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SOLID WASTE MANAGEMENT COMMITTEE/
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September 1, 2011

***** FLOOR ALERT – NO on AB 358 *****

To: Members, California State Senate

From: Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force

Re: **OPPOSE ASSEMBLY BILL 358**

The Los Angeles County Integrated Waste Management Task Force OPPOSES AB 358 since:

- **It may result in serious impacts on public health and safety.** This bill's intent is to increase UST case closures but does not include any protections that would ensure contamination is fully addressed before closure. This bill will allow SWRCB to require a local agency to close a leaking UST case, which may result in serious impacts on public health and safety. The Task Force is concerned that this bill would result in lowering the standards for UST case closure. The bill should clarify that non-State funded local agencies, such as the Los Angeles County UST Program, retain the right to refer a case to either the local RWQCB or DTSC even if a closure petition is filed by SWRCB.
- **It imposes an unfunded mandate on local governments.** This bill removes the distinction between local agencies that are SWRCB funded Local Oversight Programs (LOP) and local agencies not funded by the SWRCB. This would potentially create additional responsibilities for local agencies that have no mechanism for reimbursement from the SWRCB.
- **It requires the regulations to be adopted as emergency regulations.** By exempting the proposed regulations from review by the OAL this bill denies the public and local agencies appropriate opportunity for review and comment. The Task Force has consistently opposed expedited efforts by the State to usurp local and regional authority, especially when issues of public health and safety are involved.

The Task Force is responsible for coordinating the development of major solid waste planning documents for Los Angeles County and the 88 cities in the County with a population of over ten million (pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989). Consistent with these responsibilities and to ensure a coordinated solid waste management system in Los Angeles County, the Task Force addresses issues impacting the system on a countywide basis. Task Force membership includes the League of California Cities-Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and other governmental agencies.

For these reasons, the **Task Force opposes AB 358 and respectfully requests your NAY vote on the bill.** If you have any questions, please contact Mr. Mike Mohajer of the Task Force at (909) 592-1147 or mikemohajer@yahoo.com.