

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE  
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE  
2011-2012 SESSION  
AUGUST 9, 2012**

| BILL   | AUTHOR   | STATUS  | SUMMARY   | TASK FORCE POSITION   |
|--------|----------|---|---|---|
| AB 298 | Brownley | Amended August 6, 2012<br><br>Senate Appropriations Committee, 2 year bill. | <p><b>Existing Law:</b> Existing law, AB 2449 (Levine, 2006), requires an operator of a store, as defined, to establish an at-store recycling program and to make reusable bags available to customers. These requirements are repealed on January 1, 2013.</p> <p><b>Proposed Law:</b> This bill would as of January 1, 2014, prohibit stores that have at least 10K square feet of retail space or gross annual sales of 2 million dollars or more from providing a single-use plastic carryout bag to a customer. The bill would also require these stores, on and after January 1, 2013, to provide a plastic bag collection bin for their customers. The bill would additionally impose these prohibitions and requirements on convenience food stores and other specified stores as of July 1, 2015. The bill would impose a reusable bag certification standard comparable to LA County's reusable bag standard. The bill would require reusable bag certification fees and penalties be deposited into a Reusable Bag Account established in the Integrated Waste Management Fund. The bill would allow local governments or the State to impose civil penalties for a violation of the bill's requirements, except for the certification requirements. The bill would allow for purchase recycled paper bags or compostable bags to customers.</p>   | Letter of Support sent June 21, 2012, for June 18, 2012 version.    |
| AB 480 | Solorio  | Amended May 29, 2012<br><br>Senate Appropriations Committee, 2 year bill.   | <p><b>Existing Law:</b> Existing law regulates solid waste facilities and requires that any person owning or operating a solid waste landfill submit evidence of financial ability to provide for the cost of closure and postclosure maintenance. Existing law provides that if the evidence of financial ability for closure, postclosure, or corrective action is demonstrated by use of insurance, either through an independent insurer or where the insurance carrier is established by a solid waste facility operator to meet the financial assurance obligations of that operator, the insurance mechanism may be approved by CalRecycle if the insurance carrier meets specified requirements.</p> <p><b>Proposed Law:</b> This bill would specify that, until January 1, 2018, an insurance carrier established by a solid waste facility operator to meet the financial assurance obligations of that operator that meets all of those specified requirements shall be eligible to provide that insurance and shall not be required to be a California admitted insurer nor be required to provide the insurance through a surplus line broker. The bill would add as a requirement for approval of a solid waste facility operator meeting its financial assurance obligations by establishing an insurance carrier that the insurance mechanism not provide in excess of 50% of the financial assurance obligation that the solid waste facility operator is required to meet in the state.</p> | Opposition Floor Alert sent June 21, 2012, for May 29, 2012 version |

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| AB 508 | Swanson | Introduced February 15, 2011<br><br>Senate Appropriations Committee, 2 year bill. | <b>Existing Law:</b> Existing law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed by the previous contractor or subcontractor.<br><br><b>Proposed Law:</b> This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions.  | Watch   |
| AB 549 | Carter  | Amended June 26, 2012<br><br>Senate Appropriations Committee                      | <b>Existing Law:</b> The Electronic Waste Recycling Act of 2003 requires a retailer to collect a covered electronic waste recycling fee from the consumer. These fees are deposited in the E-Waste Recovery and Recycling Account, and CalRecycle is required to make payments to an authorized collector or recycler upon receipt of a completed and verified invoice.<br><br><b>Proposed Law:</b> This bill would additionally require, as a condition of making these payments, that the covered electronic waste is demonstrated to have been generated by a person who used the covered electronic device while located in this state. The bill would specify that covered electronic waste generated outside of the state and subsequently brought into the state is not eligible for payment and would require CalRecycle to establish documentation requirements necessary to demonstrate that covered electronic waste was generated in the state and eligible for payment.                                   | Letter to Oppose Unless Amended sent June 27, 2012, for May 31, 2012 version. |
| AB 812 | Ma      | Amended August 6, 2012<br><br>Senate Environmental Quality Committee              | <b>Existing Law:</b> Under existing law, any materials to be used in paving for use by the DOT or any other state agency, the State Procurement Officer is required to make contracts available that use recycled materials. Existing law also requires the State Procurement Officer to make contracts available that use crumb rubber, unless the Director of Transportation determines that the use of the materials is not cost effective based on specified factors.<br><br><b>Proposed Law:</b> This bill would authorize the Department of Transportation, by January 1, 2014, to establish specifications for the use of reclaimed asphalt pavement (RAP) of up to 40% for hot mix asphalt mixes. The bill does limit the authority of the department to establish specifications for this use of RAP. The bill would require the department to submit a report to the Legislature, by March 1, 2016, on its progress, since the year 2011, toward the development and implementation of these specifications. | Letter of Support sent May 1, 2012 for January 12, 2012 version               |

