

Statewide Commission on Recycling Markets and Curbside Recycling June 24, 2020 (First Meeting) 1-5pm PST As Approved by the Commission on July 15, 2020

Location: Remote

Present:

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

Absent:

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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

- Elliot Block (Elliot B.)
- Jared Blumenfeld (Jared B.)
- Kaoru Cruz (Kaoru C.)
- Zoe Heller (Zoe H.)
- Paulina Kolic (Paulina K.)
- Kate Wilkins (Kate W.)
- Emily Kentta (Emily K.)
- Audrey Vorametsanti (Audrey V.)

Agenda:

Call to Order, Roll Call, and Establishment of Quorum (5 min)

– Facilitators

CalRecycle staff welcomed Commissioners and introduced Jared Blumenfeld, who is Secretary of CalEPA and said a few words to welcome Commissioners (this is agenda item #2 and notes from the Secretary's comments are below). CalRecycle staff noted under the rules of Bagley-Keene open meeting requirements, the public will be able to make comments on each agenda item. CalRecycle staff will read the public comments into the record for each agenda item. CalRecycle staff then reviewed the meeting agenda. CalRecycle conducted roll-call and was all 17 members were present establishing a quorum.

There were no public comments on this agenda item.

Introduction and Opening Remarks (10 min) - Jared Blumenfeld, Secretary, CalEPA

Thank you and welcome to the Commissioners, who represent a diverse group of experts from across the state. We appreciate the commitment you are making to the commission. The last few months have been incredibly challenging with COVID. Recycling markets play an important role and the work the commissioners do will help environmental and human health. As the 5th largest economy in the world, California needs to lead. A lot of people point to National Sword as crisis, but I see it as an opportunity. I want to make sure that California does the right thing and go back to the waste hierarchy of source reduction first. We have spent a lot of time on recycling, and hope that we together can also spend time on waste reduction and reuse. Creation of upwards of 100,000 green jobs, remanufacturing, and retooling materials can help us move towards a circular economy. This work will also help California meet GHG reduction goals. The system is underpinned by processors, haulers, and a robust industry that we want to support. The public is an integral part of this process. We need

to ensure this process is done with integrity and follows California values. CalRecycle is here to support the commissioners and learn from the expertise of the commissioners.

Public Comment Review - Items Not on the Agenda (10 min) – Facilitators

There were comments read into the record from three people: Steve Lautze, Steve Alexander, and Chuck White. See appendix for full annotation of public comments.

Communication Guidelines (5 min) – Facilitators

CalRecycle Staff: Established communications guidelines for meeting. Will request commissioners to speak and tell them about themselves in alphabetical order.

Commissioners can also request to speak using the webinar chat box but not to communicate with each other as it is not seen by the public as required by the Bagley-Keene Open Meeting Act.

Test of Chat System

There were no public comments on this agenda item.

Presentation on the Bagley-Keene Open Meeting Act (10 min) - Elliot Block, Chief Counsel, CalRecycle

Introduction of Elliot Block, Chief Legal Counsel for CalRecycle to discuss the rules by which the Commission must operate. All Commissioners received a copy of Bagley-Keene Open Meeting Act as well as a two-page document on the highlights. Mr. Block reviewed the highlights and requested that any involved hypotheticals by Commissioners should be addressed to legal office separately.

1. The purpose of BK is to ensure that the public has an opportunity to hear the conversations and deliberations of this Commission. Rules are designed to ensure discussions happen in open public forum.
2. The Basic rule: You cannot have deliberations or discussions about the Commission outside of public meetings. ~~This does not mean that individuals cannot speak with each other, however it cannot be with the purpose of circumventing a public discussion at a meeting as a way to ensure that conversations happen in the public forum. You can talk to other people/experts on related topics, but if developing proposal, Commissioners should ensure it gets on the meeting agenda.~~
3. If you set up a formal committee, if there are three or more people on a committee, it is also **limited** subject to BK open meeting rules.
4. If you have questions or thoughts related to this, the legal office is here as a resource.

