

**STATUS OF STATE LEGISLATIVE BILLS PRESENTED TO THE  
LOS ANGELES COUNTY INTEGRATED WASTE MANAGEMENT TASK FORCE  
2007-2008 SESSION  
April 11, 2007**

Bill	Author	Status	Summary	Task Force Position
AB 6	Houston	Introduced 12-04-06  In the Assembly Natural Resources Committee	<b>Existing Law:</b> California's Global Warming Solutions Act (AB 32, 2006 Statutes) requires the State Air Resources Board (SARB) to develop regulations to achieve the Act's greenhouse gas emission reduction targets. SARB has the discretion to incorporate market-based options. <b>Proposed Law:</b> This bill would require SARB to adopt market-based options.	
AB 35	Ruskin	Amended 3-28-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. <b>Proposed Law:</b> This bill would require the State to establish green building standards for the construction and renovation of state buildings by July 1, 2009.	
AB 48	Saldana	Introduced 12-04-06  In the Assembly Natural Resources Committee  Reintroduced from 2006 Legislative Session (AB 2202)	<b>Existing Law:</b> The Department of Toxic Substances Control regulates the sale of Covered Electronic Devices (e.g., TVs, computer monitors, laptop computers, and LCD/plasma TVs). A \$6 - \$10 recovery fee (depending on the screen size) is imposed on these CEDs to fund the collection and recycling of these CEDs. <b>Proposed Law:</b> This bill would expand the definition of CEDs to include any plug-in and battery-operated consumer electronic device. In addition, DTSC is required to develop regulations prohibiting the sale of all electronic devices currently banned within the European Union effective January 1, 2010.	
AB 258	Krekorian	Amended 4-09-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> The California Coastal Commission, in partnership with local governments, plans and regulates development and natural resource use along the coast. <b>Proposed Law:</b> This bill would require the State to implement a program for the control of discharges of preproduction plastics.	
AB 546	Brownley	Amended 4-09-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> The Department of Toxic Substances Control regulates the sale of Covered Electronic Devices (e.g., TVs, computer monitors, laptop computers, and LCD/plasma TVs). A \$6 - \$10 recovery fee (depending on the screen size) is imposed on these CEDs to fund the collection and recycling of these CEDs. <b>Proposed Law:</b> This bill would require the Waste Board and retailers to make information available to consumers regarding where and how to return, recycle, and dispose of CEDs.	Recommend Support Position

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AB 548	Levine	Introduced 2-21-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. <b>Proposed Law:</b> This bill would require owners of multifamily housing to provide recycling services to their tenants beginning July 1, 2008.	Watch
AB 656	Plescia	Introduced 2-21-07  In the Assembly Safety and Toxic Materials Committee	<b>Existing Law:</b> Effective February 8, 2006, households can no longer dispose universal waste into the trash. Universal waste includes electronic waste, household batteries, fluorescent tubes, mercury waste, and aerosol cans. <b>Proposed Law:</b> This bill would require the Waste Board and the State Water Resources Control Board to prepare and forward a report to the Legislature by July 1, 2008 on whether the incidental disposal of alkaline batteries at landfills cause any environmental impacts.	Recommend Support Position
AB 722	Levine	Introduced 2-22-07  In the Assembly Utilities and Commerce Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. <b>Proposed Law:</b> This bill would prohibit the sale of incandescent light bulbs and halogen lamps beginning January 1, 2012.	Watch
AB 729	Mullin	Introduced 2-22-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> The Department of Toxic Substances Control regulates the sale of Covered Electronic Devices (e.g., TVs, computer monitors, laptop computers, and LCD/plasma TVs). A \$6 - \$10 recovery fee (depending on the screen size) is imposed on these CEDs to fund the collection and recycling of these CEDs. <b>Proposed Law:</b> This bill would require the Waste Board to develop regulations for authorized CED collectors to legally donate CEDs to non-profit organizations for reuse.	
AB 769	Aghazarian	Introduced 2-22-07  In the Assembly Revenue and Taxation Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. <b>Proposed Law:</b> This bill would exempt all fuel used to transport biomass, including the organic fraction of municipal solid waste, from the State's Sales and Use Tax.	
AB 800	Lieu and Krekorian	Introduced 2-22-07  In the Assembly Env Safety and Toxic Materials Committee	<b>Existing Law:</b> State law requires the State Office of Emergency Services to be immediately notified when waste, hazardous substances or sewage is discharged into the waters of the State. <b>Proposed Law:</b> This bill would increase the fines associated with violating this notice requirement.	

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AB 820	Karnette	Introduced 2-22-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills.	
			<b>Proposed Law:</b> This bill would prohibit the selling, use, or distribution of polystyrene food containers at University of California campuses, State Mental Hospitals, and California prisons only upon institution approval.	
AB 904	Feuer	Introduced 2-22-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills.	
			<b>Proposed Law:</b> This spot bill would require takeout food packaging to be either compostable or recyclable.	
AB 1018	Emmerson	Introduced 2-22-07  In the Assembly	<b>Existing Law:</b> Any unauthorized discharge of waste into the waters of the State must be abated in compliance with the local Regional Water Quality Control Board or the State Water Resources Control Board requirements.	
			<b>Proposed Law:</b> This Spot bill would make technical non-substantive changes relating to the above issue.	
AB 1023	Desaulnier	Introduced 2-22-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> Manufacturers of specified plastic trash bags (excluding grocery bags) must incorporate postconsumer plastic material in their bags (10% of the bag weight) or in all its plastic products (30% of the total weight).	
			<b>Proposed Law:</b> This bill would exempt compostable or biodegradable products from these requirements.	
AB 1075	Cook	Amended 3-28-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. Up to 10% of the 50% diversion requirement can be met through biomass conversion provided certain conditions are met.	
			<b>Proposed Law:</b> This bill would redefine that term "solid waste conversion" as a technology that produces a net reduction in the discharges of air contaminants or emissions. It would define the terms gasification as "solid waste conversion" and transformation as "incineration".	
AB 1109	Huffman	Amended 3-29-07  In the Assembly Utilities and Commerce Committee	<b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills.	Watch
			<b>Proposed Law:</b> This bill would require the Department of Toxic Substances Control (DTSC) to reduce the levels of mercury and lead in general purpose lights. It would require manufacturers of general purpose lights to establish a system to collect and recycle unwanted lights by July 1, 2009.	

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AB 1150	Lieu	Introduced 2-23-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> "Transformation" is defined as incineration, pyrolysis, distillation or biological conversion other than composting. <b>Proposed Law:</b> This bill would revise the definition of "transformation" to mean incineration of solid waste, or the processing of solid waste through a noncombustion thermal, chemical, or biological process.	Recommend Oppose Position
AB 1183	Hancock	Introduced 2-23-07  In the Assembly Environmental Safety and Toxic Materials Committee	<b>Existing Law:</b> DTSC regulates hazardous waste in California. <b>Proposed Law:</b> This bill would require the State Water Resources Control Board to post the following on the Internet: <ul style="list-style-type: none"> <li>• All landfills which have migrating hazardous waste for which DTSC has been notified;</li> <li>• All cleanup and abatement orders for which hazardous waste was discharged into the waters of the state; and,</li> <li>• A list of all instruments and agreements restricting land use. [The list includes a description of the restriction, contaminants known to be present, and remediation activities required to allow unrestricted use of the property]</li> </ul>	
AB 1193	Ruskin	Amended 3-29-07  In the Assembly Environmental Safety and Toxic Materials Committee	<b>Existing Law:</b> Existing law prohibits on and after January 1, 2006, a person from selling, offering to sell, or distributing for promotional purpose a mercury-added thermostat. <b>Proposed Law:</b> This bill would require manufacturers to create a collection and recycling program for out of service mercury added thermostats.	
AB 1195	Torrico	Introduced 4-09-07  In the Assembly Natural Resources Committee	<b>Existing Law:</b> The Waste Board administers a used oil recycling incentive program. Under the program, used oil collection centers/industrial generators/curbside collection programs are eligible for \$0.16/gallon reimbursement for recycling used oil, and electric utilities are eligible for \$0.16/gallon reimbursement for all used oil used to generate electricity. <b>Proposed Law:</b> This bill would prohibit payment of recycling incentives for any used oil transported out of state.  Previously, this bill would have given the Waste Board discretion not to provide the incentive to electric utilities utilizing used oil to generate electricity.	