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| <b>AB 960</b>  | <b>Lowenthal</b> | <b>Amended May 27, 2011</b><br><br><b>Senate Appropriations Committee, 2 year bill.</b>           | <p><b>Existing Law:</b> The E-Waste Recycling Act of 2003 requires a retailer selling a covered electronic device in this state to collect a fee from the consumer and CalRecycle is continuously appropriated the money deposited in the E-Waste Recovery and Recycling Account to make recovery payments and recycling payments. Existing law requires an E-waste exporter to comply with specified notification requirements and make specified demonstrations. Existing law exempts from these requirements a component part of a covered electronic device that is exported and reused or recycled.</p> <hr/> <p><b>Proposed Law:</b> This bill would require that CalRecycle determine that the recycler has demonstrated to DTSC that all E-waste has been managed in a specified manner. The bill would revise the requirements imposed on E-waste exportation. The bill would repeal the existing exemption for exportation of component parts that are reused or recycled and would instead require CalRecycle to adopt regulations regarding exemptions.</p> | Letter of Support sent June 20, 2011 for May 27, 2011 version        |
| <b>AB 1178</b> | <b>Ma</b>        | <b>Amended August 24, 2011</b><br><br><b>Senate Environmental Quality Committee, 2 year bill.</b> | <p><b>Existing Law:</b> AB 939 allows each county, city, or district to determine aspects of solid waste handling that are of local concern and the means by which the services are to be provided.</p> <hr/> <p><b>Proposed Law:</b> This bill would prohibit an ordinance enacted by a jurisdiction, including an ordinance enacted by initiative by the voters of a jurisdiction, from restricting or otherwise limiting the importation of solid waste into a privately owned solid waste facility in that jurisdiction based on place of origin. The bill would provide that this prohibition does not allow a privately owned solid waste facility to abrogate certain agreements, does not prohibit a jurisdiction or regional agency from requiring a privately owned solid waste facility to guarantee permitted capacity to a host jurisdiction, and does not otherwise limit or affect the land use authority of a jurisdiction.</p>   | Letter to Oppose sent August 9, 2012 for the August 24, 2011 version |

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| <b>AB 1442</b> | <b>Wieckowski</b> | <b>Amended August 6, 2012</b><br><br><b>Senate Appropriations Committee</b> | <p><b>Existing Law:</b> The existing Medical Waste Management Act regulates the management and handling of medical waste, as defined. Existing law requires that all medical waste be hauled by either a registered hazardous waste hauler or by a person with an approved limited-quantity exemption granted pursuant to specified provisions of law. Violation of these provisions of law is a crime. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.</p> <hr/> <p><b>Proposed Law:</b> This bill would define pharmaceutical waste for purposes of the Medical Waste Management Act, and would exempt a pharmaceutical waste generator or parent organization that employs health care professionals who generate pharmaceutical waste from specified medical waste hauling requirements if the generator, health care professional, or parent organization retains specified documentation and meets specified requirements and if the facility receiving the medical waste retains specified documentation and meets specified requirements.</p>  | Letter of support sent April 5, 2012 for March 27, 2012 version |
| <b>AB 1566</b> | <b>Wieckowski</b> | <b>Amended May 25, 2012</b><br><br><b>Senate Appropriations Committee</b>   | <p><b>Existing Law:</b> The Aboveground Petroleum Storage Act (act) defines, for purposes of the act, an "aboveground storage tank" as a tank that has the capacity to store 55 gallons or more of petroleum and that is substantially or totally above the surface of the ground, except as specified. Existing law requires every county to apply to the Secretary for Environmental Protection to be certified to implement the unified hazardous waste and hazardous materials management regulatory program (unified program) and allows a city or local agency to implement the unified program. Existing law requires the unified program agencies (UPAs) to implement that act.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise the definition of "aboveground storage tank" to include tanks located in underground areas, as defined. The bill would require the UPAs to implement the act in accordance with the regulations adopted by the Office of the State Fire Marshal and would authorize the Office of the State Fire Marshal to adopt these regulations, thereby imposing a state-mandated local program by imposing new requirements upon local agencies with regard to the act. The bill would also require the office to interpret the act and oversee the implementation of the act by the UPAs and would make conforming changes in that regard.</p> |   |

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| <b>AB 1701</b> | <b>Wieckowski and Smyth</b> | <b>Amended August 6, 2012</b><br><br><b>Senate Environmental Quality Committee</b> | <p><b>Existing Law:</b> Existing law requires the Secretary for Environmental Protection to implement a Unified hazardous waste and hazardous materials management regulatory program. Local agencies that meet certain requirements are authorized to apply to the secretary to be certified to implement the program as a Certified United Program Agency (CUPA). It also defines the term "unified program agency" as meaning the CUPA, or its participating agencies. The State Water Resources Control Board is required to develop and implement a local oversight program for the abatement of, and oversight of unauthorized releases, of hazardous materials from underground storage tanks and authorizes the board to enter into an agreement with a local agency to conduct the program.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise the term "local agency" for purposes of the underground storage tank requirements to mean the unified program agency with regard to the implementation of certain provisions regulating underground storage tanks and that a city or county is the local agency for purposes of provisions authorizing corrective action to releases from those tanks. The bill would authorize the board to certify a city or county that has applied to implement the local oversight program to oversee or perform the abatement and would require the board to adopt procedures and criteria for certifying cities and counties, which would be exempt from the requirements and procedures for the adoption of regulations. The bill would require the board, if it does not, by July 1, 2013, certify a city or county that has been previously implementing a local oversight program, to assign the cases from that city or county to the appropriate regional board or a certified city or county. The board would be required to review, at least once every 3 years, the ability of the certified city or county to carry out the local oversight program and would be authorized, after conducting the review, to withdraw the certification of the city or county, pursuant to a specified procedure. The bill would become effective only if AB 1566 is enacted and becomes effective prior to this bill being enacted.</p> |                     |

