

County of Santa Clara

Recycling and Waste Reduction Commission
Integrated Waste Management Division

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TECHNICAL ADVISORY COMMITTEE MEETING MINUTES

September 10, 2009

VOTING MEMBERS IN ATTENDANCE

ACTERRA

CALIFORNIA RESOURCE RECOVERY ASSN.

CITY OF CUPERTINO

CITY OF GILROY

CITY OF MORGAN HILL

CITY OF MOUNTAIN VIEW

CITY OF PALO ALTO

CITY OF SAN JOSE

CITY OF SANTA CLARA

CITY OF SUNNYVALE

CLARA MATEO

COUNTY UNINCORPORATED AREA

SAN JOSE STATE UNIVERSITY

Maija McDonald

Richard Gertman

Cheri Donnelly

Tony Eulo

Tony Eulo

Lori Topley

Rene Eyerly

Skip Lacaze

Dave Staub

Mark Bowers

Gil Cheso

Lisa Rose

Bruce Olszewski

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 MILPITAS
 CITY OF MONTE SERENO
 CITY OF SARATOGA
 COUNTY ENVIRONMENTAL HEALTH
 LEAGUE OF WOMEN VOTERS
 SANTA CLARA VALLEY WATER DISTRICT
 SIERRA CLUB
 SILICON VALLEY LEADERSHIP GROUP
 TOWN OF LOS ALTOS HILLS
 TOWN OF LOS GATOS
 WEST VALLEY CITIES

OTHERS IN ATTENDANCE

Mark Arsenault	Stevens Creek Disposal
Arthur Boone	Total Recycling Associates
Clifton Chew	SCC IWM
Kevin Chiapello	Stevens Creek Disposal
Wendy Fong	SCC HHW
Karen Gissibl	City of Sunnyvale
Walter Lin	City of San Jose
Terri Ramirez	San Jose State University
Christy Wolter	City of San Jose
Jo Zientek	City of San Jose

1. Call to Order

Tony Eulo, Chair, called the meeting to order at 1:35 p.m. A quorum of 10 was present. Those present introduced themselves.

2. Approval of Minutes

Richard Gertman made a motion to approve the revised minutes of the July 9, 2009 TAC meeting. The motion was seconded by Dave Staub. All present voted to approve the minutes. Those not present at the July 9, 2009 TAC meeting abstained.

3. Public Presentations

There were no public presentations.

The Chair asked that item 5 be moved up to be heard at this time. All present consented to the move.

5. Comments on ILG Sample Commercial Recycling Ordinance – Tony Eulo

Tony asked Christy Wolter to provide TAC with information about AB32 scoping plan and how it relates to mandatory commercial recycling. She summarized that the basic concept was to require businesses to recycle solid wastes that they generate but allow local jurisdictions to decide how that is to be done. The baseline is that businesses that generate more than 4 cubic yards per week of solid waste and recycling subscribe to recycling. There are caveats that jurisdictions can make changes to provide outs such as self haul. The proposed start date is July 1, 2012 with the year before focused on outreach. The CIWMB or entity assumes its duties will be responsible for ensuring each jurisdiction is implementing its commercial program and propose it be run similarly to AB939 where part of the annual report would look at the recycling program. It would not be evaluated by diversion but through some other method (not specified). The plan is to return in December with actual draft language and the time between now and December is to provide additional feedback to current California Integrated Waste Management Board (CIWMB) board members. There was a question if there was going to be any 'teeth' and the general response was that it was too open-ended to be really effective. The proposed regulation on local government would have to be accepted by California Air Resources Board (CARB) or by the CIWMB.

Additionally, when the TAC packet was sent out, Tony included a message to have TAC members review the sample mandatory commercial recycling ordinance developed by the Institute for Local Government and to bring their comments to the TAC meeting. The comments from TAC members are summarized as follows:

