC was going to be used in the
7 program, I guess. We could do something like that for
8 household hazardous waste programs.
9 We would need to go back to what I said earlier.
10 We need to put some effort into creating a good solid
11 baseline for data and cost effectiveness to determine what
12 those goals would be, what those measurements would be for
13 an HHW program. But the Board may want to go in the
14 direction of wanting to fund all permanent facilities, for
15 instance, or permanent facilities where they make sense.
16 But we could come up with some kind of a baseline strategy
17 that we can look at that. That's an idea to throw out.
18 --o0o--
19 MS. WILLD-WAGNER: I did sort of mention this
20 already. We're really fortunate -- in my 20-some years
21 of professional life, I don't think I've ever worked with
22 a group that's a better working group than what we have
23 with our bimonthly household hazardous waste exchange
24 groups. The local program managers run these groups.
25 We've met for 13, 14 years, longer than I've been at the

1 Board, every month, every other month, routinely. It's an
2 excellent forum for sharing ideas.
3 Program managers come to the meetings. We meet
4 in Southern California and in Northern California.
5 Stakeholders are actively engaged. They share
6 information. There's always a speaker that provides some
7 kind of, here's what we've done. Here's what worked in
8 our city, kind of information. It's just a really
9 excellent opportunity. So I wanted to point that out we
10 have a ready group ready to meet with us and discuss ideas
11 on how to proceed from here.
12 Those groups are also cosponsored with Department
13 of Toxics, and they helped start the group many years ago.
14 And it's been a really -- very valuable partnership for
15 all of us.
16 --o0o--
17 MS. WILLD-WAGNER: We also have a real active
18 list serve. I think you're aware of the role computers
19 play in our lives. This is a great opportunity to share
20 best practices. A city in Southern California will say,
21 "I've got this problem with propane tanks. What do you
22 guys do with them?" They'll put the question out on the
23 list serve, and by the end of the day they'll have five or
24 six different answers from other communities. It works
25 very well.

And again, we can put out the same kind of information. "Here's an idea we're thinking about, what kind of response do you have?"

--o0o--

MS. WILLD-WAGNER: We also have an annual conference that's scheduled for March in Sacramento, which would be very good timing for us to present some changes in the household hazardous waste program.

Some specific options. Jim said we'd provide some options. I didn't want to go too far because I want to keep this as an open dialogue right now. I kind of mentioned we could go with a noncompetitive program, the way the program was in the beginning, based on population, sort of tied to the used oil block grant, something similar to that, where it would be based on population with establishing some minimum basis for rural governments.

Another option might be to allot or set aside half of the money for facilities on a priority basis for those areas of the state that don't have permanent facilities or permanent collection opportunities, and then award the other half on a per capita basis and allow operation and maintenance costs to be eligible.

Another idea is to do a two-year two-phase award. The first year would be dollars for facility planning,

environmental documents, making sure that the site is available and ready to go and the design is completed. And the second year, if they were successful in year one, they could get the construction dollars for the second year.

One of the limitations to this fund is that it's tied to the Budget Act. Unlike the used oil fund, it's not continuously appropriated. The money goes away in three years, and the construction has sometimes been a real challenge because of that. As many of you know from the field, it's not easy to get a facility planned and sited and built in three years -- well, it's about two-and-a-half years by the time we get the money to them.

--o0o--

MS. WILLD-WAGNER: Just a little bit on timing of the next cycle of HHW grants, we'll bring the criteria item to the Board probably in January. Applications will be due in April, and we'll try to award the grant in July of '04. That's to allow the maximum time to the grantees that we possibly can. We're hoping certainly for again at least $4.5 million.

--o0o--

MS. WILLD-WAGNER: And that's -- oh, we have just a couple of issues to touch off the discussion. We'd like you to give us ideas on what you would like to emphasize.

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1 Do we want to continue our phase-in, phase-out funding for
2 e-waste as a priority? How to rate and score the cost
3 effectiveness? The cost per person is going to be
4 different in some of the rural counties than it is in an
5 urban area. What is the role for door to door and
6 curbside collection in our program?
7 What I'd like to do now is introduce Jim
8 Hemminger with the Environmental Services Joint Powers
9 Authority to discuss a little bit more about their
10 concepts with the household hazardous waste program and AB
11 501 in particular.
12 Then Bonnie will read a letter from Los Angeles
13 County. They were not able to make the trip because of
14 budget constraints, but I did contact them, and they
15 wanted to have their input read into the item. And then,
16 Chair Medina, you can call on any other speakers that
17 might be here. Any other questions?
18 CHAIRPERSON MEDINA: In addition to Jim
19 Hemminger, I have John Cupps and Rod Miller both scheduled
20 to speak.
21 MS. WILLD-WAGNER: Good.
22 MR. HEMMINGER: Chair Medina and Special Waste
23 Committee, appreciate the opportunity to be here today.
24 And Shirley, thanks for the introduction.
25 As Committee members may know, the Regional

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1 Counsel of Rural Counties sponsored AB 501 last year which
2 was carried by Cogdill, pretty much had support of the
3 rural caucus over in the Legislature. It was intended at
4 the time to pretty much be a minor tweaking, if you will,
5 of the statutory requirements for the HHW block grant
6 awards. The bill itself suggested that 20 percent of the
7 HHW funding be set aside and be used to allow block
8 grants, if you will, for rural counties to assist with the
9 operation and maintenance of their HHW programs.
10 Overall, we feel the HHW programs since its
11 inception in the early 90s has been very successful.
12 Rural counties and other jurisdictions throughout the
13 state have benefited considerably. But to some extent we
14 were suggesting it was time to capitalize on the success
15 of the investment that was made for infrastructure and
16 through O&M contributions to allow the infrastructure to
17 be more effective and maybe a more effective outreach
18 education campaign.
19 AB 501 got a lot more interest, actually, than we
20 had anticipated. And as we're talking now, other
21 jurisdictions saw the potential for other changes within
22 the grant program, so working with Cogdill's office, RCRC
23 has put the bill on hold. It's a two-year bill. And we
24 would like to be able to work with other jurisdictions,
25 Waste Board staff, as need to be, to make amendments and

