

County of Santa Clara

Recycling and Waste Reduction Commission
Integrated Waste Management Division

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TECHNICAL ADVISORY COMMITTEE MEETING MINUTES

April 9, 2009

VOTING MEMBERS IN ATTENDANCE

ACTERRA	Maija McDonald
CALIFORNIA RESOURCE RECOVERY ASSN.	Richard Gertman
CITY OF CUPERTINO	Cheri Donnelley
CITY OF GILROY	Tony Eulo
CITY OF MILPITAS	Elizabeth Koo
CITY OF MORGAN HILL	Tony Eulo
CITY OF MOUNTAIN VIEW	Lori Topley
CITY OF PALO ALTO	Russell Reiserer
CITY OF SAN JOSE	Skip Lacaze
CITY OF SANTA CLARA	Rick Mauck
CITY OF SUNNYVALE	Mark Bowers
CLARA MATEO	Gil Chesó
CLARA MATEO	Michael Gross
CLARA MATEO	Julie Muir
COUNTY UNINCORPORATED AREA	Elizabeth Constantino
WEST VALLEY CITIES	Marva Sheehan

Commissioners: Jamie McLeod, Chair; Ronit Bryant, Kansen Chu, Peter Drekmeier, Patrick Kwok, Evan Low, Cat Tucker, Kris Wang, Ken Yeager

VOTING MEMBERS NOT ATTENDING

CITY OF CAMPBELL
 CITY OF LOS ALTOS
 CITY OF MONTE SERENO
 CITY OF SARATOGA
 COUNTY ENVIRONMENTAL HEALTH
 LEAGUE OF WOMEN VOTERS
 SAN JOSE STATE UNIVERSITY
 SANTA CLARA VALLEY WATER DISTRICT
 SIERRA CLUB
 SILICON VALLEY LEADERSHIP GROUP
 TOWN OF LOS ALTOS HILLS
 TOWN OF LOS GATOS

OTHERS IN ATTENDANCE

Jill Boone	SCC
Clifton Chew	SCC IWM
Zakk DeVine	SCC IWM
Coralin Feierbach	City of Belmont
Cliff Feldman	SBWMA
Wendy Fong	SCC HHW
Karen Gissibl	City of Sunnyvale
Krista Kuehnhackl	City of Millbrae
Walter Lin	City of San Jose
Jack Nixon	CSG Consultants/City of Hillborough
Donna Perala	City of San Jose
Lisa Rose	SCC IWM
Kim Springer	County of San Mateo
Ursula Syrova	City of Sunnyvale

1. Call to Order

Tony Eulo, Chair, called the meeting to order at 1:39 p.m. A quorum of 14 was present. Those present introduced themselves.

2. Public Presentations

There were no public presentations

3. Joint TAC

Polystyrene – Jurisdictions discussed their dealing with polystyrene: Palo Alto stopped taking the material and is working on an ordinance to ban polystyrene food containers; San Mateo County government has banned polystyrene food containers; Stanford students petitioned Jamba Juice to stop using polystyrene containers and has got them to switch to plastic lined cups on campus; and the City of Millbrae has banned polystyrene foam and solid. At this point, polystyrene that is being collected in the recycling program is being landfilled.

There was some discussion about the difficulties of commercially composting plastic lined material and ‘compostable’ utensils. It was noted that the CIWMB’s report *Evaluation of the Performance of Rigid Plastic Packaging Containers, Bags and Food Service Packaging in Full Scale Commercial Composting* considered items to be compostable if they had a 10% or less residual rate. Compost with a 10% residual rate would be difficult to sell. The Biodegradable Products Institute at BPIWorld.org is a website where a third party that verifies biodegradability of products. There is concern with whether the ability of these utensils and food packaging to be composted will impact the ability to collect food waste. At many venues utensils, packaging and food are all placed in the same container for composting.

Food waste – Communities that collect food waste at the curb include: (residential) Morgan Hill and San Carlos; (Commercial) all SBWMA jurisdictions, Menlo Park, Palo Alto starting July 1, and Cupertino and Mountain View have a pilot programs.

Michael Gross said Z-Best offers two types of compost, yard waste only and yard waste mixed with food waste. The yard waste only can be sold as organic compost while the mixed version can not. Additionally most of his of compost sales is to organic farmers who only want the organic compost, thus there is not much of a market for the mixed material.

Minimize or ban organics from landfills – City of Morgan Hill bans yard waste in garbage in their franchise agreement. Palo Alto is planning a phased in approach. It is something to consider with methane production in landfills from organics. Alameda County banned organics from landfills in March with enforcement starting in July and fines starting in January.

Landfill Fees – Palo Alto City Council has authorized a charge of \$20 for each un-tarped load to help control litter. The landfills in San Mateo County are in the unincorporated areas and the fees go directly to San Mateo County. The \$7/ton fee helps fund landfill closure and other activities like recycling, HHW programs and some general fund items. Santa Clara County has \$4.11/ton fee which is broken into three parts: Solid Waste Planning Fee which funds countywide programs, HHW Fee for the HHW program, and AB939 Implementation Fee which is returned to each jurisdiction based on their tonnage.

Bags – Palo Alto has a program effective September 18, 2009. One component of the Palo Alto program is promotion of reusable bags, another is banning plastic bags for newspapers and the third component is implementing a City policy eliminating distribution of single use bags and polystyrene food containers. For a little over a year the jurisdictions in Santa Clara County have been working simultaneously. There has been push back from business/industry. The next Recycling and Waste Reduction Commission and City Council meeting will have a selection of choices to proceed with. The options will include: 1) focusing on outreach, push reusable and re-evaluate in one to two years; 2) large store bag ban and grow from there. San Jose is doing a full EIR to go forward with a fee base system.

