

# **Enforcement Advisory Council**

## **Solid Waste Management Through Partnership**

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**Meeting Minutes**  
**November 10, 2021**  
**Virtual/Teleconference**  
**Meeting Called to Order at 9:00 A.M**

### **I. Introductions:**

Michael Condon	Chair, Southern Roundtable
Kim Haas	Co-Vice Chair, Northern Roundtable
Beronica Slattengren	Co-Vice Chair, Bay Area Roundtable
Suzie Dawley	North Central Roundtable
Esther Canal	South Central Roundtable
Dee Hanson-Lugo	Southwestern Roundtable
Paul Harden	Northern City LEAs
David Thompson	Southern City LEAs
Absent	CCLHO
Jeffrey Marshall	CCDEH
Mark de Bie	CalRecycle
Paulina Lawrence	CalRecycle
Carley Bartlett	CalRecycle
Cathy Blair	CalRecycle
Jeff Esquivel	CalRecycle
Jeff Hackett	CalRecycle
Kate Wilkins	CalRecycle
Lea Gibson	CalRecycle
Marcus Santillano	CalRecycle
Sharon Anderson	CalRecycle
Kim Sellards	CalRecycle
Dana Hachigian	CalRecycle
Leta Forland	CalRecycle
Martin Perez	CalRecycle
MaryKay Shafer	CalRecycle
Wes Mindermann	CalRecycle

Paul Harden is the new Northern City LEA chair. Suzie Dawley is the new North Central Roundtable LEA Chair taking over for Will Scheffler. Esther Canal is filling in for South Central Roundtable LEA Chair.

EAC Resolution 2021-05: A resolution thanking Deep Sidhu for his service to the EAC as the South Central Roundtable chair was passed by majority vote.

Resolution EAC 2021-06: A resolution thanking Will Scheffler for his service to the EAC as the North Central Roundtable LEA chair was passed by majority vote.

## **II. Agenda Review (Late Additions)**

Comments on Supplemental Environmental Programs  
Questions regarding turnaround time of laboratory samples

## **III. Approval of Previous EAC Minutes**

March 10, 2021, May 6, 2021, and August 25, 2021 meeting minutes approved.

## **IV. EAC Resolutions, Status, & Updates**

### **A. Election of New EAC Chair**

Kim Haas was nominated by Dee Hanson-Lugo to be the new EAC Chair to replace Michael Condon. Kim accepted the nomination.

EAC Resolution 2021-09: A resolution confirming Kim Haas as the EAC Chair was passed by majority vote.

Dee Hanson-Lugo volunteered to be the new EAC Co-Vice Chair to replace Kim Haas.

EAC Resolution 2021-10: A resolution confirming Dee Hanson-Lugo as the EAC Co-Vice Chair was passed by majority vote.

### **B. Ralph Hunter Memorial Award**

#### 2020 Ralph Hunter Memorial Award nominees and voting

There were 2 candidates for the Ralph Hunter Memorial Award: Dee Hanson-Lugo, and Greg Schirle. Note: Voting did not occur during August 25, 2021 meeting due to a procedural error identified in the voting. Dee was asked to briefly step away from the meeting while the voting occurred. Results of the vote for the Ralph Hunter Memorial Award: Greg Schirle.

EAC Resolution 2021-07: A resolution confirming Greg Schirle as the recipient of the 2020 Ralph Hunter Memorial Award was passed by majority vote.

#### Update to the Ralph Hunter Memorial Award nomination application form

Kim shared draft updated Nomination Procedures document, and included examples of supporting documents that may be submitted as a part of the application packages.

EAC Resolution 2021-08: A resolution to accept the updated language on Ralph Hunter Memorial Award Nomination Procedure was passed by majority vote.

### **C. Digestate Sampling Frequency**

Discussion occurred regarding sampling requirements for laboratory testing of digestate; including frequency of testing and disposition of digestate (further processed in composting, disposal or direct land application). LEA can use discretion to determine what sampling frequency is appropriate for the each situation (sampling each load may not be necessary). LEA should work with the operator and use frequency as a benchmark. Each individual site needs to demonstrate that the digestate meets the sampling requirement.

A number of in- vessel digesters are working with California Department of Food and Agriculture (CDFA) to have the digestate certified as fertilizer, approved for use in an agricultural setting.

CDFA Point of Contact provided:

Dr. Amadou Ba, Ph.D.,

Branch Chief of Feed, Fertilizer, and Livestock Drugs Regulatory Services

Email: [amadou.ba@cdfa.ca.gov](mailto:amadou.ba@cdfa.ca.gov)

Phone: (916) 900-5022

### **D. Management of Mixed Material Organics**

Question: Would permitted compost facilities be able to accept the mixed material organics? Discussion occurred regarding whether green material separated from mixed waste would be clean enough to be sent to Enforcement Agency Notification Tier compost sites (<1% physical contaminants/ inert material; 0% food waste or other organics allowed). Unlikely that green material would be able to meet that requirement.

Question: if there is food waste in the green bin, can processed green material go to Enforcement Agency Notification composting operation after organic material is processed at a transfer station? Discussion occurred regarding ability of transfer stations to process material. There is no specific prohibition from regulation. CalRecycle stated that question can be added to Frequently Asked Questions (FAQs). A draft guidance document is being prepared clarifying responsibilities of Enforcement Agency duties.

### **E. Senate Bill 1383 Training Trilogy**

CalRecycle received feedback on this training. Scenario based training—what the LEA can expect when checking the sampling. CalRecycle has a draft 1-2 page guidance document on LEA requirements. CalRecycle SB1383 team has been working closely with LEAs to develop content for the training. LEAs should reach out to CalRecycle SB1383 team with questions; also copy CalRecycle Point of Contacts when emailing questions. CalRecycle SB1383 team is also working with solid waste facility operators.

