

Attachment A

Bay Area Hazardous Waste Management Facility Allocation Committee Draft Minutes of the May 25, 2012 Meeting

Attendance:

Members

Mark Luce
Mark Green
Ronit Bryant
Steve Devine
Karen Mitchoff
Andy Parsons
Tiffany Reneé

Alternates

Debra Kaufman
Chris Shoop

Technical Advisory Committee/Staff:

Paris Greenlee
Jennifer Krebs
Bill Pollock
Ceil Scandone
Lisa Steinman, Sonoma Co. Waste Mgmt. (by phone)

Call to Order/Introductions: Chair Mark Luce called the meeting to order at 10:06 a.m. He welcomed attendees and initiated introductions.

Adoption of Minutes: Karen Mitchoff moved, Tiffany Renee seconded and the minutes of the January 27, 2012 meeting were unanimously approved.

Extended Producer Responsibility

State Legislation: Ceil Scandone explained that the Hazardous Waste Management Committee reviews and forwards positions on relevant bills to ABAG's Legislation and Governmental Organizations committee. This year only one new bill was deemed germane to committee's mission – AB 1442, Wieckowski. Three two-year bills, which the Committee supported last year - SB 419, Simitian (sharps); SB 589, Lowenthal (mercury lamps); and SB 515 Corbett (batteries) are either inactive or died.

AB 1442 would amend current regulations to redefine pharmaceutical waste under the Medical Waste Management Act and allow healthcare facilities, which can receive pharmaceutical drugs via standard common carrier, to ship expired and non-dispensable pharmaceutical waste by common carriers (instead of costly medical waste haulers). This change will ultimately make it easier to recover unwanted pharmaceuticals from the public by reducing the cost of transport and bring California one step closer to EPR.

In response to Green's query about why the law was set up as it was, Pollock confirmed that it was because packages may be open. Luce asked if there were security issues. Pollock responded that there are, but they can be addressed.

Alameda County Drug Disposal Ordinance: Bill Pollock showed the presentation "Medication Disposal in Alameda County and the Safe Medication Disposal Ordinance" (attached). If adopted, the ordinance would require any person who produces a drug for sale in Alameda County to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources. The ordinance would address the following objectives: reducing teenage prescription drug abuse, expanding local medication collection sites in the county and preventing discarded drugs from entering waterways and landfills. Pollock expects the ordinance will be voted on at a Board meeting in July.

The proposed ordinance is based upon the California paint bill, a San Francisco draft pharmaceutical ordinance, and the British Columbia pharmaceutical ordinance. In response to Green's question about Police and Fire station drop off sites, Pollock noted that those are voluntary sites, and fire station personnel are not on location all the time. Mitchoff asked how companies selling drugs in the county will know about the requirement. Pollock responded that the big pharmaceutical companies are already aware – they sent representatives to the meetings.

Scandone stated that ABAG doesn't take action on local ordinances. Bill's presentation was intended to provide more info on AB 1442. Mitchoff recommended that information on the Alameda County ordinance be sent to the California State Association of Counties.

Mark Luce requested a recommendation for action on AB 1442. Mitchoff made a motion to support, Parsons seconded, and the motion was unanimously approved.

Battery Recycling: Scandone noted that at the last meeting Rob D'Arcy spoke about the Corporation for Battery Recycling (CBR), a not-for-profit corporation established by major battery manufacturers to aid in the development of a stewardship program they intend to launch in 2013. battery take-back. Since he was unable to attend the meeting, he will describe progress at the next meeting. Bryant indicated that it would be interesting to see an analysis of why certain industries support and others oppose product stewardship. Scandone suggested that Heidi Sanborn of the California Product Stewardship Council be invited to discuss this.

Sustainable Purchasing: Scandone provided a brief recap of the Committee's efforts, which were initiated to support and complement the state's Green Chemistry initiatives. A workgroup was established to plan and offer 3 workshops. The first, in 2009, focused on why to implement sustainable purchasing and attracted 120 attendees. The second, in 2010, focused on how to initiate sustainable purchasing and had 60 registrants. The third, in 2011, featured sustainable practices to save time and money and drew 50 people.