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| AB<br>1715 | Smyth    | Amended June<br>20, 2012<br><br>Senate<br>Appropriations<br>Committee | <p><b>Existing Law:</b> Existing law requires an owner, operator, or other responsible party to take corrective action in response to an unauthorized release of petroleum from an underground storage tank. Under existing law, the State Water Resources Control Board, a regional board, or a local agency may undertake or contract for corrective action in response to that unauthorized release. The State Water Resources Control Board is authorized to close, or to require the closure of, an underground storage tank case where an unauthorized release has occurred, if the board determines that the corrective action at the site complies with specified requirements.</p> <hr/> <p><b>Proposed Law:</b> This bill would require the manager, upon a determination that closure of the tank case is appropriate based upon that review, to provide a review summary report to the applicable regional board and local agency and provide opportunity for comment. The bill would prohibit the regional board or local agency from issuing a corrective action directive or enforcing an existing corrective action directive for a tank case for which the manager has provided this review summary report, until the board issues a decision regarding the closure of the tank case, except as specified. The bill would specify that the \$10,000 limit for corrective action costs after tank closure includes costs for groundwater monitoring.</p>  |                                      |
| AB<br>1834 | Brownley | Amended May<br>24, 2012<br><br>Senate<br>Appropriations<br>Committee  | <p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, as administered by the Department of Resources Recycling and Recovery, requires an operator of a store, as defined, to establish an at-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store and to make reusable bags available to customers. These requirements are repealed on January 1, 2013.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise the definition of the term "reusable bag" for purposes of the act as: (1) Has a minimum lifetime of 125 uses, which for purposes of this subdivision, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet; (2) Has a minimum volume of 15 liters; (3) Is machine washable or is made from a material that can be cleaned or disinfected; (4) Does not contain lead, cadmium, or any other heavy metal in prohibited or actionable amounts, as defined by applicable state and federal standards and regulations for packaging or reusable bags; (5) Has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location (country) where the bag was manufactured, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used, if any; (6) If made of plastic, is a minimum of at least 2.25 mils thick. This bill would only become operative only if SB 1219 of the current session is enacted and becomes effective on or before January 1, 2013</p> | Letter of support sent April 5, 2012 |

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| <b>AB 1900</b> | <b>Gatto</b> | <b>Amended August 6, 2012</b><br><br><b>Senate Environmental Quality Committee</b> | <p><b>Existing Law:</b> Existing law requires the Public Utilities Commission (PUC) to specify the maximum amount of vinyl chloride that may be found in landfill gas. Existing law prohibits a gas producer from knowingly selling, supplying, or transporting to a gas corporation, and a gas corporation from knowingly purchasing, landfill gas containing vinyl chloride in a concentration exceeding the maximum amount determined by the PUC. Existing law requires a person who produces, sells, supplies, or releases landfill gas for sale offsite to a gas corporation to sample and test, bimonthly, the gas at the point of distribution for chemicals known to the state to cause cancer or reproductive toxicity. Existing law allows the PUC to set heating and purity requirements for biomethane injected into a gas pipeline and allows gas corporations to impose tariffs on biomethane injected into their pipelines.</p> <hr/> <p><b>Proposed Law:</b> This bill would require the Office of Environmental Health Hazard Assessment (OEHHA) to identify all constituents that may be found in landfill gas that is to be injected into a common carrier pipeline and that could adversely impact the health and safety of the public, and to specify the maximum amount of those constituents that may be found in that landfill gas . This bill would require the PUC to develop reasonable and prudent testing protocols for gas collected from a solid waste landfill that is to be injected into a common carrier pipeline to determine if the gas contains any of the identified constituents at levels that exceed the standards set by the OEHHA. This bill would prohibit a gas producer from knowingly selling, supplying, transporting, or purchasing gas collected from a hazardous waste landfill. This bill would require the PUC, on or before January 1, 2014, to consider adopting pilot projects involving the injection of biomethane into common carrier pipelines where a project satisfies certain safety, quality, and efficiency requirements, as specified. This bill would require the Energy Commission to design and implement an accounting system to ensure that consumption of biomethane and the resulting electrical products are counted a total of one time for the purpose of meeting the renewables portfolio standard requirements and receiving greenhouse gas benefits, as provided by the laws of this state or any other state, or by the laws of any other country. This bill would require the PUC to adopt pipeline access rules that will ensure nondiscriminatory open access to each corporation's gas pipeline system to any party for the purpose of physically interconnecting with the gas pipeline system and effectuating the delivery of gas. This bill would become operative only if this bill and AB 2196, of the current legislative session are both enacted and become effective on or before January 1, 2013.</p> | Letter to Oppose unless Amended sent June 28, 2012, for June 14, 2012 version. |

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| <b>AB 2196</b> | <b>Chesbro</b> | <b>Amended August 6, 2012</b><br><br><b>Senate Appropriations Committee</b> | <p><b>Existing Law:</b> Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined, while local publicly owned electric utilities, as defined, are under the direction of their governing boards. The existing California Renewables Portfolio Standard Program (RPS program) requires a retail seller of electricity, as defined, and local publicly owned electric utilities to purchase specified minimum quantities of electricity products from eligible renewable energy resources, as defined, for specified compliance periods. The specified minimum quantities of electricity products are based upon a percentage of the utility's total retail sales of electricity in California.</p> <hr/> <p><b>Proposed Law:</b> This bill would amend the RER program's definition of a renewable electrical generation facility to provide that if the RPS program eligibility of a facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction for the procurement of that fuel, including the source of the fuel and delivery method, shall meet certain conditions, as specified. This bill would impose certain requirements with respect to the eligibility of biomethane under the RPS program. If eligibility of the facility is based on the use of landfill gas, digester gas, or another renewable fuel delivered to the facility through a common carrier pipeline, the transaction for the procurement of that fuel, including the source of the fuel and delivery method satisfies the requirements of Section 399.12.6 of the PUC and is verified pursuant to the accounting system established by the commission pursuant to 399.25 of the Public Utilities Code, or a comparable system, as determined by the commission. This bill would become operative only if this bill and AB 1900 of the 2011-12 Regular Session are both enacted and become effective on or before January 1, 2013.</p> | Letter to Oppose Unless Amended sent June 28, 2012 for June 20, 2012 version. |