5. The forum being used for teleconferencing from home is allowed under the current Executive Order by Governor Newsom due to COVID-19. However, if that EO lapses, the normal teleconferencing rules require that those teleconferencing must list the locations where they are physically located and are open to the public. ~~Most people do not want anyone from the public in their home if that is where they are during a tele-meeting.~~

Tedd W: There will need to be subcommittees. There is no way to get this done without work by everyone and we should structure the conversation to that end.

Elliott B: Clarification that three-person or more subcommittees are subject to Bagley-Keene, but that could be accommodated...but that is a logistical rather than legal issue.

Tedd W: Would CalRecycle support this style of meeting for committees?

Zoe H: CalRecycle will support commissioners to meet the goals of the commission

John D.: Some people are on boards and committees for other organizations together. How far do these restrictions go? What is the guidance there?

Elliot B.: If it is just two people and are not on an established committee, that is fine.

John D.: Is it important not to discuss the commissions business specifically versus general topics.

Elliot B.: Does not mean that you now cannot have conversations about recycling in general. But you should not address "matters that will be before the commission."

There were no public comments on this agenda item.

Commissioner Introductions (20 min)

John B.: Sec/Treas of Teamsters Local 350 and started in 1998 in waste. Represents recycling and garbage workers in all phases of the industry. Has worked in San Francisco, San Mateo, San Benito, and Santa Clara Counties.

Deborah C: Has worked in Kern County for 20 plus years and worked on all sorts of diversion and recycling programs. Is an RMDZ Zone administrator.

Jan D.: Is from South Orange County and is an independent chemical engineer. Has worked on global engineering projects focused on end-markets. Ended corporate career and started an NGO called the Last Beach Clean-Up.

Jeff D.: Ming's Resource East Bay and Sacramento, process about 7 billion CRV containers each year. Focus on collecting material that can be recycled in CA, US, and then export markets. Wants to make sure collection programs are seen as recycling program, not just diversion programs. Commented on contamination and simplifying things for jurisdictions, consumers, and processors. Should focus on jobs and investment in manufacturing facilities.

Laura F.: Independent industry consultant with Waste Alternatives. Performs government advocacy for Resource Recovery Coalition of California, a trade association including small, midsize, and large companies operating in all aspects of the industry.

John K.: President of Mid-Valley Disposal – Serves Tulare, Kings, Madera, and Fresno Counties. Last couple of years of recycling in California have been a challenge.

Nick L.: Californians Against Waste, Director of Advocacy – co-sponsors of legislation that created this commission. Hopes we re-commit to market development and discuss what is and is not being recycled and is or is not being accepted in blue bins.

Manuel M.: Env Services Manager for Chula Vista. Board of CPSC, CRRA, and president of CA Association OF Recycling Market Development Zone Administrators.

Eric P.: Recology – employee-owned materials management company in Northern CA working in over 100 communities and operates six Material Recovery Facilities (MRFs).

Coby S.: Assistant Deputy Director for Los Angeles County Public Works – Services over 1.1 million people in the unincorporated area and is responsible for county-wide waste reduction and recycling planning.

Alex O.: Waste Management Inc., Director of Public Affairs for CA and HI. Been in waste industry for ~ 30 years both in the US and abroad. Very interested in recyclability and composability, lifecycle impacts, and demand side.

Sara T.: Work with the City of Indio. Background in water, stormwater, and waste. Hopefully will be as close to consensus as possible.

Tedd W.: Director of Del Norte Solid Waste Management Authority. Will be proudly wearing the rural hat to ensure that things that work for urban environments also work for rural communities. Also, many opportunities since we are so close to agriculture. On the board of CPSC and part of CRRA.

John D.: [Candidate for Chairperson] After grad school, spent 10 years in city management. Began municipal consulting in 1982. Preparation of AB 939 plans. Works for the Mojave Desert Joint Powers Authority High Desert RMDZ which hosts three fully-permitted compost facilities. President of CA Assoc of RMDZ before Manuel. Past-President of CRRA and is the only recipient of their three top awards. US EPA gave him the National Notable Achievement Award in 2008.

Heid S.: [Candidate for Chairperson] Has been in the industry for 30 years. Worked as a consultant writing Source Reduction and Recycling Elements and other planning documents for many jurisdictions in the early 90's. Worked at CalRecycle in Local Assistance and Market Development sections. Served as Advisor to Chair of CIWMB. Master's degree from USC in Public Administration and went back to consulting and authored the report on EPR for CalRecycle in 2007. Serves as an elected official on the

Sacramento Municipal Utility District Board. Wants to keep us moving and help us lead the nation out of the problems everyone in our industry is experiencing nationally.