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Bill	Author	Status	Summary	Task Force Position
AB 1207	Smyth	Introduced 2-23-07  In the Assembly Natural Resources Committee	<p><b>Existing Law:</b> The State Water Resources Control Board and the Regional Water Quality Control Board regulates the land application of biosolids.</p> <p><b>Proposed Law:</b> This bill would require the Waste Board, in consultation with the State Water Resources Control Board, to develop regulations for the land application of biosolids by July 1, 2009. Local jurisdictions are prohibited from enacting any ordinance or restriction contrary to the Waste Boards regulations.</p>	
AB 1237	Hancock	Introduced 2-23-07  In the Assembly Natural Resources Committee	<p><b>Existing Law:</b> The Local Enforcement Agency and the Waste Board are required to conduct regular inspections of solid waste facilities.</p> <p>In addition, the Waste Board has 60 days to determine whether to concur or object to the issuance of a Solid Waste Facilities Permit. If the Waste Board objects, then based on substantial evidence in the record it must state its reasons for objecting. If no action is taken, then it becomes tacit concurrence.</p> <p><b>Proposed Law:</b> This bill would require the LEA and Waste Board inspections to be unannounced. In addition, the Waste Board's 60-day review period would be extended to 90-days. If no action is taken, then it becomes a tacit objection.</p>	Watch
AB 1391	Brownley	Amended 4-09-07  In the Assembly Environmental Safety and Toxic Materials Committee  Related Bill: AB 800	<p><b>Existing Law:</b> State law requires the State Office of Emergency Services to be immediately notified when waste, hazardous substances or sewage is discharged into the waters of the State.</p> <p><b>Proposed Law:</b> This bill would increase the fines associated with violating this notice requirement.</p>	
AB 1447	Calderon	Introduced 2-23-07  In the Assembly Environmental Safety and Toxic Materials Committee	<p><b>Existing Law:</b> No person, other than a certified appliance recycler, can remove materials that require special handling from major appliances, or transport/sell discarded major appliances to a scrap recycling facility, unless specific conditions are met.</p> <p><b>Proposed Law:</b> This bill would allow appliance service technicians to remove refrigerants from major appliances, and expand the requirements for a certified appliance recycler.</p>	

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AB 1473	Feuer	Introduced 2-23-07  In the Assembly Natural Resources Committee	<p><b>Existing Law:</b> A solid waste facility cannot operate without a Solid Waste Facilities Permit. If the LEA determines that a facility is in violation of this requirement, the LEA must issue a cease and desist order.</p> <p><b>Proposed Law:</b> This bill would authorize the LEA to stay their cease and desist order up to three years if:</p> <ul style="list-style-type: none"> <li>• The solid waste facility accepts only source-separated materials for recycling;</li> <li>• The facility is making a good faith effort in obtaining a SWFP; and,</li> <li>• An environmental document is or has been prepared;</li> </ul> <p>The bill sunsets January 1, 2012 or on the date the Waste Board adopts related regulations, whichever comes first.</p>	Recommend Support Position
AB 1535	Huffman	Introduced 2-23-07  In the Assembly Natural Resources Committee  Related Bill: AB 546	<p><b>Existing Law:</b> The Department of Toxic Substances Control regulates the sale of Covered Electronic Devices (e.g., TVs, computer monitors, laptop computers, and LCD/plasma TVs). A \$6 - \$10 recovery fee (depending on the screen size) is imposed on these CEDs to fund the collection and recycling of these CEDs.</p> <p><b>Proposed Law:</b> This bill would expand the definition of CEDs to include a personal computer (e.g., a computer hard drive), and impose a \$6 recovery fee on each personal computer sold beginning July 1, 2008.</p>	Watch
AB 1610	Nunez	Introduced 2-23-07  In the Assembly Natural Resources Committee	<p><b>Existing Law:</b> The Waste Board currently imposes a \$1.40 per ton fee (maximum rate authorized by law) on each solid waste disposed to fund most of their activities.</p> <p><b>Proposed Law:</b> This bill would authorize the Waste Board to increase the fee to \$2 per ton beginning July 1, 2007.</p>	Recommend Oppose Position

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SB 55	Florez	Amended 4-09-07  In the Senate Environmental Quality Committee	<p><b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills.</p> <p><b>Proposed Law:</b> This bill would:</p> <ul style="list-style-type: none"> <li>• Require a publicly owned treatment works (POTW) to submit certification to the regional water quality control board regarding any sewage sludge that is transferred from a facility for disposal or further processing;</li> <li>• Require the sludge be certified to meet the requirements and standards for any pollutants listed in the waste discharge requirements for the POTW issued by the regional board;</li> <li>• Require any POTW to submit additional certification to sludge haulers certifying that the waste product is non-hazardous; and,</li> <li>• Require the POTW to indemnify the receiving party for any liability for remediation costs associated with sludge disposal or processing.</li> </ul>	Recommend Oppose Position
SB 140	Kehoe	Introduced 1-25-07  In the Senate Environmental Quality Committee	<p><b>Existing Law:</b> The State Air Resources Board is required to conduct a comprehensive study on the impact of any regulations which establish a specification for motor vehicle fuel.</p> <p><b>Proposed Law:</b> This bill would require SARB to develop regulations requiring all diesel fuel sold to contain 2% renewable diesel (derived from vegetable oils, waste grease, or animal fat). The regulations would become effective within one year of the above study's publication. Within two years of the effective date of the regulations, the renewable diesel blend would increase to 5%.</p>	Recommend Support Position
SB 410	Simitian	Introduced 2-21-07  In the Senate Energy, Utilities and Communications Committee	<p><b>Existing Law:</b> Utilities are required to obtain 20% of their delivered power from renewable sources by 2010. The Energy Resources Conservation and Development Commission (commonly referred to as the California Energy Commission) administers a renewable energy program funded by a surcharge on consumers' energy bills. To make renewable energy price-competitive, the program provides "supplemental energy payments" to renewable energy producers to cover above-market costs of producing renewable energy relative to nonrenewable sources.</p> <p>Lately, the Commission has not issued the supplemental energy payments in a timely manner, resulting in fewer program participants.</p> <p><b>Proposed Law:</b> This bill would require the Commission to make a determination on the supplemental energy payments within 60 days.</p>	

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SB 411	Simitian	Introduced 2-21-07  In Senate Energy, Utilities, and Communications Committee	<b>Existing Law:</b> Utilities are required to obtain 20% of their delivered power from renewable sources by 2010. The Energy Resources Conservation and Development Commission (commonly referred to as the California Energy Commission) administers a renewable energy program funded by a surcharge on consumers' energy bills. <b>Proposed Law:</b> This bill would authorize the Commission to increase the 20% renewable energy requirement to 33% if it determines that it's necessary to achieve the State's greenhouse gas emission reduction targets.	
SB 529	Migden	Amended 3-28-07  In Senate Rules Committee	<b>Existing Law:</b> State law requires all rigid plastic packing containers sold in the state to contain a minimum 25 percent post consumer recycled material. <b>Proposed Law:</b> This bill would require the Waste Board to evaluate the feasibility of establishing a tradable credit system for the purpose of meeting these requirements.	
SB 697	Wiggins	Amended 4-09-07  In Senate Rules Committee	<b>Existing Law:</b> State agencies are required to purchase specified recycled-content products, including mulch and recycled compost. In addition, the Department of General Services, in consultation with the Waste Board, develops the specifications for the purchase of compost by State agencies. <b>Proposed Law:</b> This Cleanup bill would make technical, non-substantive changes.	
SB 826	Padilla	Introduced 2-23-07  In Senate Environmental Quality Committee	<b>Existing Law:</b> The Waste Board establishes the State's minimum standards for solid waste facilities, including the design, operation, maintenance, and reuse of these facilities. <b>Proposed Law:</b> This bill would require the Waste Board to develop regulations to address potential environmental justice impacts resulting from solid waste facilities.	

