

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE
2011-2012 SESSION
SEPTEMBER 8, 2011**

BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
AB 34	Williams	Amended May 10, 2011 Assembly Appropriations Committee, 2 year bill.	<p>Existing Law: The California Integrated Waste Management Act of 1989, AB 939, established a compost market program and requires the Department of Resources Recycling and Recovery (CalRecycle) to adopt regulations governing the operation of organic composting sites, including odor management and threshold levels. The act prohibits the operation of a solid waste facility without a solid waste facilities permit issued by the local enforcement agency (LEA) having jurisdiction over the facility.</p> <p>Proposed Law: This bill would require CalRecycle to adopt, by July 1, 2012, regulations with which LEAs would be required to comply when adopting site-specific objective odor performance thresholds for compost facilities. The bill would authorize a compost facility operator to apply to an LEA to adopt performance thresholds and to pay an application fee in accordance with a fee schedule adopted by the LEA. The bill would also prohibit an LEA from verifying a complaint that originates from a compost facility unless the odor violates certain performance thresholds.</p>	Oppose
AB 204	Halderman	Amended May 24, 2011 Assembly Appropriations Committee, 2 year bill.	<p>Existing Law: The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale, storage, use, or other consumption of tangible personal property sold at retail or purchased from a retailer in this state.</p> <p>Proposed Law: This bill would, until January 1, 2017, exempt from sales and use taxes the sale of, and the storage, use, or other consumption in this state of specified tangible personal property purchased by a biomass energy facility, to be used primarily for the production of electrical energy from biomass materials and to maintain and repair that property.</p>	
AB 255	Wieckowski	Chaptered September 6, 2011	<p>Existing Law: Existing law generally prohibits the disposal of latex paint, unless authorized, but allows recyclable latex paint to be accepted at any location if specified requirements are met. Existing law authorizes DTSC to allow a HHW collection facility to accept hazardous waste from a conditionally exempt small quantity generator (CESQG).</p> <p>Proposed Law: This bill would allow a permanent HHW collection facility that is authorized to accept hazardous waste from a CESQG to accept recyclable latex paint from any generator, if the facility complies with certain requirements.</p>	Watch

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AB 298	Brownley, Dickinson, Huffman, Chesbro, Ma	Amended April 14, 2011 Senate EQ Committee, 2 year bill	<p>Existing Law: 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>Proposed Law: This bill would prohibit a manufacturer, as defined, from selling or distributing a reusable bag unless the guidelines for the cleaning and disinfection of the bag are printed on the bag or on a tag attached to the bag.</p>	Watch
AB 341	Chesbro	Amended September 2, 2011 Senate Appropriations Committee	<p>Existing Law: Existing law, the California Integrated Waste Management Act of 1989, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient cost-effective manner to conserve water, energy, and other natural resources.</p> <p>Proposed Law: This bill would (1) make a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by the year 2020, and would require the department, by January 1, 2014, to provide a report to the Legislature that provides strategies to achieve that policy goal and also includes other specified information and recommendations; (2) provide that NDFE updates are not subject to CalRecycle approval or comment/review by a LTF; (3) statutorily establish mandatory commercial recycling, including requiring a jurisdiction to implement a commercial recycling program and include that program in a jurisdiction's AB 939 compliance review; (4) require the enforcement agency to give notice of its determination to allow certain changes to the operation of a solid waste facility without a revision to the facility's solid waste facility permit.</p>	Floor Alert in Strong Opposition sent August 25, 2011

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AB 358	Smyth	<p>Amended September 1, 2011</p> <p>In Assembly. Concurrence in Senate amendments pending.</p>	<p>Existing Law: Existing law generally regulates the storage of hazardous substances in underground storage tanks (USTs). Existing law requires UST owners and operators to report unauthorized releases to local agencies and requires the State Water Resources Control Board to continuously post and update on its Internet Web site reports of information concerning unauthorized releases. Existing law authorizes the board to close a tank case if that UST case is under the jurisdiction of a regional board or a local agency implementing a local oversight program (LOP) and the board determines that the corrective action at the site complies with specified requirements. Existing law allows the board to recommend that a local agency close that UST case if that local agency is not implementing an LOP. Existing law requires a uniform closure letter to be issued upon a finding that the UST site is in compliance with specified requirements and with any corrective action regulations and that no further corrective action is required at the site.</p> <hr/> <p>Proposed Law: This bill would instead require the owner or operator to transmit certain information regarding an unauthorized release to the local agency. The bill would also instead require each regional board and local agency to submit a report to the board for all unauthorized releases using the board's Internet-accessible database. The bill would require the board to annually post and update on its Internet Web site the information in those reports concerning unauthorized releases. The bill would authorize the board to adopt regulations to specify reporting requirements to implement these provisions. The bill would require the regulations to be adopted as emergency regulations and would exempt their adoption from certain requirements regarding review by the Office of Administrative Law. This bill would instead authorize the board to require closure of any UST case where an unauthorized release has occurred and the board makes that determination. The board would be required, before closing or requiring closure of a UST case, to provide an opportunity for reviewing and providing responses to the petition to the applicable regional board, local agency, and specified water district. This bill would require that closure letters issued include language notifying the owner, operator, or other responsible party of the filing deadline for claims for reimbursement of corrective action costs.</p>	Floor Alert in Opposition sent September 1, 2011

