

2008 Annual Report

California Integrated Waste Management Board

“A Year of Progress”

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Message from the Chair

By MARGO REID BROWN

Chair, California Integrated Waste Management Board

2008 was a year in which California solidified its national leadership in waste diversion and reduction, launched new initiatives to strengthen sustainability, expanded clean-up of polluting waste sites, increased reuse and recycling of our discards, and enjoyed renewed momentum from our state's effort to combat climate change.

Nearly 60 percent. That's how much of our waste we're keeping away from landfills, meaning every year we are recovering more than 53 million tons of discarded materials and redirecting them toward higher and better uses. More than 80 percent of California's jurisdictions are in compliance with the 50 percent diversion requirement, including several that have voluntarily set higher goals. Timely enforcement and technical assistance from the Board continue to be effective in helping the remaining jurisdictions achieve success and maximize their diversion rates.

No state in the nation is doing more to reap the benefits of more sensible handling of waste—and yet we continue to find new ways to expand and improve our program.

Notably, the Board sponsored legislation to put the primary focus of waste compliance squarely on the amount of disposal rather than diversion. The Disposal Measurement System Act, which defines disposal reduction as a key factor in evaluating local programs, marks a step forward in curbing the state's landfill addiction.

Another important effort was the Board's work in promoting greenhouse gas reductions through recycling, waste diversion and reducing methane releases at waste management facilities. As a member of the Climate Action Team and participant in the development of the Scoping Plan to implement the Global Warming Solutions Act of 2006, we have solidified the nexus between sustainability efforts we have long promoted and California's world-leading effort to combat climate change.

We are doing this through Scoping Plan activities like increased recycling and improved capture of landfill emissions, and through ongoing Board programs focused on conserving and protecting resources, preventing waste from being generated, promoting sustainable business practices – which encompasses product stewardship and environmentally preferable purchasing approaches – and improving the way waste diversion and conversion facilities are designed, built and operated.

Our continuing work to expand recycling, diversion and resource conservation as a common everyday practice by citizens and businesses has also been supported and strengthened by the partnerships we enjoy with our stakeholders. This is the foundation of our success—a collaboration for greater sustainability that includes environmental organizations, local government leaders and professionals of the recycling and waste management industry.

Looking ahead, we are excited by the opportunities to expand California’s recycling revolution, and continue our national leadership in waste diversion and sustainability.

California: You've done it again!

Californians have retained their ranking as the nation's leader in diverting daily discards away from landfills and into an ever-expanding roster of recycled-content products.

For calendar year 2008, California continued to set the standard by diverting 58 percent of its solid waste—more than 53 million tons of trash—into higher and better uses.

How much is 53 million tons of trash? It's the equivalent of stacking about 100 football fields with household, business, construction, and agricultural wastes, all to a height of the Empire State Building.

This record diversion rate is a reaffirmation of the fact that California residents, businesses and community leaders have taken to heart the concepts of "reduce, reuse, and recycle."

In California, it's more than just a slogan. It's become a way of life.

There are more than 5,300 recycled-product manufacturers now operating in the Golden State, providing direct employment for upwards of 85,000 California workers. Those manufacturers generate \$4 billion yearly in salaries and wages, and produce \$10 billion worth of goods and services annually.

Recycling has become a viable, mainstream industry that is equivalent in size to the motion picture industry in California.

This record-setting waste diversion rate was one of the landmark events celebrated this past year by the California Integrated Waste Management Board.

The other major notable change for 2008 is the conversion to a new formula that will allow local jurisdictions and the Board to better track our steady progress on the glide path toward becoming a zero waste state.

Until 2008, jurisdictions relied on a time-consuming, complex, inaccurate, and somewhat outdated formula to calculate the percentage of solid waste being diverted away from landfills each year.

However, under the provisions of a Board-sponsored bill approved by the Legislature and signed into law by Governor Schwarzenegger, more streamlined, timelier data will allow jurisdictions to track their progress based on the amount of solid waste being disposed at landfills. This streamlined reporting formula will allow the jurisdictions, and state regulators, to focus more attention on the effectiveness of local waste-reduction and diversion programs.

Sustainability Program

The mission of the Sustainability Program is to reduce the amount of waste being generated and going to landfills in California and to decrease greenhouse gas emissions. Major efforts to accomplish this:

- ❖ Changing how and where waste is generated and reducing the amount generated by California's businesses, local governments, State agencies, industries, and the public.
- ❖ Promoting better resource management by increasing waste prevention, reuse, composting, and recycling.
- ❖ Educating, motivating, and providing businesses and manufacturing sectors with technical assistance, either directly or through local governments.
- ❖ Working with the private and public sectors to increase the purchase of environmentally preferable products.
- ❖ Assisting local governments and State agencies in developing and implementing diversion programs.

These efforts focus on conserving and protecting resources, preventing waste from being generated, and promoting sustainable business practices, which encompasses product stewardship and environmentally preferable purchasing approaches. They support the State's efforts to implement the [California Global Warming Solutions Act of 2006](#) by reducing greenhouse gas emissions associated with waste management. More specifically, they include:

- ❖ Implementing programs designed to increase public participation in all aspects of waste reduction, including waste prevention, reuse, recycling, and composting.
- ❖ Implementing programs to assess and help develop secondary materials markets, including stimulating the procurement and use of secondary materials in manufacturing.
- ❖ Providing technical assistance in the collection and use of secondary materials.
- ❖ Overseeing and assisting local governments and State agencies in achieving statutorily mandated waste diversion goals.
- ❖ Promoting procurement of recycled-content and environmentally preferable products by the State, local governments, private industry, and the public.
- ❖ Conducting research into ways that existing and new products can incorporate recycled-content materials into product design.
- ❖ Providing financial assistance through grants and loans to governmental, nonprofit and private entities to increase reuse, recycling, and overall market development and to develop sustainable business practices.
- ❖ Conducting statewide waste characterization studies.
- ❖ Fostering research and demonstration projects involving the use of solid waste to produce alternative energy and fuel products.
- ❖ Developing and implementing tracking systems to determine program successes or failures.

The Sustainability Program comprises three divisions:

- Financial Assistance Division
- Local Assistance and Market Development Division
- Statewide Technical and Analytical Resources Division

2008 Highlights

STATEWIDE WASTE DIVERSION RATE REACHES NATION'S BEST 58 PERCENT

California shattered another record in its ongoing efforts to divert solid waste from landfills with news that the statewide diversion rate had jumped to a nation's best 58 percent for calendar year 2008.

The 58 percent diversion rate represented a 4 percent improvement from 2006, when California once again led the nation with a statewide waste diversion rate of 54 percent.

This modest overall growth is consistent with the estimated waste generation growth of 1 percent for 2007. Despite overall growth in California, the amount of waste disposed in landfills declined by 6.2 percent from the 2006 level.

The most recent data shows California generated more than 93.1 million tons of solid waste, disposed about 39.6 million tons and diverted about 53.5 million tons. When measured using the new per capita disposal measurement system under SB 1016, per resident disposal has gone from 6.2 pounds per resident per day in 2006 down to 5.8 pounds per resident per day for the most recent reporting period.

The 2006 level of 15.4 pounds per employee per day has declined to 14.3 pounds per employee per day.

These per capita disposal declines translate to a diversion rate equivalent of 58 percent. The new method provides a more timely calculation of the annual statewide per capita disposal rate.

This successful partnership between State government, local government, and the solid waste industry has helped to improve the statewide waste diversion efforts despite growth in California's population, workforce, and taxable sales. Statewide, the Board determined that more than 80 percent of the jurisdictions have fully implemented their diversion programs and met the diversion mandate.

In December 2008, the Board conducted its biennial review of jurisdiction performance, with a focus on the 2005/2006 cycle. It determined that approximately 340 jurisdictions had met their mandated diversion rates and had adequately implemented their selected diversion programs.

Statewide, 61 jurisdictions had waste diversion levels below 50 percent in the 2005/2006 cycle. These jurisdictions underwent further evaluation, including additional staff site visits, to assess whether they were adequately implementing their planned programs.

The Board determined that 56 of these had made a "good faith effort" to achieve the 50 percent diversion level and had adequately implemented their diversion programs. Several jurisdictions were referred to the Waste Compliance and Mitigation Program for further compliance evaluation.

2008 was a significant year for ensuring that jurisdictions maintain the 50 percent waste diversion target in accordance with the California Integrated Waste Management Board's [Strategic Directive 3.1](#).

DISPOSAL MEASUREMENT SYSTEM ACT OF 2008

The Board made great strides in working with the Legislature as it passed the Board's sponsored legislation known as the Disposal Measurement System Act (SB 1016, Wiggins, Chapter 343, Statutes of 2008).

The new Act was identified as a goal of the Board's [Strategic Directive 3.6](#).

Building on the Integrated Waste Management Act of 1989 ([AB 939](#), Sher, Chapter 1095, Statutes of 1989) compliance requirements, the Disposal Measurement System Act implements a simplified and timelier measure of jurisdiction performance, specifically by changing to a per capita disposal-based number as reported by disposal facilities.

The Act moves the previous emphasis away from an estimated diversion measurement number to a system that uses actual waste disposal measurement—but only as only one of many factors when evaluating program implementation.

Information about SB 1016 was provided to jurisdictions and State agencies through a series of workshops around the state in late 2008 and early 2009.

SB 1016 requires that each jurisdiction is visited at least once annually, and in many cases staff, due to the mid-2007 reorganization, has been already making more numerous site visits. These visits include interactions with local waste haulers, businesses, State agencies, school districts, and other entities.

WASTE TIRE DIVERSION

For 2008, an estimated 72 percent of the 43 million waste tires generated were diverted from disposal or stockpiles. By comparison, California had a waste tire diversion rate of approximately 33 percent in 1990. However, even with the increase in diversion, about 11 million tires are still being landfilled in California each year.

The Board has a wide-ranging set of programs designed to clean up tire piles, provide rigorous enforcement for tire facilities and tire haulers, and stimulate markets to absorb waste tires and convert them into useful products.

During 2008, the Board achieved the following:

- Conducted a five-day International Tire Conference in San Diego in May, where staff led sessions on scrap tire processing markets and finance; selling to the green building sectors; civil engineering uses; quality assurance and quality control for playground surfacing products; and quality improvements for Tire-Derived Product manufacturers. In addition, two environmental education training classes were presented to 100 teachers from Mexico.

- Provided Tire-Derived Product Business Assistance Program (TBAP) grants to four manufacturers in Northern California and seven in Southern California, as well as one processor in Northern California and two in Southern California. Subsequent application cycles will be open in 2009.
- Approved streamlining the three Rubberized Asphalt Concrete grant programs by consolidating the applications for Targeted RAC Incentive, RAC Use, and RAC Chip Seal.

Board Members adopted the report “Options to Increase Waste Tire Diversion Rates: Report to the Legislature” at their May 2008 meeting. This report includes recommendations for spending excess funds in the Tire Recycling Fund for which the Board currently lacks expenditure authority.