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SB 842	Scott	Introduced 2-23-07  In Senate Environmental Quality Committee	<p><b>Existing Law:</b> "Gasification" is the noncombustion thermal processing of waste using heat, pressure, and steam to convert materials into a gas for electricity generation.</p> <p>To be permitted, a gasification facility must meet all of the following criteria:</p> <ul style="list-style-type: none"> <li>• Not use air or oxygen in the conversion process</li> <li>• Not discharge air contaminants or emissions</li> <li>• Not discharge to surface or groundwater</li> <li>• Not produce hazardous waste</li> <li>• Remove all recyclable materials and marketable green waste materials to the maximum extent feasible</li> <li>• Be in compliance with all applicable laws, regulations, and ordinances</li> <li>• Any jurisdiction using the facility must have a 30% diversion rate</li> </ul> <p><b>Proposed Law:</b> This bill would authorize a gasification facility's discharge of air contaminants or emissions to be regulated by the State Air Resources Board or Air Quality Management Districts rather than having an absolute zero threshold.</p>	Recommend Support Position
SB 898	Simitian	Amended 3-28-07  In Senate Appropriations Committee	<p><b>Existing Law:</b> The Waste Board administers a program for the cleanup of solid waste disposal sites and the cleanup of codisposal sites where the responsible party cannot be identified or is unable/unwilling to pay for the site's remediation. Under the program, an activity to remove/abate solid waste disposed into the municipal storm sewer is eligible for partial grant funding.</p> <p><b>Proposed Law:</b> This bill clarifies that a public entity conducting cleanups must have a program to prevent the recurrence of solid waste disposal into municipal storm sewers.</p>	
SB 899	Simitian	Amended 3-26-07	<p><b>Existing Law:</b> Current law generally prohibits the manufacture, processing or distribution of products containing more than a specified amount of certain toxic chemicals, such as polybrominated diphenyl ether (PBDES).</p> <p><b>Proposed Law:</b> This bill would phase out the use of plastic products that contain toxic materials such as styrene, bisphenol-A, perfluorocotanoic acid, vinyl chloride, nonylphenols, and alkyphenols.</p>	
SB 966	Simitian and Kuehl	Amended 4-09-07  In Senate Business, Professions and Economic Development Committee	<p><b>Existing Law:</b> AB 939 requires local jurisdictions to implement a plan to manage household hazardous waste, including unwanted pharmaceutical drugs.</p> <p><b>Proposed Law:</b> This bill would require every retailer selling drugs to have in place a system for drug collection for proper disposal by July 1, 2008. Retailers would be required to provide customers with information on drug-recycling or drug return opportunities.</p>	Watch

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SB 1016	Wiggins	Introduced 2-23-07  In Senate Environmental Quality Committee	<p><b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. In determining compliance with AB 939, the State's diversion rate measurement system is used. The System has been found to be inaccurate, often resulting in non-representative diversion rates for jurisdictions.</p> <p><b>Proposed Law:</b> This bill would:</p> <ul style="list-style-type: none"> <li>• Require the Waste Board to consider a jurisdiction's programs (as identified in the jurisdiction's Source Reduction and Recycling Element, and any programs identified in a Time Extension request or Compliance Order) in determining compliance with AB 939;</li> <li>• Establish the 2006 Countywide disposal tonnage as the Base Tonnage Year;</li> <li>• Require diversion programs identified in a jurisdiction's SRRE to not increase the overall Countywide disposal tonnage, as compared to the Base Tonnage Year;</li> <li>• Require jurisdictions to submit a SRRE update to the Waste Board between April 2008 and September 2008 to determine initial compliance. If the Waste Board determines additional information is needed, then the jurisdiction has 90 days to submit the requested information; and,</li> <li>• Require jurisdictions, beginning September 1, 2009, to submit biennial reports to the Waste Board describing its waste diversion programs.</li> </ul>	
SB 1020	Padilla	Amended 4-09-07  In Senate Environmental Quality Committee	<p><b>Existing Law:</b> AB 939 requires local jurisdictions to divert 50% of all solid waste destined to landfills. Failure to comply may subject the jurisdiction to penalties of up to \$10,000 per day.</p> <p><b>Proposed Law:</b> This bill would require on and after January 1, 2012, that a city or county divert from landfill disposal or transformation no less than 75% of all solid waste, through source reduction, recycling, and composting activities, unless a time extension is granted by the Waste Board.</p>	Recommend Oppose Position
SB 1021	Padilla	Introduced 2-23-07  In Senate Environmental Quality Committee	<p><b>Existing Law:</b> The California Beverage Container Recycling and Litter Reduction Act requires the Department of Conservation to implement a Statewide beverage container recycling program, including providing grant funding to local governments and non-profit agencies.</p> <p><b>Proposed Law:</b> This bill would, for calendar year 2008, make available \$15 million in grant funding to local governments and non-profit agencies to place source separated beverage container recycling containers at multifamily homes.</p>	Watch

# **Discussion of The State/Local Illegal Dumping Enforcement Task Force Report**

presented to

**Los Angeles County Solid Waste Management  
Committee**

**April 19, 2007**

**Kenneth C. Stuart**

**CIWMB Task Force Coordinator**

## Task Force Charge

- **Assess extent of illegal dumping**
- **Develop recommendations to enhance the effectiveness of local and state responses**
- **Illegal dumping is the willful throwing, dropping, placing or depositing of a bulky item, hazardous waste or solid waste on public or private property not designated for that dumping or disposal purpose, and is usually done for economic gain.**

# **Illegal Dumping Enforcement Task Force**

- **22 member task force appointed in Feb 2006**
- **Participants represented:**
  - Local governments**
  - State and Federal agencies**
  - Non-profit organizations**
  - Waste management industry**

# **IDETF Meeting Schedule**

- **First meeting - March 29, 2006**  
**Overview of illegal dumping and identification of initial issues**
- **Second meeting – May 24, 2006**  
**Discuss 26 issues; identify top six priorities**
- **Third meeting – September 14, 2006**  
**Identify and prioritize final issues for IWMB Board Report**

## **IDETF's Top Priority Issues**

- 1. Public education**
  - 2. Advance disposal fees – large items**
  - 3. Funding for enforcement staff**
  - 4. Waste tire redemption program**
  - 5. Refuse hauler service permits**
  - 6. Enforcement training**
- Presented to CIWMB Board on March 13, 2007**

# Illegal Dumping Cost Survey Completed

- **Joint project with CSAC, League of California Cities and CIWMB**
- **Surveys sent to County Administrators and City Managers**

**35 counties - \$18,000,000 annually**  
**- Los Angeles County - \$2,000,000**

- **37 cities - \$16,000,000 annually**  
**- Los Angeles Cities - \$11,000,000**

- **City/County cost: \$34,000,000**
- **Cal Trans budget: \$55,000,000**
- **Total local cost:**