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AB 408	Wieckowski, Logue, and Miller	Amended August 29, 2011 Senate amendments concurred in. To Engrossing and Enrolling.	<p>Existing Law: (1) Existing law provides that the expense of a emergency response related to hazardous substances is a charge against the person whose negligence caused the incident, under certain circumstances. (2) Existing law requires a manifest to transport hazardous waste and establishes a procedure for a consolidated manifest. (3) Existing law requires an adopted business plan for response to the release of hazardous materials.</p> <p>Proposed Law: (1) This bill would provide that these expenses are a charge against the person whose negligence caused the incident if the incident necessitated an evacuation or the incident results in the spread of hazardous substances or fire beyond where the incident originates. (2) This bill would allow the consolidated manifesting procedure to be used for one shipment of used oil from a generator whose identification number has been suspended, this exemption would become inoperative after Jan. 1, 2014. (3) This bill would additionally require a business to adopt the plan or inventory for specified amounts of various classes of hazardous materials in consultation with the local fire chief. This bill would become operative only if AB 255 and SB 456 are chaptered into law.</p>	
AB 480	Solorio	Amended June 23, 2011 Senate Environmental Quality Committee	<p>Existing Law: 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 if the insurance carrier meets specified requirements.</p> <p>Proposed Law: This bill would specify that 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.</p>	Letter of Opposition sent June 27, 2011
AB 508	Swanson	Introduced February 15, 2011 Senate Appropriations Committee	<p>Existing Law: 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.</p> <p>Proposed Law: This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions.</p>	Watch

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AB 512	Gordon	Amended August 25, 2011 Senate amendments concurred in. To Engrossing and Enrolling.	<p>Existing Law: Existing law, the Local Government Renewable Energy Self-Generation Program, authorizes a local government to receive a bill credit for electricity exported to the electrical grid by an eligible renewable generating facility limited to a generating capacity of no more than one megawatt.</p> <p>Proposed Law: This bill would expand the definition to include a facility that has a generating capacity of no more than 5 megawatts. The bill would prohibit an electrical corporation from being required to compensate a local government renewable generation facility participating in the program for electricity generated from that facility in excess of the bill credits applied to the designated benefiting account. The bill would prohibit a local government from being eligible for any other tariff or program that requires an electrical corporation to purchase generation from an eligible renewable generating facility participating in the program. The bill would exempt an electrical corporation with 60,000 or fewer customer accounts from the program.</p>	Watch
AB 514	Hernandez	Amended August 23, 2011 Senate amendments concurred in. To Engrossing and Enrolling.	<p>Existing Law: Existing law includes, includes in the definition of "public works" the hauling of refuse from a public works site to an outside disposal location. Existing law generally requires all workers employed on public works to be paid not less than the prevailing rate of per diem wages.</p> <p>Proposed Law: This bill would include in the definition of "hauling of refuse" the hauling of specified materials including, but not limited to, soil, sand, gravel, rocks, concrete, asphalt, excavation materials, and construction debris. The "hauling of refuse" shall not include the hauling of recyclable metals such as copper, steel, and aluminum that have been separated from other materials at the jobsite prior to transportation and that are to be sold at fair market value to a bona fide purchaser. By expanding the definition of "public works" this bill requires the payment of prevailing wages for that activity.</p>	