The five options included in the report were to 1) expand public education and outreach on tire sustainability/retreads/Rubberized Asphalt Concrete, 2) establish new equipment loan program, 3) increase tire-derived aggregate/civil engineering efforts, 4) increase rubberized asphalt grant programs, and 5) expand tire-derived products grant program. Along with the Board’s current dedicated resources, these programs recommended by the Board Members would further focus on activities that will provide a sustainable market for tire-derived products in California.

In 2007, the Legislative Analyst’s Office (LAO) *“recommended the adoption of supplemental report language to require the Board to report on options, and related statutory changes, that it would recommend to increase the diversion rate...”*

In the Budget Act of Fiscal Year 2007/08, the Legislature required the Board to submit a report by July 10, 2008, that identifies the following:

- A history of revenues, expenditures, and balances of the California Tire Recycling Management Fund since its inception, and projection of such information for 2008-09 and the subsequent two fiscal years.
- A history of waste tire diversion rates and end-uses, and projection of such rates and uses for 2007 and the subsequent three years.
- Identification and assessment of the costs and effectiveness of options to increase the rate of diversion of waste tires from disposal in landfills.
- Any statutory changes that would assist efforts to increase the diversion rate.

The Board also revised the Five-Year Tire Plan, as required by statute, and adopted of this latest edition at its May 2009 meeting. The Plan summarizes major accomplishments, provides a broad strategic overview of the Board’s enforcement and market development activities, and specifies future expenditures.

TIRE BUSINESS ASSISTANCE PROGRAM

The Tire Business Assistance Program provides direct assistance to California businesses involved in scrap tire recycling, and also involves industrywide projects aimed at benefiting the industry as a whole. As of November 2008, the Board had approved two rounds of grants totaling \$3.5 million to 33 firms.

Of the Board-approved grants, action plans were developed and implemented for 29 firms, with grants totaling \$3.1 million. (Three firms with Board-approved grants withdrew and one firm’s grant was canceled due to lack of conformance with terms and conditions.) Applications for the next grant cycle will be due in April 2009, virtually assuring that at least 40 businesses will receive services through the business assistance program by the end of 2010.

A wide variety of firms have received services through the program, including seven processors involved in production of ground/crumb rubber, and 22 manufacturers or installers of tire-derived products (including playground surfacing, athletic tracks and turf, flooring products, transportation-related products, and industrial equipment parts.)

The program provided crucial business assistance to businesses such as Modular Rubber Drains, Rubber Trails & Surfaces, and Holz Rubber, which now incorporates recycled rubber into its entire product line. The program also includes “industrywide” projects. Under the current contract, seven projects are under way and expected to be complete by April 2009. Under a newly awarded contract, an additional seven projects will be undertaken through 2011.

These industrywide projects are aimed at promoting an underlying *market pull* strategy aimed at diversifying markets, facilitating sales, and providing market information. A recent networking showcase held in Arkansas, home of Walmart, brought together big box retailers and California companies producing tire-derived products.

EXTENDED PRODUCER RESPONSIBILITY

Amid escalating costs for managing products banned from landfills, perhaps \$500 million or more per year for local governments, much attention has been placed on the concept of extended producer responsibility (EPR). The Board has developed policy proposals on this topic and in January 2008 adopted a revised “EPR Framework” which is intended to serve as a basis for potential legislation. Staff has developed [educational and outreach material](#) addressing Frequently Asked Questions, describing EPR programs worldwide and providing details of the Board’s own Framework.

The Board’s EPR Framework has garnered support from many groups, including the California Retailers Association; California Product Stewardship Council, which represents many cities, counties, and Joint Powers Authorities; Product Policy Institute; the National Association of Counties; and The Sierra Club. In addition, staff has established working relationships with numerous stakeholders, including retailers, individual manufacturers, waste management companies, and many local governments.

Staff also participates in ongoing discussions with other states (in particular, Oregon, Washington, and Minnesota) and Canadian provinces (specifically British Columbia and Ontario) about EPR Framework programs and approaches. Additionally, staff serves as the western regional representative for USEPA Region IX on a national product stewardship task force which is addressing issues that cut across state lines, such as program development and evaluation.

While seeking statutory authority to implement its EPR Framework, the Board continued to engage in a range of activities related to voluntary producer responsibility efforts.

In 2008, these included:

- Environmentally Preferable Purchasing (EPP)
 - Carpet—Collaborated with Department of General Services in advancing a national carpet standard. It will replace the current *California Gold Sustainable Carpet Standard*, which was based on the draft standard, but added a special provision for post-consumer recycled content.
 - Electronic Product Environmental Assessment Tool—Producer responsibility, end-of-life management, product take-back, and design for the environment are criteria

recognized through certification. Combined with a national strategy for large institutional purchasers to purchase these products, the number of certified computers has grown significantly to cover more than 1000 products, including more than 250 certified-gold products. In 2008 Board staff worked with the Department of General Services to require that personal computers must achieve the certification tool's silver level in the new State contract. Additionally, Board staff is participating in the national effort to expand this certification to imaging devices, televisions, and cell phones.

- Product Stewardship Institute—In 2008, Board staff was active in discussions with industry to address paint, pharmaceuticals, sharps, and mercury-containing products.

REDUCING ORGANIC MATERIALS

As part of [Strategic Directive 6.1](#), Board Members recognized the need to reinvigorate efforts to divert organics from landfills. An initial Roadmap for this sub-directive was approved by Board Members in December 2007 and a status report and second Roadmap were presented in December 2008.

Meeting the goal will require development of perhaps 50-100 new facilities (or equivalent expansion of existing facilities) that produce compost/mulch, biofuels, and/or bioenergy; increased development of product standards; increased procurement by private and public entities; and resolution of cross-agency regulatory issues.

Board staff achieved several milestones in 2008 including:

- Approved Scopes of Work, contractors, and interagency agreements for contracts related to organic materials management and continued work on ongoing contracts, including Organics Life Cycle Assessment; Compost Best Management Practices and Benefits; Bioenergy and Biofuels Demonstration Project; Landfill-Based Anaerobic Digestion Pilot Project; Compost Cover Methane Reduction Project; Agricultural Specifications; and Caltrans/Local Government Workshops.
- Discussed stakeholder and staff suggestions on options for reducing green material Alternative Daily Cover, including developing a toolbox, charging disposal and tipping fees on such cover, a local jurisdiction diversion processing capacity provision, and phasing out the Alternative Daily Cover diversion credit. Staff convened a working group of external stakeholders that included representatives of local government, solid waste industry, and environmental organizations.
- Held workshops on increasing siting and capacity of organic diversion facilities.
- Awarded a contract to conduct Baseline Infrastructure Inventory and Information Management Framework.
- Continued collaboration with the California Air Resources Board, air districts and regional water boards on the AB 32 Scoping Plan and on regulatory requirements related to compost facilities and applications.

REGIONAL PROJECTS

Board staff continued to work with Sacramento County jurisdictions, in collaboration with local stakeholders and Department of Conservation's Division of Recycling, to develop and expand regional markets for materials that make up a significant portion of the Sacramento region's waste stream. The group targeted organics, construction and demolition, commercial recycling, and plastics. Four teams

headed by Board staff and key local stakeholders were formed to implement programs for the above four activity areas. The primary target is to develop or enhance programs to divert more of these materials still prevalent in the area's waste streams:

1. **Organics:** This team has been involved in assessing the potential for creation of a regional compost facility under the auspices of the Sacramento Solid Waste Authority. In addition, the team has been looking at potential anaerobic digestion facilities and planning meetings with interested parties to discuss their plans.
2. **C&D:** This team has focused on the potential siting of mixed construction and demolition facilities and the development of a comprehensive ordinance for Sacramento County jurisdictions. As a result, the Solid Waste Association created ordinance language for certified mixed construction and demolition facilities, and ensuring that construction debris disposal is directed to sanctioned facilities.
3. **Commercial Recycling:** This team has been focused extensively on involvement in a "Green Apartment Partnership." The Partnership includes representatives of county and city governments, SMUD, the Sacramento Tree Foundation, haulers, and others interested in developing a comprehensive "greening" of apartment complexes. This partnership is developing plans for educating apartment owners, managers, and tenants and creating programs for apartment building recycling programs; water and energy conservation; and other environmentally advantageous activities.
4. **Plastics:** This team has focused its efforts on special events aimed at educating the public about the increased collection of expanded polystyrene (e.g., Styrofoam). The City of Roseville, in collaboration with Board staff, has developed an ongoing polystyrene collection program. This program is being studied by the jurisdictions in Sacramento County in the hopes of replicating that successful program.

Two other projects illustrate the range of Board efforts to collaborate with local stakeholders on developing regional targeted projects :

- Staff have been working with Fortuna, Ferndale, and Rio Dell (and to lesser degrees with the Humboldt Waste Management Authority and other area jurisdictions) to aid jurisdictions in achieving higher diversion such as:
 1. **Expansion of curbside programs:** These three small cities have had curbside collection programs for varying periods of time. Fortuna developed an enhanced program in response to a previous compliance order from the Board. The program expansion included distribution of standardized containers, and the introduction of greenwaste collection. Ferndale and Rio Dell are also participating in the expanded mixed materials curbside program and all the cities are working on the development of a mandatory program.
 2. **Construction and Demolition:** The local hauler that provides the curbside services is working on siting a facility in Fortuna for the expanded collection of construction and demolition materials, targeting mixed materials. Local Assistance and Market Development staff have recently been focused on the challenges in the permitting process for a facility across the street from the hauler's transfer stations.
 3. **E-waste and U-waste collections:** This is a growing project in which Board staff have met with local government representatives, the Local Enforcement Agency and the hauler to

develop the hauler's ability to become a certified facility. This project is in its infancy with more effort to be provided in the next year.

- Staff is working with Los Angeles County jurisdictions to inform them about the 2013 closure of Puente Hills Sanitary Landfill and the need to plan for new markets for greenwaste used for alternative daily cover at the facility. One-on-one discussions are being conducted with each jurisdiction about current collection and handling methods and alternative options that exist today or can be planned. Staff have organized several meetings between business interests that want to start a greenwaste processing facility and local jurisdictions that could host such facilities. Staff have also created an informal work plan for each jurisdiction and will track jurisdiction progress in identifying a market for their greenwaste.

RECYCLING MARKET DEVELOPMENT ZONE

Board staff initiated the Recycling Market Development Zone Program Evaluation Project in September 2007 and reported to Board Members in September 2008 on the project's progress. A major goal of this project was to revisit the program's focus and determine viable options that can refresh program services, yield more active and engaged stakeholders, and in general, achieve a more effective program.

Staff solicited extensive feedback from Zone Administrators, zone businesses and other interested stakeholders. Staff also conducted an assessment of progress made on specific Board Strategic Directives pertinent to the RMDZ program.

The Project's findings and direction from Board Members included:

- Statutory changes
 - Pursue a statutory change to eliminate or change the sunset date.
 - Continue to work with stakeholders and pursue legislation to develop a bifurcated loan cap.
 - Conduct more research on the microloan concept.
- Policy changes
 - Begin a new Zone Designation Cycle beginning in March 2009.
 - Continue to support the Zone Administrators training program.
 - Work closely with Zone Administrators to develop and implement a statewide marketing and outreach plan.
 - Establish a new program to provide Zone Incentive Funds tied to performance.
 - Continue to support the concerted and focused effort to establish and maintain communication between Zone Administrators, zone businesses, the Board, and Board program staff.