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| AB<br>2257 | Achadjian | Amended April<br>30, 2012<br><br>Assembly<br>Committee on<br>Local<br>Government | <p><b>Existing Law:</b> Existing law defines a nuisance, in part, as anything that is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Existing law authorizes various remedies for nuisances, including remedies to effect abatement and damages. Existing law provides, among other things, that no agricultural activity, operation, or facility, or appurtenances thereof, as defined, in operation for more than 3 years, and conducted or maintained for commercial purposes in a manner consistent with proper and accepted customs and standards, shall become a nuisance due to any changed condition in the locality if it was not a nuisance at the time it began, except as specified. Existing law requires certain disclosures to be provided to the purchaser of specified residential real property consisting of not less than one or more than 4 dwelling units upon transfer of that property. Among other things, the seller of residential real property who has actual knowledge that the property is adjacent to, or zoned to allow, an industrial use, or affected by a nuisance created by that use, is required to give written notice of that knowledge as soon as practicable before transfer of title.</p> <hr/> <p><b>Proposed Law:</b> This bill would provide that no landfill activity, operation, or facility, or appurtenances thereof, as defined, in operation for more than 3 years, and conducted or maintained for commercial purposes in a manner consistent with proper and accepted customs and standards, shall become a nuisance due to any changed condition in the locality if it was not a nuisance at the time it began, except as specified. This bill would require the seller of any residential dwelling consisting of not less than one or more than 4 dwelling units that is in close proximity to a landfill activity, operation, or facility, or appurtenances thereof, to give written notice to the purchaser of that real property before transfer of title that the property is subject to the provisions described above. The bill would require the purchaser to sign the required disclosure.</p> | Letter of opposition sent April 5, 2012 for bill as amended March 15, 2012 |

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| <b>AB 2321</b> | <b>Smyth and Gordon</b> | <b>Introduced February 24, 2012</b><br><br><b>Assembly Committee on Natural Resources</b>         | <p><b>Existing Law:</b> Existing law requires rigid plastic packaging containers, as defined, that are sold or offered for sale in this state to meet specified criteria, including, but not limited to, that the container be made from 25% postconsumer material, and provides for the enforcement of these requirements by the Department of Resources Recycling and Recovery. Certain classes of rigid plastic packaging containers are exempt from those requirements. Existing law, as of January 1, 2013, prohibits the sale of a plastic product, as defined, labeled as "compostable," "home compostable," or "marine degradable" unless it meets certain ASTM standard specifications, or other certain requirements.</p> <hr/> <p><b>Proposed Law:</b> This bill would define the term "compostable rigid plastic packaging container" as a rigid plastic packaging container that is labeled with the term "compostable" and is in compliance with those labeling requirements. The bill would additionally exempt compostable rigid plastic packaging from those material requirements.</p>   | Watch  |
| <b>AB 2390</b> | <b>Chesbro</b>          | <b>Amended August 6, 2012</b><br><br><b>Senate Energy, Utilities and Communications Committee</b> | <p><b>Existing Law:</b> Existing law authorizes the Public Utilities Commission (PUC), in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission), to authorize electrical corporations to collect moneys for the self-generation incentive program (SGIP) at 2008 calendar year levels through December 31, 2014. Existing law requires the PUC to require electrical corporations to administer the SGIP, until January 1, 2016. Existing law limits eligibility for SGIP incentives to distributed energy resources that the PUC, in consultation with the State Air Resources Board, determines will achieve reductions in emissions of greenhouse gases pursuant to the California Global Warming Solutions Act of 2006.</p> <hr/> <p><b>Proposed Law:</b> This bill would state legislative findings and declarations regarding the use of waste products from forest thinning and fire prevention activities to generate electricity at biomass facilities. It would also require the Energy Commission, in consultation with the Department of Forestry and Fire Protection, to establish an incentive program to compensate producers and collectors of biomass material associated with forest fuel reduction and fire prevention activities that are delivered to eligible biomass facilities, as defined, for use as a fuel source.</p> | Letter to Support if Amended sent June 28, 2012 for June 26, 2012 version. |

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| AB 2457 | Valadao                        | Amended May 1, 2012<br><br>Assembly Appropriations Committee | <p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989 requires materials that require special handling, as defined, to be removed from major appliances and vehicles in which they are contained prior to crushing for transport or transferring to a baler or shredder for recycling. Recycling residue used as solid waste landfill daily cover is required to meet certain performance standards and requirements specified in the regulations adopted by CalRecycle.</p> <p><b>Proposed Law:</b> This bill would require CalRecycle, by March 31, 2013, to establish a working group to conduct a study of whether end-of-life vehicles and appliances are being managed in compliance with law. The Bill would require the working group, by October 31, 2014, to prepare and submit to the director a report of its findings and make recommendations to address the findings. CalRecycle would be required to post the report on its Internet Web site.</p>   |                     |
| AB 2614 | Torres                         | Introduced February 24, 2012<br><br>Assembly                 | <p><b>Existing Law:</b> Existing law prohibits a person from establishing a new solid waste facility or transformation facility or expanding an existing solid waste facility or transformation facility that will result in a significant increase in the amount of solid waste handled at the facility without a certification by the enforcement agency until an integrated waste management plan has been approved by the Department of Resources Recycling and Recovery.</p> <p><b>Proposed Law:</b> This bill would make technical, nonsubstantive changes to these provisions. Changes reference to "department" from "board."</p>   | Watch               |
| AB 2670 | Committee on Natural Resources | Amended June 20, 2012<br><br>Senate Inactive File            | <p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989 requires rigid plastic packaging containers (RPPC) that are sold to meet specified criteria and defines the terms. A term the RPPC may meet to satisfy this requirement is that they be source reduced. The act requires a commercial or public entity, which generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 units or more, to arrange for recycling services. Existing law also requires jurisdictions to implement a MCR program meeting specified elements. Existing law defines the term "commercial solid waste" by reference to a specified regulation.</p> <p><b>Proposed Law:</b> This bill would update definitions in RPPC law, including the definition "source reduced" to impose new requirements, thereby imposing a state-mandated local program by changing the definition of a crime. This bill would define commercial solid waste in statute to include all types of solid waste generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of 5 or more units, thereby imposing a state-mandated local program by imposing new requirements upon local jurisdictions.</p> | Watch               |