1 modify AB 501 if we could to come up with some sort of
2 consensus changes to statute that may be necessary to
3 implement any of the changes that seem most advantageous
4 to jurisdictions and to the Waste Board.
5 I was able to go with Shirley to the household
6 hazardous waste exchange meeting in Northern California a
7 couple of months ago. We did discuss the proposal. And
8 although a lot of different opinions, overall we're pretty
9 gratified to see there was, generally speaking, support
10 for some type of O&M maintenance, if you will, to allow us
11 to operate the facilities.
12 That's pretty much the background of the bill.
13 Like I said, we can talk more about what we're trying to
14 achieve. It seems like there's interest in going far
15 beyond what we had initially anticipated, very much
16 interested in supporting that. We do like the block
17 grants because both at the Waste Board side and at the
18 jurisdiction side very low administrative maintenance, and
19 block grants are flexible. And more than any other
20 programs with established priorities or with the money
21 spent for block grants do allow the programs to be
22 designed to most effectively meet the needs of whatever
23 situation individual jurisdictions have.
24 So if there's no questions, I'd like to make --
25 CHAIRPERSON MEDINA: Let me see first if Board

1 Member Jones and Board Member Paparian, do you have any
2 questions or comments?
3 Board Member Paparian.
4 COMMITTEE MEMBER PAPARIAN: Just a quick one.
5 From your experience -- or Shirley, you might know this
6 too. I'm wondering if there are any kind of cross-cutting
7 problems -- you know, problems that are out there amongst
8 the HHW facilities where we might in the future try to
9 emphasize some funding or maybe even try to put together
10 some state-wide funding to solve some problems. If there
11 are no problems, that's fine. Are there problems
12 associated, for example, with getting rid of some
13 problematic material, problems with training, problems
14 with design of facilities? Anything like that out there?
15 MS. WILLD-WAGNER: I can say a couple of words on
16 that. That's a great question. We have in the past had a
17 lot of these questions brought up. We did quite a study
18 at Senator Roberti's behest on paint. We made available
19 to local governments some model programs that other
20 jurisdictions were working, on and we're also actively
21 working on, the national product stewardship on a paint
22 initiative right now. That's one of their big target
23 problems. There's so much paint being collected that it's
24 still a real problem for the local governments.
25 I think one of the things that I've thought of

1 that I think is getting to what you're saying is there is
2 some problems with design -- or there's a challenge in
3 designing the facilities that they're not all brand new
4 and different. They're very -- they're really relatively
5 simple. You have to separate the materials. And you have
6 to have secondary containment. And we could certainly put
7 some money into doing some model construction design type
8 of designs and have them available on models throughout
9 the state so that every jurisdiction wouldn't have to
10 create new programs as they do. I think that might be a
11 fair expenditure of state money to maybe have the small,
12 medium, and large type of facilities as models and have
13 the actual designs done and the plans drawn so the locals
14 can take advantage of that.
15 COMMITTEE MEMBER PAPARIAN: Or perhaps if you
16 know a really good facility out there --
17 MS. WILLD-WAGNER: Having that being shared.
18 COMMITTEE MEMBER PAPARIAN: Borrow or buy or
19 share the plans.
20 MS. WILLD-WAGNER: There's so many out there
21 already if we could just promote -- or I mean at least
22 make it available to everyone.
23 COMMITTEE MEMBER PAPARIAN: Any materials other
24 than paint that are --
25 MS. WILLD-WAGNER: Particularly problematic.

1 COMMITTEE MEMBER PAPARIAN: -- difficult to
2 handle or get rid of?
3 MS. WILLD-WAGNER: That does sort of change
4 continually. With the universal waste, fluorescent tubes
5 are very difficult to handle. The storage capacity space
6 is going to be pretty challenging. CRTs and again the
7 storage space is going to be challenging.
8 Judging from the list serve dialogue, propane
9 tanks, the oil from turkey bathes that people cook their
10 turkeys in the deep fryers, all these things are difficult
11 areas, we end up exchanging information on our list serve
12 and at our conferences and workshops. We haven't taken a
13 real active role in jumping out there and saying, "Here's
14 how you should do it," other than within the legal bounds
15 of DTSC.
16 COMMITTEE MEMBER PAPARIAN: Probably would be a
17 whole other meeting, but what's the general impact of the
18 U-waste on these facilities and programs?
19 MS. WILLD-WAGNER: The general impact is going to
20 be very significant. As I said, the storage capacity and
21 the public education to try to get everybody -- all the
22 33 million people in this country to know not to throw the
23 fluorescent tubes into the trash -- public education area
24 could be something where we can play a larger role.
25 Matt, do you have anything you'd like to add?

1 Have a seat. This is Mat McCarron, our technical person
2 in the program.
3 MR. McCARRON: I think one of the biggest
4 challenges we face is more in the design phase in the
5 planning process. A lot of our projects -- the people
6 that run these projects, they're not necessarily
7 developers. So running and designing a building and
8 getting it through their local plan process is taking the
9 longest period of time for -- it's challenging our grants
10 that we do issue. Maybe we could come up with some kind
11 of an understanding of what the development process is
12 like to get that out of the way before we could minimize
13 that impact for the development of these facilities,
14 permanent facilities in particular.
15 If it's taking two to three years to get through
16 a local planning process, it's hard for us to meet the
17 grant commitments the way we have it designed now. Maybe
18 there's ways to stretch the grant timing or provide some
19 way for them to get through that part of the process
20 before we get into more funding for permanent facilities.
21 That's one of our biggest challenges.
22 MS. WILLD-WAGNER: That's correct. That's what I
23 was getting to a little bit on the constraints. This is
24 budget year funded, and it's limited to three years. And
25 by the time they get the agreement, it's about

1 two-and-a-half. Unfortunately, we have had several
2 instances when facilities were not completed. Even though
3 they still plan to go forward with them, their design
4 phases have fallen through in the local planning process,
5 like Matt mentioned, and they haven't been able to
6 complete the construction during the period of time that
7 we have the grant available for. Sometimes those local
8 jurisdictions come back in for future funding in future
9 years. But with the flexibility, if we could get
10 continuous appropriation, which we can't probably change
11 to -- if we can do something to help in those efforts,
12 that would be very worthwhile to the locals. Do you have
13 anything?
14 MR. HEMMINGER: Nothing to add.
15 I would like to emphasize what Matt -- what you
16 just said, especially in the rurals, the local fire
17 officials, building officials don't have a lot of
18 expertise with hazardous waste. Having the name hazardous
19 waste in the name of the facility is scary, not quite sure
20 what to do with it. And we've had many, many instances
21 where the project has been protracted because of problems
22 within the local buildings of fire officials, getting
23 approval, or halfway through the project raising concerns
24 that should have been addressed early. So any type of
25 collective outreach or information to local officials