The [RMDZ Revolving Loan Program](#) provides low-interest loans to private businesses and not-for-profit organizations to increase diversion of non-hazardous solid waste from California landfills and to promote market demand for secondary and postconsumer materials.

The Board offers financing directly to California manufacturers (located within the boundaries of a Zone) that reduce manufacturing post-industrial waste, and/or reduce post-consumer waste destined for landfills by production of recycled content raw materials or final products.

In September, Board Members also reviewed and approved revised RMDZ loan criteria to better reflect Board priority materials and market barriers. In particular, the Board clarified that the following projects are **not** eligible for RMDZ loans:

- Projects involving single-use plastic bags less than 2.25 mil thick and projects involving polystyrene food containers;
- Clarify projects putting internally generated scrap back into their manufacturing process; and
- Transformation projects.

Additionally, the revised criteria provides an enhanced definition of conversion technologies and separates biomass conversion projects from conversion technologies.

Several loans totaling approximately \$5 million were approved in 2008. The loan recipients were:

- BAS Recycling, Inc. (tire processor in San Bernardino)—A \$2 million loan to process waste tires into crumb rubber. This facility is relocating to a larger site and purchasing more efficient, newer equipment that can process a greater volume of tires.
- America Go Green Recycling, Inc. (agricultural plastic film processor in Terra Bella)—A \$2 million loan to recycle agricultural plastic film into pelletized plastic and flakes. This material will be used to make recycled-content plastic tubs and other products sold by a related business, Tuff Stuff Products.
- Viscotec Corporation (agricultural plastic film processor in Tulare)—A \$980,000 loan to clean and process agricultural plastic film and blue hospital wrap into pelletized plastic and flakes. This loan will fund a second production line for the company.

In 2008 the Board attained a major milestone, topping \$100 million in loans to recycling-based manufacturers in California. Since the inception of the program in the early 1990s, the loan program has witnessed growth in some recycling industries and economic changes, resulting in more businesses needing financial help to sustain business operations. This has resulted in a total of 153 loans to 120 businesses.

Businesses aided through RMDZ loans and/or technical assistance annually divert about seven million tons of waste from California landfills, and have created 8,800 new jobs for the California workforce.

GREENING CALIFORNIA

For many years, the Board co-chaired the Environmentally Preferred Purchasing Task Force, even though the Department of General Services was charged with this mandate under statute. As a result of these efforts, the Department of General Services incorporated environmental language into several contracts and in partnership with the Board and the Task Force developed an online Best Practices Manual covering more than 40 products. Board staff participated in the development of new State contracts for office furniture and personal computers, and prepared recommendations for a future pesticides contract (Board emphasis has been on containers and pallets).

More recently, the Department of General Services has made a number of changes to institutionalize environmentally preferred purchasing. There are now two procurement engineers in the EPP section. Additionally, the state's Contracting and Procurement Academy now offers a brief introduction to the topic for all purchasing officials throughout the state. As a result, the Board's role has shifted in recent years from co-chairing the Task Force to a coaching role to serving as participants on the Task Force.

One outstanding issue is that California cannot track decentralized purchases that occur across the State, which makes it almost impossible—or extremely costly—to assess the extent or impact of EPP. As a result, the Department of General Services is developing an e-procurement system that may incorporate tracking of environmentally preferred purchasing. The department also has been asked to update its web pages to identify State contracts with environmentally preferable products and to update chapters of the Best Practices Manual that support the Board’s mission. The Manual remains a key source of information on environmentally preferable products, but will need to be kept current.

In addition to these activities, the Board also assists the Department of General Services in implementing the State Agency Buy Recycled Campaign (SABRC). Under this program, State agencies and the Legislature are required to purchase products made with recycled-content and to report annually on product purchases within 11 categories of material types. This past year 226 State agencies, fairs and state universities were required to report their SABRC purchases by October 31, 2008.

By the October due date, 120 agencies (53 percent) had reported. After continued efforts by Board staff, as of February 2, 2009, 202 had submitted their report, eight were pending and 16 had not started. This results in an 89 percent participation rate, which exceeds 2006/2007 when 75 percent of agencies reported.

During 2007/2008, reporting agencies spent a total of \$638 million on products within the 11 SABRC categories; 74 percent of these purchases met the minimum post-consumer recycled-content requirement, amounting to nearly \$474 million.

As a comparison with 2006/2007, State agencies improved both in terms of compliance and actual dollars spent. During the 2006/2007 reporting year, \$267 million was spent statewide on products within the SABRC reporting categories, with \$184 million (68 percent) being SABRC-compliant.

Also, in July 2008, California became the first state to adopt Green Building Standards into the state building code. The most significant section for the Board is Housing and Community Development’s provision for a mandatory 50 percent diversion in all residential projects when the code takes effect in 2011. This represents a paradigm shift in the construction and demolition recycling market and has the potential to result in an increase in the number of construction debris recycling facilities in the state. The Board worked closely with the Building Standards Commission on this section.

DEVELOPING NEW ENERGIES

For more than eight years, the Board has been exploring emerging technologies as a potential for increasing diversion from landfills. Emerging technologies could also help achieve the goals in Executive Order S-06-06, the [Renewables Portfolio Standard](#), [Low-Carbon Fuel Standard](#), and [Climate Change Scoping Plan](#). As part of its efforts in this area, the Board continues to work with other agencies under the auspices of the Bioenergy Interagency Working Group and the [California Biomass Collaborative](#).

Activities undertaken in the past year include:

- The Board released a guidance document that provides a basic outline of how current Board statutes and regulations apply to various types of conversion technologies.
- Staff continued to assist Los Angeles City and Los Angeles County on their assessments of bioenergy projects.

- Staff continued to work with sister agencies to resolve regulatory issues related to landfill gas and nitrogen oxide standards (i.e., the “engine rule” being considered by the South Coast Air Quality Management District).
- Staff continued to manage several demonstration projects: 1) Altamont liquefied natural gas from landfill gas project; 2) UC Davis anaerobic digester project examining the use of digesters and biomixer technology to produce methane from municipal solid waste; 3) In-situ anaerobic digester that uses an existing lined landfill cell at the Yolo County Landfill to produce methane, carbon dioxide, and electricity; and 4) A gasification-to-mixed alcohols facility using material recovery facility residuals as a feedstock.

CLIMATE CHANGE

During 2008, the Board played a key role in California’s landmark climate change initiatives. In particular, the Board chaired the [Climate Action Team Recycling and Waste Management Subgroup](#), which developed seven measures in this sector to reduce greenhouse gas emissions and meet [AB 32](#) (Nunez and Pavley, Chapter 488, Statutes of 2006) requirements. Most of the Subgroup’s measures are included in the Scoping Plan adopted by the Air Resources Board in December 2008 and will now move into the early implementation planning phase.

The Recycling and Waste Sector includes two main categories of measures: the High Recycling/Zero Waste Strategy and the Landfill Methane Capture Strategy. To implement the Landfill Methane Capture Strategy, Air Resources Board staff in collaboration with Board staff is developing a regulatory control measure.

The Air Resources Board conducted a public hearing on the proposed regulations and authorized an additional comment period for final changes in June 2009. The proposed regulations are expected to be adopted in the fall of 2009 and effective by January 2010.

Based on the final control measure and other ongoing studies, the Board will review its own State Minimum Standards for potential regulatory changes under Board jurisdiction that would achieve additional reductions.

Within the High Recycling/Zero Waste Strategy, key activities during 2008 included:

- Working with Air Resources Board on authority, implementation, and resource issues.
- Ongoing contract work on Life Cycle Assessment and Economic Analysis of Organic Management Options.
- Contract award for economics study for commercial recycling.
- Ongoing contract work on the Climate Change Action Network project with Institute for Local Governments.
- Participation on seven Climate Action Team Subgroups (Recycling & Waste Management, Green Building, Land Use, Agriculture, Economics, Research, and State Government).
- Working with California Climate Action Registry and the Air Resources Board on protocols for Landfills, Co-Digestion, and Community Operations.
- Participation on Technical Advisory Group for Chicago Climate Exchange in protocol development for Composting of Food and Yard Waste.
- Participate in Air Resources Board/California Air Pollution Control Officers Association Composting Work Group.

- Working with U.S. EPA on Climate Change Seminars.
- Participation in West Coast Forum's Inventory and Research workgroups.
- Ongoing contract work on organics projects that increase procurement and markets for compost and encourage organics diversion alternatives (See [Strategic Directive 6.1](#)).
- Participation and ongoing work with the Western Climate Initiative's Offsets Subcommittee.
- Working with Air Resources Board staff to incorporate solid waste management and recycling into the performance standards for determining interim significance thresholds for greenhouse gases under CEQA.

GRANT PROGRAMS

The Board offers funding opportunities to assist public and private entities in the safe and effective management of the waste stream. In 2008, the Board awarded more than \$41 million in grants to approximately 600 governmental, educational and private entities statewide. The grants can be broken down into the following broad categories:

- Markets-related program grants—170 awards totaling almost \$18 million;
- Enforcement/compliance program grants—107 awards totaling more than \$11.7 million; and
- Entitlement grants to local jurisdictions—285 awards totaling more than \$11.4 million.

The Board has three competitive Rubberized Asphalt Concrete grant programs for cities, counties and qualifying Indian tribes to fund public works projects that use California waste tires in rubberized asphalt materials and/or rubberized chip seal materials. This year, staff streamlined the process into one joint application. This change has significantly reduced the administrative burden on staff and grantees.

Staff also directly marketed the Rubberized Asphalt Concrete program to California Indian tribes, resulting in a significant increase in program demand and the first applications from California Indian tribes.

In August 2008, the Board embarked on the Used Oil Program Evaluation Project. The goal was to identify program areas that could be more efficient and maximize services to local government partners. A survey was sent to all used oil block grantees and consultants to kick off this effort. The survey had an excellent 60 percent response rate.

Four focus group sessions were held around the state for more in-depth discussions with stakeholders. A few key survey findings include:

- Overwhelming support to implement a "payment system" program as an alternative to the existing Block Grant program;
- Support for combining the three used oil competitive grant programs into one, with priorities established by the Board; and
- Strong support for the promotion and use of re-refined oil but only when it becomes widely available for retail sale.

This project is still under way.

The Household Hazardous Waste Information Exchanges provide an excellent opportunity for used oil and household hazardous waste grantees to meet on a bi-monthly basis. Discussions range from the

administration of grant programs, to technical assistance on the management of household hazardous waste, industry issues, and general program implementation challenges. Local jurisdictions host the meetings and help set the agendas. One benefit of the exchanges is that participants learn about best management practices and model programs that will help increase the effectiveness of their grant programs.

A Board-wide Grants Work Group was formed to review all Board grant programs, processes, procedures and policies for the purpose of increasing consistency, streamlining procedures, and more effectively meeting the needs of stakeholders. Some recommendations can be handled administratively, some will require Board Members' action to revise policy, and some may require legislative or regulatory changes.