**\$89,000,000**

# **Categorizing the IDETF Report**

## **(1) Statewide Coordination & Technical Assistance**

**R24- Board coordination of/with local programs**

**R6- Coordination of public awareness programs**

**R9 – Provision of enforcement training & coordination**

**R17 – Statewide illegal dumping evidence standards**

## **(2) Legislation to Provide More Tools For Local Programs**

**R1 – Creation of advance disposal fee for large appliances**

**R2 – Development of waste tire redemption program**

**R14 – Local permit program – residential service refuse providers**

**R15 – Cradle to grave ownership of solid waste**

## **(3) Legislation to Provide Funding for Local Programs**

**R6- Authority to combine grant funds for public education**

**R16- Support of local government costs to collect and dispose of illegal dumps**

**R20- Provision of additional surveillance equipment**

## **(4) Recommendations That Can Be Implemented Locally**

**R5 – Combine existing grants as allowed**

**R11 – Disposal vouchers for victims**

**R18 – Training on vehicle impound authority**

**R19 – Requirements for mandatory refuse collection**

# **CURRENT ACTIVITIES**

- **Expansion of website to include local codes**
- **Continue local outreach**
- **Respond to Board Strategic Directives**
  - **SD-8.9 – Evaluate by January 2008 potential statutory and funding options to enhance local and regional capabilities to prevent and redress illegal dumping.**

# LACSWMC Considerations

- Input to CIWMB Task Force implementation plan
- Review of Kern @ Butte County Codes
  - Two pieces of evidence for ownership
  - Administrative solutions with fees
  - Rental housing – property owner responsibility
- Street vendors – using existing codes- HD/CE
- Waste container requirement-recycling centers
- Continue public awareness programs

## For additional information-

- Ken Stuart, Illegal Dumping Coordinator  
(916-341-6355) or [kstuart@ciwmb.ca.gov](mailto:kstuart@ciwmb.ca.gov)
- [www.ciwmb.ca.gov/leacentral.IllegalDump](http://www.ciwmb.ca.gov/leacentral.IllegalDump)

# **California Integrated Waste Management Board**

## **Board Meeting**

**March 13, 2007**

### **AGENDA ITEM 10**

#### **ITEM**

#### **Presentation And Discussion In Response To The State/local Illegal Dumping Enforcement Task Force Report**

##### **I. ISSUE/PROBLEM STATEMENT**

The purpose of this item is to request that the Board discuss the Report of the State/Local Illegal Dumping Enforcement Task Force that was completed in January 2007. Illegal dumping poses risks to the general public and the environment, degrades the quality of life in affected communities, and is costly to cleanup. Illegal dumping is an intentional act that is typically done for economic gain. In contrast, littering is not done for economic gain and may or may not be an intentional act. Currently, no state agency is tasked with the coordination of issues arising from illegal dumping. In general, local entities take the lead in enforcement and cleanup for such sites.

In 2006, the CIWMB's Permitting and Enforcement Division initiated a coordinated effort to 1) assess the statewide extent of the illegal dumping problem; 2) and the amount of resources that local jurisdictions spend annually combating the problem; 3) and to assess local jurisdiction's needs to combat the problem. An Illegal Dumping Enforcement Task Force (IDETF) was formed in early 2006. The task force held three meetings during which it discussed local and state issues involving illegal dumping, cleanup, and enforcement and developed the twenty-four recommendations that are included in the IDETF report (Attachment 1). In addition, the IDETF, lead by the IDETF members representing the California State Association of Counties (CSAC) and the League of California Cities (League), completed a survey of counties and cities to determine the cost and impact of illegal dumping to local government.

##### **II. ITEM HISTORY**

The following is a chronological history of the development of the Illegal Dumping Enforcement Task Force Report.

During January 2006, staff developed a roster of appropriate members for the IDETF and agreements to participate were obtained from the proposed members. The twenty-two member roster (Attachment 2) included local, state, federal and private employees, who represented the interest and experiences of local illegal dumping task forces, city and county enforcement agencies, city and county public works departments, state agencies, legal associations, county and city management associations, hazardous material management associations, park districts, private solid waste operators and associations, environmental non-profit associations, and private citizens.

On March 29, 2006, the first IDETF meeting was held at the Cal EPA Building in Sacramento. The agenda included a discussion of charges, a review of the legal aspects of illegal dumping, discussion of state and local illegal dumping program organizations, and a discussion of initial illegal dumping issues that had been developed by staff.

From March 29<sup>th</sup> to May 24<sup>th</sup>, CIWMB staff and staff of the County Supervisors Association of California (CSAC) and the League of California Cities (League) developed a fiscal impact survey for electronic submittal to County Administrative Officers and City Managers. Staff also initiated the development of an Illegal Dumping Website, and the website ([www.ciwmb.ca.gov/leacentral/IllegalDump](http://www.ciwmb.ca.gov/leacentral/IllegalDump)) was launched on May 1, 2006.

On May 24, 2006, the second IDETF meeting was held at the Cal EPA Building. The task force reviewed the initial list of potential recommendations, added some recommendations, and identified the recommendations that needed to be discussed with local agencies. The task force also approved the final format for the county/city fiscal impact surveys and reviewed and commented on the new Illegal Dumping website.

On May 25, 2006, the fiscal surveys were electronically sent to County Administrative Officers and City Managers by CSAC and League staff.

On May 25, 2006, local outreach meetings were initiated by CIWMB staff and the IDETF members, and this project is ongoing. To date, the CIWMB has provided updates on the IDETF to seven county Illegal Dumping Task Force meetings, nine meetings with county and/or city illegal dumping management staff members, a regional meeting of rural county solid waste program managers, four Enforcement Advisory Council meetings, seven Solid Waste Roundtable meetings, the County Engineers Association of California meeting, three meetings with Keep California Beautiful (KCB) staff, and five committee meetings of the California Conference of Directors of Environmental Health (CCDEH). In addition, formal presentations on the IDETF were given at the annual meetings of CSAC, CCDEH, the annual LEA/CIWMB Partnership Conference, and the KCB Clean Communities Conference.

On September 14, 2006, the third and final meeting of the IDETF was held at the Cal EPA Building. The IDETF members agreed on including twenty-four recommendations in the IDETF Report to the Board, and prioritized the top six recommendations. The IDETF also reviewed the initial results of the fiscal impact surveys, and agreed on accepting additional data from counties and cities.

On December 22, 2006, the draft Task Force Report was released electronically to the IDETF members, with comments requested by January 15, 2007.

On January 29, 2007, the final fiscal impact reports from the counties and cities were received from CSAC and the League.

### **III. OPTIONS FOR THE BOARD**

This is a discussion item only. If the Board wishes to consider any of the ideas herein, such as taking on the role of a statewide coordinator and providing local jurisdictions and regional programs with technical assistance and training, staff could develop an implementation proposal that addresses potential activities and resource needs and bring that to a subsequent Committee meeting.

### **IV. STAFF RECOMMENDATION**

This is a discussion item only.

## V. ANALYSIS

### A. Key Issues and Findings

During the past year, Board staff and IDETF members have conducted extensive illegal dumping related outreach efforts to local government, organizations and individuals. Interested parties were invited and did attend and participate in the IDETF meetings, the meeting minutes and related items have become popular attractions on the illegal dumping website, and requests for discussion meetings and requests to speak at conferences continue to be received and honored. The most common comment received during the outreach efforts was appreciation that state staff is willing to talk and exchange information on illegal dumping and a state agency was providing a presence in understanding and addressing local illegal dumping issues.

In conjunction with the IDETF activities, CSAC and the League provided staffing to develop and administer cost surveys (Attachments 3 and 4) and received responses from 54% of the counties and 10% of the cities in California. These surveys revealed an annual cost of over \$34 million to local government for abatement. In addition, the Department of Transportation's has an annual budget for litter and illegal dumping abatement and prevention of \$55 million, which means a combined minimum cost of \$89 million. IDETF representatives from the Federal Government, which owns over 50% of the land in California, feel that their illegal dumping abatement and enforcement costs match that of California local government. Equally impacted by illegal dumping but not included in the local government survey done by the task force include the State Parks system, local Parks and Recreation Districts, School Districts, Irrigation Districts, and Watershed Management Districts. In addition, the IDETF found that illegal dumping not only fiscally impacts government agencies, but the private property owner who is the victim of illegal dumping yet must pay to have the dumped materials removed and properly disposed. In lieu of spending additional time and money developing a comprehensive illegal dumping cost data base for California, the IDETF felt that the survey results were sufficient to fully indicate that this is a major fiscal problem for local jurisdictions and that it was critical to develop recommendations to address the problem and get started on the solutions.