1 would help the counties moving forward.
2 Another challenge we face -- if I can just take
3 one minute -- which we were able to work successfully for
4 rural areas with DTSC is compliance. There's an awful lot
5 of regulations that DTSC administers. And in the rurals,
6 we have a lot of satellite collection facilities.
7 Typically in order to haul more than minimum amounts of
8 garbage, you need to have many certifications,
9 transportation license. And now we're working in Modock
10 County to actually get variances from DTSC where county
11 staff actually can collect from permanent storage sites at
12 outside transfer stations aggregate and collect up to a
13 higher volume -- I don't know the numbers offhand, but a
14 higher volume of waste than they would otherwise do in
15 order to put it together in one place and then have an HHW
16 contractor deal with that. So that's been one example, I
17 guess, where DTSC has worked with us to come up with the
18 program.
19 The biggest challenge those folks with permanent
20 facilities face are two-fold. One, of course, with
21 limited population, you can't be open seven days a week.
22 So we do get a lot of concern from people about the
23 frequency with which the facilities are opened. And also
24 even with a permanent facility, places like Cisco where
25 they're a big disbursed population, rural counties to be

1 effective really do need to augment their permanent
2 facilities with some type of annual or other type of
3 temporary collection days to serve outlying communities.
4 Not necessarily as efficient and cost effective as the
5 permanent facility, but folks won't be driving 50, 100
6 miles. And in order to fully serve the underserved areas,
7 we do need to augment the permanent facilities with those
8 collection events.
9 CHAIRPERSON MEDINA: Thank you.
10 MR. HEMMINGER: Thank you.
11 MS. WILLD-WAGNER: I'd like -- if it's okay,
12 we'll have Bonnie Cornwall read the letter from
13 Los Angeles County.
14 MS. CORNWALL: Good morning. This letter comes
15 to us from Melinda Barrett in L.A. County. And I quote --
16 CHAIRPERSON MEDINA: Let me ex parte that for all
17 the members.
18 MS. CORNWALL: Pardon me?
19 CHAIRPERSON MEDINA: I'm just going to ex parte
20 that for all the members.
21 MS. CORNWALL: "Because the predetermined
22 criteria for HHW grant awards have not coincided
23 with the County of Los Angeles' successful mobile
24 collection events, the County has not received
25 HHW grant funding for at least five years. Our

1 ongoing program has been serving the County's 10
2 million residents with weekly events that correct
3 approximately 5 million pounds of HHW annually.
4 The County currently spends almost 7 million a
5 year for HHW collection.
6 "We do not meet the current need criteria of
7 the HHW, yet we are most certainly in need of
8 operating capital to continue to provide the
9 excellent and effective collection program.
10 Given the vast area of L.A. County, more than
11 4,000 square miles, siting permanent collection
12 centers in the widely scattered pockets of
13 unincorporated county areas is problematic, we
14 have chosen not to pursue that option at this
15 time. Individual cities within the County are
16 opening permanent centers which we fully support,
17 but there still is a role for our mobile program.
18 "Based on our experience with the used oil
19 block grant and opportunity grants, CIWMB funds
20 can be used to put to excellent use in
21 supplementing the County of L.A.'s ongoing
22 programs. The County would greatly appreciate an
23 opportunity to compete for HHW grants and an
24 opportunity where the needs of a large county are
25 considered equally with those of small rural

1 counties and where our proposals are evaluated
2 based on their merits in our jurisdiction.
3 "Thank you for the opportunity to express
4 these concerns."
5 CHAIRPERSON MEDINA: What is the situation of the
6 city of Los Angeles in regard to the county?
7 MS. WILLD-WAGNER: The city does have programs
8 that work cooperatively with the county. The city has
9 actually opened three permanent facilities in the recent
10 years.
11 CHAIRPERSON MEDINA: But we have funded the city
12 of Los Angeles.
13 MS. WILLD-WAGNER: Yes. And the county has come
14 in with applications at different times. I know you all
15 remember when Mike Mohajer comes and speaks about the L.A.
16 programs. It's just their programs haven't met the
17 priority criteria that was set in statute and by the
18 Board. They're certainly eligible. All local governments
19 are eligible. But I want to make sure because of their
20 involvement in this for so many years. And Mike's -- the
21 county's interest in this, I want to make sure that their
22 input was at least heard. This is opening the dialogue.
23 I will be sure to engage the city and county through our
24 Southern California groups on an ongoing basis.
25 COMMITTEE MEMBER JONES: Thanks, Mr. Medina.

1 Just a follow-up.
2 I think Mr. Paparian's question was good in
3 asking where priorities are, where they're hard to manage.
4 I almost think we need to also look at -- if we're going
5 to look at this system -- right now we're looking at one
6 little grant within a bigger proposal of how we manage
7 household hazardous waste. We've got the oil money that
8 gets distributed three or four -- three different ways.
9 There's a pro rata share based on citizens that just about
10 everybody in the jurisdiction in the state takes advantage
11 of. We've got the competitive grants for programs and for
12 infrastructure for those types of things.
13 MS. WILLD-WAGNER: Right. The nonprofit and the
14 research.
15 COMMITTEE MEMBER JONES: That goes out for
16 research and those things. Back in the '90s, oil,
17 batteries, and paint represented 93 percent of the
18 hazardous waste stream that we dealt with. Wasn't it
19 about '93?
20 MS. WILLD-WAGNER: Yes. I believe it was.
21 COMMITTEE MEMBER JONES: Okay. Now we've got,
22 you know, back when it -- and the reason I'm bringing this
23 up is because I'm hoping that we keep -- we're looking at
24 how do we improve this program. And I think it's
25 important to make sure to realize the pieces that we

