

# Statewide Commission on Recycling Markets and Curbside Recycling

## DRAFT Meeting Notes

July 15, 2020 8:30am-12:30pm PST

Location: Remote

### Present:

17 - Commissioners Bouchard, Cadena, Davis, Dell, Donlevy Ferrante, Kalpakoff, Lapis, Medrano, Oseguera, Potashner, Sanborn, Schneider, Skye, Toyoda, Valle and Ward.

### Absent:

0

### List of Participants:

#### Committee Members

- John Bouchard (John B.)– Teamsters 350, Principle Officer
- Deborah Cadena (Deborah C.)– Kern County Recycling, RMDZ Administrator
- John Davis (John D.)– Mojave Desert and Mountain Recycling Authority, Zone Administrator
- Jan Dell (Jan D.) – The Last Beach Cleanup, Founder
- Jeff Donlevy (Jeff D.) - Ming's Recycling, General Manager
- Laura Ferrante (Laura F.) – Waste Alternatives, Owner
- Joseph Kalpakoff (Joseph K.) – Mid Valley Disposal, CEO
- Nick Lapis (Nick L.) – Californians Against Waste, Director of Advocacy
- Manuel Medrano (Manuel M.) – City of Chula Vista, Environmental Services Manager
- Alex Oseguera (Alex O.) – Waste Management, Director of Government Affairs
- Eric Potashner (Eric P.) – Recology, Senior Director of Strategic Affairs
- Heidi Sanborn (Heidi S.) – National Stewardship Action Council, Executive Director
- Ann Schneider (Ann S.)– City of Millbrae, Vice Mayor
- Coby Skye (Coby S.) – Los Angeles County Public Works, Assistant Deputy Director
- Sara Toyoda (Sara T.) – City of Indio, Environmental Programs Coordinator
- Richard Valle (Richard V.) – Tri-CED Community Recycling, CEO
- Tedd Ward (Tedd W.) – Del Norte Solid Waste Management, Director

## **CalRecycle/CalEPA Staff**

- Kaoru Cruz (Kaoru C.)
- Tamar Dyson (Tamar D.)
- Christina Files (Christina F.)
- Zoe Heller (Zoe H.)
- Evan Johnson (Evan J.)
- Paulina Kolic (Paulina K.)
- Maria West (Maria W.)
- Kate Wilkins (Kate W.)
- Audrey Vorametsanti (Audrey V.)
- Agenda:

## **Agenda**

### **Item 1: Call to Order, Roll Call, and Establishment of Quorum (5 min)**

Zoe Heller welcomed the Commissioners and turned the meeting over to Chair Sanborn. Chair Sanborn thanked the CalRecycle team and stated that her goals were to keep the meeting on-time and comments focused and direct. She reminded members of the public that then can comment in the public comment portal, and this is greatly preferred to sending comments through email due to accessibility requirements.

There were no public comments on this agenda item.

### **Item 2: Public Comment Review - Items Not on the Agenda (10 min)**

There were comments read into the record from four people: John Hewitt, Frank Ferral, Dan Domonoske, and Evan Edgar. See appendix for full annotation of public comments.

CalRecycle staff demonstrated how to submit comments through the public comment portal. CalRecycle will submit comment submitted through email to the public comment portal when possible. CalRecycle legal counsel is looking into whether email comments can be posted on the screen when read to commissioners.

### **Item 3: Review and Potential Approval of Meeting Notes (10 min)**

Decision to approve meeting notes was unanimous.

**Public comments:** None

### **Item 4: Potential Review and Approval of Changes to Charter (20 min)**

Portion of charter changed from “CalRecycle will provide staffing for all public meetings” to “CalRecycle will provide staffing including legal counsel for commission activities.”

General agreement on commissioners leaving video cameras as feasible through video calls but no language added to charter.

Decision to approve revised charter was unanimous.

**Public comments:** None

## **Item 5: Formation of Committees (45 min)**

*Motion for four committees (Infrastructure, Labor, Manufacturing and Market Development, Organics and contamination, Recycling and contamination, and labeling & media outreach) by Tedd W with Coby S. seconding.*

*Motion for five committees by Heidi S. No second.*

*Tedd W. motions for four committees (Infrastructures, Organics, Recycling and Labeling & Media); chairs of the four committees be ex officio of the other committees and guiding principles are developed across all committees. Coby S. seconds.*

*Decision to approve committees was unanimous.*

**Final:** Motion for four committees (below) is made by Coby S. and seconded by Sara T.

- Market Development - RPPC, SABRC, local government procurement, health and safety code
- Recycling - contamination, infrastructure
- Organics - contamination, infrastructure
- Labeling and Media – feedback to CalRecycle on public education campaign, work with manufacturers on truth in labeling

Decision to approve committees was unanimous.