Overall, the IDETF found that (1) there is a critical need for state coordination, leadership, and assistance to local illegal dumping enforcement, abatement and prevention programs; (2) that legislation may be required to provide local and state government with the needed legislative authority and equipment to administer effective illegal dumping programs; (3) additional funding sources are needed to support the increasing costs of illegal dumping; and (4) local agencies can and should take the lead in implementing existing authorities.

Within this overall approach, the IDETF developed twenty-four recommendations that, if implemented, it believes would have a positive impact on illegal dumping prevention, abatement and enforcement activities. The top six priority recommendations are: (1) advanced disposal fees for high incident items such as large appliances and furniture; (2) increased emphasis on state and local programs addressing illegal dumping prevention awareness; (3) funding for enforcement staff, including rural counties; (4) inclusion of

waste tire redemptions in the waste tire haulers program; (5) development of a locally implemented refuse hauler service provider permit program; and (6) enhancement of enforcement training in both the public and private sector. In addition, the IDETF and staff identified priority levels for all of the recommendations (see Attachment 1).

## **1. Statewide Coordination and Technical Assistance**

As previously stated, during the course of the IDETF, Board staff served as an overall coordinator of the IDETF, gathered and disseminated information on successful local programs, began an illegal dumping website, and attended numerous local and regional meetings. These activities enabled staff to garner local perspectives and provide local representatives with information from other programs. This coordination role was universally lauded by those involved. The IDETF highly recommended (#24) that there be a continued statewide coordination function along these lines.

The Board could consider serving as a statewide coordinator on illegal dumping issues, much as it has been doing during the tenure of the IDETF, by continuing to provide local jurisdictions and regional programs with technical assistance and training on outreach and enforcement programs and tools, and developing an enhanced illegal dumping website. This range of activities is reflected in several other task force recommendations (#4 on Farm and Ranch application process; #8 on coordination of public education/awareness programs; #9 on provision of state level enforcement training program coordination and delivery; #13 on statewide standards of acceptable evidence; and #17 on coordination of enforcement among cities and counties) that are being implemented by staff or could be implemented with direction from the Board.. The staff member working with the IDETF has spoken at numerous meetings and conferences, the Board has previously provided training in illegal dumping enforcement and is currently providing load check training, and formalization of a Board coordination component would be achievable. Board staff could continue to provide these services, work with local programs to develop materials for public outreach, and also work with local and state professional associations to develop illegal dumping standards of evidence.

## **2. Legislation to Provide More Tools For Local Programs**

Some IDETF recommendations that would provide more tools for local programs would need to be created by the passage of state legislation. The four high priority items identified in these recommendations included: (1) the creation of an advanced disposal fee program for large appliances and, potentially, furniture(#1); (2) the development of a waste tire redemption program (#2); (3) a local permit program for residential refuse service providers (commonly referred to as “mom and pop” refuse haulers) (#14); and (4) cradle to grave ownership responsibility of solid waste materials (#15).

Without specifically defining the method or collection of advanced disposal fees on large appliances, the IDETF recommended that the purpose of the program would be to supplement the costs encumbered by local governments in collecting and disposing of bulky items that are illegally dumped on public and private rights of way. Similarly, the IDETF recommended that the intent of the waste tire redemption fee would be to provide the consuming public with a reason to properly dispose of waste tires thus reducing the number of waste tires that are illegally disposed of along

highways and on private property. The residential refuse service provider permit program would enable local government to administer a program that would insure that private waste haulers are collecting and disposing of solid waste in a legal manner. The cradle-to-grave recommendation would mean that a resident could be held responsible for the illegal disposal of solid waste with their name on it (i.e. address labels or receipts) regardless of whether or not they paid someone else to dispose of the material or gave the solid waste to someone else to dispose.

Additional IDETF recommendations in this category requiring legislation include the statewide clean and lien authority for local enforcement agencies (#3), statutory responsibility for the state level coordination of illegal dumping programs (#10), statewide authority allowing local governmental agencies to create environmental trust funds (#12), and a requirement that waste containers be provided at redemption facilities (#22). Many counties and cities have already adopted local codes providing the clean and lien authority to code enforcement programs, a few have adopted authority to create and administer environmental trust fund programs, and some redemption centers provide waste containers for their clients without a statutory requirement. The task force found that the prevention and abatement of illegal dumping would benefit by consistent, statewide authority in these areas.

### **3. Legislation To Provide Funding For Local Programs**

Several IDETF recommendations would require the provision of additional statutory authority and funding. All of these could be administered as some type of local or block grant program. The advanced disposal fee and tire redemption fee recommendations discussed in Section 2 could also be considered as potential funding sources for such programs.

The IDETF identified the need for state support of local government costs to collect and dispose of illegal dumps on public rights of way as the top priority in this category (#16). County and public works/solid waste departments are usually the agencies charged with the collection and disposal of solid waste at illegal dumps, and the high costs of staffing, collection and disposal are usually paid for by the already limited local transportation funds or general funds. The IDETF also recommended providing both the state and grantees with the legal authority to combine grant funds from the Board or other state agencies to fund such common projects as public education (#6). Also included in the recommendations were the legislative allocation of additional funding for illegal dumping surveillance equipment (#20) and a legislative study on the need, process and cost of expanding the Farm and Ranch Grant Program to include other private property owners in addition to those currently eligible (#7).

### **4. Recommendations That Can Be Implemented Locally**

Some IDETF recommendations can be implemented locally with existing authorities. In order of their appearance in the IDETF report, these recommendations include local grantees combining parts of existing grants where already allowed (#5), the issuance of landfill or transfer station disposal vouchers to property owners who are victims of illegal dumping (#11), training local enforcement staff on the implementation of the new vehicle impoundment authority (#18) (AB 2253, Hancock, 2006; see Attachment 5 for list of illegal dumping legislation considered and enacted in 2006), local adoption of mandatory

collection mandates in areas not currently required to be served by franchised refuse haulers (#19), environmental health department and/or code enforcement agency enforcement of state and local codes on street vendors (#21), and utilizing existing state regulations to initiate desired changes in operational hours of transfer stations and landfills (#23).

**B. Environmental Issues**

Not applicable

**C. Program/Long Term Impacts**

The IDETF Report contains some recommendations that, if implemented, will result in identification and development of an illegal dumping program entity within the Board that will be responsible for the coordination of illegal dumping programs at the state and local level and an outreach program to assist the local programs. Such a program will need assigned staff. In addition, depending on future legislative endeavors, there could be potential for Board administration of new and/or increased funds in local grant programs.

**D. Stakeholder Impacts**

Whether implemented internally by the Board, through legislative actions or implemented by local agencies, implementation of the recommendations in the IDETF Report will have a positive impact on local government by providing tools, leadership and funding to help attack a costly community problem created by intentional acts of individuals and businesses.

**E. Fiscal Impacts**

Development of an illegal dumping program within the Board could have a fiscal impact on program resources.

**F. Legal Issues**

Legal review will be necessary to determine whether additional legal authority is required to create and implement the desired programs recommend by the IDETF.

**G. Environmental Justice**

Illegal dumping occurs more often in lower income urban areas and rural areas with small populations than it does in high income residential areas. Regardless of the source, illegal dumping is an environmental justice issue, and implementation of more effective illegal dumping abatement and enforcement programs will often impact lower income families and individuals. Environmental Justice issues will need to be addressed as the IDETF recommendations are implemented.