1 already have in place and some of the history that got us
2 there.
3 The oil program took care of -- potentially could
4 take care of 93 percent of that entire HHW waste stream as
5 it had been defined then. Shortly after we started those
6 programs, all of the refrigerators, air conditioners,
7 those types of things that we had historically recycled --
8 always needed to have the oil -- you know, the CFCs
9 removed and things like that. But it became quite a bit
10 more -- I think there was legislation that was passed that
11 said we had to do it a certain way otherwise we were going
12 to get slapped around.
13 We started taking out the freon. We started
14 taking out the oil and Mercury switches. Well, what
15 happened and the reason I bring this up is to give you an
16 idea of a facility that had been able to stockpile those,
17 bring them in, recycle, and drop the oil and do whatever
18 and get them out of there, now had to stockpile until you
19 had enough of those units in place to be able to afford to
20 get somebody in or to be able to have the time to run them
21 through. It took up a huge amount of real estate within a
22 facility. That was the first change that we saw in how we
23 started dealing with these types of wastes.
24 Then you see E-waste coming along, and that gets
25 banned from landfills. Now we've got not only piles of

1 refrigerators and air conditioners and freezers, we have
2 piles of e-waste waiting for somebody to come, again
3 taking up a huge amount of space. But now what has that
4 done to what was the original proportional -- you know
5 before, 93 percent could be handled with an ABOP, a cheap,
6 efficient, easy to do -- took care of 93 percent of the
7 waste stream. Now that ABOP represents what portion of
8 the household hazardous waste stream? I don't know. None
9 of us know.
10 MS. WILLD-WAGNER: Some of our locals might be
11 able to say today what they do in their management.
12 COMMITTEE MEMBER JONES: But how many of the CRTs
13 have they seen? Some of them have truckloads. Some of
14 them have huge amounts of area waiting for funding or
15 somebody -- or the funding to actually get them off site.
16 And now we're going to have a whole other waste stream,
17 the universal stream waste. We're going to end up with
18 fluorescent tubes and God knows what else sitting at a
19 site.
20 For us to look at this program on how to
21 effectively fund -- because we can't fund all of it.
22 There's no way we're going to be able to fund all of it.
23 But I think we need to step back and see what parts of the
24 waste stream are we handling with those programs between
25 the oil program and the household hazardous waste program.

1 Because the concerns I brought up about the door to door
2 collection was we had had a system that historically in
3 this program helped to build infrastructure; right?
4 MS. WILLD-WAGNER: Right.
5 COMMITTEE MEMBER JONES: I'm not talking about
6 brick and mortar as much as I am --
7 MS. WILLD-WAGNER: Permanent opportunity.
8 COMMITTEE MEMBER JONES: Whatever you need. I
9 mean, I know a kid that ran the solid waste division in a
10 community I used to work in who would have loved to have
11 built the Taj Mahal. And I made him very aware if that
12 came in front of this Board, I would be the one voting no
13 for it. Because this guy always wanted a Cadillac when a
14 Chevy would do. So I know he scaled it back and put in a
15 reasonable dollar amount.
16 Those are the types of things we need to be
17 talking about, is what's appropriate. But we also need to
18 know what the waste streams are going to look like so
19 before we start figuring out are we going to fund e-waste,
20 well we're going to have to do something. But we have SB
21 20 that's going to help fund a lot of that. Okay.
22 Is it cost effective to go door to door? No.
23 But it's cost effective if we've got a small part of our
24 community that needs that service. Okay. Because every
25 time you do it door to door, hopefully you're keeping that

1 material out of the garbage and out of my guys' backs, off
2 their backs and off of their hands and everything else as
3 well as what's going into a landfill. So obviously I want
4 to keep it out.
5 But we've got a jurisdiction that's going to
6 spend $240,000 to go door to door out of their grant.
7 That is mind boggling to me because I don't think those
8 are dollars -- I don't have a problem. They meet the
9 criteria. I'm not objecting. I'm going forward, okay.
10 MS. WILLD-WAGNER: Absolutely.
11 COMMITTEE MEMBER JONES: That $240,000 could be
12 better used, I think, maybe somewhere else. So I'm not
13 trying to make a speech as much as I'm trying to say we've
14 got to know how to tie these pieces together so that we
15 can answer Mr. Paparian's question. Because based on each
16 jurisdiction, it's going to be different. You're not
17 going to have as many computer monitors in rural
18 California, but you're going to have more television
19 monitors. Okay.
20 And all you have to do is look at the driveways,
21 the roads entering any transfer station or landfill in any
22 of California, and you will find evidence of what those
23 exclusions have done. People couldn't afford to pay the
24 fee, so they dumped them on the roads and dumped it on
25 Public Works Departments to pick it up. I mean, that's

1 what happened with household hazardous waste. If it was
2 outside the gate, I refused to open the gate until the
3 county came and picked it up. Because if I picked it up,
4 I was responsible for it. So I never opened the facility.
5 I made them come and get it. Because I wasn't going to
6 pay for it, you know. So I think it's important in this
7 Committee that we broaden this before --
8 CHAIRPERSON MEDINA: I think your points are all
9 well taken, Board Member Jones. I know that in urban
10 centers where a lot of people reply on public
11 transportation and the facility may be located not
12 convenient to the residents of urban areas, you may need
13 door to door at some point, once a year or whatever, so
14 that people can bring those out to the curbside and have
15 them picked up.
16 MS. WILLD-WAGNER: Those are excellent points
17 from the whole Committee, and I'm hoping some of your
18 questions could be answered. I think some of our local
19 governments today might be able to have a couple of
20 answers for you on the percentage that now an ABOP can
21 cover. You're right, the universe of what we're having to
22 deal with is expanding every year. I think we've got some
23 people here that might be able to help you struggle with
24 this one.
25 CHAIRPERSON MEDINA: Any other comments or

1 questions?

2 Board Member Paparian.

3 COMMITTEE MEMBER PAPARIAN: Just a quick

4 follow-up.

5 You know, the u-waste is going to be a challenge,

6 and the e-waste legislation is dealing with what is now

7 the most problematic portion of the e-waste stream, the

8 monitors. And that should hopefully give some financial

9 relief to this program. Hopefully, the e-waste

10 legislation and the funding will replace what we've had to

11 push out from the household hazardous waste program.

12 However, DTSC is looking at other electronic

13 products that are not covered by the legislation. And we

14 don't know what's going to happen with their testing of

15 those products. But we could face a situation where other

16 products that are not covered by SB 20 suddenly become

17 part of the household hazardous waste stream. So that's

18 another sort of looming issue out there with the u-waste

19 issue that we could see some substantial increase in the

20 products out there that need to be covered by the HHW

21 program that aren't covered by SB 20.

22 CHAIRPERSON MEDINA: Yes, Board Member Jones.

23 COMMITTEE MEMBER JONES: Does SB 20 cover the

24 hard drives?