Items were heard out of order to accommodate individual time schedules.

6. Seventh Amendment to the Non Disposal Facility Element (NDFE)

Elizabeth Constantino said the Non Disposal Facility Element needed to be amended. The amendment includes two facilities in the unincorporated area and removal of Environmental Management Systems. The first change is adding Pacheco Pass Transfer Station to replace the San Martin Transfer Station which is closing next year. The Pacheco Pass facility will not be open to the public. The other change is for improving services at the Stanford PSSI. If there are any changes or modifications to the NDFE, please notify Clifton Chew with the County. A draft letter for the RWRC will be provided.

7. Division Manager's Report and Updates on Countywide Programs

Elizabeth announced that the audit of IWM was almost complete and hopes to have a report by the next TAC meeting. Additionally, two sample letters of support of bag bills (AB 68 and AB 87) from CAW have been forwarded to County Executive's Legislative Director for letters of support from the Board of Supervisors.

8. Subcommittee Reports and Updates

Elizabeth said the Ad Hoc AB939 Implementation Subcommittee met briefly to look at increasing the AB939 Implementation fee which has not been increased since 2003 when it went from \$1.30 per ton to the current \$1.50 per ton. As a result of the meeting, Elizabeth will be sending out a questionnaire in the next week or so to get jurisdictions thinking about their AB939 revenues and expenditures. The information will be needed to justify raising the AB939 Implementation Fee in the future.

Zakk DeVine said PubEd is working on the 'Recycle Right' campaign (filming to begin in 90 minutes). The campaign focuses on bottle, can and paper recycling and targets males 18-34 which was the group identified by Godbe Research as the demographic that recycles the least. The campaign will also have Spanish language component and will begin running on May 4, 2009. He also mentioned that the media market has been improving and deals are tougher to get.

Mark Bowers said he reviewed the County's RFQ for the organizational study that staff sent him, which included TAC's scope of work. The RFQ will be released in the near future.

9. Approval of Minutes

Mark Bowers made a motion to approve the minutes of the March 12, 2009 TAC meeting and was seconded by Russ Reiserer. All present voted to approve the minutes. Those not present at the March 12, 2009 TAC meeting abstained.

Commissioners: Jamie McLeod, Chair; Ronit Bryant, Kansen Chu, Peter Drekmeier, Patrick Kwok, Evan Low Cat Tucker, Kris Wang, Ken Yeager

5. Legislation for TAC to support or oppose

Russ Reiserer provided two handouts. One was the legislative update indicating one new bill (SB309) and the other was the Legislative Committee's recommendation list.

The legislative committee (Richard, Mark and Russ) put a list of ten pieces of legislation with a recommendation to support or oppose and note when possible of the corresponding legislative priority number. There were three bills that had no corresponding legislative priority: 1) AB478 - recycling composting solution to green house gases – this would require the ARB to consult the CIWMB on related issues; 2) AB1141 plastic bag bill – extended 2449 for another four years to prevent local jurisdictions from banning bags; and 3) AB1150/SB44 both want to abolish CIWMB and transfer responsibility to DOC. These three items will need to be brought to the RWRC so that and letters of support or opposition can be generated and signed by the RWRC chair.

4. Recommendation to RWRC on Single-Use Shopping Bags

Skip Lacaze brought copies of the Source Reduction Recycling Subcommittee notes that were distributed yesterday. He said the chair would like to see something that offers the Commission an opportunity to recommend from a range of actions and also to address the idea of tiers or phasing the in of activities related to single use bags. The three major possibilities are in the notes under item 5, items i, ii, and iii. The subcommittee did not have strong consensus on which items for TAC to recommend to the Commission. After going over each option and possible adjustments, TAC decided to recommend a hybrid. A motion was made for 'Initial period of outreach and other efforts to increase use of recyclable bags, and to decrease the use and littering of plastic bags, followed by the implementation of a ban on plastic bags and a fee on paper bags. Phasing might include beginning with a lower fee, it would apply to chains of convenience food stores primarily engaged in retailing a limited line of goods that include milk, bread, soda, and snacks, with a total combined square footage of 100,000 square feet or more within the County and an initial exemption of non-profits, ongoing exemption of non-profit reuse organizations that provide an incentive to reuse bags, or provisions for smaller stores to retain the entire amount of the fee.' by Tony Eulo and seconded by Richard Gertman. All present voted to approve with Russ Reiserer from the City of Palo Alto abstaining. A timeline was discussed and the TAC decided to ask everyone to adopt an ordinance by Earth Day 2010 with an effective date of 1-1-2011.

5. Legislation for TAC to support or oppose

Heard earlier.

6. Seventh Amendment to the NDFE

Heard earlier.

7. Division Manager's Report and Updates on Countywide Programs

Heard earlier.

8. Subcommittee Reports and Updates

Heard earlier.

9. Approval of Minutes

Heard earlier.

10. Future Agenda Items

Introduction of new County Counsel and presentation on TAC legal issues in May
Climate Compact in May.

11. Informational Updates and Announcements

Mark Bowers had two items: 1) There are 700 sheep grazing at the facility; and 2) new bicycle bridges (2 Sunnyvale and 1 Cupertino) will be opening in the next few weeks.

Julie Muir announced that Stanford won the American Forest and Paper Association University Recycling Award.

Richard Gertman informed everyone about the CRRA conference this summer.

Tony Eulo offered thanks to several individuals: 1) Russ for his TAC service; 3) Skip for his work on bags; and 3) Karen Gissibl for helping set up the meeting room at the SMaRT Station and Mark Bowers for the tour of the facility.

12. Adjournment

The meeting adjourned at 3:25 p.m.

NEXT SCHEDULED TAC MEETING: May 14, 2009 @ 1:30 P.M.