

**REVISED AGENDA – SEE ITEM 9**

**NOTICE OF MEETING  
OF THE  
INTEGRATED WASTE MANAGEMENT  
LOCAL TASK FORCE**

**Merced County Association of Governments  
Conference Room  
369 West 18<sup>th</sup> Street  
Merced, CA 95340**

**(209) 723-3153**

**TUESDAY, SEPTEMBER 29, 2009 3:00 PM**

**1. CALL TO ORDER**

**MEMBERS OF THE PUBLIC MAY ADDRESS ANY ITEM ON THE AGENDA DURING CONSIDERATION OF THAT ITEM.**

**2. ROLL CALL**

**3. ORAL COMMUNICATION**

**PERSONS WISHING TO ADDRESS AGENDA ITEMS OR COMMENT ON ANY ITEM NOT ON THE AGENDA, MAY DO SO AT THIS TIME. COMMENTS ARE LIMITED TO THREE MINUTES PER PERSON. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. FOR ITEMS NOT ON THE AGENDA, NO ACTION WILL BE TAKEN AT THIS TIME. IF IT REQUIRES ACTION, IT WILL BE REFERRED TO STAFF AND/OR PLACED ON THE NEXT AGENDA.**

**COPIES OF STAFF REPORTS OR OTHER WRITTEN DOCUMENTATION RELATING TO ITEMS OF BUSINESS REFERRED TO ON THE AGENDA ARE ON FILE IN THE OFFICE OF MERCED COUNTY ASSOCIATION OF GOVERNMENTS. PERSONS WITH QUESTIONS CONCERNING AGENDA ITEMS MAY CALL MCAG TO MAKE INQUIRY REGARDING THE NATURE OF THE ITEM DESCRIBED ON THE AGENDA.**

**ITEM**

**STAFF**

- \* **4. Minutes of the March 24, 2009 IWMLTF meeting**
- \* **5. Minutes of the June 30, 2009 IWMLTF meeting**
- \* # **6. California Product Stewardship Council Extended Producer Responsibility** Bob Gedert  
  
Recommend the Merced County Regional Waste Management Board:
  - a. Sign the California Product Stewardship Council Pledge of Support and/or pass the Extended Producer Responsibility Resolution; or
  - b. Take action at a later time; or
  - c. Do not take any action.
- 7. New Landfill Hours of Operation, Effective September 28, 2009** Sam Chandler  
  
For information only.
- 8. Update on the Status of the Proposed Highway 59 Landfill Gas Utilization Project** Sam Chandler  
  
For information only.
- # **9. Countywide Integrated Waste Management Summary Plan** Sam Chandler  
  
For information and Committee Discussion after Staff presentation.
- 10. Adjournment**

---

\*Action

#Attachment

+Enclosure

**INTEGRATED WASTE MANAGEMENT  
LOCAL TASK FORCE**

**March 24, 2009**

**MINUTES**

The regular meeting of the **INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE** held Tuesday, March 24, 2009 at the Merced County Association of Governments front conference room, 369 W. 18<sup>th</sup> Street, Merced, California, was called to order by Chair Tom Grave at 3:08 p.m.

**MEMBERS PRESENT**

Dennis Shuler, Private Refuse Hauler, Gilton  
Stan Murdock, Public Refuse Hauler, City of Merced  
Tom Grave, Environmental Representative, Merced Alliance for Responsible Growth  
Paul Fillebrown, Merced County Director of Public Works  
Patti Dossetti, County Citizen-at-Large

**MEMBERS ABSENT**

Joe Sousa, City Citizen-at-Large, Los Banos  
Julie Hernandez, Private Refuse Hauler, Waste Management  
Keith Hester, Private Refuse Hauler, Allied Waste  
Lila McIver, City Citizen-at-Large, Merced

**OTHERS PRESENT**

Bob Gedert, California Product Stewardship Council  
Marjie Kirn, MCAG  
Jennifer Halpin, MCAG, IWMLTF Secretary

**3. Oral Communications**

None.