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AB 525	Gordon	Amended September 1, 2011 Senate Floor	<p>Existing Law: The California Tire Recycling Act imposes a fee on the purchase of a new tire. The revenue is deposited in the CA Tire Recycling Management Fund. Existing law creates an architectural paint recovery program.</p> <p>Proposed Law: This bill would require CalRecycle to provide outreach to local agencies regarding a program it may establish under existing law to award grants to cities, counties, and other local government agencies for the funding of public works projects that use waste tires and require the amount appropriated for this purpose from the fund to not be less than 16% of the amount of the funds appropriated for market development and new technology activities for used tires and waste tires. The bill would make the grant program inoperative on June 30, 2015. This bill would establish the Architectural Paint Stewardship Account and corresponding Penalty Subaccount in the Integrated Waste Management Fund</p>	Letter of Support if Amended Sent March 31, 2011
AB 549	Carter	Introduced February 16, 2011 Senate Environmental Quality Committee	<p>Existing Law: 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.</p> <p>Proposed Law: This bill would additionally require, as a condition of making these payments, that the covered electronic device for which the payment is claimed was used in this state. The bill would authorize CalRecycle to review any documentation required to be submitted by an authorized collector or recycler before making these payments, and to refuse to make these payments, if CalRecycle determines that the documentation is incomplete or not in compliance with the act or the regulations adopted pursuant to the act.</p>	
AB 583	Knight	Introduced February 16, 2011 Assembly Environmental Safety and Toxic Materials Committee, 2 year bill.	<p>Existing Law: The Electronic Waste Recycling Act of 2003 requires a retailer to collect an electronic waste recycling fee and to transmit the fee to CalRecycle. Existing law provides for the administration of the act by both CalRecycle and DTSC. Existing law incorporates the provisions of the act into the hazardous waste control laws.</p> <p>Proposed Law: This bill would transfer the duties, powers, and authority of DTSC under the act to CalRecycle and would require affiliated DTSC employees to be transferred to CalRecycle. The bill would delete the provision authorizing the enforcement of the act under the hazardous waste control laws and would make conforming changes with regard to the transfer of this authority.</p>	Watch

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AB 638	Skinner	Amended April 13, 2011 Assembly Appropriations Committee, 2 year bill.	<p>Existing Law: Existing law requires the State Energy Resources Conservation and Development Commission (commission) and the State Air Resources Board (board) to develop and adopt recommendations for the Governor and Legislature on a California Strategy to Reduce Petroleum Dependence. Existing law also requires the commission, in partnership with the board, to develop and adopt a state plan to increase the use of alternative transportation fuels.</p> <p>Proposed Law: The bill would require specified agencies, on or before January 1, 2013, develop a strategy for petroleum fuel use reduction and alternative fuel use in specified vehicles, and identify regulatory and statutory barriers to attaining the petroleum fuel consumption targets.</p>	Watch
AB 712	Williams	Amended July 11, 2011 In Assembly. Concurrence in Senate amendments pending.	<p>Existing Law: The California Beverage Container Recycling and Litter Reduction Act requires a distributor to pay a redemption payment for each beverage container sold or offered for sale to CalRecycle. The act requires CalRecycle and Recovery, subject to the availability of funds, to expend specified moneys set aside in the California Beverage Container Recycling Fund, for specified purposes relating to the recycling of beverage containers.</p> <p>Proposed Law: This bill would prohibit CalRecycle, on and after July 1, 2012, from making any payments, grants, or loans to a jurisdiction, if that jurisdiction has adopted or is enforcing a land-use restriction that prevents the siting or operation of a certified recycling center at a supermarket site.</p>	Letter of Opposition sent June 14, 2011
AB 762	Smyth	Enrolled August 16, 2011	<p>Existing Law: Existing law establishes the Medical Waste Management Act, to be administered by the Dept of Public Health. The act authorizes the consolidation of medical waste into a common container specified medical waste, biohazardous waste, and sharps waste, if the consolidated waste is treated by an approved extremely high heat technology, as specified. The act requires the container to be labeled with the biohazardous waste symbol and the words "HIGH HEAT ONLY" or other label approved by the department.</p> <p>Proposed Law: This bill would authorize the reuse of a common container for specified wastes and would require the consolidated waste to be treated by either incineration at a permitted medical waste treatment facility or with an alternative technology, as specified. This bill would authorize the use of the word "INCINERATION" in addition to the words "HIGH HEAT ONLY" or other label approved by the department.</p>	