It has been suggested that local staff don't have the time or funding to attend workshops. Scandone and Krebs consulted with consultant Alicia Culver who thought it might be more productive to monitor subregional efforts getting underway around the region. Conversations with staff in Alameda, Santa Clara and other counties suggest that in the next several months

there will be interesting information to share about local efforts to implement sustainable purchasing practices. Staff recommends tracking a number of county/ city sustainable purchasing initiatives and developing brief case studies to present to the Committee and post on the Committee website. In response to inquiries from Mitchoff and Devine, Scandone welcomed contact information for relevant staff in Committee member's jurisdictions.

Green Business Program Update: Scandone presented the newly created Property Manager checklist and updated Policy Guide, for which the Program is seeking Committee approval. The checklist will address two needs: provide property managers with a checklist that recognizes their control over all building operations, service contracts and capital expenditures; and provide opportunities for tenant businesses in those buildings to be certified. Currently, many small businesses in leased spaces have difficulty because the property manager/owner won't change lights or other fixtures to meet Green Business standards.

The checklist requires that the property manager meet Green Business standards at their own offices, and also for at least one managed property. Green building practices have been incorporated, addressing tenant improvements; cleaning, landscaping and pest control contracts; recycling; lighting and HVAC systems; and restroom fixtures. With Committee approval, the checklist will be pilot tested.

The changes to the Program Policy Guide, including revision of Appendix A and addition of Appendix D, articulate a flexible process that can fairly evaluate the operations and practices of very large urban high-rise buildings with on-site staff; those of managers with portfolios of smaller buildings without on-site staff; and those of managers with multi-building/multi-tenant campuses.

Reneé noted she can see comprehensiveness and relationship to Build it Green. Bryant asked about suburban office parks, and whether the Program assumes if you check one building the others will work as well. Scandone responded that at initial certification 30% of the buildings businesses/offices must meet standards for measures that might require capital expenditures, such as installing energy conserving lighting, water conserving restroom fixtures. For service contracts, other operations measures, 100% of buildings would need to comply. The capital improvements have to be at 60% of the buildings by first recertification. Coordinators or their partners would conduct site verifications to ensure the percentages are met.

Bryant asked if the checklist could be used for residential managers. Scandone replied that in Alameda County, the coordinator works with non-profit housing. Affordable housing typically has onsite management and commitment to green building operations for landscape, pest control, etc. Apartment complexes can be particularly challenging since you don't have control over individual tenants' practices.

Reneé suggested the Program consider tiering to deal with investment cost of getting to 100% of commercial properties meeting the standards. The business is on the way and can use that in marketing. Only call the business Green, when it meets all standards.

Green moved approval of the checklist and revised policy guide, Bryant seconded, and the motion passed unanimously.

In other Green Business news, Scandone reported that Matt McCarron, the primary Cal EPA contact, has reported good engagement with other Cal EPA agencies and departments on the statewide expansion of program, however no firm commitments yet. A scaling plan for green business program expansion around the state is being developed. The team believes that at some point we will need a statewide coordinator and is considering how to fund that position and also maintenance of the online measurement and management database. Scandone has discussed with ABAG Attorney Moy development of a Memorandum of Understanding or other way of legally binding members.

Budget and Workplan: On the revenue side, Scandone noted that staff does not recommend a fee increase for 2012/13. While the BAAQMD did not make a contribution to the Green Business Program for 2011/12, they are expected to contribute \$10,000 for coming fiscal year. Rather than using the BAAQMD contribution for marketing expenses, this year ABAG will contribute those funds to help support the state Green Business Program database. That will offset if not eliminate, requests to individual Bay Area counties who have been asked to contribute to the maintenance of this essential system.

In 2012/13, on the Hazardous Waste side, staff intends to initiate the project approved by the Committee in January 2012 to research potential to site U-Waste processor(s) in Bay; monitor and report on sustainable purchasing efforts in Bay Area jurisdictions; and track Extended Producer Responsibility initiatives. Green Business Program activities will include participating in efforts to find funding for maintenance of the statewide database and develop a governance model for the statewide program. We will work with regional partners such as PG & E to bring in more program resources.

Green moved approval, Mitchoff seconded and the budget and work plan was approved unanimously.

Next Meeting: The next meeting was set for November 16, 2012 from 12:30 p.m. to 2:30 p.m.