**4. Minutes of the December 2, 2008 IWMLTF meeting**

Stan Murdock was not mentioned as present nor absent for the last meeting. His name needs to be added to "Members Absent".

Paul Fillebrown moved to accept the minutes of the December 2, 2008 IWMLTF meeting with the correction noted.

Seconded by Patti Dossetti.

**MOTION CARRIED UNANIMOUSLY.**

**5. CFL Bulb and Electronic Recycling**

Jennifer Halpin presented the list of places that currently take back, at no charge, compact fluorescent light (CFL) bulbs and places that take back electronics.

**6. 2009 Community Clean-up Dates**

The 2009 Community Clean-up dates were listed for the six Cities and the County.

Stan Murdock stated that the City of Merced's cleanup events would be held at Merced High School, Golden Valley High School, Merced College, and the Merced County Fairgrounds.

**7. Residential Waste and Diversion Programs**

Jennifer Halpin gave an update on which residential waste and diversion programs jurisdictions currently have in place.

The City of Dos Palos will be implementing a curbside green waste program in April 2009.

**8. Agricultural Recycling Resource Directory**

Jennifer Halpin presented the recently compiled Agricultural Recycling Resource Directory on how the agricultural community can properly dispose of such materials as drip tape/tube, PVC, tires, and other materials. Copies of the directory will be dispersed to Merced County Division of Environmental Health, Agricultural Commissioner's Office, Merced County Farm Bureau, Merced County UC Cooperative Extension, and the three local USDA offices; as well as to the city and county manager, and the MCAG Governing Board.

Positive feedback about the directory came from the Agricultural Commissioner's Office as well as the Merced County Young Farmers and Ranchers Committee.

Patti Dossetti suggested handing out the directory to high school FFA coaches and directors.

Dennis Shuler would like Gilton's facility address of 800 S. McClure Rd, Modesto, to be added next to their business address.

Other suggestions and additions to the directory will be accepted until close of business on Monday, April 6, 2009.

**9. Oral Report – California Product Stewardship Council (CPSC)**

Bob Gedert, CPSC Project Manager, presented a PowerPoint on the mission of the CPSC and what it means to have extended producer responsibility (EPR) in a community.

There was much discussion between Bob and IWMLTF members on whether adopting an EPR resolution would be beneficial or not to landfill operators and consumers.

**10. CPSC Extended Producer Responsibility (EPR)**

Dennis Shuler suggested following and reviewing the progress of AB 283. Under AB 283, introduced by Assembly Member Wesley Chesbro, the California Integrated Waste Management Board would be obliged to establish product stewardship regulations by mid-2011 that would require producers of certain products to take back their products and submit binding targets for recycling and waste reduction. AB 283 is different than an EPR resolution in that the EPR resolution can be more specific and doesn't have to have all the regulations that the bill would have. Present members would like to wait and hear from the other members before taking action.

Paul Fillebrown moved to have this agenda item carried over to the next meeting. Seconded by Stan Murdock.

**MOTION CARRIED UNANIMOUSLY.**

**11. Direction of the Integrated Waste Management Local Task Force**

Marjie Kirn presented the purpose of the IWMLTF from the IWMLTF Bylaws, which listed the state-directed elements that the IWMLTF is supposed to develop and maintain.

Present members would like to wait until the next meeting to allow for discussion with the other IWMLTF members. Copies of these elements will be dispersed by Paul Fillebrown and will be presented in the next meeting's agenda.

The next IWMLTF meeting is scheduled for Tuesday, June 30, 2009.

**12. Adjournment**

**THERE BEING NO FURTHER BUSINESS, THE INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE WAS ADJOURNED AT 4:25 PM.**

**INTEGRATED WASTE MANAGEMENT  
LOCAL TASK FORCE**

**June 30, 2009**

**MINUTES**

The regular meeting of the **INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE** held Tuesday, June 30, 2009 at the Merced County Association of Governments front conference room, 369 W. 18<sup>th</sup> Street, Merced, California, was called to order by Chair Tom Grave at 3:01 PM.