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AB 789	Chesbro	Introduced February 17, 2011 Assembly Natural Resources Committee, 2 year bill.	<p>Existing Law: The California Tire Recycling Act imposes a fee on the purchase of a new tire. The revenue is deposited in the CA Tire Recycling Management Fund.</p> <p>Proposed Law: This bill would require CalRecycle to set aside 16 percent of grant funding for local government public works projects that use waste tires. The bill would make the grant program inoperative on June 30, 2015.</p>	Letter of Support if Amended Sent March 31, 2011
AB 794	Wieckowski	Amended September 2, 2011 Senate Appropriations Committee	<p>Existing Law: The Electronic Waste Recycling Act of 2003 makes it unlawful to sell a covered electronic device in this state to a consumer unless CalRecycle or DTSC determines that the manufacture is in compliance with the act. The act imposes various civil penalties of up to \$25,000 for specified violations. The act authorizes/requires CalRecycle to pay an E-waste payment if specified conditions are met.</p> <p>Proposed Law: This bill no longer relates to solid waste, it has been gutted and amended to relate to: Local education facility bonds: anticipation notes. This bill will be omitted from future tables</p>	
AB 812	Ma	Introduced February 17, 2011 Assembly Transportation Committee, 2 year bill.	<p>Existing Law: 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 prohibits recycled concrete from being sold to the DOT or the Dept of General Services unless specifically requested by that department.</p> <p>Proposed Law: This bill would delete the requirement that the DOT or the Dept of General Services specifically request recycled concrete. This bill would require the DOT to increase the allowable amount of recycled asphalt pavement (RAP) to 50% for hot mix asphalt mixes, unless the Director of Transportation determines that the use of the material is not practical, cost effective, or appropriate for a given application.</p>	Support

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AB 818	Blumenfield	Chaptered September 7, 2011	<p>Existing Law: AB 939 requires a local jurisdiction to adopt an ordinance requiring the provision of adequate areas for collecting and loading recyclable materials in development projects, including residential buildings having 5 or more living units before issuing a building permit to a development project.</p> <p>Proposed Law: This bill would enact the Renters' Right to Recycle Act, to require an owner of a multifamily dwelling, defined as consisting of 5 or more living units, to arrange for recycling services that are appropriate and available for the multifamily dwelling. This bill provides that it would become operative only if AB 341 of the 2011-12 Regular Session is not enacted and does not become effective.</p>	Letter of Opposition sent April 26, 2011
AB 837	Nestande	Amended June 20, 2011 Senate Environmental Quality Committee	<p>Existing Law: Existing law requires rigid plastic packaging containers 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.</p> <p>Proposed Law: This bill would prohibit a manufacturer or supplier from selling a plastic food container in this state that is advertised with a specific recycled content amount unless the manufacturer or supplier is able to provide certification of the stated recycled content in a format that is easy to understand and accurate. The state would be able impose penalties for the violation of this law.</p>	
AB 900	Swanson	Amended May 10, 2011 Senate Rules Committee	<p>Existing Law: Existing law requires CalRecycle to develop and implement a source reduction and recycling program for school districts.</p> <p>Proposed Law: This bill would allow a school district to provide recycling and composting bins on the campus of each public elementary and secondary school. The bill would allow a school district to determine the number of bins to be located on a campus on the basis of the size of both the pupil population and the surface area of that campus.</p>	Watch

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AB 921	Allen	Amended April 25, 2011 Assembly Appropriations Committee, 2 year bill.	<p>Existing Law: AB 939 requires CalRecycle to develop a program to increase the use of compost products in agricultural applications.</p> <p>Proposed Law: This bill would enact the Agriculture Water Efficiency with Compost Use and Greenhouse Gas Reduction Act of 2011, which would require the Department of Food and Agriculture, in conjunction with the Department of Water Resources, to, through their existing programs, oversee a study or studies conducted by the University of California Extension Service, in partnership with local water districts, farmers, growers, and compost producers, to measure increases in water use efficiency through the use of compost in agricultural settings, and other potential benefits from the use of compost, with regard to climate change.</p>	
AB 960	Lowenthal	Amended May 27, 2011 Senate Appropriations Committee	<p>Existing Law: 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> <p>Proposed Law: 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
AB 1019	Perez	Amended September 2, 2011 Senate Appropriations Committee	<p>Existing Law: Existing law establishes a carpet stewardship program. Proposition 26, approved by the voters by initiative in 2010, amends Article XIII A of the California Constitution to provide that certain levies, charges, or exactions imposed by the state and adopted after January 1, 2010, but before November 3, 2010, is void 12 months after the November 3, 2010, effective date of Proposition 26 unless it is reenacted in compliance with the requirements of Article XIII A of the California Constitution.</p> <p>Proposed Law: This bill would reenact the state law that enacted the carpet stewardship program and would provide that law continues to be operative on and after November 3, 2011. This bill would declare that it is to take effect immediately as an urgency statute.</p>	