**H. 2001 Strategic Plan**

Implementation of some or all of the IDETF recommendations would support Goal 4 of the Board's Strategic Plan which is to manage and mitigate the impacts of solid waste on public health and safety and environment and promote integrated and consistent permitting, inspection, and enforcement efforts. The Board's proposed Strategic Directive 8 on Enforcement/Permitting also contemplates consideration of illegal dumping issues, specifically to "Evaluate by January 2008 potential legislative and funding options to enhance local and regional capabilities to prevent and redress illegal dumping."

**VI. FUNDING INFORMATION**

This item does not require any Board fiscal action

**VII. ATTACHMENTS**

1. Report to the Board on the Recommendations of the Illegal Dumping Enforcement Task Force
2. Membership Roster of the Illegal Dumping Enforcement Task Force
3. Illegal Dumping Cost Survey completed by the California State Association of Counties
4. Illegal Dumping Cost Survey completed by the League of California Cities
5. Illegal Dumping Legislation adopted in 2006

**VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION**

- |                                      |                              |
|--------------------------------------|------------------------------|
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| <b>C. Administration Staff:</b> N/A  | <b>Phone:</b>                |

**IX. WRITTEN SUPPORT AND/OR OPPOSITION**

**A. Support**

Other than the comments received during the 26-day task force comment period which are summarized above, staff had not received any written support at the time this item was submitted for publication

**B. Opposition**

No comments in opposition were received during the comment period or at the time this item was submitted for publication.

**ATTACHMENT 1**

**RECOMMENDATIONS OF THE STATE/LOCAL ILLEGAL DUMPING  
ENFORCEMENT TASK FORCE**

**FOR**

**SUBMITTAL TO THE CALIFORNIA INTEGRATED WASTE  
MANAGEMENT BOARD**

**JANUARY 2007**

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Discussion of Findings  
State/Local Illegal Dumping Enforcement Task Force  
January 2007

Based on anecdotal information gathered in 2004 and 2005 about the nature and extent of illegal dumping, and recognizing that the problem was being addressed in a piecemeal manner by a variety of local, regional, state, and federal entities, the California Integrated Waste Management Board (CIWMB) decided to establish a multi-agency, State/Local Illegal Dumping Enforcement Task Force (IDETF) to gain a better understanding of the issue and discuss potential solutions. THE IDETF was announced in February 2006, and the first IDETF meeting was held on March 29, 2006. Following a staff discussion of the legal aspects of illegal dumping and current program activities, the March IDETF meeting concluded with the development of an initial list of issues that impact illegal dumping enforcement and prevention programs. At the IDETF meeting on May 24, 2006, some of these initial issues were modified, some were deleted and some were added. The third and final IDETF meeting on September 14, 2006 resulted in the twenty-four findings that are discussed below. These findings were generated by task force members who have both public and private expertise in illegal dumping and litter enforcement, abatement and prevention, interested parties who attended the IDETF meetings, and dozens of meetings held around the state with county and city staffs involved in illegal dumping and litter programs, local illegal dumping enforcement task forces, and committees of Local Enforcement Agencies for solid, hazardous and medical wastes.

The issues identified by the IDETF and subsequent recommendations, described in more detail below, are divided into four categories: Site Maintenance and Controls, Community Outreach and Involvement, Target Enforcement, and Program Measurement and Evaluation. The descriptive categories identified below are those used by the United States Environmental Protection Agency for state and local illegal dumping prevention programs. The task force findings are not all-inclusive, but do represent issues that need to be addressed if California wants to control the current plague of illegal dumping and littering.

I. SITE MAINTENANCE AND CONTROLS

1. Issue: Major appliances and furniture are the most commonly illegally dumped products and are cumbersome and expensive items for local agencies to collect and dispose.

Recommendation: An advanced disposal fee program for items that are most commonly illegally dumped should be developed and the fees used to support the local government cost of collecting and disposing of the items.

Background: Based on the local government cost surveys (1, 2) completed in 2006 by the IDETF, California State Association of Counties (CSAC) and the League of California Cities (League), the items most commonly dumped are furniture (74%), appliances (61%), tires (54%), household waste (51%), E-waste (35%), vehicles (26%), C & D Waste (26%), and hazardous waste (25%). Due to their bulk, collection, and disposal costs, illegally dumped furniture and appliances present the greatest financial burden to local government. California has implemented advanced disposal and/or redemption fees for e-wastes, used tires and beverage containers, but there are no predisposal fees for the bulky items such as

furniture and appliances to support local government costs of collection and disposal. Grants to help local government abate illegal disposal sites are available, and these include the Disposal and Co-disposal Site Grants, Farm and Ranch Grants, Waste Tire Grants and Household Hazardous Waste Disposal Grants from the CIWMB and Stormwater Grants available from the State Water Resources Control Board. These grants are primarily applicable to illegal dumping sites that have grown to illegal disposal sites, and are not intended to fiscally support the day to day illegal dumping collection and disposal activities faced by local government agencies. Thus, costs of illegal dumping abatement for local government programs are paid for by General Fund monies, fees from solid waste management programs, public works/gasoline road taxes, or through administrative fees or civil litigation.

The States of New Jersey and Washington have passed legislation (3, 4) that identifies the “Litter-generating products” that are commonly discarded in public places and imposes a user fee on sales of these products by the manufacturer, wholesaler, distributor, or retailer. These fees are collected by state agencies, and are distributed to local jurisdictions to assist them in the costs of abatement and enforcement of illegal dumping and littering and in the costs of public education.

Description:

- A. Implementation Options: One option is the establishment of an advanced disposal fee for bulky items that are commonly dumped illegally with the collected funds distributed to local governments by the responsible state implementing agency. Whether the funding was on a reimbursement per item basis (e.g., similar to the existing E-waste fee program) or as ongoing annual support grants for general illegal dumping cleanup activities would have to be determined. A second option would be to not develop a bulky item advanced disposal fee program but instead to provide support monies to local government to assist in their ongoing illegal dumping programs through the reallocation of existing fee monies coming to the state, modifying the existing use requirements of current grant programs, or increasing existing state fees. A third option is to make the advanced disposal fee a sales tax, as is done in New Jersey.
- B. Legislation: State legislation would be required to provide program authority, funding and structure.
- C. Agencies Involved: Whether an advanced disposal fee or a sales tax, the State Board of Equalization would be involved in collecting and forwarding the monies to the implementing agency. Assuming the CIWMB to be the implementing agency, it would be responsible for the distribution and auditing of the revenues to the local jurisdictions in accordance with the legislation.
- D. Funding: A new revenue source, either in the form of an advanced disposal fee or sales tax charged at the time of purchase of items identified by legislation would have to be developed.

E. Discussion Points:

Pros:

- Local government could recover some of the costs of their illegal dumping cleanup responsibilities.
- The fees would be charged on products that are most commonly dumped, and would be paying for the cost of their disposal.
- The manufacturers, wholesalers and retailers of the identified products might initiate alternative answers to the problem

Cons:

- Additional programs and funding mechanisms would have to be created
- Additional studies would probably have to be funded and conducted to more accurately identify the products that would be included in a predisposal fee or sales tax program.
- Individuals complying with disposal laws and practices would be paying for the acts of those who choose not to comply.

F. Task Force Priority: High

2. Issue: Illegal disposal of waste tires found along roadways and on private property is a major fiscal and waste management problem to local governments.

Recommendation: Inclusion of a waste tire redemption provision within the existing IWMB Tire Management Program would decrease the number of waste tires that are found discarded along highways and on private property.

Background: Used tires remain as one of the top four most common items being illegally dumped. The Task Force members feel that redemption values for beverage containers have significantly reduced the number of containers seen discarded along our roadsides and that a redemption value for used or waste tires would result in a similar decreased in illegal dumping of tires. This concept was strongly supported by participants in the community meetings held concurrently with the IDETF meetings. Task Force and public members also voiced an opinion that requiring vehicle owners or operators to leave the tires being replaced with the tire dealer(s) would also reduce illegal dumping of tires.