ELECTRONIC WASTE RECYCLING PROGRAM

The [Electronic Waste Recycling Act of 2003](#) (SB 20, Sher, Chapter 526, Statutes of 2003), established a comprehensive program to finance the end-of-life management of certain discarded electronic devices (also known as covered electronic waste). The program is funded through a fee paid by consumers at the point of retail sale of new covered electronic devices, specifically video displays such as televisions and computer monitors. Electronic waste in general is considered to be hazardous waste in California, but it is allowed to be managed as "universal waste" to encourage recycling under a less burdensome regulatory framework.

The recovery and recycling system, administered jointly with the Department of Toxic Substances Control and the Board of Equalization, has fostered a robust collection and processing infrastructure within California to manage the most costly portion of a problematic waste stream. The Board oversees the disbursement of recovery and recycling payments to approved covered electronic waste collectors and recyclers.

Since its inception in January 2005, the program has received claims representing the recovery and processing of more than 600 million pounds of obsolete televisions and computer monitors. The Board has paid nearly \$280 million to a network of more than 675 collectors and 60 recyclers to manage this waste under California environmental and labor safety standards.

The continued growth in the volume of recovered electronic waste, coupled with a relatively static revenue flow derived from consumer fees, required the Board to make adjustments to the program in 2008 to ensure proper payment rates and program funding levels.

Every two years the Board is required to review and reset, as warranted, the recovery and recycling payment rate. The payment rate is to be set at the calculated average net cost of collecting and recycling covered electronic waste.

Data submitted by the participating industry in 2008 indicated that a reduction in payment rates—from a combined \$0.48 per pound to a combined \$0.39 per pound—was warranted. These changes were adopted by Board Members at their May 2008 meeting and implemented between July and September.

The Board is also responsible for annually adjusting, if necessary, the consumer fee levels so that the entire program—which includes the recovery and recycling payment system, State agency oversight, and public education efforts—will remain solvent.

Factoring in the historical growth of electronic waste recovery, and lower payment rates, the Board in June 2008 raised the consumer electronic waste recycling fee from the original \$6, \$8, and \$10 rates (depending on video screen size) to new levels of \$8, \$16, and \$25, effective January 1, 2009.

The Board continued to use its eRecycle.org website as a primary tool in disseminating public information, focusing on the upcoming digital television broadcasting transition that will now occur nationally in June 2009. The website directs consumers to information about digital converter boxes and federal financial assistance so that still-working televisions can continue to function after the switchover. Still, it is anticipated that a substantial number of newly obsolete televisions and related devices will require proper recycling. In 2008 the Board also partnered with the California Broadcasters Association to publicize where and how citizens can discard unwanted video equipment.

Challenges still face California's electronic waste recycling efforts, including uncertainties associated with the export of mixed electronic scrap and the recent collapse of material markets for derived commodities. The State has little authority to restrict international trade, and in general cannot prohibit the export of intact or partially processed electronic waste. However the fate of electronic waste accumulated from California sources presents complex policy questions.

California's covered electronic waste recycling system pays for the recovery and recycling of only certain types of electronic discards (i.e. televisions, monitors, etc), and only pays when it is demonstrated that those items are dismantled within the state. This provides relative assurance that the derived residuals will enter the global marketplace as feedstock to other manufacturing enterprises.

The remainder of the electronic waste stream is managed via a combination of in-state processing and wholesale export, depending on the generators' interests, the handlers' business models, and the market conditions. This leads to the potential for California-sourced electronic scrap to be handled out of state in a less than desirable fashion. This issue will remain central to electronic waste policy discussions in the coming years.

The recent drop in prices for recovered metals, plastics, and other recyclable commodities that has impacted recyclers and local governments has also squeezed participants in the covered electronic waste recycling system who were already adjusting to lowered payments from the State. However, absent changes in statutory authority, the Board will not be able to revisit the payment rates again until July 2010, and even then only if determined necessary by the cost data.

For now, the regulations allow participants to levy fees on customers and suppliers to make ends meet, but that is a difficult adjustment after generators, collectors, and recyclers had grown accustomed to rising commodity prices and higher payment rates available over the past few years. The Board will continue to work with the electronic waste recovery and recycling industry to address these challenges and to find interim—and long-term—solutions.

LARGE VENUE AND EVENT WASTE DIVERSION

Large venues and large events are required to develop and implement waste reduction plans. The Board is required to collect, through local jurisdiction annual reports, data on the waste diversion programs of the top 10 percent of waste generating venues and events in the State. Analysis of the data will culminate in a report submitted to the Legislature in mid-2009.

Board staff works in tandem with local government staff to assist large venues and large events in establishing effective, sustainable waste diversion programs. One example from 2008 is the Ruben H.

Fleet Science Center at San Diego's Balboa Park, which draws more than 2,000 visitors daily during the peak summer season. The Science Center had already undertaken many initiatives to reduce waste, such as recycling cardboard and beverage containers, offering reusable bags in the souvenir shop, and recycling ticket stubs from the 320-seat IMAX Theater located onsite.

Board staff, along with the City of San Diego recycling coordinator, assisted the Science Center in assessing its waste and found more than 25 ways they could further efforts to reduce waste.

Suggestions included:

- Recycling empty aerosol cans;
- Setting all printers to default to double-sided printing;
- Resetting the automatic towel dispensers in restrooms so that less is dispensed and converting to warm air hand dryers in some instances; and
- In the café, purchasing condiments in bulk and recycling tin cans and plastic bottles from the food prep area.

Board staff also continues their cooperative partnership with the Venues and Special Events Council of the [California Resource Recovery Association](#). This partnership focuses on providing training and sharing model programs, as well as providing opportunities for problem solving with various stakeholders.

Furthermore, as resources permit, staff works with venues and events industry associations to extend the waste reduction message to their membership. For example, staff made a presentation to a chapter of Meeting Planners International. Those in attendance found the waste reduction message to be so valuable that the organization published a follow-up newsletter article, authored by Board staff, so their entire membership could benefit.

Women's Conference

Nearly 14,000 women gathered on October 21-22, 2008, at a sold-out Women's Conference 2008, the nation's premier forum for women empowerment, held again this year at the Long Beach Convention Center and led by California's First Lady Maria Shriver.

In support of AB 2176 ([Montanez, Chapter 879, Statutes of 2004](#)), legislation to enhance large venue and event waste diversion programs and related Board efforts to promote such programs, the Board actively participated in the event to support the organizers' effort to minimize waste.

Board Members and staff worked with organizers to present a "zero waste lunch" and waste management best practices at the conference. A "Great Taste, No Waste Lunch" was served using compostable products. Most of these products were made from paper or cornstarch.

Nearly four tons of lunch waste from the event was processed at Community Recycling in Los Angeles for composting including all utensils, food wrappers, uneaten food, lunch boxes and even the bags used to collect the lunches during cleanup. Uneaten lunches were donated to a local food bank for distribution.

The Board's Office of Public Affairs managed an information booth that reached out to the thousands of participants that visited the exhibit hall. The booth display featured a host of Board programs aimed at helping the public to become good stewards with the resources they consume and manage.

CLEANING UP LITTER

The Board is working collaboratively with the Ocean Protection Council and with other agencies (including Caltrans and the Department of Conservation) to reduce marine debris. Per Board Members' [Strategic Directive 3.5](#), program staff worked with the council on the report "An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter," released in November 2008. The report contains a core recommendation that supports the Board's efforts related to extended producer responsibility and calls for fees or bans on single-use plastic bags.

Under AB 2449 (Levine, Chapter 845, Statutes of 2007), which became effective on July 1, 2007, the Board is overseeing the implementation of a statewide plastic bag recycling program, which addresses a major component of both litter on land and marine debris. Key activities include:

- Providing local governments with assistance in implementing the plastic bag recycling program. This includes development of a website for local governments and the public with information and resources about the plastic bag recycling program, presentations at local task force meetings focusing on the law and available resources, and e-mail announcements to local governments through the Board's listserv.

WASTE REDUCTION AWARDS PROGRAM

The [Waste Reduction Awards Program](#) was established in 1993 by the Board to annually recognize California businesses that have made outstanding efforts to reduce non-hazardous waste by implementing resource-efficient practices and aggressive waste reduction, reuse and recycling activities. Since 1993, the Board has presented more than 16,000 awards. In 2008, the program had 1,207 applicants, including 166 single applications and 37 multiple-site applications. Board staff reviewed all of the applications on a pass/fail basis.

Staff also reviewed 11 supplemental applications for the Board's newly proposed CalRecycle Sustainable Business Award, designed to identify a business in California that has the most comprehensive waste reduction/sustainable business practices. Bentley Prince Street was selected for this new award.

[Bentley Prince Street](#), located in the City of Industry, manufactures award-winning broadloom and carpet tile products for all commercial interiors. All Bentley Prince Street standard broadloom and carpet tile products have achieved Sustainable Choice Gold certification from Scientific Certification Systems and are also available to meet the California Gold sustainable carpet specifications for California facilities.

The company uses a system called EcoMetrics to measure progress towards eliminating waste sent to landfills from both the products they produce and the manufacturing processes used to make them. The business does a monthly "dumpster dive" with its associates. Associates are encouraged to participate to identify any items that are being thrown away that could be recycled. The results are then distributed to all associates in order to further raise awareness about the importance of recycling.

Since 1994, the company has saved more than \$67 million through waste elimination activities from reduction in water, energy, emission, production waste, and chemicals.

PHARMACEUTICALS AND SHARPS WASTE

Home-Generated Pharmaceuticals

The Board accomplished the following to meet the provisions in [SB 966](#) (Simitian, Chapter 542, Statutes of 2007):

- Developed a web page and listserv to update interested parties about the collection and disposal of pharmaceutical waste and collection program information.
- Conducted a survey and held three stakeholder meetings to inform participants about the laws relating to the collection of home-generated pharmaceuticals to gather information for the development of best management practices for pharmaceutical waste collection programs.
- In November, adopted model criteria and procedures for home-generated pharmaceutical waste collection programs. The Board also directed staff to provide additional time for stakeholders to comment on the draft document, conduct a workshop with stakeholders in December, and return to the Board for further consideration. This was accomplished in February 2009.

Sharps Waste

To make people aware of SB 1305 (Figueroa, Chapter 64, Statutes of 2006) regarding proper sharps disposal and to provide locations where self-injectors can dispose of the sharps, the Board accomplished the following:

- Surveyed self-injectors, home-health care providers, and hospice providers to determine where they purchase sharps, where they dispose of sharps, how much it costs to dispose of the sharps, what are the barriers to proper disposal, and where do they get information on sharps disposal.
- Developed a web page on sharps that includes information on SB 1305, where people can dispose of sharps, results of the survey, summaries of local collection programs, a directory of collection locations listed by county (over 500 locations statewide), links to approved sharps collection containers, downloadable educational materials, and links to other relevant State departments.
- Held three stakeholder meetings to inform people about the new law, to share information on local collection programs, and to solicit ideas on how to develop more collection locations.
- Monitored an increase in the number of sharps collection locations from 250 to over 500, and placed sharps collection locations and placed these on a searchable web-based directory.
- Developed outreach materials and sent them to more than 6,000 pharmacies, 1,000 home-health care companies, and 900 primary care providers. The purpose was to inform them about the new law and to ask them to become sharps collection locations.
- Participated in the Product Stewardship Institute's Sharps Dialogue to find alternative funding sources for these collection programs.