**MEMBERS PRESENT**

Lila McIver, City Citizen-at-Large, Merced  
Stan Murdock, Public Refuse Hauler, City of Merced  
Tom Grave, Environmental Representative, Merced Alliance for Responsible Growth

**MEMBERS ABSENT**

Joe Sousa, City Citizen-at-Large, Los Banos  
Patti Dossetti, County Citizen-at-Large  
Dennis Shuler, Private Refuse Hauler, Gilton  
Julie Hernandez, Private Refuse Hauler, Waste Management  
Keith Hester, Private Refuse Hauler, Allied Waste  
Paul Fillebrown, Merced County Director of Public Works

**OTHERS PRESENT**

Jay Herbrand, Chair of the Merced County Master Gardeners Program  
Mary Kay Cruz, Merced County Solid Waste Division  
Sam Chandler, Merced County Solid Waste Division  
Candice Steelman, MCAG  
Jennifer Halpin, MCAG, IWMLTF Secretary

**3. Oral Communications**

Jay Herbrand introduced the Merced County Master Gardeners Program. There are 13 trained Master Gardeners in the program with 11 that went through 16 weeks of classes earlier this year. The program is out of the Merced County UC Cooperative Extension's office on 2145 Wardrobe Avenue in Merced. The Master Gardeners Program is associated with UC Davis, UC Berkeley, and UC Riverside as land grant schools. The Master Gardeners are like farm advisors for the general public, offering plant advice, pest identification, and other research based information on home gardening. They are starting public education by appearing at community events. Updated information is available on the UC Cooperative Extension's website, [cemerced.ucdavis.edu](http://cemerced.ucdavis.edu) under the "Gardening and Master Gardening" headline.

Mary Kay Cruz updated the IWMLTF contact list, with the addition of Patti Dossetti and Lila McIver's information, and Gilton's new business address.

Jennifer Halpin asked to add an agenda item. Jennifer would like to know what type of recycling services are offered in the City of Merced since the MCAG office will no longer receive recycling service from the County and since she receives questions from apartment dwellers about why they can't recycle where they live. Chair Tom Grave added the item to the end of the agenda, after Item 9.

**4. Minutes of the March 24, 2009 IWMLTF meeting**

As a quorum of members with voting rights were not present to approve the minutes, they will be moved to the next meeting's agenda.

**5. Introduction of Sam Chandler, Solid Waste Deputy Director**

Mary Kay Cruz introduced the new Merced County Solid Waste Deputy Director Sam Chandler. In April, Sam replaced deputy director Scott Johnston, who retired in January of 2009. Sam has over 28 years of experience in all aspects of solid waste management, including transfer station construction, integrated waste management strategic planning, landfill gas energy projects, and department budgets. Sam has worked in Seattle, Portland, and throughout California.

**6. California Department of Conservation Funding Request Forms due by June 30, 2009**

Jennifer Halpin stated that the deadline for submission of the California Department of Conservation (DOC) Funding Request Forms (FRF) were due that day. Each city is eligible to receive a minimum of \$5,000 and each county is eligible to receive a minimum of \$10,000. Upon completion of the FRF, approval for the funds is automatic. DOC funds must be used to promote beverage container recycling and/or litter abatement.

Funding is sent directly to the cities and county. Merced County has a resolution that MCAG staff will administer all County DOC funds. This year, the City of Atwater would also like MCAG staff to administer its DOC funds.

In previous years, DOC funds have been used to purchase collection bins, promote curbside recycling, maintain and service drop off centers, and promote school recycling clubs. Candice Steelman also pointed out that the funds can be used for a tour of "The Magic of Recycling," magic shows that promote recycling to elementary students.

**7. California Product Stewardship Council Extended Producer Responsibility**

A quorum was not present to vote on this agenda item; however, members discussed the item and Sam Chandler gave examples of product stewardship programs where he worked in Seattle and Portland.

In Washington, producers/manufacturers are responsible for collecting “E-waste” and pharmaceuticals. E-waste goes back to producers such as HP and Sony. Drop offs are located at places that sell electronics. Pharmaceuticals have been collected in “bear-boxes” at pharmacies for two years. The State of Washington also made manufacturers responsible for collecting and recycling paint.