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AB 1149	Gordon and Wieckowski	Amended September 1, 2011 In Assembly. Concurrence in Senate amendments pending.	<p>Existing Law: The California Beverage Container Recycling and Litter Reduction Act, requires a redemption payment for every beverage container sold or offered for sale in the state to be deposited in the California Beverage Container Recycling Fund. Moneys in the fund are appropriated to CalRecycle for market development expenditure for plastic beverage containers, until January 1, 2012.</p> <hr/> <p>Proposed Law: The bill would require CalRecycle to consider certain factors in setting the amount of plastics market development payments and would extend the authorization to annually expend up to \$10,000,000 and to make these payments until Jan 1, 2017. The bill would authorize CalRecycle to expend from the remaining moneys in the fund, until Jan 1, 2017, for market development payments for empty plastic beverage containers, in addition to the existing authorization. The bill would delete the authorization to expend funds for recycling market development grants and for those other grants and programs and would repeal the requirement for the publication of the grant evaluation.</p>	Letter of Support and Amend sent June 20, 2011
AB 1178	Ma	Amended August 24, 2011 Senate Environmental Quality Committee, 2 year bill	<p>Existing Law: 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>Proposed Law: 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>	Floor Alert in Opposition sent August 25, 2011

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AB 1189	Miller	Amended April 11, 2011 Assembly Natural Resources Committee, 2 year bill.	<p>Existing Law: Existing law creates CalRecycle in the Natural Resources Agency, which succeeds to the duties and authority of the former CIWMB. Existing law, the Dry Cell Battery Management Act imposes requirements upon the sale of consumer products containing rechargeable batteries and imposes certain labeling requirements.</p> <hr/> <p>Proposed Law: The bill would, among other things, require a producer or the household battery stewardship organization created to submit a household battery stewardship plan to CalRecycle, by January 1, 2012. By April 1, 2013 governmental entities that operate a location at which residents may drop off materials for recycling would be required to provide for the collection of used household batteries. By April 1, 2013 governmental entities that operate a curbside collection program that includes used household batteries would be required to sort those batteries from other collected materials.</p>	Oppose unless Amended
AB 1227	Huber	Introduced February 18, 2011 Assembly Desk, 2 year bill.	<p>Existing Law: The California Beverage Container Recycling and Litter Reduction Act requires every beverage container sold or offered for sale in this state to have a minimum refund value. The act also makes various findings and declarations regarding beverage container recycling.</p> <hr/> <p>Proposed Law: This bill would make technical, nonsubstantive changes to those findings and declarations.</p>	
AB 1258	Knight	Introduced February 18, 2011 Assembly Desk, 2 year bill.	<p>Existing Law: Existing law, the CA Beverage Container Recycling and Litter Reduction Act, requires a distributor to pay a redemption payment of \$0.04 for every beverage container sold or offered for sale in CA to CalRecycle for deposit in the CA Beverage Container Recycling Fund.</p> <hr/> <p>Proposed Law: This bill would make technical, nonsubstantive changes to that provision of the act.</p>	

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AB 1303	Williams	Amended July 7, 2011 Senate Energy Utilities and Communications Committee	<p>Existing Law: Existing law (1) requires that the PUC or the electrical corporations, until January 1, 2012, to collect \$65,000,000 in total per year for renewable energy and \$62,500,000 in total per year for research, development, and demonstration; (2) Existing law establishes the Renewable Resource Trust Fund and requires a separate electrical rate component to fund energy efficiency and renewable energy R&D. Existing law authorizes, until January 1, 2012, the expenditure of the moneys; and (3) requires the Energy Commission to implement the Public Interest Research, Development, and Demonstration Program to develop and help bring to market energy technologies that provide increased environmental benefits, greater system reliability, and lower system costs.</p> <p>Proposed Law: This bill would extend this requirement to January 1, 2020. The bill would increase the amount collected to \$90,000,000 for each of the above purposes. This bill would extend to January 1, 2020, the authorization to expend moneys in the Renewable Resource Trust Fund for the implementation of renewable resources programs. This bill would revise and recast the Public Interest Research, Development, and Demonstration Program.</p>	Letter of Support sent May 18, 2011
AB 1332	Donnelly	Introduced February 18, 2011 Assembly Natural Resources Committee, 2 year bill.	<p>Existing Law: Existing law establishes the State Air Resources Board as the state agency with primary jurisdiction over the regulation of air pollution, including greenhouse gas emissions. Existing law creates the state board within the California Environmental Protection Agency with prescribed membership.</p> <p>Proposed Law: This bill would abolish the State Air Resources Board and transfer its authority, duties, powers, purposes, responsibilities, and jurisdiction to the California Environmental Protection Agency.</p>	
AB 1376	Nestande	Amended May 2, 2011 Assembly Revenue and Taxation Committee, 2 year bill.	<p>Existing Law: The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale, storage, use, or other consumption of tangible personal property sold at retail or purchased from a retailer in this state.</p> <p>Proposed Law: This bill would exempt from those taxes tangible property purchased by a qualified person for use primarily for the production of electrical energy from renewable sources, as specified, and qualified tangible personal property purchased for use by a contractor for specified purposes, as provided.</p>	

