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LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE
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February 25, 2019

TO: All City Mayors, City Council Members, and City Managers in Los Angeles County

URGENT REQUEST TO REVIEW AND COMMENT ON PROPOSED SHORT-LIVED CLIMATE POLLUTANT REGULATIONS (SB 1383) - ORGANIC WASTE REDUCTION

On behalf of the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) and as a follow up to the League of California Cities' concerns, I am writing to bring to your attention the proposed regulations implementing SB 1383 (Lara), Short-Lived Climate Pollutants (SLCP). The proposed regulations were released in January 2019, by the California Department of Resources Recycling and Recovery (CalRecycle), and the official comment period will end on **March 4, 2019**.

As currently drafted, **the SLCP regulations would require major changes in the way residential and commercial solid waste is currently managed.** This includes, but is not limited to; the imposition of significant new organic waste reduction requirements on local governments, residents, businesses, waste haulers, and other entities generating organic waste; **and imposition of a mandatory requirement on local governments to adopt ordinances or enforceable mechanisms to impose penalties of up to \$500 per violation, per day, on residents, property and business owners, waste collectors, self-haulers, solid waste facility operators, and commercial edible food generators** for failure to comply with State requirements for the collection and recovery of organic waste.

State organic waste recovery requirements include, among other things, the color of trash and recyclable material containers, inspection of containers to prevent contamination (i.e. ensure placement of each type of waste materials in the designated container), and implementation of education and outreach efforts to all organic waste generators (including homeless communities).

In addition, the proposed regulations would grant authority to CalRecycle to impose **administrative civil penalties of up to \$10,000 per day on local governments** for failure to enforce and/or comply with **each** element of the State organic waste reduction requirements. The proposal does not include an appeal process for use by local governments nor does it consider a local government's "good faith" efforts to comply with the requirements of the proposed regulations. While the Task Force supports Statewide

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efforts to reduce greenhouse gas (GHG) emissions, including SLCP emissions, the Task Force is concerned that the proposed regulations place a disproportionate burden on local governments to achieve the desired SLCP emissions reductions (more than any other stakeholder group, including State agencies). The Task Force is also concerned that the proposed regulations are highly punitive and rely on excessive micromanagement and reporting, which would further add to the expected high cost (estimated to be tens of billions of dollars over a ten-year period) of implementing the new requirements for all affected stakeholders.

For these and many other reasons, which are detailed in the enclosed Task Force letter to CalRecycle, **we urge you to review and comment on the proposed regulations, and to actively participate in the regulation development process** to ensure the final regulations are equitable, reasonable, cost-effective, and provide all entities with more flexibility in achieving compliance.

For your consideration, a draft letter expressing support for the comments and recommendations offered by the Task Force is also enclosed.

Should you have any questions regarding this matter, please contact Mr. Mike Mohajer, a member of the Task Force, at MikeMohajer@yahoo.com or at (909) 592-1147.

Sincerely,



Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor Pro Temp, City of Rosemead

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Enc.

cc: Each member of the Los Angeles County Board of Supervisors
Sachi A. Hamai, Los Angeles County Chief Executive Officer
Each Member of the County Sanitation Districts of Los Angeles County
Each Member of the Los Angeles County Solid Waste Management
Committee/Integrated Waste Management Task Force