Portland takes in paint for recycling, certifies it in 13 different colors, and then sells it back to the public. It diverts about 750,000 gallons of paint a year from being disposed of improperly.

Lila McIver went onto the CPSC website and said that 27 counties and 46 cities in California have adopted producer responsibility resolutions.

**8. Direction of the Integrated Waste Management Local Task Force**

As a quorum was not present, this item will be moved to the next meeting. The item was originally brought up when members wanted to know the purpose and objectives of the IWMLTF.

**9. Revision of the Solid Waste Facility Fee Schedule for Administrative Purposes**

Sam Chandler presented a proposal to revise sections of the Solid Waste Facility Fee Schedule. By rounding to the nearest dollar, the number of times staff will need to give change and the subsequent paperwork associated with that will be reduced. A public hearing on this matter is set for July 16, 2009.

Sam also said that, to cut down on idle time at the solid waste facilities, trucks will be automated and a clerk, located before the scale house, will have a Walkabout WeighMaster (Wally) to enter data. The proposed revisions will cost less than \$5,000.

**10. Addition: Commercial and Multi-family Recycling in the City of Merced**

Stan Murdock said that space is an issue at multi-family dwellings. The City of Merced does have 60- to 90-gallon recycling containers at some apartments, such as the Olivewood Apartments, with a majority of student tenants. There is a recycling route twice a week that uses a garbage truck to pick up the recycling. The garbage truck picks up the garbage, takes it to the solid waste facility, then returns to pick up the recycling.

Another issue is that there aren't enough funds to purchase a new truck or to hire more staff to implement a community-wide recycling program. Since a program isn't in place yet, other recycling haulers can come into the City to service businesses and apartments.

## **11. Adjournment**

Tom Grave commended Jennifer Halpin on putting together the Agricultural Recycling Resource Directory, which was available at the meeting. Tom also gave his congratulations on the award for the MercedRecycles website.

Candice Steelman stated that the awards were from the Central Valley Public Relations Organization. MCAG received three awards, one each for the MCAG website, the MercedRecycles website, and the MCAG newsletter.

**THERE BEING NO FURTHER BUSINESS, THE INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE WAS ADJOURNED AT 4:04 PM.**

**ITEM 6**

**MEMORANDUM**

**DATE:           SEPTEMBER 21, 2009**

**TO:             INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**

**FROM:          JENNIFER HALPIN, RECYCLING INFORMATION SPECIALIST**

**RE:            CALIFORNIA     PRODUCT     STEWARDSHIP     COUNCIL  
                  EXTENDED PRODUCER RESPONSIBILITY**

Robert Gedert, Project Manager of the California Product Stewardship Council (CPSC) and Executive Director of the California Resource Recovery Association (CRRA) will be at the Integrated Waste Management Local Task Force (IWMLTF) September 29, 2009 meeting to discuss product stewardship. Heidi Sanborn, Executive Director of CPSC will also be attending the meeting.

CPSC is requesting signing of the CPSC Pledge and/or adopting a resolution in support of Product Stewardship.

**REQUESTED ACTION**

Recommend the Merced County Regional Waste Management Authority Board:

- a.     Sign the California Product Stewardship Council Pledge of Support and/or pass the Extended Producer Responsibility Resolution; or
- b.     Take action at a later time; or
- c.     Do not take any action.

Attachments: CPSC letter  
                  CPSC Framework Principles for Product Stewardship Policy  
                  CPSC Pledge of Support  
                  CPSC Model Resolution



### **Who is CPSC?**

As a representative of the California Product Stewardship Council (CPSC), I would like to take this opportunity to offer my time and resources to assist in educating your community about Product Stewardship, otherwise known as Extended Producer Responsibility (EPR). CPSC is an association of local governments. Our mission is to shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

### **What is Product Stewardship/EPR?**

Extended Producer Responsibility (EPR) is a strategy to place a shared responsibility for end-of-life product management on the producers, and all entities involved in the product chain, instead of the general public; while encouraging product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This allows the costs of treatment and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. It also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers respond.