- 1) In 10-10-100, the Purpose cites AB939 and diverting 50%. Most jurisdictions in Santa Clara County are already over 50% and would have no incentive to adopt the ordinance. It would be more relevant to add an AB32 reference.
- 2) Under 10-10-160, there is a statement exempting state and federal facilities from local franchise requirements. From experience, only state facilities have been exempt from local franchise requirements, while federal facilities are required to comply.
- 3) Under 10-10-160 B, the ordinance provides exemptions for generators having four cubic yards or less on a weekly basis. Special events are not included in this exemption, we assume, because otherwise a fairly large event could divide their total by 52 weeks to derive a less than four cubic yard number. However, special events that truly generate a total of less than four cubic yards should still receive an exemption.
- 4) Section 10-10-180, was much too detailed for an ordinance. The ordinance should require events to comply with guidelines that are published by local staff. It would be ideal if the detailed information that is currently there could be adapted into suggested guidelines that are published separately from the ordinance.
- 5) In 10-10-200, there is a section requiring reporting from recyclers to jurisdictions. This does not seem very practical since jurisdictions do not have much control over many recyclers – particularly those that aren't franchised.

- 6) Overall, jurisdictions have made residential recycling convenient and it has been largely successful. This draft ordinance really doesn't address convenience in a significant way – which ultimately may prove to be a key to successful program implementation. Changes to the ordinance in this area will probably improve the impact it has on commercial recycling.

Clifton Chew will write the comments down and forward them to the appropriate party on Friday, September 11, 2009.

4. Cool 2012

Arthur Boone spoke to TAC members saying landfills and incinerators have been the disposal option of choice for many people for a long time. The 1980's introduced rate and date laws (a certain percentage by a particular date). The Europeans approached it differently and worked on landfill banning concept. The European Union in 1999 adopted practices that would lead to zero organic material in landfills by 2016. That would include brush, tree trimming, food related materials and paper materials. Last April at the Bio-Cycle conference in San Diego, the Grass Roots Recycling Network (GRRN), Bio-Cycle Magazine and Eco-Cycle got together and announced a Cool 2012 campaign. The concept behind this is that each local public agency would adopt policies and practices which would lead toward zero amounts of organics in the garbage stream. More information can be found on the GRRN website.

Tony then asked Richard Gertman when TAC can expect a recommendation from the Ad Hoc Zero Waste Subcommittee. Richard responded that a recommendation would most likely come back to TAC in November. Tony then formally forwarded to the Ad Hoc Zero Waste Subcommittee, the Cool 2012 Campaign as one of the possible recommendations.

TAC Chair asked Arthur Boone to provide some announcements at this time to accommodate his schedule:

9) Informational Updates and Announcements

Arthur had four items: 1) the Reuse Alliance is setting up a California Chapter; 2) GRRN has a conference in Devens, Massachusetts, October 18-20, 2009; 3) He is teaching a class called Introduction to Recycling on Monday through NCRA; and 4) Potrero Hills Landfill is in the middle of several lawsuits.

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

Elizabeth Constantino was unable to attend and Lisa Rose said there was nothing to report that wasn't in the TAC packet.

- A. Disposal Reporting System – in the TAC packet.
- B. Green Business – in the TAC packet.
- C. Home Composting Education Program – in the TAC packet.
- D. Recycling Hotline – in the TAC packet.

6. Subcommittee Reports and Updates on Countywide Programs

- A. Household Hazardous Waste – Walter Lin provided some updates on the new facility. Construction began in late August, hope to have the majority of the construction completed by the end of the year. Finalizing the design documents for the second phase interior of the facility. Hope to go out to bid in spring and start construction in late summer. Currently pursuing as many federal grants as possible and have submitted two so far.

There was no subcommittee meeting last month. Looking at cost per vehicle and waiting for the final tonnage numbers to come in.