## **F. Comments on Supplemental Environmental Program (SEP)**

Humboldt County has reported having issues distributing money to groups cleaning up illegal dumping; question: are other jurisdictions are having issues with disbursement of funds, and which counties have dealt with SEPs. CalRecycle will reach out to Humboldt County to follow up. No LEA programs have implemented SEPs in their Enforcement Program Plans. San Diego has utilized SEPs in the past. California Conference of Directors of Environmental Health representative stated that their Certified Unified Program Agencies (CUPA) program has used SEPs successfully.

## **G. Question regarding turnaround time of laboratory samples**

Mike asked if other regions have been experiencing increase in turnaround time in laboratory samples. Kim, Suzie and Esther stated that they have been experiencing significant lag time. Question was asked as to typical sample time. Answers indicate 2-3 weeks sample turnaround times.

## **V. CalRecycle Discussion Items**

### **A. Deputy Director Report**

- Ashlee Yee accepted the position of Branch Chief of SB1383 Implementation for Jurisdiction Diversion Targets.
- CalRecycle is opening Edible Food Recovery Grant. Food Waste Prevention and Rescue Grant program video: <https://youtu.be/Ds9SMfdtSGI>
- CalRecycle has provided funding: East Bay Parks (\$10 million) for dead tree removal; Santa Clara County (\$2 million) for illegal dumping cleanup respectively.
- Department of Toxic Substances Control is rescinding the F Letter from Schnitzer Steel. California Department of Toxic Substances Control Evaluation and Analysis of Metal Shredding Facilities and Metal Shredder Wastes <https://dtsc.ca.gov/metal-shredders/>
- Environmental Program Agency (EPA) is proposing to regulate “forever chemical” under hazardous waste law (<https://www.reuters.com/legal/litigation/epa-proposes-regulating-forever-chemicals-under-hazardous-waste-law-2021-10-26/>). Under this proposal, Per-and Polyfluoroalkyl Substances (PFAS), could be added to the Resource Conservation and Recovery Act's (RCRA) list of "hazardous constituents." New regulation will affect water treatment and landfill. CalRecycle is following and will provide feedback.

CR legislative update Link: <https://calrecycle.ca.gov/Laws/Legislation/PriorityRpt/>

## **B. Regulation and Legislation Update**

- Senate Bill 619- Organic Waste Reduction Regulation. Jurisdictions not ready to implement SB1383 can apply.
- Department of Toxic Substance Control (DTSC) Emergency Regulation for Scrap Metal. Regulations approved by Office of Administrative Law. Defined what is recyclable vs. hazardous waste. CalRecycle is monitoring.
- Senate Bill 343- Calls for truth in labeling. Many products with arrow symbols are not recyclable, this causes confusion and contamination.
- Assembly Bill 881- Measures how plastic actually gets recycled and changes how plastics exported to other countries are counted.
- Assembly Bill 1201- Labeling of compostable product. Addresses PFAS.
- Assembly Bill 962- Makes it easier for brewers to create recyclable glass bottle system. Reduces the need for single use containers.
- Assembly Bill 1276- Reduces plastic utensils at restaurants. Plastic utensils provided on request only.
- Senate Bill 1383-
  - Recycling and Disposal Reporting System (RDRS) webinar- upcoming on 1/27/22 for Solid Waste Facilities. Provides an opportunity for attendees to ask questions.
  - Questions and Answers regarding rendering- Question was added to the FAQ page regarding rendering activities, whether or not rendering constitutes a reduction in landfill disposal. Full Q&A is available here: <https://calrecycle.ca.gov/organics/slcp/faq/swf#permitting>
  - Regulations implementation webpage: <https://www.calrecycle.ca.gov/LEA/Regs/Implement/>  
New resources added to LEA Central include: Senate Bill 1383 Part 1 and Part 2 trainings; Alternative Measurement Protocol; Gray container evaluation will be coming soon
  - Jurisdictional related- Edible recovery program. Grant program video: <https://youtu.be/Ds9SMfdtSGI>
  - Senate Bill 1383 (archived) Resources: <https://www2.calrecycle.ca.gov/Listservs/ArchiveMessageDetails/323697>

## **C. Solid Waste Information System (SWIS) Agency Portal**

SWIS Agency Portal has been deployed for 3 weeks or so. CalRecycle is working on some ongoing issues. For questions or issues: contact Jeff Hackett.

SWIS Agency Portal Link:

<https://secure.calrecycle.ca.gov/SWISAgency/Account/SignIn?ReturnUrl=%2fSWISAgency>

## **D. Alternative Measurement Protocol Review Process**

Operator may submit site specific proposal to LEA for approval. LEA will review and verify if proposal meets the requirements of 14CCR Section 17409.5.9. LEA will

forward to CalRecycle for concurrence. Regulation does not specify timeline for LEA for review. Good practice is to work in draft.

Guidance document available: <https://www2.calrecycle.ca.gov/Docs/Web/119841>

#### **E. LEA/CalRecycle Technical Training Series – Update**

SB 1383 Training Trilogy:

Part 1 does not provide Continuing Education Units (CEU), Part 2 will be switched to On-Demand training and will provide CEUs, Part 3 will be provided in early January and will provide CEUs.

Solid Waste Technical Documents training will be converted to on-demand. CEUs will be provided.

Technical Training Series (TTS) will be virtual, and held in Spring 2022. Goal: In-person training for the next TTS, in 18 months.

Training schedule with links to Senate Bill 1383 videos:

<https://www.calrecycle.ca.gov/LEA/Training/Schedule/>

#### **VI. Public Comment Period**

No public comment.

#### **VII. Schedule Next EAC Meeting and Close Meeting**

Next EAC meeting to be held on February 9, 2022.