AB939, passed in 1989, clearly defined the waste management hierarchy as source reduction first, followed by recycling. To date, there has been little focus on source reduction. The majority of the focus has been on back-end solutions reliant on recycling, which are costly and a burden to local government. Government agencies cannot continue to manage the waste stream alone. The businesses that design and manufacture products are the only ones who can effect source reduction by re-designing their products with the environment in mind. Producer responsibility drives product and packaging re-design.

### **What does CPSC support?**

CPSC supports the California Integrated Waste Management Board (CIWMB) in its efforts to move away from time-consuming, product-by-product legislation. There simply is not enough money in local budgets or the state budget to follow bills through the complex legislative process for every product of concern. CPSC supports the CIWMB's "framework approach" to product stewardship. The framework approach would provide a comprehensive, yet flexible method for managing products that meet a list of criteria including high cost to manage, hazard, volume in the waste stream, or have significant impacts on the environment. A "framework" approach is holistic and serves as an alternative to the current piecemeal approach with different laws, management, and funding methods.

### **AB 283 – The California Product Stewardship Act**

Introduced by Assemblymember Wesley Chesbro (D-Arcata), The California Product Stewardship Act, AB 283, would incentivize producers to design products and packaging that are less toxic, more durable, reusable, recyclable and/or biodegradable.

“AB 283 moves California towards a more sustainable environment and economy,” said Chesbro, chair of the Assembly’s Environmental Safety and Toxic Materials Committee. “Product stewardship will reduce government spending and greenhouse gases, while creating jobs that are desperately needed in our state. This bill will help move California out of its budget crisis and into a ‘cradle to cradle’ state that takes care of its own.”

AB 283 is supported by the California Product Stewardship Council (CPSC). AB 283 uses EPR Framework Principles that address climate change and the growing waste problem. Even with new recycling programs, California is still generating more waste than ever – 40-million tons annually. In a free market, EPR reduces waste while creating opportunities to grow businesses and jobs in recycling and manufacturing industries. “EPR policies are working in Canada, Europe, Japan and other countries,” said Heidi Sanborn, Executive Director of CPSC. “The primary responsibility should rest with producers because only they make design and packaging decisions. It is far less expensive to design a product and packaging to reduce waste than it is to create expensive end-of-life disposal and recycling systems.”

### **What can my community do to support Product Stewardship/EPR?**

Signing the CPSC Pledge and adopting a resolution in support of Product Stewardship accomplishes two important goals:

- Engages your community and local elected officials in a discussion about product stewardship, which calls attention to both the need for and benefits of EPR.
- Shows our lawmakers that there is support across the State of California for EPR "Framework Legislation."

#### **Contact information**

Bob Gedert  
PO Box 607  
Clovis, CA 93613-0607  
559-593-5298  
[BobG@crra.com](mailto:BobG@crra.com)



# Framework Principles for Product Stewardship Policy

The following principles are intended to guide development of product stewardship policies and legislation that governs multiple products. It is primarily aimed at state legislation but is also intended as a guide for local and federal policy.

## 1. Producer Responsibility

- 1.1 All producers selling a covered product into the State are responsible for designing, managing, and financing a stewardship program that addresses the lifecycle impacts of their products including end-of-life management.
- 1.2 Producers have flexibility to meet these responsibilities by offering their own plan or participating in a plan with others.
- 1.3 In addressing end-of-life management, all stewardship programs must finance the collection, transportation, and responsible reuse, recycling or disposition of covered products. Stewardship programs must:
  - Cover the costs of new, historic and orphan covered products.
  - Provide convenient collection for consumers throughout the State.
- 1.4 Costs for product waste management are shifted from taxpayers and ratepayers to producers and users.
- 1.5 Programs are operated by producers with minimum government involvement.

## 2. Shared Responsibilities

- 2.1 Retailers only sell covered products from producers who are in compliance with stewardship requirements.
- 2.2 State and local governments work with producers and retailers on educating the public about the stewardship programs.
- 2.3 Consumers are responsible for using return systems set up by producers or their agents.