UNDERSTANDING THE DISPOSAL AND RECYCLING INFRASTRUCTURE

In 2008 the Board awarded a contract to R.W. Beck to conduct the ambitious Baseline Inventory and Information Management Framework project (commonly known as the Infrastructure Project). This project's goals are:

- Facility Inventory—To complete a comprehensive inventory of California’s solid waste handling, diversion, and market infrastructure to improve the amount and quality of critical information about existing disposal and diversion facilities.
- Flow Model—To model material flows and forecast future facility needs and other infrastructure changes needed to handle changes in disposal, and recycling due to population growth and/or selected policy change scenarios, and
- User Interface—To make it easier for everyone to find, view, and understand infrastructure-related information on the Board website so planning can be conducted for infrastructure growth and facility needs, evaluation of diversion options, and good decision-making.

Waste Compliance and Mitigation Program

The Waste Compliance and Mitigation Program is responsible for the Board's regulatory mandates and activities. This program is responsible for ensuring that:

- All solid waste and tire facilities, and all tire haulers are permitted or registered as required.
- All waste management activities within the Board's purview as defined by law are assessed, enforced and penalized as appropriate.
- State agency and local government programs that do not achieve State-mandated diversion goals are under appropriate compliance action.
- Mandated producer responsibility programs including rigid plastic packaging containers, plastic trash bags and newsprint are in compliance.
- All hazards created by the illegal or inappropriate disposal of solid waste are mitigated.
- Staff and local partners have the training, technical support, and financial assistance necessary.
- All local enforcement agencies are properly certified, designated and evaluated as appropriate.

The program's structure allows for coordinated permitting and in-field assistance; strong and independent enforcement; and focused technical support, assistance, and oversight of closures, cleanups, and long-term waste facility care. The program will facilitate State response to the Board's strategic directives. Near term the program focus areas include the following:

- Examine and promote methods to reduce greenhouse gases that are a result of the solid waste infrastructure, including but not limited to landfill gas emission reduction and bioenergy/biofuels production.
- Increase awareness and bring to bear the true cost of disposal to decision making through research, such as the studies on the potential long-term impacts and cost of after 30 year care of landfills, landfill reclamation, and conversion technology.
- Increase the viability of diversion programs by providing a timely and effective regulatory process needed for changing the solid waste infrastructure to handle materials in a manner that protects public health and the environment.
- Enhance the State and local response to prevent, clean up and enforce against illegal dumping.
- Expand State and local partnerships and interaction with the waste management industry through improvements in direct electronic transfer and web-based access of data.
- Evaluate local and State efforts to continually meet and exceed the 50 percent waste reduction goal and enforce the minimum-content programs.

The Waste Compliance and Mitigation Program comprises three Divisions:

- [Cleanup, Closure, and Financial Assurance Division](#)
- [Compliance Evaluation and Enforcement Division](#)
- [Permitting and Local Enforcement Agency \(LEA\) Support Division](#)

2008 Highlights

15 YEARS OF SUCCESSFUL SITE CLEANUPS

The [Solid Waste Disposal and Codisposal Site Cleanup Program](#) (AB 2136, Eastin, Chapter 655, Statutes of 1993) concluded its 15th year in 2008 with continued strong demand and sustained performance. Twelve projects totaling \$6 million were approved in 2008 to clean up 12 sites.

To date, total Board project funding is \$85.3 million, with \$14.2 million of those costs later recovered, and an additional \$48.5 million in leveraged funding from project partners. Approximately 800 sites have been cleaned up over the last 15 years with 185 other cleanup projects still in progress.

LONG-TERM FINANCIAL ASSURANCES

Board staff in 2003 began investigating issues surrounding long-term care of closed solid waste landfills. The Legislature also acted with the passage of [AB 2296](#) (Montanez, Chapter 504, Statutes of 2006), which was signed by Governor Schwarzenegger on September 27, 2006.

During 2007, the Board completed a study required under AB 2296 to analyze potential long-term health threat posed by landfills and financial assurance mechanisms to cover post-closure maintenance of those landfills, and also adopted the Phase I regulations at its meeting on December 11, 2007. These regulations were approved by the Office of Administrative Law and became effective February 25, 2008.

Board staff prepared a number of detailed discussion papers and conducted an extensive series of public workshops throughout 2008 and working group sessions with the AB 2296 Consulting Group designed to develop a Phase II set of regulations and formulate possible recommendations the Board could make to the Legislature.

At their August 19, 2008, meeting, Board Members provided rulemaking direction to proceed to formally notice the Phase II regulations. The public comment period for the Phase II regulations will commence in February 2009.

LEA TRAINING

LEA training was provided during 2008 including topics such as the California Environmental Quality Act and solid waste permitting; landfill gas; managing conflict; dead animal disposal; universal, electronic and radioactive waste; and a full suite of health and safety training. The 11th annual conference included operators for the second year, as well as LEAs, Board staff and tire enforcement grantees.

For 2008, the training program and health and safety program provided training to more than 1,100 participants, an increase of 33 percent from last year. There were an additional 350 attendees at the LEA conference, an increase of 29 percent from last year.

ILLEGAL DUMPING

Board staff continued to work through the Illegal Dumping Enforcement Task Force and its subcommittees to enhance local and regional governments' capability to combat illegal dumping. A

subcommittee developed a “how-to” guide for the creation of new and expansion of existing local programs focused on the prevention, enforcement, and abatement of illegal dumping. This guide is being finalized into a web-based Illegal Dumping Resources Toolbox and should be posted on the Board [website](#) by early 2009.

Two Board-sponsored pieces of legislation with illegal dumping provisions were introduced in 2008. [AB 2679](#) (Ruskin, Chapter 500, Statutes of 2008) was enacted authorized LEAs to use part of their grant funding for the prevention and abatement of illegal dumping. The second bill, AB 2695 (Niello), contained provisions that addressed several of the task force recommendations that would require statutory change did not pass.

Board staff is working with the Imperial County LEA to track progress on the cleanup of the illegal disposal sites identified by aerial reconnaissance through the Tire Program’ contract with the California Highway Patrol in the New River area of Imperial County. This approach holds promise for other areas of the state.

An innovative pilot program master agreement was awarded under the Farm and Ranch Grant Program in June 2008 to the Imperial County LEA to clean up 15 of these sites.

As of December 2008, the program lists the total number of sites to be cleaned up at 64, with 27 sites now completely cleaned up. The LEA has received documentation that approximately 5,300 waste tires and more than 1,860 tons of waste have been removed from the 27 illegal disposal sites and properly disposed of at a permitted facility.

The Solid Waste Cleanup Program is also working with the Imperial Irrigation District on a grant application for the cleanup of another ten sites. This grant was funded by the Board in February 2009.

All but six of the remaining sites are undergoing cleanup activities—or will soon start cleanup work—and will be completed by April 2009 with the assistance of a Farm and Ranch Cleanup and Abatement Grant awarded to the Imperial County LEA on June 18, 2008. At the present time, the six remaining sites will require additional enforcement to compel cleanup.

CLEANUP GRANTS PROGRAM

During 2008, the Board's Cleanup Grant Programs awarded \$5.3 million in funding to 70 applicants:

- \$2,432,000 in grants under the Solid Waste Disposal and Codisposal Site Cleanup Program to five applicants;
- \$878,000 in grants under the Farm and Ranch Cleanup Grant Program to 21 applicants; and
- \$1,990,000 in grants under the Local Government Waste Tire Cleanup Grant Program to 44 applicants.

DISASTER DEBRIS MANAGEMENT

The Board’s role in management of debris resulting from natural and manmade disasters and catastrophic events has historically been primarily to provide technical assistance to local agencies and the Office of Emergency Services in debris management planning and in response to declared disasters. The Board has also implemented its general responsibilities under the State Emergency Plan.

The Board has continued a major role to provide technical support for disaster debris programs for the 2008 wildfire season, most recently the devastating wildfires in Southern California that occurred in November 2008.

Board staff is also participating in the Golden Guardian emergency preparedness project that is developing debris response protocols for a major California earthquake. An internal staff working group has also been created to manage and coordinate the increased level of disaster debris related activities within the Board.

WASTE TIRE CLEANUP

During 2008, the Board achieved the following:

- Cleaned up five of the eight Sonoma County waste tire sites. The remaining sites are anticipated to be cleaned up by the end of 2009.
- Provided coverage to approximately 80 percent of California through the Waste Tire Enforcement Grant Program, giving local agencies a more vital and expanded role in enforcement.
- Conducted four workshops, which helped forge partnerships among waste tire enforcement grantees, Board inspectors, and the California Highway Patrol.
- Continued to provide surveillance through cameras and remote sensing devices installed with the assistance of the Air Resources Board; aerial surveillance and roadside traffic stops provided by the ARB; and satellite reconnaissance for illegal waste tire piles provided through an independent contract.
- Increased to 51 percent the number of waste tire manifest forms now reported to the Board electronically using batch processing or web-based data entry.
- Enhanced productivity and efficiency of enforcement efforts in the hauler/manifest program with Board's approval of a streamlined penalty pilot program.

TIRE ENFORCEMENT

Inspections and Enforcement Actions

In 2008, Board staff and local tire enforcement grantees conducted 11,457 inspections and initiated 1,258 enforcement actions. The cleanup of the Burger Ranch site in Mendocino County, an unpermitted waste tire site with more than 69,000 tires, was among the enforcement actions taken by the Board and local waste tire enforcement staff in 2008.

A satellite surveillance pilot program contract for waste tires started in 2007. This pilot program continues to investigate the use of satellite technology to locate illegal waste tire piles throughout the state and along the California-Mexico Border Region.

STREAMLINED PENALTY PROGRAM FOR PROSECUTING WASTE TIRE HAULER REGISTRATION AND MANIFEST VIOLATIONS

At the April 2008 Board meeting, program and legal staff presented an item to streamline the prosecution of stipulated penalty cases against waste tire haulers and waste tire facilities. The streamlined process was an abridged alternative to the normal Administrative Complaint process enforced through the Administrative Hearing enforcement process and promised significant time and resource savings.

At a June 2008 closed session meeting, Board Members established a penalty schedule and directed staff to implement a six-month pilot program for the hauler and manifest cases that meet Board specified criteria. These criteria include the following:

- Standard (stipulated agreement) penalties would have been less than \$5,000;
- The case involves less than 2,000 tires; and
- The case is relatively non-controversial.

Board staff developed a uniform process and began issuing streamlined penalties in July 2008. At the end of the six-month period, staff was directed to update Board Members on the results of the pilot program and make recommendations for future action.

Legal and program staff believe that the pilot program has been an unqualified success. Time spent on each case has been significantly reduced. The Legal Office staff has been able to shift work to more complex cases and Board staff is more motivated to pursue violations knowing that enforcement can be imposed swiftly.

As a result, Board staff has been able to prosecute significantly more cases than would have been possible utilizing the Administrative Hearing process. In the first half of 2008, prior to the implementation of the streamlined penalty process, Board staff processed six hauler-related administrative complaints. By contrast, 80 streamlined penalty cases were resolved during the pilot program.