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SBX1-2	Simitian	Chaptered April 12, 2011	<p>Existing Law: The Renewable Energy Resource Program and the California RPS Program intend to increase the amount of electricity generated from eligible renewable energy resources to 20% in California per year by Dec. 31, 2010.</p> <p>Proposed Law: This bill would revise the 20% RPS implementation date to Dec. 31, 2013 and increase the amount of renewable energy procured to 33% by Dec. 31, 2020. The bill would also perpetuate inaccurate definitions that hinder the development of conversion technologies in California.</p>	Letter of Opposition sent March 3, 2011
SB 23	Simitian	<p>Amended September 2, 2011</p> <p>Assembly Appropriations Committee</p>	<p>Existing Law: 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> <p>Proposed Law: 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. This bill would require the PUC to direct each electrical corporation to prepare and regularly update a renewable energy procurement plan. 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.</p> <p>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

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BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
SB 41	Yee	Enrolled September 1, 2011	<p>Existing Law: Existing law, which sunsets Dec. 31, 2018, authorizes a county or city to authorize a licensed pharmacist to sell or furnish 10 or fewer sharps to a person 18 years of age use without a prescription.</p> <p>Proposed Law: This bill would delete the prohibition against any person possessing or having under his or her control any sharps. This bill would, until January 1, 2015, make existing sharps possession provisions, including any local authorization, but not including the Disease Prevention Demonstration Project, inoperative, and would in the interim, authorize a physician or pharmacist, without a prescription or a permit, to furnish 30 or fewer sharps to a person 18 years of age or older. This bill would specify that a pharmacy or sharps exchange program shall provide one or more of the following disposal options: (1) Onsite, safe, sharps collection and disposal, (2) Furnish, or make available, mail-back sharps disposal containers, and (3) Furnish, or make available, a sharps container that meets applicable standards for disposal of medical sharps waste.</p>	Letter of Support if Amended Sent March 31, 2011 for Introduced version
SB 178	Simitian	Amended April 12, 2011 Assembly Environmental Safety and Toxic Materials Committee	<p>Existing Law: 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> <p>Proposed Law: 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
SB 324	Cannella	Introduced February 14, 2011 Senate Rules Committee, 2 year bill.	<p>Existing Law: Under existing law, CalRecycle administers the CA Beverage Container Recycling and Litter Reduction Act.</p> <p>Proposed Law: This bill would make a conforming change to the act's statement of legislative intent with regard to that authority.</p>	

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SB 419	Simitian	Introduced February 16, 2011 Assembly Appropriations Committee	<p>Existing Law: Existing law requires a pharmaceutical manufacturer to submit, on an annual basis, to CalRecycle a plan supporting the safe collection and proper disposal of specified waste devices. The manufacturer is required to post and maintain a copy of the plan on its Web site.</p> <p>Proposed Law: This bill would require the above plan to be submitted in an electronic format, as prescribed by CalRecycle. The bill would require the manufacturer to post and maintain a copy of the plan in a readily accessible location on its Web site.</p>	
SB 431	Emmerson	Amended May 10, 2011 Assembly Appropriations Committee	<p>Existing Law: The Pharmacy Law creates the California State Board of Pharmacy and makes it responsible for administering and enforcing the provisions of that law. Existing law requires an entity licensed by the board to retain records of the acquisition and disposition of dangerous drugs and devices in a specified manner. Existing federal law requires registrants distributing specified controlled substances to conduct an inventory of controlled substances every 2 years. Existing law requires all records of manufacture and of sale, acquisition, or disposition of dangerous drugs or dangerous devices to be open to inspection by authorized officers of the law and preserved at least 3 years from the date of making.</p> <p>Proposed Law: This bill would prohibit a reverse distributor from accepting the return of dangerous drugs that have been dispensed to a patient that are later returned by the patient or patient's agent to a pharmacy. This bill would instead require a pharmacy to report and provide to the board, within 14 days of the receipt or development thereof, the information described above regarding the ability of working, licensed individuals to practice the profession or occupation authorized by their license.</p>	