25 COMMITTEE MEMBER PAPARIAN: No.

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COMMITTEE MEMBER JONES: But those are excluded from -- what has to be stripped out of those?

COMMITTEE MEMBER PAPARIAN: Let me answer in a different way. The e-waste legislation covers cathode ray tubes, your traditional televisions and monitors. It will cover the flat screens if Toxics determines those are hazardous. It does not cover the computer boxes, the hard drives, anything else associated with the computer other than the monitor if it's a CRT, and then the flat screen will get added if Toxics determines those are hazardous.

COMMITTEE MEMBER JONES: But there's responsibilities to strip pieces out of those things; right?

COMMITTEE MEMBER PAPARIAN: No, unless I'm not understanding the question.

COMMITTEE MEMBER JONES: That's cool.

COMMITTEE MEMBER PAPARIAN: It's just the video portion of the product that's covered in one way or another by the legislation. If Toxics determines hard drives to be hazardous, they aren't in the legislation. They have to be covered in some other way.

COMMITTEE MEMBER JONES: Okay.

CHAIRPERSON MEDINA: I do have some speakers, so I'd like to have some of those speakers have an opportunity to come up and give their remarks. Let me

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1 read them in order. John Cupps, Rod Miller, Alison
2 Hudson, and then if he wants to make any further remarks,
3 Jim Hemminger. But at this time if John Cupps would come
4 up.
5 MR. CUPPS: Good morning, Chairman Medina, Mr.
6 Jones, Mr. Paparian. For the record, my name is John
7 Cupps. I am a consultant to the San Luis Obispo County
8 Integrated Waste Management Authority. We do own and
9 operate five permanent household hazardous waste
10 facilities. We would like to urge the Committee to give
11 very strong and serious consideration towards the first
12 option identified by staff which is to shift the program
13 to a noncompetitive grant system.
14 We believe that, you know, whether you're talking
15 about the rural counties, whether you're talking about
16 urban counties such as Los Angeles, each and every
17 jurisdiction faces different challenges when it comes to
18 managing these waste streams. I think fundamentally they
19 all have one common challenge, and that is simply cost.
20 The program the way it has operated, particularly
21 over the last four or five years, has placed an emphasis
22 on the development of permanent infrastructure. We think
23 that was a good idea. We now believe that by and large
24 there is a pretty good infrastructure in place. There may
25 be those few jurisdictions that have had difficulty

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1 getting facilities permitted, but we think that by and
2 large they've had an opportunity to develop that
3 infrastructure.
4 Right now I think every jurisdiction, whether
5 you're talking rural or urban or a mix thereof, faces the
6 common challenge of just funding the ongoing operating and
7 maintenance costs. And we think by shifting to a
8 noncompetitive grant system that addresses those costs
9 would be far more efficient -- a far more efficient use of
10 your staff. We certainly think it would be more efficient
11 from the standpoint of our staff. We also frankly think
12 it would be far more equitable. The fact of the matter is
13 those jurisdictions who, shall we say, are less able to
14 compete successfully for grants are the ones who will be
15 aided by that.
16 Now as a practical matter we have actually
17 applied for, I believe, five household hazardous waste
18 grants. We've been successful four times. We don't have
19 a problem competing. We just don't think it's
20 particularly equitable or efficient. So we would really
21 like to have you guys take a hard look at just shifting to
22 the noncompetitive grant approach. I think it would be
23 important to model that along the lines of the used oil
24 program where you set certain minimum thresholds for award
25 to any jurisdiction.

1 I'd also like to urge to you take a hard look at
2 whether or not that shift could be made without any
3 statutory change. There may be some question about that
4 given the language involving -- the language that sets
5 priorities, but my hunch is that you might be able to make
6 that shift and run legislation concurrently.
7 Anyway, that's all I have to say. Be happy to
8 answer any questions.
9 CHAIRPERSON MEDINA: Okay. Board members, feel
10 free at any time to ask any questions of the speakers.
11 COMMITTEE MEMBER PAPARIAN: Mr. Chairman, it's
12 more a comment than a question. In thinking about the
13 noncompetitive grants, given the amount of money that we
14 have available, it would seem that the amount we would be
15 able to push out the door per resident would be pretty
16 low. And that would lead to a lot of jurisdictions
17 getting a tiny amount of funding but not nearly enough to
18 really run their programs, which I think then could lead
19 to pressure to increase the amount of funding available
20 which could take us in a number of directions, including
21 pressure to raise the tipping fee to help cover that. I'm
22 not advocating that. But it's a series of events that I
23 could see happening if we go to a noncompetitive
24 situation. We'd only be able to fund 10 to 15 cents a
25 resident.

1 COMMITTEE MEMBER JONES: 14 cents.
2 COMMITTEE MEMBER PAPARIAN: And if you then
3 establish some minimums like the oil program does, you
4 know, you'd probably be some minimum plus 6 or 8 cents a
5 resident. It's not going to be much in most areas.
6 MR. CUPPS: I recognize that, Mike. But we still
7 think it would be the best use of the funds.
8 COMMITTEE MEMBER PAPARIAN: Okay.
9 COMMITTEE MEMBER JONES: How many people in the
10 county, John, San Luis Obispo?
11 MR. CUPPS: I think it's approaching 300,00. So
12 we'd probably be talking about $30,000, which, believe me,
13 is far less than our program costs.
14 We actually have received awards both from this
15 Board and actually some national associations recognizing
16 the cost effectiveness of our designs and operations. We
17 certainly have not constructed Taj Mahals, as Mr. Jones
18 mentioned. Our facilities are along the lines of the ones
19 he described where essentially you've got a 40-yard
20 container that's been divided up for storage purposes.
21 Nothing particularly high tech. We're able to site them
22 relatively quickly by putting them at the sites of
23 existing solid waste facilities. We've taken sort of a
24 very practical -- what we believe is a cost effective
25 approach, and yet it does provide a very real service to

our citizens. 30,000 -- I don't know exactly what we're spending on an ongoing basis, but my hunch is that $30,000 is a fairly small proportion, but frankly every little bit helps.

MS. WILLD-WAGNER: Just to put into perspective the numbers, we have 10 million a minimum in the block grants that comes out to about 31 per capita throughout the state. To answer your question, we have the spending authority for up to 5 million in the HHW grant, but in the BCP currently we have the spending authority for 4 1/2. So that comes out to about 14 cents per capita.