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| SB 23  | Simitian | <p><b>Amended September 9, 2011</b></p> <p><b>Ordered to the Senate.</b></p>   | <p><b>Existing Law:</b> The Renewable Energy Resource Program and the California RPS Program intend to increase the amount of electricity generated per year from eligible renewable energy resources. Existing law requires the Energy Commission to adopt regulations specifying procedures for enforcement of the RPS requirements by July 1, 2011. Existing law requires the PUC, by July 1, 2011, to determine the effective load carrying capacity of wind and solar energy resources on the electrical grid.</p> <hr/> <p><b>Proposed Law:</b> This bill would extend the compliance date for these requirements by one year, until 2012. This bill would delete the requirement that the PUC report on the projected ability of electrical corporations to meet the RPS program procurement requirements under a cost limitation established by the PUC and any recommendations for revisions to those cost limitations, and would require that the first report be made on January 1, 2014 and establish the quantity of electricity products to be procured by the retail seller for each compliance period by June 1, 2012, and require that the compliance report be submitted at least annually. This bill would make a small hydroelectric generation unit with a nameplate capacity not exceeding 40 megawatts an eligible renewable energy resource if a retail seller or local publicly owned electric utility operates the facility to supply or convey water to its customers and procured the electricity from the facility as of December 31, 2005. The introduced version of this bill related to the 33% RPS requirement, which was considered during an extraordinary legislative session on budget deliberations as SBX1-2.</p> | Letter of Concern sent February 3, 2011 for introduced version |
| SB 178 | Simitian | <p><b>Amended April 12, 2011</b></p> <p><b>Assembly Environmental Safety and Toxic Materials Committee, 2 year bill.</b></p> | <p><b>Existing Law:</b> Existing law establishes the Green Ribbon Science Panel and authorizes it to take various actions in assisting DTSC with regard to chemicals of concern in consumer products.</p> <hr/> <p><b>Proposed Law:</b> This bill would authorize the Green Ribbon Science Panel to form subgroups to consider and report to the full panel and DTSC on specific priority topics identified by DTSC.</p>   | Watch  |

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| BILL   | AUTHOR    | STATUS   | SUMMARY   | TASK FORCE POSITION  |
|--------|-----------|--|---|--|
| SB 568 | Lowenthal | Amended July 12, 2011<br><br>Assembly Appropriations Committee<br>Inactive File                        | <p><b>Existing Law:</b> Existing law requires all rigid plastic bottles and rigid plastic containers sold in CA to be labeled with a code that indicates the resin used to produce it. AB 939, as amended, requires every rigid plastic packaging container sold or offered for sale in CA to generally meet specified criteria.</p> <p><b>Proposed Law:</b> This bill would prohibit a food vendor, on and after Jan 1, 2016, from dispensing prepared food to a customer in a polystyrene foam food container. The bill would provide that a school district is not required to comply with the bill's requirements until July 1, 2017, and would allow a food vendor or a school district to dispense prepared food in a polystyrene foam food container after that date if a policy or ordinance establishing a specified recycling program for polystyrene foam food containers is established.</p>  | Letter of support sent to Los Angeles County Legislative Delegation March 28, 2012 for the July 12, 2011 version |
| SB 589 | Lowenthal | Amended June 21, 2011<br><br>Assembly Environmental Safety and Toxic Materials Committee, 2 year bill. | <p><b>Existing Law:</b> Existing law, the California Lighting Efficiency and Toxics Reduction Act, prohibits a person from manufacturing for sale or selling in the state specified general purpose lights that contain levels of hazardous substances prohibited by the European Union pursuant to the RoHS Directive.</p> <p><b>Proposed Law:</b> This bill would require a manufacturer of household mercury-containing lamps (lamps), on or before April 1, 2013, individually or through a stewardship organization, to prepare and submit to CalRecycle a lamp stewardship plan to establish a recovery program for the end-of-life management of their lamps. CalRecycle would be required to post and update on its Internet Web site a list of manufacturers in compliance. The bill would prohibit, on and after November 1, 2013, the sale of a lamp that is out of compliance and would require the stewardship fee approved by CalRecycle to be added to the retail purchase price of a lamp as a separate line item on the customer's receipt. This bill would require, on or before July 1, 2014, and annually thereafter, a manufacturer or stewardship organization to submit a report to CalRecycle describing their program and to demonstrate to CalRecycle that it has achieved continuous meaningful improvement in implementing the program.</p> | Letter of support if amended, oppose if not amended sent September 1, 2011                                       |

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|--------|--------|--|--|---|
| SB 964 | Wright | <p><b>Amended April 9, 2012</b></p> <p><b>Senate Environmental Quality Committee</b></p> | <p><b>Existing Law:</b> Existing law establishes the State Water Resources Control Board (SWRCB) and the California regional water quality control boards and authorizes them to adopt regulations to carry out their powers and duties. Existing law generally requires state agencies to adopt regulations in accordance with prescribed procedures and requirements, and requires the Office of Administrative Law to review adopted regulations and to make specified determinations. However, existing law grants to the SWRCB and the California regional water quality control boards (CRWQCB) various exemptions to the above requirements, including an exemption for the adoption of regulations for the issuance, denial, or revocation of specified waste discharge requirements and permits.</p> <hr/> <p><b>Proposed Law:</b> This bill would provide that the exemption for the adoption of regulations for the issuance, denial, or revocation of specified waste discharge requirements and permits shall not apply to general permits or waivers issued under state law or the federal National Pollutant Discharge Elimination System, as defined, thereby requiring the State Water Resources Control Board and the California regional water quality control boards to comply with provisions that require the adoption of regulations under those circumstances.</p> | <p>Letter of support sent April 5, 2012 for bill as amended March 8, 2012</p> |