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BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
SB 456	Huff	Enrolled September 2, 2011	<p>Existing Law: Existing law authorizes a door-to-door HHW collection program to transport hazardous waste from individual residences to an authorized HHW collection facility. Existing law exempts a door-to-door HHW collection program from using a manifest when transporting HHW to an authorized hazardous waste collection facility. Existing law requires the CalEPA Secretary to implement a unified hazardous waste and hazardous materials management regulatory program.</p> <p>Proposed Law: This bill would require a registered hazardous waste transporter operating a door-to-door HHW collection program or HHW residential pickup service to comply with those manifesting requirements and to additionally comply with a specified consolidated manifesting procedure for transporting HHW and with other operating and reporting requirements. The bill would require a public agency to retain a copy of the manifest in a specified manner, thereby imposing a state-mandated local program. The bill would revise the definition of a HHW collection facility and a door-to-door HHW collection program. This bill would additionally include, until December 31, 2019, in the unified program, an exempt transfer facility operated by a door-to-door HHW collection program.</p>	
SB 515	Corbett	Amended May 2, 2011 Senate Appropriations Committee, 2 year bill.	<p>Existing Law: AB 939, as amended, requires retailers of rechargeable batteries to have in place a system for the acceptance and collection of rechargeable batteries.</p> <p>Proposed Law: The bill would require, by April 1, 2013, a producer or the household battery stewardship organization created, and/or a registered hazardous waste transporter, to submit a household battery stewardship plan to CalRecycle. The bill would prohibit, on and after Jan 1, 2014, selling a household battery unless the stewardship plan for that battery is deemed complete by CalRecycle. The act would require implementation of battery stewardship plans, including achieving a specified collection rate and contacting cities, counties, districts, and regional agencies either to reimburse the local public agency for the mutually agreed upon cost of collecting household batteries or provide for the pickup of household batteries, or both.</p>	Letter of Support sent March 22, 2010
SB 518	Simitian	Introduced February 18, 2011 Assembly Appropriations Committee	<p>Existing Law: Existing law, the CA Beverage Container Recycling and Litter Reduction Act, requires CalRecycle to establish reporting periods for redemption and recycling rates for beverage containers. The act also requires CalRecycle to determine the redemption and recycling rates for each reporting period and to issue a report on those determinations.</p> <p>Proposed Law: This bill would delete the provisions that require CalRecycle to establish reporting periods and redemption rates. The bill also would delete the definition of 'redemption rate' and make other conforming changes.</p>	

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BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
SB 567	DeSaulnier	Amended September 1, 2011 In Senate pending ASM amendments concurrence	<p>Existing Law: Existing law prohibits selling a plastic bag or food/beverage container that is labeled as "compostable" or "marine degradable" unless that plastic bag or container meets certain CalRecycle or ASTM standard specifications.</p> <p>Proposed Law: This bill would repeal those prohibitions on Jan 1, 2013, and would instead, as of Jan 1, 2013, prohibit the sale of a plastic product, as defined, labeled as "compostable," "home compostable," or "marine degradable" unless it meets those ASTM standard specifications, the OK Compost HOME certification, as specified, or a standard adopted by the department. The bill would prohibit the sale of a plastic product that is labeled as "biodegradable," "degradable," "decomposable," or as otherwise specified. The bill would provide for the continuation of the labeling requirements imposed upon a manufacturer of a compostable plastic bag.</p>	
SB 568	Lowenthal	Amended July 12, 2011 Assembly Floor	<p>Existing Law: 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>Proposed Law: 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>	Support

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SB 589	Lowenthal	Amended June 21, 2011 Assembly Environmental Safety and Toxic Materials Committee	<p>Existing Law: 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> <hr/> <p>Proposed Law: 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
SB 771	Kehoe	Amended September 2, 2011 In Senate pending ASM amendments concurrence	<p>Existing Law: Existing law establishes the Renewable Resource Trust Fund and requires that certain moneys collected to support renewable energy resources through the public goods charge are deposited into the fund and authorizes the Energy Commission to expend the moneys. Existing law limits the eligible electricity generating systems that may receive incentives to those systems that are intended primarily to offset part or all of the consumer's own electricity demand.</p> <hr/> <p>Proposed Law: This bill would expand the definition of "renewable energy" to include energy generation based on thermal energy systems such as natural gas turbines; landfill gas turbines, engines, and microturbines; digester gas turbines, engines, and microturbines.</p>	Letter to Support and Amend Sent March 31, 2011