The Task Force members also agree that the Tire Management Program has helped reduce the frequency and extent of used and waste tires illegally dumped in the public and private rights of way. With the passage of the California Tire Recycling Act in 1989, the CIWMB was mandated to regulate and manage waste tires within the state. Funded by fees collected during the sale of new tires, the CIWMB Tire Management Program includes programs in tire recycling, cleanup, enforcement, rubberized asphalt technology, used and waste tire haulers, waste tire facility permits, and tire manifest programs. The demand for used tires continues to increase as the market for used tire products such as rubberized asphalt and shredded tires develops. The combined state and local programs effectively regulate individuals or businesses collecting and transporting used and waste tires, and retail or wholesale facilities dealing with new, used and waste tires.

Individuals purchasing new vehicle tires pay a per tire fee that includes the fee charged by the CIWMB Tire Management Program and any fee added by the tire dealer. The purchaser of the new tires is not required to leave their used tire(s) with the dealer nor do they receive a redemption value for the tires. Individuals bringing less than 10 used or waste tires to a dealer do not receive a redemption value for the tires, nor is the dealer required to accept the tires. Individuals or businesses that dispose of used or waste tires at solid waste disposal facilities normally pay the operator a per tire fee for the disposal service.

Description:

- A. Implementation Options: A tire redemption program could be incorporated into the existing CIWMB Tire Management Program. Inclusion of a tire redemption program into the consumer based container redemption programs managed by the Department of Conservation could also be considered.
- B. Legislation: State legislation would be required to provide program authority and funding. Local legislation may be required to permit expanded uses of existing or new recycling facilities.
- C. Agencies Involved: The CIWMB Tire Management Program would be the state agency primarily involved, with the Department of Conservation being potentially involved. At the local level, the Waste Tire Grant Program recipients would be involved along with the County and City Community Development/Planning Departments and the Solid Waste Local Enforcement Agencies.
- D. Funding: A redemption fee would have to be charged at the sale of the tire, and this fee would have to be forwarded to the implementing state agency. The consumer currently pays the tire dealer a fee that includes the tire hauler fees for the Tire Management Program and the additional handling fee the dealer chooses to charge.
- E. Discussion Points:
  - Pros:
    - The number of illegally dumped tires would decrease.
    - The collection and disposal costs to local and state government would decrease.
    - The scenic value of our streets and highways would improve
  - Cons:
    - A state and local tire redemption infrastructure would have to be created.
    - The implementation of a tire redemption program would require extensive restructuring of the existing program.
    - The potential for increased theft and fraud involving used tires.
    - Recycling facilities would be required to obtain additional permits to handle waste tires
    - The bureaucratic interference with the developing used tire market.
    - The beverage container program may not be an appropriate model as the annual percentage of recycled aluminum, glass and plastic containers has significantly decreased since 1995.
- F. Task Force Priority: High

3. Issue: Some illegal dumping enforcement agencies have not been empowered with a clean and lien authority for assistance in abating illegal dumps on private property.

Recommendation: A statewide clean and lien authority should be adopted for use by local illegal dumping enforcement agencies.

Background: City and County agencies involved in abatement of illegal dumping sites sometimes find the property owner unwilling to abate the problem. Many local code enforcement staffs have additional abatement authorities, including an administrative process that includes fines, citation power to the local court system, and implementation of a clean and lien process. The clean and lien process essentially enables the enforcing agency to have products that are illegally dumped on private property, whether or not they are the result of actions by the property owner, cleaned up and to recover the cost by placing a tax lien on the property. The cleanups of these small illegal dumps often cost between \$5,000 and \$10,000, which is considerably less than the costs of cleaning illegal disposal sites.

The process requires the adoption of a county or city code, and is an important and useful tool in the effort to abate illegal dumps, but is not included in the enforcement “toolbox” of all of the local jurisdictions in the state. The clean and lien enforcement option does include due process elements of notification of the property owner, notification of the local abatement cost, notification of proceeding and the right to hearing, appeals prior to the action, notification of the actual costs, and appeals prior to placement of the tax lien. The contracting firm removing and disposing of the illegally dumped materials normally requires payment at completion of the job and is not willing to wait until the tax lien is paid to the enforcing agency. Thus, some jurisdictions have established draw down accounts that are used to pay for the costs of cleanup then replenished when the monies are collected through the tax lien process.

However, the clean and lien authority is not included in the enforcement “toolbox” of all of the local jurisdictions in the state. Some local governments have not adopted clean and lien ordinances and some have not included the authority to all of the different departments commonly involved in illegal dumping enforcement. The administrative process, including field investigation requirements, property owner notification, the contractor bidding process, and time frames for hearings and appeals, varies between local agencies. The result is that some local agencies can make effective use of the clean and lien process; other agencies are faced with an extensive process before the illegal dump is abated, and others must utilize the citation process if they choose to pursue abatement on private property. Finally, some rural jurisdictions choose not to adopt and/or implement the clean and lien authority because annual budgets simply do not have General Funds available for cost recovery programs.

Description:

- A. Implementation Options: Local clean and lien codes or ordinances could be superseded by a state law that would provide all local agencies involved in illegal dumping enforcement the clean and lien authority and define a statewide standardized administrative process. A complimentary state level loan program also could be established that counties and cities could access to fund limited

illegal dumping cleanup projects, with the local jurisdictions repaying the account when funds are received through the lien process.

- B. Legislation: State legislation would be required to establish and delegate clean and lien program authority to all city and county governments. State legislation also would be required if a statewide standard administrative process is to be provided and if a local loan program is to be established. Legislation could delegate the authority to local governments and allow them to adopt their administrative processes.
- C. Agencies Involved: Local administration of statewide clean and lien authority would not involve a state agency. If a local loan program were established, it could be housed in the existing CIWMB grants programs.
- D. Funding: Funding for the delegation and administrative procedures would not be needed. Should a local loan program be adopted via legislation, long term funding for administration would have to be developed, initial funding for the loan program would have to be provided, and additional funding for the loans may have to be addressed if repayments to the fund are not timely.
- E. Discussion Points:
  - Pros:
    - An effective illegal dumping cleanup tool would be available to all local jurisdictions
    - Administrative procedures would be consistent statewide
    - Local elected officials would not have to approve ordinances that could affect their constituents
    - Local jurisdictions would not have delay cleanups due to insufficient funds
  - Cons:
    - Statewide clean and lien authority may be objectionable to private property owners
    - Local government jurisdictions may want grandfather clauses for their existing ordinances, codes and regulations
    - Local government shouldn't need a state loan program to implement delegated local option program authority
    - A loan program will increase the size of government
- F. Task Force Priority: Medium

4. Issue: The application process for Farm and Ranch Solid Waste Cleanup Grants (PRC Section 48100) is a deterrent to some applicants.

Recommendation: CIWMB staff should evaluate the application process to determine if streamlining of the permit process can be completed within the statutory authority of the Board.

Background: The Farm and Ranch Cleanup Grant program is funded at \$1 million/year, and provides grants of up to \$50,000 to cleanup illegal dumpsites on agriculture zoned properties. The grant application is submitted by a local government agency, tribe, or Resource Conservation District (RCD). CIWMB staff review and score the applications, review the site, and make recommendations to the Board. If approved by the Board, the

grant monies are sent to the coordinating agency which, in turn, works with the property owner to facilitate the cleanup. The PRC specifies that the property owner cannot apply directly for the grant, nor can they directly receive the monies for the cleanup. Although not a common event, the property owner can initiate a grant request for reimbursement of expenses previously incurred in the cleanup of an illegal dump on grant eligible property.  
Description:

- A. Implementation Options: CIWMB Farm and Ranch Grant staff has initiated a review of the grant process. Representatives of the California Farm Bureau Federation (Farm Bureau) and the waste management industry have met with staff, discussed the issue, and will be submitting revision suggestions to the staff. CIWMB staff continues to participate in training meetings with Farm Bureau members and RCD staff on the grant application process. One suggested option received during outreach meetings is to provide a base grant to participating RCDs that could be spent on low cost cleanups on qualifying properties. In turn, the RCDs could submit several low cost projects at one time to the Board for reimbursement or to charge against an annual grant.
  - B. Legislation: To be determined.
  - C. Agencies Involved: California Integrated Waste Management Board
  - D. Funding: No additional funding required.
  - E. Discussions Points:
    - Pros:
      - Property cleanups would be quicker
      - Increased number of grant applications could be anticipated
      - Smaller sites would utilize the funding
    - Cons:
      - Additional workload on local and state staff
      - Reduced oversight of expended state monies
  - F. Task Force Priority: Medium
5. Issue: Several separate state agencies provide project administration assistance and/or grant assistance for local illegal dumping abatement programs to the same local government agency.

