

Agenda Report

TO: CITY COUNCIL

June 15, 1999

THROUGH: Legislative Committee

FROM: City Manager

SUBJECT: Support of Assembly Bill 75 with Amendments (Strom-Martin) – State Agency Recycling

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution supporting, with amendments, Assembly Bill 75, (Strom-Martin) – *State Agency Recycling*, and authorize the Mayor to send a letter to the appropriate officials stating Pasadena's position.

BACKGROUND

The existing California Integrated Waste Management Act of 1989, which is administered by the California Integrated Waste Management Board (CIWMB), establishes an integrated waste management program to which cities, counties, and regional agencies are subject to implement while State Agencies and Facilities are exempt. Assembly Bill 75, as proposed, requires the CIWMB to implement various state programs designed to encourage the reduction of solid waste at state agencies and facilities as well.

However, unlike the provisions mandated under AB 939 for local jurisdictions, AB 75 will allow the CIWMB to find that if the state agency is unable to comply with the diversion mandate, due to low solid waste generation, poor market conditions, existing contractual obligations, or significant cost limitations, the state shall be granted an exemption from the requirements. The aforementioned exemptions that would apply to the state agencies and large state facilities, currently are not extended to local jurisdictions under AB 939. Therefore, AB 75 should be amended to include the same exemptions for local jurisdictions under AB 939, so that all state and local agencies follow a mutual path towards waste reduction for the state.

Assembly Bill 75, similar in nature to that of AB 939 (which requires waste diversion of 25% by 1995 and 50% by 2000 for cities), would require each state agency and each

large state facility to divert at least 25% of the solid waste generated by the state agency or large state facility from landfill or transformation facilities by January 1, 2002, and at least 50% by January 1, 2004, based on a specified calculation.

The Los Angeles County Integrated Waste Management Task Force (which includes appointees of the Cities of Los Angeles County, the County Board of Supervisors, solid waste industries, environmental groups, and the private sector) supports AB 75, if amended, since it will hold State agencies relatively to the same waste diversion standards as applied to cities and counties.


BILL STATUS

On June 1, 1999 AB 75 passed the Senate (ayes 73, noes 5) and is now in the Senate awaiting committee assignment.

FISCAL IMPACT

Passage of AB 75, if revised to incorporate local jurisdictions under the exemptions, would help the City to avoid a potential \$10,000/day fine for non-compliance with AB 939, by allowing the City the same exemption provided to state agencies in achieving the 50% diversion goal.


Respectfully submitted,


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