

Bay Area Hazardous Waste Management Facility Allocation Committee

Draft Minutes of the May 31, 2013 Meeting

Attendance:

Members

Mark Luce
Karen Mitchoff
Erin Hannigan
Bob Simmons
Susan Harvey
Kevin Miller
Steve Devine
Pete Sanchez
Ronit Bryant

Alternates

Debra Kaufman
James Stettler

Technical Advisory Committee/Staff

Paris Greenlee
Steve Lederer
Narcisa Untal (on phone)
Lisa Steinman (on phone)
Jennifer Krebs
JoAnna Bullock
Ceil Scandone
Adrien Baudrimont (SFEP)

Guest:

Steve Lautze

Call to Order/Introductions: Chair Mark Luce called the meeting to order at 10:15. He welcomed everyone to the meeting and initiated a round of introductions.

Adoption of Minutes: Pete Sanchez moved; Bryant seconded, and the minutes of the November 16, 2012 meeting were unanimously approved.

Election of Vice Chair: Council Member Ronit Bryant of Mountain View was nominated by Karen Mitchoff; seconded by Bob Simmons/Pete Sanchez, and approved by consensus.

Universal Waste Recycling Project: Recycling Market Development Zone/BIN Coalition

Presentation by Steve Lautze:

In introducing the item, Ceil Scandone noted that during current fiscal year, due to ABAG staffing limitations the special project to investigate potential to site recycling facilities for Universal Waste in Bay Area was not initiated. However, staff has started to identify and recruit stakeholders who might be interested in participating when the project gets underway in Fiscal Year 2013/14.

One of those stakeholders is Steve Lautze, who is the manager of the Oakland/Berkeley Recycling Market Development Zone (RMDZ), president of the California Association of RMDZs and co-founder of the Recycling Build Infrastructure Now Coalition (BIN Coalition). Mr. Lautze was invited to present the work of the RMDZs and the goals of the BIN Coalition to the Committee.

Steve Lautze Works for Oakland in Economic Development but comes from the recycling field.

What is RMDZ program?

There are 35 zones in California (can have up to 40 by statute) with AB939. Oakland/Berkeley is an urban zone. There are also rural zones. The idea of the program is to add value to waste stream – recycle materials, repurpose materials.

There is an open call for new zones currently. Republican and Democratic friendly – job creation and good for environment. Low interest loan program is the core of program – currently 5 million available for potential businesses. (When recycling up, fewer tipping fees, less \$ for RMDZ capitalization). Idea of BIN should be doing more to spur recycling, reuse, economic development.

There are two e-waste firms in the BIN Coalition – MBA Polymers (Richmond) & another in Central Valley. Stockton is interested in these issues. Frank Ferral of the Stockton Chamber of Commerce is a BIN Coalition co-founder.

The BIN Coalition co-sponsored 3 bills that are authored by Assembly Member Eggman, whose district includes Stockton and Tracy: AB 1021 which would extend existing tax credit in the Advanced Transportation and Alternative Sources Manufacturing Sales and Use Tax Exclusion Program to equipment purchases by businesses that process or utilize recycled feedstock; AB1022 – incentives to utilize CRT glass. Assembly Member Eggman also sponsored AB 1023 which is a policy statement.

Also tire bill AB513- reward companies who make used tires into asphalt. Use existing pots of money to existing incentives. Want to keep materials on shore.

Green Fence – China has regulations limiting imports of recyclables with contamination. Sometimes they enforce it, not always.

If more industry sited in the US (cars, phones, etc.), more incentives to recycle e-wastes for inputs.

Infrastructure for a sustainable economy is the goal. Privately-owned recyclers are part of infrastructure in the same way landfills are. Recycling is a land use and development issue. Compost and/or e-waste recycling facilities have value. We should not just incentivize housing development. Decentralized private infrastructure with a public purpose. This is friendly to Extended Producer Responsibility. We've already invested in waste collection infrastructure – this would be an add-on, not something entirely new. Need to plan for these facilities locally and/or regionally.

How to overcome siting difficulties and get to planning for them? It is difficult to site composting facilities. One way to overcome that could be through economic benefits/incentives.

Questions from the Committee:

Mark Luce asked which industries and businesses are succeeding today?

Over 150 loans since 1993 through the RMDZ program. Plastics, organics, metal not allowed. Varies by community. In Oakland there are not a lot of loans. Need something with high value added to pay Oakland land prices and Oakland labor prices. E-cullet in Oakland sorts optical glass from MRF residuals. Doing well, expanding to other parts of the US. Mattresses recycler DR3 in Oakland also used the loan program. Metal Casting co in Berkeley uses to recycle sand.

Steve also helps with permitting, siting, marketing products, finding feedstock and capital from loan program if needed. Need capitalization over sustained period – need to be a 20 million dollar program.

Kevin Miller asked about carpet. Processors in state are defunct. The big one in Los Angeles didn't locate in RMDZ and then their financing fell through. They are talking about a second plant in Northern CA. Also one in Sacramento has a RMDZ loan and hasn't performed.