### 3. Governance

- 3.1 Government sets goals and performance standards following consultation with stakeholders. All programs within a product category are accountable to the same goals and performance standards.
- 3.2 Government allows producers the flexibility to determine the most cost-effective means of achieving the goals and performance standards.
- 3.3 Government is responsible for ensuring a level playing field by enforcing requirements that all producers in a product category participate in a stewardship program as a condition for selling their product in the jurisdiction.
- 3.4 Product categories required to have stewardship programs are selected using the process and priorities set out in framework legislation.
- 3.5 Government is responsible for ensuring transparency and accountability of stewardship programs. Producers are accountable to both government and consumers for disclosing environmental outcomes.

### 4. Financing

- 4.1 Producers finance their stewardship programs as a general cost of doing business, through cost internalization or by recovering costs through arrangements with their distributors and retailers. End of life fees are not allowed.

### 5. Environmental Protection

- 5.1 Framework legislation should address environmental product design, including source reduction, recyclability and reducing toxicity of covered products.
- 5.2 Framework legislation requires that stewardship programs ensure that all products covered by the stewardship program are managed in an environmentally sound manner.
- 5.3 Stewardship programs must be consistent with other State sustainability legislation, including those that address greenhouse gas reduction and the waste management hierarchy.
- 5.4 Stewardship programs include reporting on the final disposition, (i.e., reuse, recycling, disposal) of products handled by the stewardship program, including any products or materials exported for processing.

Northwest Product Stewardship Council [www.productstewardship.net](http://www.productstewardship.net) Adopted May 19, 2008  
California Product Stewardship Council [www.calpsc.org](http://www.calpsc.org) Adopted June 4, 2008  
Vermont Product Stewardship Council [www.vtpsc.org](http://www.vtpsc.org) Adopted November 6, 2008  
British Columbia Product Stewardship Council [www.bcproductstewardship.org](http://www.bcproductstewardship.org) Adopted Dec. 9, 2008  
Texas Product Stewardship Council [www.txpsc.org](http://www.txpsc.org) Adopted January 30, 2009  
NYS Assoc. for Solid Waste Management [www.newyorkwaste.org](http://www.newyorkwaste.org) Adopted March 11, 2009



Developed with support from **Product Policy Institute**  
[www.productpolicy.org](http://www.productpolicy.org)

## PLEDGE OF SUPPORT

The California Product Stewardship Council (CPSC) is a coalition of local government, their associations and organizations related to solid waste, recycling, resource conservation, environmental protection, water quality, and other cross-media issues (Associates). Together with non-government organizations (NGOs) individuals, and businesses (Partners) across California they form a network supporting product stewardship and extended producer responsibility (EPR). CPSC is a federally recognized 501(c)(3) non-profit public benefit California corporation that exists by means of your monetary and in-kind contributions in addition to private and public grant funding.

**CPSC MISSION:** To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

**CPSC FUNCTIONS:**

1. Build relationships among local government and other stakeholders to increase capacity and knowledge in order to bring about producer financed and managed systems for life cycle and end of life management of their products.
2. Develop practical local and statewide EPR policy and educational tools such as model ordinances, legislation, newsletters, articles, policy briefings, PowerPoint presentations, etc.

The undersigned supports the mission and functions of the California Product Stewardship Council and will advocate in support of product stewardship and EPR.

**Affiliation** (check one):  **Associate - Local Government (City, County, Association)**  
 **Partner - Individual, Business, NGO, Organization**

<b>Signature</b>	<b>Date</b>
<b>Name (print)</b>	<b>Title</b>
<b>Organization/Jurisdiction (city, county, regional agency)</b>	<b>Department/Agency</b>
<b>Mailing Address (street address or POB, city, zip)</b>	
<b>Telephone (with area code)</b>	<b>Email</b>

**Check here if you are including or will provide a financial contribution to CPSC**

Please sign, include contribution, and mail to CPSC, P.O. Box 216381, Sacramento, CA 95821