- B. Implementation Subcommittee (IS) – Tony Eulo was unable to attend the last meeting and Lori Topley will provide the update. Lori passed out a worksheet from the IS meeting. She explained that there was a budget crisis and the IS had met twice to try and get a handle on the numbers and to make some recommendations to TAC about what should be done. The worksheet with FY2009-10 is the current budget before making any changes. When the FY2009-10 budget was developed, it was thought that the expenses were the same, but it turns out that there were increases in County Admin costs (which actually went up in FY2008-09 that compounded the problem), attorney costs, more accurate accounting of full staff time (GB, HCEP which also compounded the budget issue). Additionally, for FY2009-10, the projected revenue was estimated at \$1.13M but as of now the revenue is more like \$1.1M about a \$30K drop. Lori passed out the notes from the IS meeting and asked TAC member to look at the bottom half to see where the activity was taking place. There is another meeting scheduled for September 30, at 8AM here at 1553 Berger Dr, 2nd Floor Conference Room. The next meeting will have the final revenue numbers for FY2008-09 and will help with projections for FY2009-10 and will also have resolved an issue with a linked year end cumulative balance total that was not correct at the meeting. The IS used estimated numbers for tentative budget calculations to have goals to work towards. At the meeting, members worked toward a budget reduction of \$265K that would address expenses and revenue plus keep some contingency. The proposed reduction that follows is based on the increased fee rate of \$0.78: 1) decrease contingency range to 5% to 10% (previously 15% - 20%); 2) do not anticipate additional County Counsel costs; 3) removed lobbyist; 4) removed grant writer; 5) disaster debris may come from the regional effort and was removed from the budget; 6) removed the recurring audit; 7) cut CDR for the remainder of the year (fund only half a year since contract has already started); 8) removed funding for BayROC; 9) PubEd will bring back a reduced campaign/outreach; and 10) Green Business is not having a conference and can delete \$30K from Object 2 expenses. TAC also asked to see the breakdown of all staff time by program type.

TAC members asked about the possibility of charging fees for HCEP and GB. The SRR subcommittee started to look at and perhaps develop those ideas but it is too late for the budget right now. The problem is partly driven by reduced tonnage and largely by increased expenses that are outside of program costs.

- C. Legislation –Mark Bowers provided a summary handout on several bills of interest.
One additional note, the CAW website is down and they are in the process of rebuilding it
- D. Operations – No report
- E. Public Education – Working on direction from TAC regarding reduced budget
- F. Source Reduction/Recycling – Have not been meeting since waiting for budget. Most likely will not meet until budget is finalized.
- G. Ad Hoc AB939 – Currently IWM has received completed spreadsheets from all but one jurisdiction. Meeting is scheduled for Tuesday, September 15, 2009 from 10AM to 12PM here at 1553 Berger Dr., 2nd Floor Conference Room. The meeting will hopefully determine if an increase is called for and if so, what methodology to use to determine the amount of increase.
- H. Ad Hoc Disaster Debris Planning – Clifton Chew said he and Elizabeth Constantino attended some meetings for the steering committee and the regional plan. Clifton said the draft template has been distributed to the subcommittee but so far it is just a template. The initial projection looks like it would suit TAC needs but can not be certain until details are revealed.

- I. Ad Hoc Organizational Study – Mark Bowers said the subcommittee met, evaluated and ranked the four proposals and forwarded staff its recommendation. Staff is working with procurement on the contract for recommended agency and hope to have it completed in a couple of weeks.
- J. Ad Hoc Zero Waste – Richard Gertman said the subcommittee has had two meetings and plan on two more meetings scheduled before the next TAC meeting. They are developing an outline, brainstorming to come up with a definition of ‘zero waste’, looking at policies and guidelines with steps to implement and plan to bring back a model document in the November timeframe.

7. Future Agenda Items / Guest Speakers

Earth Day 2010

HCEP

School Recycling

8. Informational Updates and Announcements

Mark Bowers had two items: 1) NRC members voted 57% to approve the merger but NY law requires 2/3 approval so the merger was not valid. Thus NRC has shut down operations although the website is still up; 2) Regarding the audit of the SMaRT Station, the IRS Auditor verbally reported to the finance department staff that there were no issues and the bonds will continue to keep their tax exempt status.

Maija McDonald wanted to thank Jennifer Garnett from the City of San Jose for telling the truth about what happens to the polystyrene that is collected in the San Jose curbside program. Jennifer was quoted in Patty Fisher's 8/6/09 column in the San Jose Mercury News.

Tony Eulo said this weekend is the start of 7th Annual Second Chance Week Celebration in south county. Gilroy Garage Sale this weekend and each day of the next week is a different type of reuse awareness (coat, bike, eyeglass dropoff), ending with Morgan Hill Garage Sale.

Skip Lacaze said on September 23, 2009 along with several other cities including Palo Alto will be working on a BayROC originating press event at PW Market (Foxworthy and Meridian) at 10AM. It is about the bag campaign and when more information is available, it will be distributed.

9. Adjournment

The meeting adjourned at 3:12 p.m.

NEXT SCHEDULED TAC MEETING: October 8, 2009 @ 1:30 P.M.