Debra Kaufman proposed adding market development bills currently in state legislature to watch list for EP/Haz Waste related laws. Let's deal with products here. The bills are AB 1021, 1022, 1023 and AB 512.

Ceil Scandone asked Chair Luce whether we add those bills to the agenda and vote on them?

Mark Luce replied that we can't vote to endorse the bills, but can vote to ask L & GO to put these bills on their list to monitor in future.

Extended Producer Responsibility and Other Legislation

Ceil Scandone noted that the Committee is interested in promoting Extended Producer Responsibility to manage U and E-waste to shift management responsibility/cost from government back to producers. Done in alliance with the California Product Stewardship Council.

In current session, there are 3 bills of interest:

AB488 – According to Heidi Sanborn, Executive Director of CPSC, the bill went down last Friday.

AB403 – Sharps responsibility bill: create statewide management system for sharps in home. Staggering numbers: 389 million sharps annually in CA. Heidi would like a position of support so the bill can move forward in year 2. Hannigan motion to support, Bryant 2nd, consensus.

SB727 – Loni Hancock: medication take back program. Statewide effort more sane than county by county approach (a la Alameda County). Dozens of supporters. Already happening in Canada. The bill is currently in committee but under attack from Pharma. They agreed to stakeholder meetings and to work out a circumstance to have it move forward next year. Alameda County is under a law suit regarding their take back program with Pharma.

Steve Devine – if this committee moves bill to LGO, then LGO monitors, votes on, follows, and recommends to EB? Ceil Scandone answered yes. Hannigan motion to support AB 403 and SB 727 as written today. Sanchez 2nd, consensus.

Ceil Scandone will also add bills Debra Kaufman suggested.

Green Business Program

Ceil Scandone has retired officially. Joanna will be the new Green Business coordinator and has a background well suited for the job: DTSC, BSR, PG&E. Well and uniquely suited to move this forward. What's been going on last several months? DTSC is scaling back. It is unlikely that they'll have any GBP staff support. They want to be involved even though it will not be possible this year or next year.

Focus on Green Chemistry. GBP funds come from fees and fines. In recession, not much fees and fines. Secure money from PG&E for database. The state will transfer the database to CCSF. Sushma D. Bhatia and ABAG staff will help maintain it. San Francisco doesn't want to be permanent home, though. The network of GBP coordinators is looking at formal structures: JPA, MOU, form a NGO... Hope to have something in place for local coordinators in near future. Mark Luce – turn into ABAG on statewide basis? Yes, ABAG would still coordinate locally, but there is a need for statewide consistency and help with formal decision making. Examples of questions: can Illinois use the database? Or the checklists? How would this happen? Etc.

Kevin Miller mentioned that the City of Napa is partnering with water conservation agency to

cut urban water use by 20 % by 2020, and achieve a 75% recycling and composting rate by 2020. The City of Napa will reward every Green Businesses with a \$500 stipend to get certified or recertified. This program just passed its budget a couple of weeks ago and will go into effect as of July. The program will give the reimbursement check once they are certified or recertified. The program is fund 50% by water rate payer funds and 50% by solid waste and recycling rate payer funds.

Ceil Scandone remarked that this could make the difference in many counties. Standards are stronger now than 5 years ago. We don't want to lower the bar and this could help businesses with small margins.

Ceil Scandone: In Southern California, it is difficult to get elected officials interested in GBP. She is happy to have worked with the Committee all these years.

Budget and Workplan

Ceil didn't have time to do EPR case studies or E/U-waste siting study this fiscal year – working 16 hours per week, with focus mostly on GBP. The new staff for the program will not be identified until May. That leaves extra money to carryover to next year.

Recommendation from staff and TAC members: keep this carryover money in reserve to either expand scope for recycling waste siting study (more broadly); replace BAAQMD \$10,000 Green Business contribution if they do not fund database (some years they did, other years not); initiate HW data crunching (last year was postponed, we could do depending upon what the group wants). Convene TAC – have them decide what to do with reserve cash and bring back to committee.

Draft budget for 2013/14 looks only at annual contributions made by all counties – not at the reserve from 2012/13.

Kevin Miller: is there enough carryover money to do the number crunching if no BAAQMD contribution?

Ceil Scandone: There is probably enough money to do 2 out of these 3 things.

Bob Simmons asked what are the next steps after the data crunching?

Ceil Scandone explained that the result is a report that identifies what's going on by county and also what are the trends in the region. Also do an analysis of what is going on regarding waste treatment facilities.

Steve Lederer mentioned that the report can be sometimes odd. A one-time event can skew data. The information is useful over a long period of time. Maybe every 5 years might be more useful. We're not going to use this to site facilities in Napa. Stretch out interval and save money. Go with a 4 year cycle.

Mark Luce: The drivers for regular analysis are not there yet. Let's gather useful data, in order to answer the questions that we have.

With the GBP, ABAG will scale back statewide activities and focus on regional. Bay Area coordinators will participate on state committees without ABAG. Ken Moy will stay involved with creating a formal GBP network. It is a complicated decision process and he has experience in creating entities (multiple agencies, NGOs, etc.).

Hannigan and Bryant moved actions in report and approved the budget. Consensus.

The next meeting is to be convened by Staff.