**RESOLUTION NO. [REDACTED]**  
**RESOLUTION OF THE (Jurisdiction name)**  
**SUPPORTING EXTENDED PRODUCER**  
**RESPONSIBILITY**

**WHEREAS**, approximately [REDACTED] tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of \$ [REDACTED] per ton; and

**WHEREAS**, on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

**WHEREAS**, the Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, as well as electronic devices such as video cassette recorders, microwave ovens, cellular phones, cordless phones, printers, and radios; and

**WHEREAS**, it is anticipated that the list of Universal and other waste products determined to be hazardous and therefore banned from landfills will continue to grow as demonstrated by the ban of treated wood effective January 2007 and sharps in September 2008; and

**WHEREAS**, state policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

**WHEREAS**, Universal Waste management costs are currently paid by taxpayers and rate payers and are expected to increase substantially in the short term unless policy changes are made; and

**WHEREAS**, local governments do not have the resources to adequately address the rising volume of discarded products; and

**WHEREAS**, costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal; and

**WHEREAS**, costs paid in (year) for managing household batteries was equivalent to over \$ [REDACTED] per ton and the costs paid by the operator of the (Name) Transfer Station to properly dispose of fluorescent tubes was over \$ [REDACTED] per ton; and

**WHEREAS**, if (Jurisdiction name) were able to collect all of the batteries and fluorescent tubes generated in (Jurisdiction name), such a service cost would more than all of the other current household hazardous waste programs combined (or language that is true for your jurisdiction); and

**WHEREAS**, the Board/City Council of (Jurisdiction name) supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and

**WHEREAS**, there are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, and other products; and

**WHEREAS**, Extended Producer Responsibility (EPR) is a policy approach in which producers assume responsibility for management of waste products and which has been shown to be effective; and

**WHEREAS**, when products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

**WHEREAS**, EPR framework legislation establishes transparent and fair principles and procedures for applying EPR to categories of products for which improved design and management infrastructure is in the public interest; and

**WHEREAS**, the California Product Stewardship Council (CPSC) is an organization of California local governments working to speak with one voice in promoting transparent and fair EPR systems in California; and

**WHEREAS**, in (Date), the (Jurisdiction name) adopted a municipal Zero Waste Plan, and this plan emphasizes the need to incentivize manufacturers to reduce the toxics in their products and design them to be reusable and recyclable; and

**WHEREAS**, the (Jurisdiction name) wishes to incorporate EPR policies into the City's and County's product procurement practices to reduce costs and protect the environment; and

**WHEREAS**, in January 2008 the California Integrated Waste Management Board adopted a Framework for an EPR System in California; and

**WHEREAS**, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR; and

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF THE (Jurisdiction name)** that the Board/Council of the (Jurisdiction name) that by adoption of this Resolution, the (Jurisdiction name) urges the California Integrated Waste Management Board to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other waste products; and

**BE IT FURTHER RESOLVED**, that the Board/Council of (Jurisdiction name) urges the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and

**BE IT FURTHER RESOLVED**, that the (staff/solid waste director) of (Jurisdiction name) be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation and related regulations; and

**BE IT FURTHER RESOLVED**, that the Chair of the Board/Council of (Jurisdiction name) be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing \$\_\_\_\_\_ to CPSC to educate and advocate for EPR policies and programs; and

**BE IT FURTHER RESOLVED**, that the (Jurisdiction name) encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials; and

**BE IT FURTHER RESOLVED**, that the (Jurisdiction name) and its member agencies develop producer responsibility policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life.