One other tidbit on that is we have allowed the construction of permanent facilities as an eligible expense under the used oil opportunity grants where we do have -- we have more money there and more flexibility. We could continue to focus on permanent construction through the used oil opportunity grants as along as they're also collecting oil and then focus HHW, as Mr. Cupps mentioned, on the ongoing operations and maintenance.

CHAIRPERSON MEDINA: Okay. Good. Thank you.

Just for meeting purposes, I'm going to tell you we're going to adjourn at 11:00.

At this time I'd like to call up Rod Miller.

MR. MILLER: Thank you, Committee members. Thank you for the opportunity to provide some information. Is

this audio okay?

Here we are. In many parts of California, they have earthquakes. And here we are in steady Sacramento.

So again, my name is Rod Miller. I'm with the city of Folsom Hazmat Division. I guess that attempt at humor didn't work.

We've operated a door to door collection program since 1994, and we currently have a pilot program that collects all types of household hazardous waste. And we've tried for the last four years -- last three years to receive the competitive grants and we have not. Obviously, it's important that you review the effectiveness of your grant money, as it certainly is prudent.

My wish is that you review those grant -- the distribution of the grant moneys, scoring criteria, et cetera, with a view towards maximizing the environmental protection through reducing the amount of household hazardous waste in the waste stream. Hence, I would caution against incorporating a bias against door to door collection programs or source reduction programs. Because it's certainly my belief in having close hand experience with this type of program that it is the household hazardous waste collection program of the future. It is, I believe, the most environmentally responsible form of

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1 collecting household hazardous waste. But you have to
2 recognize these are very dangerous, hazardous, reactive
3 chemicals that people have. And they have a great variety
4 of things, from DDT cow dip in urban areas to very
5 reactive oxidizers. Very difficult to handle.
6 So consequently what these programs do is they
7 cut out the whole step of having people load it into their
8 cars, load incompatible chemicals into their cars, and
9 drive 10, 20, 30 miles to a facility. So consequently, I
10 believe in the long term, these are the programs that can
11 get the most household hazardous waste out of the waste
12 stream because if I believe the state utilizes a
13 community-based socially marketing program to look at what
14 are the barriers to people getting their household
15 hazardous waste out of the waste stream, you'll find that
16 convenience is a major barrier to them doing the right
17 things.
18 And the consequence of them improperly disposing
19 of their household hazardous waste is it either pours out
20 of their garbage cans or out of the back of garbage
21 trucks. As you know, garbage trucks are not sealed
22 containers. So with compressing, five gallons of
23 pesticide -- believe me, people have those quantities. It
24 drains right out the back of their garbage trucks right
25 into the storm drains. As you know, local governments are

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1 faced with having to regulate storm drain discharge.
2 Additionally, a lot of these programs are geared
3 towards handicaps. You know, the ADA requires us to
4 provide access to handicapped for all our programs, and
5 these door to door programs are an excellent way to do
6 this.
7 With respect to cost effectiveness issues, door
8 to door programs are somewhat analogous to what curbside
9 programs were back in 1985, '87. There was a limited
10 number of them. And as far as I know, there's maybe one
11 or two private companies that provide the service. The
12 city of Folsom provides the service ourselves. And
13 there's obviously a lot of variables as far as how you do
14 the calculations as to what the costs are. Are you
15 comparing apples to oranges when you're looking at
16 permanent and door to door programs? I mean, do you count
17 the capital cost of the permanent facility? What kind of
18 overhead administrative cost do you count? How do you
19 count labor? Do you have a uniform cost to allocation
20 methodology that you apply to all your government programs
21 throughout the whole state? It's a very difficult issue
22 to really dice up cost. And I don't believe that we've
23 really discovered the economies of scale with respect to
24 these types of programs.
25 And also again with respect to source reduction,

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1 the state has a hierarchy that puts source reduction at
2 the top. At least I haven't seen in the scoring criteria
3 any recognition of that in recent years. We've put an
4 array of types of programs in our proposals, including
5 what we believe are innovative source reduction practices
6 that try to look at community-based social marketing. And
7 despite our proposals, I think the surveys associated with
8 that approach is something that the Board could really do
9 to help everyone focus on what is effective source
10 reduction.
11 I would also support, just from my perspective,
12 the issuing of the grant moneys in a block open method.
13 Because again, having a little money predictably is better
14 than having uncertainty about more money in programs, at
15 least from my perspective. Unfortunately, these
16 competitive grants are so competitive that you can get
17 excluded for, you know -- it appears we got excluded in
18 part because of some problem with our recycled content
19 policy. We have one. We buy stuff, but for some reason
20 we didn't get all the points. But you know, what that has
21 to do with our innovative programs, I'm not sure.
22 So having the block grant money -- again, if you
23 all are doing good surveys, we're finding out the barriers
24 of people doing source reduction, we can target our
25 activities even with 10,000, 30,000 we can target

effective things that move us forward.

So I believe that is it. Thank you very much.

CHAIRPERSON MEDINA: Thank you.

Board Members, any comments or questions?

Board Member Jones and then Board Member Paparian.

COMMITTEE MEMBER JONES: Is the e-waste going to get picked up door to door in your program?

MR. MILLER: Yeah. We currently do. We're going to assess a fee on each CRT. We currently pick it up for free.

COMMITTEE MEMBER JONES: So anyone in the city of Folsom can call you and you're going to come pick this stuff up?

MR. MILLER: Yes, we do.

COMMITTEE MEMBER JONES: Where do they put it?

MR. MILLER: They put it on their driveway. They don't put it on their curb. Whatever they put out there, they make sure it's not leaking. I say that six times a day.

COMMITTEE MEMBER JONES: Okay. So it's in the driveway, close to the curb, somewhere between the garage door and that --

MR. MILLER: Yes. It's on the driveway.

COMMITTEE MEMBER JONES: Thanks.

CHAIRPERSON MEDINA: Board Member Paparian.

COMMITTEE MEMBER PAPARIAN: Just thank you for showing up. It's good to see you. Rod, for those who don't know is -- back in the olden days -- that's the olden days -- is responsible, I think, for a lot of what's in 939 and how we're moving forward with it and what's in the container deposit legislation. Rod used to work for Californians Against Waste during the formative days of both 939 and the bottle bill. Good to see you.

