

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS** Date: **MAY 9, 2006**
From: *MHS* **JAMES DURFEE / WILL DICKINSON**
Subject: **OPPOSITION TO SENATE BILL 928 (PERATA)**

ACTION REQUESTED / RECOMMENDATION: Authorize the Chairman to sign the attached letter opposing Senate Bill 928 that proposes to raise the State mandated solid waste diversion rate to an "unspecified amount".

BACKGROUND: Under the California Integrated Waste Management Act (IWMA) of 1989, each city or county was required to divert 50% of solid waste from landfill disposal or transformation by January 1, 2000. Placer County has met that mandate and currently has a diversion rate of 59 percent.

SB 928, authored by Senator Perata, proposes to increase the existing 50 percent diversion rate to an "unspecified amount". The Bill was passed by the Senate on June 1, 2005, and is currently awaiting a hearing by the Assembly Natural Resources Committee.

Currently, it is unclear what additional programs Placer County could implement to achieve the increased diversion, and what the environmental and economic impacts of these programs might be. Environmental impacts of additional diversion programs could include increased traffic, energy consumption, and air pollution. Economic impacts would include the cost of additional recycling programs, hauler services, and expansion or construction of facilities. Prior to the State implementing new diversion mandates, comprehensive evaluations of new materials recovery efforts should be conducted to determine both the potential environmental effects and the optimal technologies and markets available to accomplish these goals.

Additional concerns include illegal dumping as a result of potentially increased fees, lack of generator responsibility, and enforcement. These concerns were outlined in more detail in a letter from the Solid Waste Local Task Force to your Board dated April 27, 2006.

Placer County actively supports diverting waste from landfills. Since the implementation of the IWMA, Placer County and its cities have committed nearly \$60 million dollars on construction and expansion of its MRFs, and spent over \$13 million dollars annually to operate the facilities. However, environmental impacts of new or additional diversion programs could adversely affect our residents, and additional costs will ultimately be passed on to the public in the form of increased tipping fees or garbage collection rates.

FISCAL IMPACT: There is no fiscal impact upon the County General Fund as a result of approving staff's recommendation.

ATTACHMENTS: SENATE BILL NO. 928 (5/2/05)
LETTER OPPOSING SENATE BILL NO. 928

CC: MARY HERDEGEN, CEO

JD/WD:ch

T:\FAC\BSMemo2006\Oppose SB 928

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County of Placer Board of Supervisors

175 FULWEILER AVENUE
AUBURN, CALIFORNIA 95603
530/889-4010 • FAX: 530/889-4009
PLACER CO. TOLL FREE # 800-488-4308

BILL SANTUCCI
District 1

ROBERT WEYGANDT
District 2

JIM HOLMES
District 3

EDWARD M. "TED" GAINES
District 4

BRUCE KRANZ
District 5



May 9, 2006

The Honorable Don Perata
California State Senate
Sacramento CA 95814

RE: Oppose Senate Bill 928 – Increase in State-Mandated Solid Waste Diversion Rate

Dear Senator Perata:

On May 9, 2006, the Placer County Board of Supervisors voted oppose SB 928, the bill you introduced in February 2005 that proposes to increase the State mandated solid waste diversion rate. Under the California Integrated Waste Management Act (IWMA) of 1989, each city or county must divert 50% of solid waste from landfill disposal or transformation by January 1, 2000. Placer County has met that mandate and currently has a diversion rate of 59 percent.

This legislation is of great concern to Placer County in that it would place significant burdens on it and its constituents:

- **Cost versus Benefit** – From both environmental and economic standpoints, there are costs as well as benefits to increasing diversion efforts. For example, environmental impacts of additional diversion programs could include increased traffic, energy consumption, and air pollution. Economic impacts would include the cost of additional recycling programs, hauler services, and expansion or construction of facilities. Such impacts were not evaluated prior to enactment of the IWMA, nor has there been any subsequent assessment of the effects of increasing diversion mandates. Prior to implementing new diversion mandates, assessments should be conducted and utilized to determine both the potential environmental effects of new materials recovery efforts, and the optimal technologies and markets available to accomplish these goals

Placer County actively supports diverting waste from landfills. Since the implementation of the IWMA, Placer County and its cities have spent nearly \$60 million dollars on construction and expansion of the MRFs and \$13 million dollars annually to operate the MRFs. It is unlikely that additional spending will result in a proportional increase in diversion. Placer County, as most other jurisdictions, has "picked the low-hanging fruit", meaning we have captured the materials that are readily recyclable such as paper, cardboard, plastics, metals, green waste, wood waste, and inert materials. It is unclear what additional programs could be implemented to achieve the increased diversion, and what the environmental impacts and costs of these programs might be.

- **Illegal Dumping** – As disposal costs increase, illegal dumping and litter problems will likely increase. Roadside litter would have visual as well as environmental impacts, and clean up efforts would result in additional costs to the County.
- **Jurisdiction Responsibility** – There is a lack of legislation placing responsibility on other entities (e.g. manufacturers, distributors) to generate less waste and reduce landfill dependency. It would be more effective to have future legislation address “front end” methods, such as packaging redesign and other source reduction efforts, rather than continuing to place the majority of the burden at the “back end” – i.e. on the handlers of solid waste.

Placer County has been committed to diverting waste from landfills through the financial commitments described in this letter and has achieved compliance with the existing mandate. However, we are seriously concerned with the potential impacts to our jurisdiction should SB 928 become law.

On behalf of Placer County, thank you for considering our concerns.

Sincerely,

Bill Santucci, Chairman
Placer County Board of Supervisors

cc: **Members, Assembly Natural Resources Committee**
Senator Dave Cox
Senator Sam Aanestad
Assemblyman Tim Leslie
Assemblyman Rick Keene
Assemblyman Roger Niello
Kyra Ross, Consultant, Assembly Natural Resources Committee
Yvette Gomez Agredano, SWANA Legislative Task Force
Don Peterson, Peterson Consulting, Inc.
California State Association of Counties
Regional Council of Rural Counties