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|--------|--------|---|--|--|
| SB 965 | Wright | <p><b>Amended June 21, 2012</b></p> <p><b>Assembly Appropriations Committee</b></p> | <p><b>Existing Law:</b> Under existing law, the State Water Resources Control Board (state board) and the California regional water quality control boards (regional boards) implement the Federal Water Pollution Control Act and the Porter-Cologne Water Quality Control Act by prescribing waste discharge requirements for discharges to the waters of the state, as specified. Existing law authorizes the state board and regional boards to hold hearings necessary for carrying out their duties, as specified. The Administrative Procedure Act establishes the conduct of administrative adjudicative proceedings, which are defined as evidentiary hearings for determination of facts pursuant to which a state agency formulates and issues a decision. Existing law defines a decision as an agency action of specific application that determines a legal right, duty, privilege, immunity, or other legal interest of a particular person. The act prohibits, as an ex parte communication, while an adjudication is pending, any communication, direct or indirect, regarding any issue in the proceeding, to the presiding officer, as defined, from an employee or representative of an agency that is a party or from an interested person outside the agency, without notice and opportunity for all parties to participate in the communication. The act provides that if the above prohibition is violated, the presiding officer shall promptly disclose the content of the communication on record and give all parties an opportunity to address the communication, as specified. The act also provides that a violation of that prohibition may be grounds for disqualification of the officer who engaged in the ex parte communication.</p> <hr/> <p><b>Proposed Law:</b> This bill would provide that the ex parte communications provisions of the Administrative Procedure Act do not apply to specified proceedings of the state board or a regional board. This bill would instead define an ex parte communication as an oral or written communication with one or more board members regarding those specified state or regional board proceedings. The bill would permit oral ex parte communications at any time by any board member if the board member involved in the communication notifies, and provides for the participation of, all parties, as specified. The bill would permit written ex parte communications by any party provided that the interested person, as defined, who makes the communication, provides copies of the communication to all parties, as specified. The bill would require that if an individual ex parte communication meeting or call is granted to any interested party, all other parties shall also be granted individual ex parte meetings of a substantially equal period of time with the board member. The bill would authorize a board to prohibit ex parte communications for a period beginning not more than 14 days before the day of the board meeting at which the decision in the proceeding is scheduled for board action.</p> | Letter of Support sent May 7, 2012 for May 2, 2012 version |

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| <b>SB 1106</b> | <b>Strickland</b> | <b>Amended April 18, 2012</b><br><br><b>Senate Environmental Quality Committee</b>  | <p><b>Existing Law:</b> Existing law, part of the California Integrated Waste Management Act of 1989, as administered by the Department of Resources Recycling and Recovery, requires an operator of a store, as defined, to establish an at-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store and to make reusable bags available to customers. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to plastic carryout bags. A violation of these requirements is subject to civil liability penalties imposed by a local agency or the state. These requirements and prohibitions are repealed on January 1, 2013.</p> <hr/> <p><b>Proposed Law:</b> This bill would delete the repeal date, thereby continuing those requirements and prohibitions indefinitely. The bill would require a person that manufactures a reusable bag to print or attach a warning label on the reusable bag containing "WARNING: Reusable bags must be cleaned and disinfected between uses to prevent food cross contamination. Failure to do so can cause serious illness resulting from food-borne pathogens." The bill would also require a person who sells or distributes a reusable bag to conspicuously display that warning near the display where reusable bags are sold or distributed or provide that warning in another written form. The bill would require the department, by October 1, 2013, to conduct a study, in consultation with the State Department of Public Health, to evaluate the health risks of using reusable bags, to monitor the health effects in communities that principally use reusable bags, and to determine the validity of specified findings of previously published studies. The bill would require the department, upon completing the study, to conduct a one-year statewide education and awareness campaign.</p> | Letter of Opposition sent for April 18, 2012 version            |
| <b>SB 1118</b> | <b>Hancock</b>    | <b>Amended August 7, 2012</b><br><br><b>Assembly Committee on Natural Resources</b> | <p><b>Existing Law:</b> Existing law requires a retailer of various specified products, such as rechargeable batteries and cell phones, sold in the state to have in place a system for the acceptance and collection of those products for reuse, recycling, or proper disposal.</p> <hr/> <p><b>Proposed Law:</b> This bill would, among other things, establish the Used Mattress Recovery and Recycling Act and would require a manufacturer of mattresses sold in this state, individually, collectively, or through a designated third party, to submit a mattress recovery and recycling plan to the Department of Resources Recycling and Recovery by April 1, 2013. The bill would specify the requirements to be included in the plan, including provisions for meeting specified recycling targets and demonstrating achievement with those targets. The bill would require the department to review the mattress recovery and recycling plan and within 90 days of receipt to adopt a finding of the plan's compliance or noncompliance with the act.</p>  | Letter of Support sent July 30, 2012 for June 25, 2012 version. |