Nearly all (89 percent) of the haulers accepted the streamlined penalty offer. Most haulers appreciate that they had the opportunity to resolve their violations in significantly less time, and with much less expense. In addition, the regulated community has strongly supported the premise that a strong enforcement program is essential in maintaining a “level playing field” and making sure that waste tires are properly disposed or recycled.

Board staff was planning to go before Board Members in January 2009 with a request to make the program permanent, and to expand it to include violations of specified unpermitted site and facility state minimum standards.

LANDFILL CLOSURE LOANS

Two Landfill Closure Loans were made in 2008:

- Humboldt Waste Management Authority (Cummings Road Landfill)—\$136,554; and
- County of Tuolumne (Tuolumne Central Landfill in Jamestown)—\$500,000.

LANDFILL GAS

In April 2007, the Board adopted revised regulations for landfill gas monitoring and control at active disposal sites, incorporating the more detailed criteria previously applicable only to closed disposal sites. Operators of active landfills are required to submit landfill gas plans for LEA approval and Board concurrence according to schedules contained in the regulations.

An estimated 146 plans were due by September 21, 2008. As of December 10, 2008, a total of 129 plans have been received by the LEAs, and of those, a total of 51 have been approved. Board staff have been asked to review 103 plans; to date, 21 have received staff concurrence, eight have been deemed acceptable, and 41 have had additional information requested.

Most of the plans for which additional information is requested lack supporting geologic data to support the proposed system design. Due to the expected large number of plans which will require detailed geologic review, the Board is entering into an Interagency Agreement with the Department of Toxic Substances Control to supplement limited Board staff geologic resources.

The Department's review will be limited to evaluating the geologic claims/aspects presented in the plans. Board staff will review the actual landfill gas monitoring program designs.

JURISDICTION COMPLIANCE REVIEW

As part of the Board's 2007 reorganization, the "enforcement" functions were separated from the "assistance" functions. The Jurisdiction Compliance and Audit Section was created to enforce Integrated Waste Management Act requirements that jurisdictions develop a plan to achieve 50 percent diversion and implement the plan. The Local Assistance and Market Development Division (LAMD) is responsible for jurisdiction assistance.

At least once every two years the Board is required to review each jurisdiction's progress in implementing its diversion plan to achieve the 50 percent diversion requirement. There are three outcomes for a Biennial Review: a jurisdiction has met the requirements; or a jurisdiction has made a good faith effort to implement diversion programs to meet the requirements; or a jurisdiction is placed on a compliance order. LAMD reviews all jurisdictions, and refers jurisdictions to the compliance and audit staff if it finds a jurisdiction did not meet the requirements, or did not made a good faith effort.

In mid-2008, LAMD referred several jurisdictions for a compliance review. Staff review a jurisdiction's overall diversion program implementation and diversion rates using information from a variety of sources. Staff also investigate and analyze information about past and current diversion efforts through on-site observations; consultations; telephone calls; correspondence; and visits with the jurisdiction's staff, the jurisdiction's franchise hauler(s), and the jurisdiction's primary waste handling facility/facilities.

If a jurisdiction is not implementing effective diversion programs, the Board issues a compliance order. The Board placed three jurisdictions on Compliance Orders in 2008. Once a jurisdiction is on a Compliance Order, the jurisdiction compliance and audit section monitors the progress in meeting the terms of the order. At the end of 2008, 12 jurisdictions will be on Compliance Orders.

This is the largest number of jurisdictions on Compliance Orders for failure to implement their diversion plans to achieve the diversion requirements.

When a jurisdiction fails to implement the conditions of its compliance order, the Board conducts a penalty hearing to determine whether to assess penalties of up to \$10,000 per day on a jurisdiction. In 2008, the Board assessed an \$84,000 penalty on the City of Cerritos for failure to implement its diversion programs.

SOLID WASTE FACILITY INSPECTION AND ENFORCEMENT PERFORMANCE

A compliance strategy was developed in 2007 to implement the Strategic Directives and provide a framework for the solid waste facilities compliance and enforcement work in the Compliance Evaluation and Enforcement Division. The compliance strategy included criteria for selecting where the additional 20 focused inspections would be conducted to enhance Board presence in the field and meet [Strategic Directive 8.8](#), which directs staff to increase random inspections by 2 percent for 2008 (17 inspections).

The compliance strategy's criteria included sites that have: an enforcement order or a history of violations; known public health and safety threats; complaints; unpermitted /temporary permits; sensitive receptors; increased fire threats; never had a State inspection; been listed on the Inventory; or Board Member direction to staff to conduct additional inspections.

In order to meet statutory mandates and the additional focused inspections, Board staff conducted approximately 678 inspections during calendar year 2008:

- 491 inspections where the Board acts as the enforcement agency (EA);
- 133 statutorily mandatory inspection (18-month) landfill inspections; and
- 54 focused inspections that included:
 - 11 pre-permit inspections;
 - 25 inspections to meet [Strategic Directive 8.8](#):
 - 14 composting site inspections.
 - Nine transfer stations or Material Recovery Facility (MRF) inspections and two landfill inspections.
 - Board Members directed staff to conduct nine of the inspections due to compliance concerns; seven sites were selected due to the enforcement or violation history at the site; the remaining five sites were selected because they recently received a temporary permit or Board staff had never been to the facility.
 - During the 25 inspections, the Board cited 19 violations and 25 areas of concerns.

The Board is required to update and publish an "[Inventory of Solid Waste Facilities Violating State Minimum Standards](#)." The inventory is a list of solid waste facilities in the State of California that are violating the State minimum standards for solid waste handling and disposal.

The standards regulate the design and operation of solid waste facilities in order to protect public health and safety and the environment. For a facility to get placed on the Inventory, three steps must be taken as part of due process:

- The LEA documents two consecutive violations on the monthly inspection reports of State minimum standards for solid waste handling and disposal in Title 14 or Title 27, California Code of Regulations (14 CCR or 27 CCR);
- Board staff note the violations and send a letter to the operator of the facility notifying them of the Board's intent to place the facility in the Inventory if the violations are not corrected within 90 days of receipt of the notice. These letters are referred to as "notice of intent"; and

- On or after the 90th day subsequent to the operator's receipt of the notice, if one or more of the violations noticed have not been corrected, then the facility is placed on the Inventory.

During 2008, Board staff issued 22 notices to non-complying facilities, 10 facilities came into compliance, and six facilities were listed on the Inventory. The remaining six notices were pending as of year's end, as the facilities were still within the operator's 90-day timeframe to comply prior to being listed.

When an LEA is not designated and certified, or if the Board finds that an LEA is not fulfilling its duties and responsibilities, then the Board becomes the enforcement agency. The enforcement agency responsibilities consist of inspections and enforcement of facilities for compliance with State minimum standards and/or solid waste facility permit terms and conditions.

In the event that a facility owner/operator does not comply with the State minimum standards and/or terms and conditions of its permit in a timely manner, the Board will pursue appropriate enforcement action.

As noted above, Board staff conducted 491 inspections as the enforcement agency. All other inspection and enforcement actions are taken by the LEA. During 2008, LEAs conducted 11,721 inspections and issued 25 enforcement actions, of which two were penalty orders.

PERMITS

The Board developed emergency regulations required by [AB 1473](#) (Feuer, Chapter 547, Statutes 2007) to authorize enforcement agencies to issue a temporary solid waste facilities permit to a person operating a solid waste transfer or processing station or a composting facility which, as of January 1, 2008, was required under the Integrated Waste Management Act to have a solid waste facilities permit, but for which a permit has not been obtained.

Fifteen temporary permits were obtained by operations, which will allow them to work towards getting the appropriate solid waste facilities permit or change their operation as to not need a permit. These temporary permits would no longer be operable on July 1, 2010.

The Board also processed a number of solid waste facility and tire storage permits. Eleven of the permits were for landfills, eight were for compostable material handling facilities, nine for transfer/processing facilities, and three for minor tire storage facilities.

Of these 13 were new permits, 15 were revised or renewals, and three were modified permits.

The permit actions resulted in an increase in the capacity of the recycling and composting infrastructure. The potential solid waste recycling capacity was increased by 6,500 tons per day, and 262,000 cubic yards of material handling capacity was added to the composting infrastructure.

AB 2679—ENFORCEMENT BILL

The Board sponsored [AB 2679](#) (Ruskin, Chapter 500, Statutes of 2008) to enhance solid waste facility enforcement. The bill was signed into law on September 28, 2008, and took effect on January 1, 2009. It modifies various enforcement sections of the Public Resources Code. There were five major changes made with this statute:

- Establishes a minor violation program (Section 40150.2 and Section 45003);
- Streamlines process for assessing administrative civil penalties (Section 45010.1);

- Allows for direct Board enforcement upon mutual agreement with an LEA (45012);
- Repeals the automatic stay of an enforcement action upon a request for a hearing (Section 45017); and
- Establishes criminal penalties (Section 45025).

Board staff will develop guidance on provisions that were not spelled out in detail in the law (for example, minor violations).

LANDFILL CLOSURES

Board staff made progress during 2008 in closing a number of landfills. Through November, six final closure/post closure maintenance plans and seven closure certification reports were received. Landfill operators submitted a total of 145 final closure plans; the Board has approved 130 (90 percent). Also, of the total 110 closure certification reports submitted, 101 have been approved (92 percent).

There are an additional eight landfills that, pursuant to the current permits, are expected to reach capacity on or before December 31, 2010. Since final plans are due at least two years prior to the final receipt of waste, plans for these sites are past due. Of these eight landfills, two have submitted permit applications that would modify the expected closure date. Another site was expected to submit plans in December 2008.

The owner at one site has abandoned the landfill, and legal options to require the owner to close the landfill have been unsuccessful.

Further review of the remaining four sites is necessary to determine if plans are past due or if new estimated closure dates need to be established.

The following are accomplishments towards the annual targets:

- West Marin Landfill (Marin County)—Closure activities began in August 2007. The closure certification report has been submitted but has not been formally approved due to regional Water Board legal issues. This site last operated in 1998.
- Jolon Road Landfill (Monterey County)—Closure activities have been completed and the closure certification report has been submitted. This site last operated in 1997.
- Central Landfill (Sonoma County)—The LEA, landfill operator, and Board entered into a Stipulated Notice and Order and Cooperative Agreement signed in December 2007 for the submittal of the final closure plan while the County continues with its efforts to divest itself of the landfill. The final plans were submitted in August 2008 and agency comments have been submitted to the operator. The site last operated in October 2005.
- San Bernardino County Landfills—The County has continued to complete closure activities at landfills that have not operated for several years. Three certification reports were submitted in 2008.
- BKK Landfill (West Covina, Los Angeles County)—This site was certified closed in April 2008.
- Mono County—The County has completed closure activities at two landfills (Chalfant and Benton) and should complete closure activities at a third landfill (Bridgeport) in 2009.

SITES CLEANED UP

Sites approved for cleanup grants and Board-managed projects in 2008 range widely, from large sham recycling facilities (e.g., Mission Fibers, Riverside County) to urban illegal dumping sites (City of Los

Angeles grant), large legacy rural open dumps (Yurok Tribe, Humboldt County), legacy tire sites (e.g., Maffia Site, Sonoma County), and pre-regulation closed landfills with gas migration issues (e.g. City of Duarte matching grant).