The commissioners on each committee are:

- Market Development: Davis, Toyoda, Potashner, Sanborn, Medrano, Schneider
- Recycling: Donlevy, Valle, Lapis, Kalpakoff, Ferrante, Oseguera, Dell, Bouchard
- Organics: Ward, Lapis, Kalpakoff, Cadena, Ferrante, Skye, Oseguera, Potashner
- Labeling and Media - Davis, Toyoda, Medrano, Dell, Schneider, Donlevy

**Public comments (see Appendix for full comment):**

Caren McNarma (two comments)

Gary Liss (read as Agenda Item 10)

## **Item 6: Definition of recyclable and compostable (30 minutes) – Evan Johnson, Senior Environmental Scientist, CalRecycle**

Evan J. discussed the SB 1335 rulemaking timeline and what products are subject to the regulation. He also discussed the scope of the proposed regulations in regards to reusable, recyclable and compostable food service packaging.

Commissioners discussed the presentation and made comments and asked questions.

### **Public comments:**

Elijah Butterfield

## **Item 7: Public Education Campaign (30 min) – Christina Files, Information Officer & Maria West, Communications Director, CalRecycle**

Christina F. and Maria W. provided the commission with an update of the CalRecycle's Packaging and Organics Recycling Education and Outreach Campaign, explained how Community-Based Social Marketing will guide the campaign research and the steps that will be taken in the research phase beginning in August 2020.

Commissioners discussed the presentation and made comments and asked questions.

**Public comments:** None

## **Item 8: Review and Discussion of Pending and Proposed Legislation (30 min)**

The Committee may discuss legislation relating to its statutory market development and state policy goals and share the collective expertise of its members with the public. Thus, the commission briefly discussed the status of AB 2287 (Eggman), which would extend the deadline of the Commission's final recommendations to July 1, 2021 and allow the commission to make recommendations to the legislature, or any federal or regulatory body.

**Public comments:** None

## **Item 9: Discussion of Scheduling and Process for Reporting to the Legislature (20 min)**

Agenda items was skipped

**Public comments:** None

## **Item 10: Agenda Items for Future Meetings (20 min)**

The Commission discussed items to be put on the next meeting's agenda as well as agenda items for the four committee meetings. The commission decided that all committee meetings should be two hours in length.

CalRecycle agreed to send out a poll to schedule the committee meetings and post the final meeting minutes, revised charter, committee member list, and upcoming agendas.

**Public comments:** None

## **Item 11: Meeting Summary and Closing (10 min)**

Meeting was closed with a thank you from Zoe H.

**Public comments:** None

# **Appendix 1: Public Comments**

## **John Hewitt, Consumer Brands Association**

During yesterday's Commission meeting I believe I heard an interest in hearing from branded companies at future meetings about packaging types, choices for using that type, etc. I am happy to assist in facilitating this. The Consumer Brands Association (formally the Grocery Manufacturers Association) is focused squarely on the issue of packaging and sustainability. Here is a quick link to the sustainability portion of our webpage: <https://consumerbrandsassociation.org/sustainability/>. CBA is committed to uniting stakeholders across multiple sectors to create meaningful change and welcome the opportunity to assist in the AB 1583 process.

Please let me know a few times that would work for a quick call to further explore how we can assist and I can include our sustainability team.

## **Frank Ferral, Stockton Chamber of Commerce**

The Greater Stockton Chamber of Commerce's Green Team San Joaquin invites your Commission to partner with the Chamber for our next Recycling BIN Summit scheduled for late October/November 2020. The date will be determined based on your availability.

The Recycling Build Infrastructure Now Coalition (aka the Recycling BIN Coalition) was founded in 2011 by the Greater Stockton Chamber of Commerce, the California Association of Recycling Market Development Zones (CARMDZ), the California Product Stewardship Council (CPSC), and the California Association for Local Economic Development (CALED). The full original coalition list is below.

The objective for creating the Coalition -- then and now -- was to promote the maximum conversion of recycled materials collected throughout California into value-added products. Such conversion of recycled materials creates quality new jobs for Californians while helping the state to reduce generation of greenhouse gases (GHG)..