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BILL	AUTHOR	STATUS	SUMMARY	TASK FORCE POSITION
SB 833	Vargas	Enrolled September 1, 2011	<p>Existing Law: AB 939, as amended, regulates the management of solid waste and authorizes CalRecycle and LEAs to perform specified functions, including the issuance of solid waste facilities permits (SWFP). Existing law prohibits the operation of a solid waste facility without a SWFP and additionally prohibits a person from, among other things, disposing of solid waste, or accepting solid waste for disposal, except at a permitted solid waste disposal facility.</p> <p>Proposed Law: This bill would prohibit a person from constructing or operating a solid waste landfill disposal facility located in the County of San Diego if that disposal facility is located within 1,000 feet of the San Luis Rey River or an aquifer that is hydrologically connected to that river and is within 1,000 feet of a site that is considered sacred or of spiritual or cultural importance to a tribe and is listed in the California Native American Heritage Commission Sacred Lands Inventory.</p>	Letter of Opposition sent Feb. 18, 2011 for Introduced Version
SB 841	Wolk	Enrolled September 1, 2011	<p>Existing Law: 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. Existing law imposes specified restrictions on the enforceability of certain indemnity obligations related to source reduction and diversion contained in a provision, term, condition, or requirement in an ordinance, contract, franchise, license, permit, or other entitlement or right adopted, entered into, issued, or granted by a local agency. Existing law prohibits a solid waste enterprise from being liable for the indemnity obligation under certain circumstances.</p> <p>Proposed Law: This bill would impose certain restrictions on an indemnity obligation related to the failure of a local agency to obtain voter or property owner approval of a fee, levy, charge, assessment, or other exaction, if that indemnity obligation is assumed by, or imposed upon, a solid waste enterprise. The bill would prohibit an indemnity obligation from being enforced, to the extent of certain claims related to the liability of the local agency, or if it requires a solid waste enterprise to refund certain fees that are found by a final judgment of a court to have been imposed in violation of those provisions Article XIII C or Article XIII D of the California Constitution (Proposition 26). The bill would become operative on July 1, 2012, and would not apply retroactively.</p>	

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SB 909	La Malfa and Correa	Amended April 13, 2011 Assembly Appropriations Committee	<p>Existing Law: Existing law requires treated wood waste to be disposed of in either a class I hazardous waste landfill, or in a composite-lined portion of a solid waste landfill unit that meets certain requirements. Existing law requires wholesalers and retailers of treated wood products to conspicuously post information that contains sources for obtaining further information, such as an Internet Web site and a toll free number. Existing law makes these, and other requirements, inoperative on June 1, 2012, and repeals them on January 1, 2013.</p> <p>Proposed Law: This bill would specify the Internet Web site and toll-free telephone number that are to be included in the posted message. The bill would extend the repeal date to January 1, 2018 and would delete obsolete language.</p>	
SB 915	Calderon	Amended March 25, 2011 Senate Environmental Quality Committee, 2 year bill.	<p>Existing Law: Existing law requires an operator of a store to establish an at-store recycling program. This requirement is repealed on Jan 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> <p>Proposed Law: This bill would require plastic bag use to be reduced by an unspecified percent by an unspecified year. The bill also would establish a mandatory level of recycled content in plastic bags. The bill would require CalRecycle to establish a working group of stakeholders to develop strategies for increasing the recycling of plastic bags and develop suggestions for funding increased consumer awareness.</p>	Opposed February 25, 2011 Version

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Federal Legislations				
H.R. 2284	Green (TX-29)	<p>Introduced June 22, 2011</p> <p>House Subcommittee on Energy and Environment</p>	<p>Existing Law: The Solid Waste Disposal Act generally regulates solid waste disposal.</p> <hr/> <p>Proposed Law: 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>	
S. 1270	Whitehouse (D-RI)	<p>Introduced June 23, 2011</p> <p>Senate Committee on Environment and Public Works</p>	<p>Existing Law: The Solid Waste Disposal Act generally regulates solid waste disposal.</p> <hr/> <p>Proposed Law: 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>	