MR. MILLER: Thank you very much. Good to be here.

CHAIRPERSON MEDINA: Thank you for your testimony.

Next we have Alison Hudson.

MS. HUDSON: Good morning, ladies and gentlemen. I'm with San Joaquin County Department of Public Works. I don't have any riveting comments, I don't think. This is such a free wheeling discussion that it's hard to know where to focus in. But I will make a few comments. And then if you have any questions, I'd be glad to answer them if I can.

I did think it was worth the idea of addressing design issues for facilities is a good one. The difficulties associated -- I don't know so much within development process, but with the actual construction of a

1 facility, and then once you get that facility constructed,
2 finding out that there were all kind of things that you
3 wish you had done that your architect or your engineer
4 didn't know to do or didn't tell you to do and that you
5 didn't know to do.
6 We were very happy with our results, but our
7 results took a long time, and we worked very closely with
8 a HHW contractor, and our one architectural firm that
9 responded to our RFP. And so we really didn't have a lot
10 of choices. I suspect that's happening in a lot of places
11 out there, certainly in small rural areas. San Joaquin
12 County is really not very small, and it's not too rural
13 any more. And the kind of response that we had from our
14 RFP was a little shocking.
15 So I suggest that you consider doing a small, a
16 medium, and a large and really looking not so much -- I
17 mean, everybody knows you chop it up into various areas
18 and you're going to have grading and stuff like that. But
19 I would really look at real essential kinds of issues like
20 effective electrical design and ventilation and things
21 like that, light, natural design associated with some
22 mechanical -- natural ventilation associated -- and
23 putting that together with some mechanical ventilation,
24 things like that so you can really incorporate some of the
25 more modern safety precautions that are available out

there but that many architects don't know about. So our architect had designed facilities before, and I was just really sort of startled at the number of changes and the time that we had to spend looking at that design.

As far as waste streams go, we have been very grateful to our waste grant moneys, as everybody is. We started our household hazardous waste program in 1994. We're fortunate in that early on we developed a special district. That means there's a $4 a year assessment for each house in San Joaquin -- homeowner in San Joaquin County, and that has provided very steady funding for which we're grateful. As our population grows, we do get a little more money as times goes along. We've been one of the fortunate ones.

I think at this political and economic time in California that it's not likely that other programs will be able to do that. But it just has worked very, very effectively for us and for our constituents and has allowed us to be very even handed in our long -- and take a long-term approach, rather than worrying whether someone's going to chop out $200,000 from underneath our knees. If we have a mass migration, then we'll lose those funds. But it's been very effective.

ABOPs for us -- we started out with a comprehensive certified center program that was our

1 attempt. And because waste oil seems to be a waste stream
2 that San Joaquin County people hold in great affection and
3 there's a great deal of oil, more oil that most rural
4 areas for some strange reason. Everybody has a truck.
5 Many of our certified centers have sort of ended up being
6 ABOPs. So they started out as certified centers. Then we
7 put in filter collection, and then at that point several
8 of our facilities are at fire departments. And so we were
9 able to also at the same time collect batteries and do
10 reuse. So we have a more of complex -- many of our
11 certified centers are more complex than your traditional
12 ABOP.
13 The problem with doing ABOPs always is that
14 you're going to get other materials. It doesn't matter
15 how much you advertise, you're going to end up with
16 pesticides. You're going to end up with these various
17 items that people drop there just out of ignorance and
18 unwillingness to wait for the next temporary event.
19 We started our temporary events in 1994. That
20 was the first time we also received a reimbursement for
21 one of our HHW events for $75,000. We put that away in
22 savings, and we saved for ten years until we were able to
23 afford a central consolidation facility, which has taken
24 us two years to build. We did get directly $300,000 in
25 funding for that. I would definitely support a two-phase

1 award, first with the planning and then with the
2 construction, because they really are just two different
3 animals. And you need to do one really well. And then
4 once you've done that, you need to go back and really look
5 at construction.
6 Like I said, our facility planning took us much
7 longer than we anticipated, and we were fortunate. We had
8 already done an EIR on the location previous because we
9 were building it for an airport. So we were just
10 fortunate that our construction went more quickly than we
11 actually expected.
12 My experience -- I don't have experience with
13 door to door collection. We have a contractor that has
14 committed that they will go out to handicapped. And
15 originally the term used was "seniors." We said, "No,
16 we're not going to use 'seniors.' That's too broad for
17 us." But individuals who cannot get out of their house,
18 who don't have transportation, or who are handicapped, our
19 HHW contractor will pick those materials up at no charge.
20 And so they -- obviously, we pay for the disposal, but
21 they incorporated that part of the service in their
22 overall contract with us.
23 I would just really encourage you regardless of
24 what else you do to not let go of the idea that you need
25 to educate and particularly about source reduction. Any

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1 time I see maintenance and operation a focus on that, I
2 become concerned because the bottom line for all of these
3 communities whether you're in the isolated areas or
4 whether you're in San Francisco is people -- you've got --
5 people have got to start reading the labels, learning how
6 to make choices, and choosing less toxic. If you give
7 that up, I just really think we're headed in the wrong
8 direction. And I don't think we'll be able to afford this
9 endless collection and collection. The better we get at
10 collecting, the more people bring stuff to us. But at the
11 other end, they're just buying it as quickly as we can
12 give it away, buying new, new, new. That's really the
13 challenge facing all of us now.
14 I've really appreciated the efforts that this HHW
15 group has made towards shoving us towards looking at
16 behavior change issues and developing campaigns that focus
17 on the community, social-based marketing techniques. I
18 think that's a good avenue to pursue in the future, not
19 only additional efforts at your level to learn more about
20 what you're doing so that -- and bring us together for
21 workshops. It's very difficult for us to do those kinds
22 of things on a local level. We talk them up. We swear
23 we'll never get funding again if we don't do it. But it
24 is expensive and it's difficult for all of the
25 jurisdictions, I think, to begin implementing these kinds

of programs in this very, very new area of behavior change.

CHAIRPERSON MEDINA: Thank you.

MS. HUDSON: I just wanted to tell you last year we collected 8,000 CRTs, and this fiscal year, first three months, we've collected 2500. So moving right along. Any questions?

CHAIRPERSON MEDINA: Thank you.

Board Members, any questions?

Thank you.

And our last speaker is Mr. George Larson.