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|----------------|---------------|--|---|--|
| <b>SB 1122</b> | <b>Rubio</b>  | <b>Amended June 28, 2012</b><br><br><b>Assembly Appropriations Committee</b>             | <p><b>Existing Law:</b> Under existing law, the Public Utilities Commission has regulatory authority over public utilities. Existing law requires every electrical corporation to file with the commission a standard tariff for electricity generated by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. Existing law requires an electrical corporation to make the tariff available to the owner or operator of an electric generation facility within the service territory of the electrical corporation, as specified, until the electrical corporation meets its proportionate share of a statewide cap of 750 megawatts, as specified.</p> <hr/> <p><b>Proposed Law:</b> This bill would, among other things, require the commission, by June 1, 2013, to direct electrical corporations, as defined, to collectively procure at least 250 megawatts of electrical generating capacity from startup developers of biomass and biogas projects, as defined. The bill would authorize the commission to increase the 750 megawatt statewide cap in order to allocate 250 megawatts to startup developers of biomass and biogas projects fueled by specified sources of bioenergy.</p> | Letter to Support and Amend sent July 12, 2012, for June 28, 2012 version. |
| <b>SB 1127</b> | <b>Vargas</b> | <b>Introduced February 21, 2012</b><br><br><b>Senate Environmental Quality Committee</b> | <p><b>Existing Law:</b> Existing law requires the State Air Resources Board to adopt regulations to achieve the maximum feasible reduction in volatile organic compounds emitted by consumer products, as defined, if the state board determines adequate data exist to establish the regulations are necessary to attain state and federal ambient air quality standards, and the regulations are commercially and technologically feasible and necessary.</p> <hr/> <p><b>Proposed Law:</b> This bill would require the South Coast Air Quality Management District to amend Rule 1444 which aims to reduce volatile organic compounds emissions from metalworking fluids and rust inhibitors. The rule applies to all industrial users of the products and to the fluid manufacturers and marketers who supply them.</p>   | Watch  |

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| <b>SB 1128</b> | <b>Padilla</b>  | <b>Amended August 7, 2012</b><br><br><b>Assembly Committee on Jobs, Economic Development, and the Economy</b> | <p><b>Existing Law:</b> Existing law establishes the California Alternative Energy and Advanced Transportation Financing Authority and requires them to establish programs to provide financial assistance to participating parties for projects related to alternative energy sources and advanced transportation projects. Existing law authorizes the authority to issue revenue bonds or other securities of up to \$1 billion in total outstanding debt as a financing mechanism for providing financial assistance to those projects. Existing law authorizes the authority until 2021, to provide a sales and use tax exclusion for a project to promote California-based manufacturing, jobs, the reduction of GHG, air and water pollution or energy consumption.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise and recast the provisions related to the financing assistance to, among other things, require the authority to establish programs providing financial assistance to projects for renewable energy generation facilities, combined heat and power systems, facilities designed for the production of renewable fuels, and energy efficiency devices and technologies. The bill would eliminate the \$1 billion limitation on the amount of outstanding indebtedness the authority may incur to provide the financial assistance. This bill would additionally authorize the authority, until July 1, 2016, to grant the above financial assistance to projects that promote the utilization of advanced manufacturing, as defined. The bill would require the authority, until July 1, 2016, to study the efficacy and cost benefit of the sales and use tax exemption for advanced manufacturing projects.</p> | Letter of Support if Amended sent May 7, 2012 for May 1, 2012 version |
| <b>SB 1159</b> | <b>Calderon</b> | <b>Amended April 17, 2012</b><br><br><b>Senate Environmental Quality Committee</b>                            | <p><b>Existing Law:</b> Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags. These requirements and prohibitions are repealed on January 1, 2013.</p> <hr/> <p><b>Proposed Law:</b> This bill would enact the Plastic Bag Reduction and Recycling Act of 2012 and would prohibit the operator of a supermarket, as defined, on and after July 1, 2013, from distributing a plastic carryout bag to a customer unless the plastic carryout bag displays the phrase "Please Recycle This Bag," in accordance with specified requirements. The bill would authorize the city attorney or district attorney to bring an action against the operator of the supermarket convicted of violating this requirement for the recovery of the costs of the enforcement action. This bill would declare that it is to take effect immediately as an urgency statute.</p>   | Letter of Opposition sent May 11, 2012 for April 17, 2012 version.    |

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| <b>SB 1219</b> | <b>Wolk</b>     | <b>Introduced February 23, 2012</b><br><br><b>Assembly Appropriations Committee</b> | <p><b>Existing Law:</b> Existing law requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store. This requirement is repealed on January 1, 2013. Existing law prohibits a city, county, or other local public agency from taking specified regulatory actions with regard to the recycling of plastic carryout bags.</p> <hr/> <p><b>Proposed Law:</b> This bill would extend those at-store recycling program requirements until January 1, 2020, and would repeal the provisions preempting local regulatory action.</p>   | Letter of support sent April 5, 2012 |
| <b>SB 1329</b> | <b>Simitian</b> | <b>Amended June 26 2012</b><br><br><b>Assembly Committee on Health</b>              | <p><b>Existing Law:</b> Existing law authorizes a county to establish, by ordinance, a repository and distribution program under which a pharmacy that is owned by or contracts with the county may distribute surplus unused medications, as defined, to persons in need of financial assistance to ensure access to necessary pharmaceutical therapies. Existing law requires a county that has established a program to establish procedures to, among other things, ensure proper safety and management of any medications collected and maintained by a participating pharmacy.</p> <hr/> <p><b>Proposed Law:</b> This bill would among other things authorize a county to establish the program by action of the county board of supervisors or by action of a public health officer of the county, as prescribed. This bill would also authorize specified primary care clinics and pharmacies to participate in the program. This bill would require a pharmacy or clinic seeking to participate in the program to inform the county health department in writing of its intent and prohibit the pharmacy or clinic from participating until the county health department has confirmed that it has received this notice.</p> | Watch                                |
| <b>SB 1359</b> | <b>Simitian</b> | <b>Introduced February 24, 2012</b><br><br><b>Assembly Appropriations Committee</b> | <p><b>Existing Law:</b> The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, defines "compost" for purposes of the act as the product resulting from the controlled biological decomposition of organic wastes that are source separated from the municipal solid waste stream or source separated at a centralized facility and includes vegetable, yard, and wood wastes that are not hazardous waste. Existing law also defines "compost" for purposes of certain provisions within the act requiring the purchase of compost by state agencies in similar a manner except that it does not include wastes source separated at a centralized facility and does not specify that wastes include vegetable, yard, or wood wastes that are not hazardous waste.</p> <hr/> <p><b>Proposed Law:</b> This bill would revise the definition of compost applicable to state agency purchases to conform to the definition applicable to the whole act.</p>   | Watch                                |