PASSED AND ADOPTED by the Board of the (Jurisdiction name), State of California on \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Signed: \_\_\_\_\_ Date: (mo/day/year)  
(Name), Chair

ATTEST: \_\_\_\_\_  
(Name), Clerk  
(Jurisdiction name)



**DEPARTMENT OF PUBLIC WORKS  
Solid Waste Division**

**Paul A. Fillebrown**  
Director

2222 "M" Street  
Merced, CA 95340  
(209) 385-7388  
(209) 725-1901 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

*Equal Opportunity Employer*

**MEMORANDUM**

**ITEM 7**

**DATE: SEPTEMBER 21, 2009**

**TO: INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**

**FROM: SAM CHANDLER, DEPUTY DIRECTOR OF PUBLIC WORKS, SOLID WASTE DIVISION**

**RE: NEW LANDFILL HOURS OF OPERATION EFFECTIVE SEPTEMBER 28, 2009**

Effective September 28, 2009, as part of an overall package to reduce operating expenses due to tip fee revenue shortfalls, the Highway 59 and Billy Wright Landfills will reduce its hours of operation. Exceptions will be made during community cleanup days. The changes are as follows:

**Highway 59 Landfill:** 6040 North Highway 59, Merced

FROM	TO
7:00 a.m. – 4:00 p.m. Monday – Sunday	7:00 a.m. – 3:30 p.m. Monday – Friday 8:00 a.m. – 12:00 p.m. Saturday Closed Sunday
Closed for New Year's Day, Thanksgiving and Christmas Day	Closed for the Holidays: New Year's Day, Martin Luther King, Jr. Day; President's Day; Memorial Day; Independence Day; Labor Day; Veteran's Day; Thanksgiving; Christmas Day

**Billy Wright Landfill:** 17173 South Billy Wright Road, Los Banos

FROM	TO
8:00 a.m. – 4:00 p.m. Monday – Saturday 12:00 p.m. – 4:00 p.m. Sunday	8:00 a.m. – 3:30 p.m. Monday - Friday 8:00 a.m. – 12:00 p.m. Saturday Closed Sunday
Closed for New Year's Day, Thanksgiving and Christmas Day	Closed for the Holidays: New Year's Day, Martin Luther King, Jr. Day; President's Day; Memorial Day; Independence Day; Labor Day; Veteran's Day; Thanksgiving; Christmas Day

**REQUESTED ACTION**

For information only.



**DEPARTMENT OF PUBLIC WORKS  
Solid Waste Division**

**Paul A. Fillebrown**  
*Director*

2222 "M" Street  
Merced, CA 95340  
(209) 385-7388  
(209) 725-1901 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

*Equal Opportunity Employer*

**ITEM 8**

**MEMORANDUM**

**DATE: SEPTEMBER 21, 2009**

**TO: INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**

**FROM: SAM CHANDLER, DEPUTY DIRECTOR OF PUBLIC WORKS, SOLID WASTE DIVISION**

**RE: UPDATE ON THE STATUS OF THE PROPOSED HIGHWAY 59 LANDFILL GAS UTILIZATION PROJECT**

**SUMMARY**

Deputy Director Sam Chandler will give an oral presentation to update the Local Task Force on the status of the Highway 59 Landfill's gas to energy project, and barriers to the project that have arose due to the San Joaquin Valley Air Pollution Control District's regulations for emission control measures.

**BACKGROUND**

In October of 2008 the Merced County Regional Waste Management Authority (MCRWMA) Board approved the recommendation to release a Request For Proposal (RFP) for the development of a Landfill Gas Utilization project at the Highway 59 Landfill. The RFP was released on June 3, 2009 with a closing date of July 29, 2009.

In June of 2009, the Technical Review Board (TRB) approved the makeup of the evaluation committee of Merced County Department of Public Works Deputy Director Sam Chandler and Solid Waste Division staff Rod Andrews and Mary Kay Cruz, and did not recommend any further members to the committee.

Five proposals were received and evaluated by the committee. Of the five, two proposals were chosen as the most responsible. Each of the two proposers, Ameresco and DTE Biomass Energy, were invited to present their company's qualifications during an oral interview. At the close of the presentations, it was the evaluation committee's unanimous decision to recommend to the Merced County Regional Waste Management Authority Board to authorize the Deputy Director to enter into contract negotiations with DTE Biomass Energy.

In order for the project to obtain the required Permit to Operate from the San Joaquin Valley Air Pollution Control District, costly emission control measures would have to be implemented. Therefore, potential contract negotiations and the future of this project are unknown at this time.

**REQUESTED ACTION**

For information only.