During 2007, the clean-up program completed an unprecedented and successful cleanup project, using Board contractors, for all 256 homes destroyed in the Angora Fire near Lake Tahoe. Subsequent efforts in wildfire disaster debris cleanup for the 2007 Southern California wildfires and 2008 fire season have shifted to the local level, with technical assistance provided by Board staff.

The program continues outreach on storm water trash cleanup issues, including participation in the Tijuana River and Estuary agency working group. Investigations to develop potential cleanup projects to support this effort are in progress.

Demand was high in 2008 for Farm and Ranch Cleanup Grant and Local Government Waste Tire Cleanup and Amnesty Event grants. Farm and Ranch cleanup grants totaling \$878,000 were awarded to 21 local agency applicants to clean up 65 rural farm and ranch illegal dumping sites, including an innovative pilot program (New River Collaborative) master grant award to the Imperial County LEA for 15 sites identified by aerial reconnaissance through a contract with the California Highway Patrol.

Grants totaling \$1,990,000 were awarded to local agencies for 44 tire amnesty programs and right-of-way cleanups to recycle or dispose more than 650,000 tires, a significant increase from prior years.

Sonoma Tire Piles

The Board has continued to make substantial progress in Board-managed cleanups of the complicated and controversial waste tire sites in Sonoma County. In 2008, the Board's contractor removed 740 tons of waste tires from the Maffia site and the property owner completed its responsibility for site restoration under the negotiated cost recovery process.

The Board was prepared to complete removal of tires from the Flocchini site up to the end of the construction season. However, at a very late date, the property owner confirmed he could not obtain financing for the restoration work. Additional options are being pursued to achieve cleanup of the site in 2009. Board staff will continue to work with the Soil Conservation District and the property owner to resolve the issues so the project can be completed in 2009.

The majority of tires at the remaining site (Ahlgrim) are buried and the Board has deferred final disposition of the Ahlgrim site until the other remaining sites are fully remediated.

AT-STORE RECYCLING PROGRAM

The at-store recycling program requires grocery stores and pharmacies to report on plastic carryout bag recycling. Regulations requiring store operators to file annual reports with the Board were approved by the Office of Administrative Law and filed with the Secretary of State in September 2008. The reports, which are due by April 1 of each year, provide data on the amount of plastic carryout bags purchased for distribution to customers, and weight of bags returned to the stores for recycling. The Board received 2007 and 2008 annual reports for approximately 4,000 stores.

The Board is currently conducting a study to determine the percentage of plastic carryout bags that are being recycled in California. Results of that study are expected to be available in spring 2010.

RECYCLED-CONTENT NEWSPRINT PROGRAM

California law mandates the use of a specified amount of recycled-content newsprint by printers and publishers located in California. At least 50 percent of the newsprint used by each printer and publisher (consumers) in California must contain a minimum of 40 percent postconsumer paper fiber.

Printers, publishers, and manufacturers must report usage data to the Board each year. State agencies and departments cannot purchase newsprint from manufacturers who have not submitted certifications to the Board.

The 2007 certifications submitted to the Board by all of California's 132 regulated printers and publishers and manufacturers show:

- 56 percent of all the newsprint used in California was recycled-content;
- 79 percent of the consumers who use newsprint in commercial publishing and printing operations were in compliance;
- 21 percent of the consumers requested exemptions; and
- Total 2007 recycled-content newsprint usage increased by 17 percent to 1,109,725 metric tons.

RIGID PLASTIC PACKAGING CONTAINER PROGRAM

The Rigid Plastic Packaging Container (RPPC) law was enacted as part of an effort to increase the use of recycled plastic and reduce the amount of plastic waste disposed in California landfills. The RPPC program promotes extended producer responsibility by supporting infrastructure for collecting and recycling plastic resins and requiring recycled content in plastic packaging. The Strategic Directives set goals for additional producers to assume the responsibility for safe stewardship of their materials in order to promote environmental sustainability, as discussed earlier in this report.

Companies selected to certify they complied in a particular calendar year are required to submit forms containing data required by statute and regulations. During 2008, the Board determined that three companies that submitted additional data for 2005 did not comply and assessed penalties of about \$225,000. Additional 2005 information from one company is still under review and a decision is expected in 2009.

PLASTIC TRASH BAG PROGRAM

The plastic trash bag law requires that manufacturers of plastic trash bags sold in California submit an annual certification that their trash bags contain ten percent postconsumer material, or all plastic products not required to meet minimum content laws contain 30 percent postconsumer material. This law supports development of plastic recycling infrastructure. Noncompliant companies are ineligible for the award of any State contract or subcontract, or for the renewal, extension, or modification of an existing contract or subcontract for goods or services until the Board determines the company is in compliance with the plastic trash bag law.

2007 certification year data show that about 47 percent of manufacturers are compliant and 61 percent of wholesalers are compliant.

Education and the Environment Initiative

The Office of Education and the Environment was created in 2001 to coordinate implementation of [Senate Bill 373](#) (Torlakson, Chapter 926, Statutes of 2001). This office is unique in that its purpose is to oversee education policies and programs both within the Board and between all of the boards, departments, and offices under Cal/EPA. The office is charged with carrying out the statutes found in Public Resources Code Section 42603.

We do this by providing standards-based [curriculum](#) for grades K-12 to California's [educators](#).

The Board believes that through education, current and future waste generators will respect and conserve natural resources by making informed waste prevention choices. To promote waste prevention, the Office of Education and the Environment is involved in several environmental education projects and works with the Board's Local Assistance and Market Development Program to assist school districts in developing [waste reduction programs](#) and addressing other solid waste management needs.

For more information on programs managed by this office, see the following websites:

- [School Waste Management Education and Assistance](#)
- [Education and the Environment Initiative](#)

2008 Highlights

The Education and the Environment Initiative is an ambitious landmark effort that mandates the development of curriculum to bring education about the environment to California's K-12 students. The California EEI Curriculum will help students better understand how they influence the environment and how it influences them. The curriculum will help students be better informed when they make choices that affect their own health and the future of a healthy environment. Major progress was reported during 2008 by Board staff working on the project.

By the end of 2008, all 85 curriculum units were in some stage of the development process (writing, editing, technical and pedagogical review, field/pilot testing, etc.). Experts from across the nation provided feedback on the proposed curriculum and assured accuracy of its content. Completed curriculum units were field and pilot-tested in school districts across California, and teachers using the new curriculum units provided invaluable feedback.

Additional financial support for the project was provided during 2008 from Cal/EPA and Resources Agency boards, departments, and offices, thus ensuring adequate funding to complete the new curriculum. The development of the Strategic Plan commenced and stakeholders will be convened to participate in its implementation in 2009.

Once the curriculum is completed, it will be made available, without cost, to more than 1,000 California school districts, reaching more than 6 million students in grades K-12.

The Board also provides technical assistance to school districts that apply for funding from the project to be used for purchase of recycling containers, signs, and posters for collecting recyclables.

Legislative

The Legislative Affairs Office provides thorough and objective analyses of State and federal legislation with potential direct or indirect impacts on the Board's programs. The office also facilitates communication between the Board and the Legislature.

While identifying and communicating various perspectives on the policy and programmatic impacts of legislation, the office offers technical assistance and legislative information to Board members and staff, the Legislature, the Governor, the regulated community, and the public. Additionally, the office provides up-to-date information on legislation that affects the Board and its programs and policies via its legislative Web site.

Summary of 2008 Statutes

AB 1846 (Adams)—*Inedible Kitchen Grease* (effective 1/1/09)—This bill exempts transporters of inedible kitchen grease who transport inedible kitchen grease for their own personal, noncommercial use as an alternative fuel, from paying 75 percent of the \$300 transporter fee, as specified. (Chapter 321)

AB 1972 (DeSaulnier)—*Solid Waste: Plastic Bags: Food and Beverage Containers* (effective 1/1/09)—This bill modifies two chapters in current law: one on biodegradable and compostable plastic bags and one on plastic food and beverage containers. In both programs, the sale of an item labeled "compostable" or "marine degradable" is prohibited, unless the item meets specific American Society for Testing and Materials Standard Specifications, or in some cases, a standard adopted by the Board. (Chapter 436)

AB 2071 (Karnette)—*Plastic Bags: Plastic Food and Beverage Containers: Enforcement* (effective 1/1/09)—This bill establishes penalties for failure to comply with labeling requirements for compostable, biodegradable, and degradable plastic bags and plastic food and beverage containers sold in California. (Chapter 570)

AB 2245 (Soto)—*Illegal Dumping Enforcement Officers: Use of Batons* (effective 1/1/09)—This bill allows illegal dumping enforcement officers to carry batons if the individual has satisfactorily completed a course of instruction, certified by the Department of Consumer Affairs, in the carrying and use of a club or baton. (Chapter 96)

AB 2347 (Ruskin)—*Mercury-Added Thermostats: Collection Program* (effective 1/1/09)—This bill enacts the Mercury Thermostat Collection Act of 2008 and requires a manufacturer who sold mercury-added thermostats before January 1, 2006, to establish and maintain a collection and recycling program for out-of-service mercury-added thermostats. (Chapter 572)

AB 2679 (Ruskin)—*Solid Waste: Enforcement: Local Agencies* (effective 1/1/09)—This bill makes numerous changes to strengthen and streamline the enforcement provisions under the California Integrated Waste Management Act, including, repealing the automatic stay of an enforcement order, establishing civil and criminal penalties for specific violations of the Integrated Waste Management Act, and authorizing the Board to take any enforcement action currently available to LEAs under certain circumstances. (Chapter 500)

AB 3025 (Lieber)—*Solid Waste: Polystyrene Loose-fill Packaging* (effective 1/1/09)—This bill prohibits, after January 1, 2012, a wholesaler or manufacturer from selling, or offering to sell expanded polystyrene loose-fill packaging material ("packaging peanuts") in California, unless it meets

requirements to contain specified amounts of recycled material. Ultimately, the bill requires this packaging to be comprised of 100 percent recycled material by January 1, 2017. (Chapter 471)

SB 1016 (Wiggins)—*Diversion: Alternative Compliance System* (effective 1/1/09)—This bill moves the Board from the existing solid waste diversion accounting system to a per capita disposal based system. The bill also revises the reporting and review process so that jurisdictions determined to be in compliance with the 50 percent diversion requirement would be subject to a review every four years, while those not in compliance would continue to be reviewed every two years. (Chapter 343)

SB 1277 (Maldonado)—*Synthetic Turf* (effective 1/1/09)—This bill requires, on or before September 1, 2010, the Board, in consultation with the Office of Environmental Health Hazard Assessment and the State Department of Public Health, to prepare a study on the effects of synthetic turf and natural turf on the environment and the public health. (Chapter 398)

SB 1473 (Calderon)—*Building Standards* (effective 1/1/09)—This bill requires the California Building Standards Commission to adopt, approve, codify, update, and publish green building standards for any occupancy for which no State agency has the authority or expertise to propose those standards. In addition, this bill directs local governments to collect a fee of \$4 per \$100K in valuation from building permit applicants to fund the development, adoption, publication, and educational efforts for green building standards. (Chapter 719)

SB 1781 (Committee on Environmental Quality)—*Environmental Quality: Solid Waste Management: Used and Waste Tires: Ballast Water Management* (effective 1/1/09)—As it relates to the Board, this bill clarifies several portions of the waste and used tire hauler statutes, resulting in more efficient and cost-effective enforcement of those requirements. (Chapter 696)

Office of Public Affairs

The Public Affairs Office is responsible for developing, establishing, and implementing statewide information programs to increase public awareness of all aspects of integrated waste management. The office acts as the Board's liaison to the media and coordinates all public outreach activities.