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| <b>SB 1455</b>             | <b>Kehoe</b>   | <b>Amended May 29, 2012</b><br><br><b>Assembly Appropriations Committee</b>       | <p><b>Existing Law:</b> Existing law requires the State Energy Resources Conservation and Development Commission, in partnership with the State Air Resources Board, to develop and adopt a state plan to increase the use of alternative transportation fuels.</p> <hr/> <p><b>Proposed Law:</b> This bill would require the commission and the state board, among other things, to coordinate efforts to measure the progress of alternative fuels use. The bill would require the commission and the state board, on or before January 1, 2014, to update a specified economic analysis. The bill would require the commission and the state board to evaluate how the use of new and existing investment programs could be used to increase the state alternative transportation fuels use, and evaluate how the impact of federal fuel policies and existing state policies will help increase the use of alternative transportation fuels in the state.</p> | Watch               |
| <b>Federal Legislation</b> |                |   |   |                     |
| <b>H.R. 66</b>             | <b>Doggett</b> | <b>Introduced January 5, 2011</b><br><br><b>House Committee on Ways and Means</b> | <p><b>Existing Law:</b> Internal Revenue Code of 1986.</p> <hr/> <p><b>Proposed Law:</b> Waste-to-Energy Technology Act of 2011 - Amends the Internal Revenue Code to allow a 30% energy tax credit for investment in qualified waste-to-energy property. Defines "qualified waste-to-energy property" as property comprising a system that uses municipal solid waste or sewage sludge as the feedstock for producing solid, liquid, or gas fuel, or for producing energy, and that is certified by the Secretary of the Treasury as eligible for a credit under this Act. Excludes certain landfill facilities from such definition.</p>  | Support             |

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| H.R. 2284 | Green (TX-29) | Introduced June 22, 2011<br><br>House Subcommittee on Energy and Environment | <p><b>Existing Law:</b> The Solid Waste Disposal Act generally regulates solid waste disposal.</p> <hr/> <p><b>Proposed Law:</b> This Act may be cited as the `Responsible Electronics Recycling Act,' and states: Beginning 24 months after the date of enactment, no person shall export restricted electronic waste to any country which is not: (1) a member of the Organization for Economic Co-operation and Development or the European Union; or (2) Liechtenstein. The term `restricted electronic waste' means -- (I) cathode ray tubes or glass in any form, or cathode ray tube phosphor residues or dusts in any form; (II) a lamp or other device containing mercury phosphor; (III) batteries containing lead, cadmium, or mercury; or organic solvents exhibiting the characteristic of ignitability; (IV) switches or any other devices containing mercury; (V) hexavalent chromium; (VI) items containing antimony, barium, cadmium, lead, thallium, beryllium, arsenic, or selenium, including circuit boards; printer drums; liquid crystal displays; flatscreen glass; and light emitting diodes; or any other covered electronic equipment, or materials derived therefrom, containing any other toxic material, in elemental or compound form, identified by the Administrator.</p> |                     |
| H.R. 2939 | Slaughter     | Introduced September 15, 2012<br><br>House Committee on Energy and Commerce  | <p><b>Existing Law:</b> N/A</p> <hr/> <p><b>Proposed Law:</b> Pharmaceutical Stewardship Act of 2011 - Establishes the National Pharmaceutical Stewardship Organization as a nonprofit private corporation whose board of directors shall be appointed by the Administrator of the Environmental Protection Agency (EPA). Requires the Organization to begin implementation of a certified national pharmaceutical stewardship program within two years. Requires each manufacturer and brand owner of a drug marketed in the United States to participate in such program or another certified national pharmaceutical stewardship program.</p>   |                     |

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| S. 1270 | Whitehouse (D-RI) | Introduced June 23, 2011<br><br>Senate Committee on Environment and Public Works | <p><b>Existing Law:</b> The Solid Waste Disposal Act generally regulates solid waste disposal.</p> <hr/> <p><b>Proposed Law:</b> This Act may be cited as the `Responsible Electronics Recycling Act,' and states: Beginning 24 months after the date of enactment, no person shall export restricted electronic waste to any country which is not: (1) a member of the Organization for Economic Co-operation and Development or the European Union; or (2) Liechtenstein. The term `restricted electronic waste' means -- (I) cathode ray tubes or glass in any form, or cathode ray tube phosphor residues or dusts in any form; (II) a lamp or other device containing mercury phosphor; (III) batteries containing lead, cadmium, or mercury; or organic solvents exhibiting the characteristic of ignitability; (IV) switches or any other devices containing mercury; (V) hexavalent chromium; (VI) items containing antimony, barium, cadmium, lead, thallium, beryllium, arsenic, or selenium, including circuit boards; printer drums; liquid crystal displays; flatscreen glass; and light emitting diodes; or any other covered electronic equipment, or materials derived therefrom, containing any other toxic material, in elemental or compound form, identified by the Administrator.</p> |                     |