Predictably, California's dependency on China to purchase our recyclables has come to a screeching halt due to a new China policy called the "National Sword", which severely limits the level of contamination China will accept coming in to their ports of entry. Consequently, many communities in our State have reluctantly started to landfill our recyclables. This is unacceptable.

There are solutions, and ways we can "convert" materials into products here in California, as opposed to simply diverting them from landfills and shipping them overseas. If California truly wants to be a leader in recycling, we must all work on ways to close the loop and be a leader in recycled-content value added manufacturing as well. Industry needs to be part of the conversation and solutions.

Please let me know if you will help us help you. I can be contacted at [fferral@stocktonchamber.org](mailto:fferral@stocktonchamber.org) or at 209-993-4409.

## **Dan Domonoske**

It is very important that commingled recycling programs continue, and the CRV program is a critical economic driver based on Refund, Processing, Administration, and Quality Incentive Payments. Material Recovery Facilities (MRFs) work best when inbound material is clean and dry, and as such CalRecycle should support the industry in an effort to reduce contamination levels of collected materials.

## **Evan Edgar, Edgar & Associates, Inc.**

The Recycling Commission could be more effective and efficient with the SB 1383 Progress Report in hand, and make the January 1, 2021 Commission Re[port deadline. SB 1383 does have a 'market status', and 'incentives' section for policy recommendations for not achieving 'significant progress' in achieving the market development goals of SB 1383. Significant progress has not been made as determined by analyzing the 2018 Waste Characterization Study.

The organic product market development goals of SB 1383 is explicitly linked to your work at the Commission, and how local government is mandated to procure organic products under SB 1383 – compost, mulch, renewable energy, and renewable natural gas (RNG). Attached is the market potential for the state of California, and there is no reason why CalRecycle would want to wait until Jan. 1, 2022, to provide these metric options to each jurisdictions.

Since I have prepared a newsletter on ['The SB 1383 Progress Report'](#) – I want to officially offer it to the Commission as an information source on developing policy recommendations to achieve market development goals for compost, mulch, renewable energy, and RNG, focusing on the local government procurement, where CalRecycle should be releasing these procurement model tool for the Commission ASAP and not wait until the Fall, when the SB 1383 regulations may become adopted by OAL.

My question – When will the SB 1383 Progress Report official public process start and when will the Report be final, and what is the process to officially circulate future information from stakeholders during this gap period.

### **Caren McNamara, Conscious Container**

Within at least one of the committees we ask we include reuse/refillables systems as a subtopic in one of the committees. CalRecycle has recognized reuse as a category with the recent creation of the GHG Reuse Pilot.

### **Caren McNamara, Conscious Container**

Engaging the product manufacturers and related businesses into a committee or within a committee is critical to developing equitable and balanced recommendations to the legislature.

### **Gary Liss**

If all Committee meetings are noticed as Commission meetings, the Committees could include a majority of Commissioners.

### **Elijah Butterfield, Center for Environmental Health**

In regard to Senate Bill (SB) 1335, the Center for Environmental Health strongly urges CalRecycle to require that compostable food service packaging be free of PFAS chemicals, which are often used to impart grease and water resistance. Products that contain these chemicals pose a risk to the public because they expose consumers to PFAS through ingestion and dermal exposure as they eat, and through contamination of water and food products throughout their life cycle. Exposure to PFAS has been linked to a variety of cancers, thyroid disease, and decreased fertility, among other serious health issues. Of note, PFAS are endocrine disrupting chemicals. The endocrine system in the human body regulates hormones that shape behavior, physical and mental development, intelligence, and more. Even exposure to minute amounts of PFAS are harmful because the endocrine system is very sensitive. Children, babies and fetuses are especially susceptible to the harmful effects of PFAS because their bodies develop rapidly. Any amount of PFAS should be considered harmful. PFAS chemicals are extraordinarily persistent in the environment and proliferate into our food system. When food packaging is composted, PFAS chemicals are not broken down, and are thus incorporated into the compost. Farmers use who use this compost in their fields can inadvertently contaminate their groundwater, crops, and livestock. Food packaging that contains PFAS is hazardous to California's public health, water supplies, and food production. The technology to produce PFAS-free food packaging already exists. Multiple companies currently produce food packaging that use alternative methods to impart grease and water resistance, and the industry is following their lead. California cannot wait any longer. We strongly urge CalRecycle to take action against this class of toxic chemicals, and require that compostable food packaging used by the State of California is PFAS-free. Elijah Butterfield, Center for Environmental Health.