The Public Affairs Office promotes the knowledge of integrated waste management and the use of the Board's services to meet State mandates, analyzes the extent of public understanding of the programs administered by the Board, and suggests appropriate steps, if necessary, to increase that awareness. The office uses several strategies to accomplish this goal.

- Provides integrated waste management information to the general public and news media, prepares news releases, and responds to specific requests for information and publications. Public Affairs also coordinates topical waste prevention media campaigns and events.
- Coordinates production and distribution of Board publications, including its Web site. The publications range from mandated reports to educational fact sheets and brochures. All publications are distributed to libraries throughout California (as required by the Library Distribution Act) and to the public upon request and through the Web site.
- Promotes the Board's programs and the waste management hierarchy by coordinating Board participation at conferences, expos, and fairs organized by local governments, businesses, and schools throughout the state.

2008 Highlights

The office's goals were accomplished during 2008 through a variety of strategies, including:

- Reviving the Board's newsletter to stakeholders, local and State government officials, and Board employees. "CalRecycle" will be produced electronically and distributed quarterly, as well as being made available on the Board website.
- Capitalizing on the new movement in social networking by establishing a Board presence on Facebook, LinkedIn, and Twitter, helping to expand the waste reduction message to audiences that may eschew traditional media outlets.
- Issuing more than 50 news releases, media advisories, and media statements, which were disseminated electronically to media throughout California and posted on the Board website. To refine its media outreach efforts, the public affairs staff developed statewide and regional media distribution lists that include newspapers, specialized publications, television stations, and radio stations.
- Representing the Board at a variety of public events during the year, including State Scientist Day at the state Capitol, the California Women's Conference, the California Resource Recovery Association conference and trade show, and the annual BioCycle conference.

This office also includes the Board's [Ombudsman](#) program, which serves as a single-source outreach program to the public and to the regulated industry, and provides conflict resolution assistance related to Board programs.

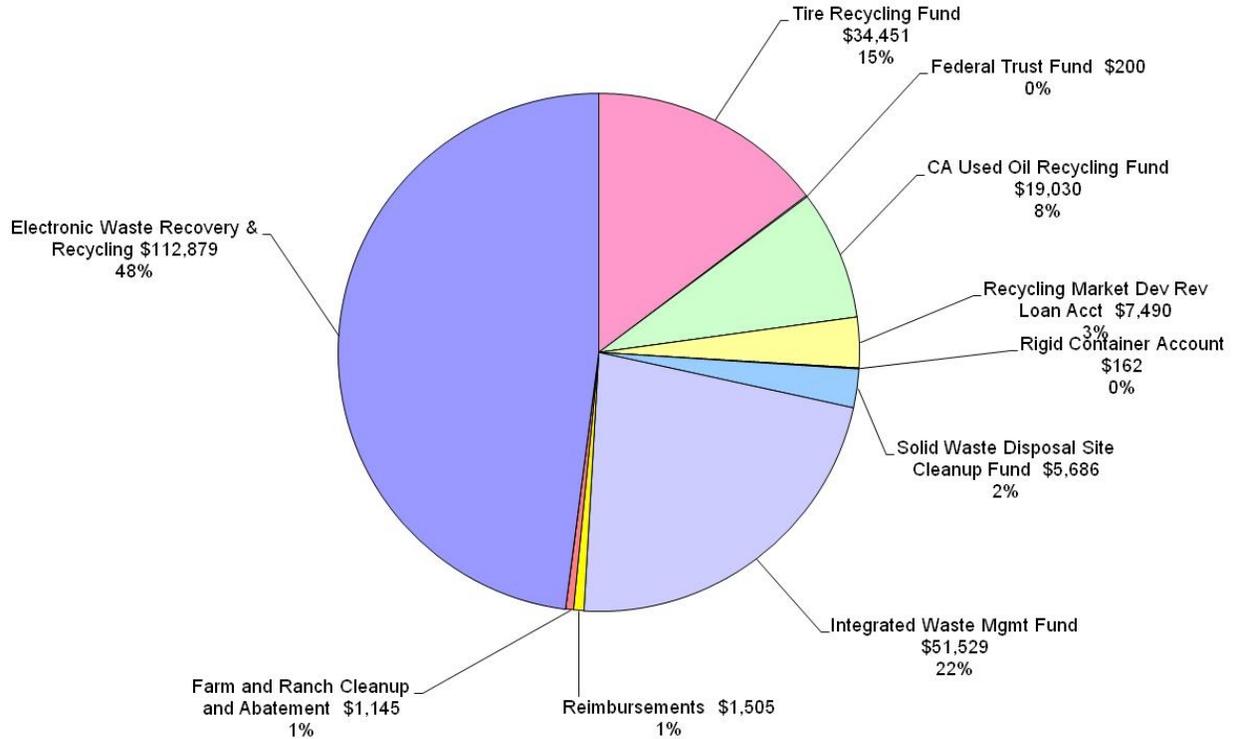
Budget/Administration

The Administration and Finance Division provides centralized support and management services to the Board, including fiscal and personnel management, employee-employer relations, business services, information technology, and a library. In addition, the division oversees projects such as the telecommuting program, employee recognition award programs, the student assistant program, and the Environmental Professional Exchange Program.

The division includes three branches:

- The [Administrative Services Branch](#) administers all Board human resources services, business services, contracts, and library activities, as well as the activities providing customer and support services for the Board.
- The [Fiscal Services Branch](#) oversees and administers all of the Board's audit, budget, and accounting programs, and develops economic analyses and forecasts.
- The [Information Management Branch](#) manages the Board's information technology environment, including the development, installation, and ongoing maintenance of all electronic data processing needs and maintenance of the Board's Web sites.

**Integrated Waste Management Board
Expenditure Authority Funds Totalling \$235,363
CY 2008/09
(dollars by thousands)**



**Fiscal Year 2008-09 Budget
(Dollars in Thousands)**

Fund Source	2007-08 (Authorized)	2008-09 (Authorized)	Difference	Percentage Change
Used Oil	\$21,596	\$19,030	-\$2,566	-11.88%
Tire	\$39,012	\$34,451	-\$4,561	- 11.69%
RMDZ	\$9,796	\$7,409	-\$2,387	-24.37%
IWMA	\$51,529	\$52,896	+\$1,367	+2.65%
Reimbursement	\$338	\$1,505	+\$1,167	+ 345 %
E-Waste	\$114,976	\$112,879	-\$2,097	-1.82%
Other Funds	\$7,195	\$7,193	-\$2	-.02 %
Total: All Funds	\$244,442	\$235,363	-\$9,079	- 3.71 %
Personnel Years	465.8	468.6	+ 2.8	+ .6 %

The FY 09/10 Governor's Budget proposed a total of \$235.4 million (All Funds) and 468.6 personnel years for IWMB programs in fiscal year 2008-09. The major changes include:

Used Oil: Reductions in revenue into this fund required a reduction in grants, based on statutorily required distribution of oil funds.

Tire: The reduction of \$4.5 million reflects the end of a limited term expansion of the Local Assistance grant programs.

RMDZ: Authority in RMDZ was reduced to be in line with historical loan activity.

Reimbursement: The increase in this line item is tied to increased authority to complete the next phase of the Education and the Environment Initiative. The Board received additional reimbursement authority of \$1.16 million and one limited-term position to implement this Budget Change Proposal.

2008 Highlights

Training

With the creation of the Office of Training, the Board is renewing its commitment to staff by providing a range of training opportunities. Throughout 2008, all staff had the opportunity to attend a wide array of training classes to strengthen their communication skills, sharpen their technical skills, and expand their general knowledge.

The Office of Training provided classes in administrative and technical writing, public presentations, interviewing techniques, and the Leadership Academy for management. In addition, staff took classes focusing on their areas of interest such as contracts management, computers, analysis, accounting, auditing, statistical sampling, and franchise agreement training. Staff and supervisors have also taken training classes required by law. These classes include the two week basic supervision classes, sexual harassment prevention, driver's safety, first aid, and many more.

In order to expand the general knowledge of integrated waste management, the Training Office is offering Board members and Board employees the opportunity to attend and participate in a Principles of Integrated Waste Management series. This series of classes will cover the history of waste management, laws, regulations, and policies as well as explore effective programs and emerging issues. This training is intended to enable all staff to do their jobs more effectively. The monthly sessions will include a lecture series, group problem solving opportunities, and onsite tours.

Additionally, a Board contractor researched and evaluated the merits of certification programs throughout the United States and Canada. The contractor will present his findings at the May 2009 Board meeting.

All relevant Board trainings will continue to be provided to the regulated community through the Board's divisional outreach efforts, Internet broadcasting of informational sessions, and videos available for downloading off the Board's website.

Audit function

The Board's audit function was expanded in June 2008 in recognition that the Board gives out over 70 percent of its budget each year to businesses and local government in the form of e-waste and oil claims, contracts, grants, and loans. Strategic Directive 10 expanded the audit function from three to six major programs: electronic waste (e-waste), oil recycling fee-payers, grants, contracts, loans and the mandated biennial Financial Integrity of State Manager's Accountability audit. This decision meets the Board's core value to safeguard public funds, maintain integrity, and provide financial transparency.

To meet this goal, the Audits and Evaluations Unit conducted audits to ensure the fiscal integrity and the appropriate protection of Board funds for contracts, grants, loans, oil fee-payers, covered electronic waste recovery and recycling claims, and reimbursements. Also, in progress is the FISMA internal controls review; to include compliance with the State Administrative Manual. A measure of goal attainment is the percentage of audits completed within each audit function; the first annual target is on track for a 5 percent annual audit rate, with an ultimate 17 percent rate by June 30, 2013. Audit targets, listed in the annual audit plan, are selected using single or multiple risk parameters. The annual audit plan is prepared at the beginning of each fiscal year, outlining the parameters used and the clients/jurisdictions selected for audit. For example,

- Grants with a lapsed ending date and a remaining outstanding balance.
- Grants with disencumbered amounts in excess \$15,000, a pre-selected benchmark.
- Fee payers, four audits selected annually, two from above and two from below the median used oil recycling fee return amount.

The Audits and Evaluations Unit continues to build and develop audit programs and plans in support of the expanded audit function defined by the Board in June 2008. Recruitment and training continues in order to attain the ultimate audit rate

Audit resolution has been tackled through a concerted and coordinated effort by the program and administrative divisions with consultation from the legal office and facilitation from the audit unit, leading to the proposed creation of an Audit Resolution Committee.