MR. LARSON: Thank you, Chairman Medina and members. I'm here representing the Kings Waste Recycling Authority who had been the benefactor on numerous occasions for a variety of your grants, and we're most appreciative. And we feel that we've implemented effective programs in that -- I guess it's not a member of the Regional Counsel of Rural Counties, but I consider it a rural area because it's an ag county in the center of the state with about 42,000 in population.

I'd also like to acknowledge Alison Hudson's assistants. If there's a model program that meets the needs of the Central Valley, it's San Joaquin's. And we borrowed generously from her knowledge base and experience in Kings County.

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1 I want to take a different perspective than Mr.
2 Cupps had on the noncompetitive approach. Because I feel
3 while there is a legitimate concern here that restricts
4 L.A. getting the opportunity to benefit because of the
5 rural preferences, that if we went to a pure
6 noncompetitive in Kings County with 42,000, we would
7 definitely come out on the short end of the stick. And I
8 think maybe there's something in the middle here that's
9 recommended here for slitting by some percentage. I think
10 there's a model in the oil program where you have the
11 block grants based solely on per capita and competitive on
12 the opportunity grant. Maybe it's something that's worthy
13 of discussion.
14 We have found through experience now and
15 particularly with the e-waste program, we did get an
16 e-waste grant. And we are -- I don't have the numbers
17 here, but I'm doing research in that because what we found
18 is the costs. The costs of all programs are expensive.
19 But we found the e-waste management costs are
20 extraordinary. And for that reason I have two maybe
21 requests or suggestions. One is we feel we really do need
22 some ongoing support financially in order to keep this
23 program going. Kings County, Kings Waste Recycling
24 Authority are committed to keeping it going, but any
25 assistance would be appreciated.

1 Second point is we hope there will be a
2 transition period that will enable money from the HHW
3 program to be eligible for these e-waste new and ongoing
4 costs until such time as the SB 20 program is fully in
5 place. And I can understand shifting it away.
6 On costs, I'm trying to investigate -- we have a
7 contractor. I'm not stating here that there's more costs
8 being charged than are actually necessary to manage this
9 waste stream, but I think it would be very useful if the
10 Waste Board could do a survey of who out there is
11 providing these kinds of services and see if we can get
12 some kind of per unit cost so the universe of
13 jurisdictions out there can see what the actual costs are
14 in other jurisdictions. Maybe that would bring some
15 competitive pressure to reduce those per unit costs
16 because the 6 to $10 in SB 20 may or may not be
17 sufficient.
18 And then finally you made a comment,
19 Mr. Paparian, on the, I believe -- correct me if I'm
20 wrong -- that peripherals -- the CPUs, the peripherals,
21 the key boards, and other materials, are they under
22 consideration for being evaluated as a hazardous waste, or
23 did I hear you say those materials do not have to go
24 through the same kind of management as the CRTs and could
25 go directly, say, to a scrap dealer without any hazardous

1 baggage to carry?
2 COMMITTEE MEMBER PAPARIAN: First of all they're
3 not part of SB 20.
4 MR. LARSON: I understood that.
5 COMMITTEE MEMBER PAPARIAN: DTSC is testing to
6 see whether they contain materials they would consider
7 hazardous. If they do that testing and find it to be
8 hazardous, they'll probably say something like they said
9 with CRTs, they are and always have been hazardous. It
10 wasn't widely known.
11 So you'd have to talk to DTSC about whether they
12 think it's okay for you to go ahead and do what you want
13 with them. But as of now, they have not made any public
14 determination.
15 MR. LARSON: I don't know if the Board would be
16 comfortable with making the interim policy, those types of
17 materials, until such time as being deemed hazardous are
18 nonhazardous for the purposes of recycling them. It would
19 reduce by some significant portion if we only had to deal
20 with the CRTs in our collection program as a hazardous
21 material and could direct the CPUs and other peripherals
22 to other conventional, much less costly recycling.
23 CHAIRPERSON MEDINA: Okay. Thank you. The
24 purpose of this discussion was to look at potential
25 changes to the household hazardous waste grant program.

1 And so in the next five minutes if you could tell us where
2 we're going from here.
3 MS. WILLD-WAGNER: In the next five minutes. I
4 heard a lot of good input, a lot of good discussion, which
5 was my whole purpose in coming here today. We're looking
6 at coming back to the Committee in January probably with
7 some really flushed out options for you to consider. But
8 I don't feel I got really a true sense of where you want
9 us to go, so I guess in the meantime any ideas and input.
10 We will continue to discuss this with the
11 Northern and Southern California HHW information exchange
12 group works, where I will continue to flush out options
13 and hear more of what we heard today. You heard that
14 there was a real split. Some real proponents for straight
15 block grants with a minimum set for the rural agencies and
16 small jurisdictions, and others with, you know, really
17 wanting the support for the two-phase award.
18 One of the things I definitely heard is there is
19 some areas we could do some Board research on to come up
20 with the baseline and some of the cost analysis surveys
21 perhaps, as well as some of the model plans, design plans,
22 and things like that and public outreach that we might be
23 able to do. So I would fold that into any recommendation
24 that I end up coming back with.
25 Any other further direction -- I'd really like to

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1 hear either now or over the next couple of months. And
2 Marie might have had something to state about an answer
3 to one of the questions on legislation required.
4 STAFF COUNSEL CARTER: Marie Carter, Legal
5 Office.
6 I've looked at 47200, which is the controlling
7 bill for these grants, and I don't believe that you --
8 that you can offer a block grant through the bill as
9 written. However, legislative changes would certainly
10 allow you to do that. What you can do is what we've done
11 in the past, and that is piggyback on to the priority list
12 that is set in statute. So you could offer some of these
13 ideas through priority listing. And as Shirley indicated
14 earlier, maybe you could restructure this particular grant
15 on the lines of your RAC grant, which you did last month.
16 So the Legal Office would be happy to discuss any
17 options that you might feel would be available. And I'm
18 working with Program right now to make sure that this is
19 something that will reflect your needs.
20 CHAIRPERSON MEDINA: Okay. Thank you. And I
21 want to thank everyone that made presentations and thank
22 staff for your work on this. And we will move this
23 towards some specifics in regards to the next step we
24 should take. Thank you.
25 And this meeting is now adjourned.

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(Thereupon the California Integrated Waste Management Board, Special Waste and Market Development Committee adjourned at 10:58 a.m.)

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