Ann S: [Candidate for Chairperson] Worked in the field about 35 years. Elected city councilmember for City of Millbrae. She noted she is withdrawing name as potential chairperson because of upcoming surgery. Ann is willing to offer services as co-chair or in any way to assist chair. Would like to work on markets and getting redemption centers back.

Richard V.: [Candidate for Chairperson] Tri-CED in Alameda County. Been an Alameda county supervisor since 2012. Several issues that need to be considered and COVID is one of them. Alameda county led the state on a taskforce related to national sword. Brought together all the haulers in the county and StopWaste to work through problems. Need to educate people about contamination), is working with Tony Thurmond on schools, and we also need to look at CRV system.

There were no public comments on this agenda item. Selection of Chair and Vice-Chair (15 min)

Kaoru C: No public comments at this time.

Vote for Chair

Tedd W: Richard

Richard V: John Davis

Sara T: Heidi

Ann S: Heidi

Coby S: Heidi

Heidi S: Heidi

Eric P: Heidi

Alex O: Richard

Manuel M: John

Nick L: Richard

Joseph K: Heidi

Laura F: Richard

Jeff D: Richard

Jan D: Heidi

John D: Richard

Deborah C: Heidi

John B: Richard

Kate W: Heidi Sanborn as 8 votes, Richard Valle has 7, and John Davis has 2

John D: Is a majority required? If so, he can take his name out and do a run-off.

Paulina K: Would either MM or RV like to re-cast vote.

Manuel M: For Heidi Sanborn

Richard V: For Richard Valle

Paulina K: Heidi Sanborn has 9. Richard Valle has 8.

Heidi S accepts position of chair. Richard V accepts position of vice-chair.

Review and Potential Approval of Charter (60 minutes)

The Commission reviewed the Charter and provided comment and amendments to some sections and took a vote:

Tedd W: Yes

Richard V: Yes

Sara T: Yes

Ann S: Yes

Coby S: Yes

Heidi S: Yes

Eric P: Yes

Alex O: Yes

Manuel M: Yes

Nick L: Yes

Joseph K: Yes

Laura F: Yes

Jeff D: Yes

Jan D: Yes

John D: Yes

Deborah C: Yes

John B: Yes

Public Comments:

Evan Edgar: Can the Commission take policy positions on legislation?

Tim Shestek, American Chemistry Council: I want to express support for comment for public participation. Public should review and comment on these recommendations before finalizing.

Jack White: Commission should strive for consensus but be willing to be ok without it.

The Commission voted unanimously to approve charter as amended.

Technical Overview (20 min) - Kate Wilkins, Environmental Scientist, CalRecycle

Kate W.: The Commission must issue recommendations and identify products recyclable, compostable, and regularly collected and meet not less than once per year. Commission shall provide regular feedback. Some of the recommendations commission will make, CR will have the ability to implement, others not. The commission can make all recommendations, but CalRecycle cannot implement them all.

Commissioners discussed the presentation and made comments and asked questions.

There were no public comments on this agenda item.

Discuss Policy Recommendations (60 min)

Paulina K: Will cover discussion of products that are recyclable or compostable; can also ask for documents from CalRecycle

Public Comments: None

Question: How will commissioners meaningfully discuss and deliver policy recommendations?

Discussion on group question, suggestion includes various data requests and formation of committees.

Next Meeting, Proposed Meeting Schedule for 2020-2021, and Agenda Items for Future Meetings (20 min)

The Commission agreed to hold meetings ongoing the first and third Wednesdays at each month from 8:30 am – 12:30 pm. A request was made to send Commissioners a group calendar invitation to block the calendars.

No public comments on this agenda item.

Meeting Summary and Closing (5 min)

Zoe H. stated the Commission accomplished voting for chair, vice chair, and process position. Thankful to have our list of agenda items for the next meeting and have set the dates for future meetings. Thank you to all who gave input. Please reach out to our email address if you would like to contract us.

Public Comment: None