Recommendation: Cooperative state funding of illegal dumping projects or grants should be implemented

Background: The local government cost survey completed by the IDETF, CSAC and League of California Cities found that the 36 reporting counties spend over \$18 million annually on illegal dumping programs, and the 36 reporting cities spend over \$14 million annually. This \$32 million annual cost does not include grant monies currently being received by local governments to support illegal dumping cleanup activities, nor does it include the \$55 million annual Cal Trans budget for litter and illegal dumping abatement along state highways.

There are a number of State grant programs, as described below, that provide some funding related to illegal dumping. However, there is no overall illegal dumping program and little coordination among agencies. The IWMB currently provides grant monies to local communities. Grants directly related to the abatement of illegal disposal are made available through the Solid Waste Disposal and Co-disposal Site Cleanup Program and the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program. Funds from these programs go directly to the cost of remediating illegal disposal sites, and can be used for the cleanup of public and private property. The grant monies are occasionally used in prevention (property fencing) and surveillance (cameras) activities, but cannot be used for educational activities or community cleanups. The IWMB also has monies available to local government agencies that are involved in implementing the Waste Tire Management Program, the Used Oil Program, and the Household Hazardous Waste Management Program. Depending on the program, the use of the funds to cover the costs of local prevention education programs, community clean-ups, solid waste disposal vouchers, and related activities that are non-site specific are allowed under specified conditions. The State Water Resources Control Board has grant monies available to local government agencies in the Stormwater Program, and these monies may be used for cleanup of some illegal disposal sites, community cleanups, public relations and public education. The State Air Resources Control Board has surveillance equipment available to local jurisdictions involved in illegal dumping enforcement, and the Department of Conservation provides local funding for public education programs in recycling. The Department of Transportation provides local funding for ongoing litter cleanup projects, community cleanup days and public prevention education.

Description:

- A. Implementation Options: One option is to provide enabling authority to allow grant funds from one program to supplement program activities of another program. This would require an agency and departmental analysis of the number of local grant or contract programs that involve cleanup of illegal disposal sites, litter abatement, and public education. A second option is to combine existing grant monies that can be used for cleanup, enforcement and education into a block grant and authorize local government to use the money in the ways that best meets the needs of the communities.
- B. Legislation: Legislation may be required to authorize utilization of grants in more than one program if the enabling authority is not included in the existing statutes. Legislation would be required to create an illegal dumping block grant program that utilizes funds from one or more departments or agencies.
- C. Agencies Involved: Several state agencies and departments could be involved in implementation of the concept; these agencies were discussed in the Background section above.
- D. Funding: If the legislature determines that additional funds are needed to support local government activities in illegal dumping cleanup, legislation will be needed.

E. Discussion Points:

Pros:

- Local authority to use funds from different grants to facilitate cleanup activities or public education is more effective and efficient
- A block grant program would allow local government to determine the most effective use of the grant monies
- Duplicative reporting could be reduced

Cons:

- Greater opportunity for funding abuse
- Complexity of relationships between state agencies makes funding cooperation difficult
- Distribution of block grant funds between counties and cities would be challenging
- Legality of using funds originally dedicated for another purpose

F. Task Force Priority: Medium

6. Issue: Local government agencies are required to provide separate program delivery and fiscal tracking for each state grant that is supporting the same program.

Recommendation: Expand the scope of existing programs and allow local government to combine state grant funds from one program with another.

Background: Currently, local Waste Tire Management program grantees can use a portion of the grant for public education and prevention, but it must be related to waste tires. Likewise, local Stormwater program grantees can use a portion of the grant for public education and public relations, but the expenditure must be related to the prevention of water contamination illegal dumping can cause. Monies from the Disposal Site Cleanup Program and, in limited cases, the monies from the Farm and Ranch Grant Program can be used for surveillance and fencing/signs, but it cannot be used for public education or public relations programs. The IDETF identified related issues on this subject, one that program authority for all of the grants needs to be expanded to allow expenditures related to public education and public relations and, second, that local jurisdictions should be able to combine parts of the monies from all of the grants to fund local public education/public relation projects.

Description:

- A. Implementation Options: Obtain administrative or regulatory authority to allow utilization of existing department and agency grant funds, which currently only address limited aspects of illegal dumping, in all aspects of illegal dumping, including cleanup, enforcement, prevention and public education, and allow comparable grant funds to be combined. In essence, \$5,000 from a Stormwater Grant will only pay for a limited public education program. Combining \$5,000 each from the Stormwater, Waste Tired, and Disposal Site Programs will enable the local agency to develop a more comprehensive \$15,000 public relations program.

- B. Legislation: Legislation could be required if the current grant statutes limit the categorical use of the funds, contain specific prohibitions on the use of the funds, or prohibit the combination of different grant funds to be used in a common project or program.
  - C. Agencies Involved: CIWMB and SWRCB would be the primary agencies involved, while additional agencies could include the Air Resources Board, the Department of Toxic Substances Control, and the Department of Conservation.
  - D. Funding: The need for additional funding would be determined by the Legislature
  - E. Discussion Points:
    - Pros:
      - Local government would be able to more effectively fund and operate all aspects of illegal dumping programs
    - Cons:
      - Complexity of the grant and audit process could increase
      - Legislation may be required
  - F. Task Force Priority: Low
7. Issue: Abatement of illegal dumpsites on private properties is a fiscal burden to the property owners.

Recommendation: CIWMB evaluate the potential and cost of expanding the Farm and Ranch Grant Program to include other property owners.

Background: The cleanup of illegal dumpsites on private property is the fiscal and operational responsibility of the property owner. Some property owners are aware of occasional or ongoing illegal dumping on their property and will make a continuous effort to clean the property. Other property owners are not aware of illegal dumps on their property until they are notified of their responsibility to cleanup and properly dispose of the dumped materials. Some property owners will fence their property to discourage illegal dumping and others make no effort to cleanup or prevent illegal dumping on their properties. Whether a responsible property who initiates cleanup action on their own, or a property owner who ignores an order to abate the illegal dump, the cost of remediation can be expensive. The collection, transport and disposal of illegally dumped materials can range from the cost of the vehicle, owner's time, and disposal fees to the common cost of contractors to clean the property commonly ranging from \$1,000 to \$5,000 or more. The local government illegal dumping cost survey previously referenced did not address the cost of illegal dumping to private property owners. The ability of property owners to claim the cost(s) of cleanup of illegal dumping on their property as a income tax write-off for property maintenance was not addressed.

Description:

- A. Implementation Options: Enhancement of an existing loan or grant program to assist property owners with the expense of cleaning up illegal dumpsites on their property. A second option is to fund or encourage local funding of a solid waste disposal voucher program that would waive the disposal fees for documented illegal dump sites.

- B. Legislation: Legislation would be required for a grant or loan program to the property owner as well as for a state funded solid waste disposal voucher program.
- C. Agencies Involved: CIWMB and the Department of Finance would be the primary agencies involved.
- D. Funding: A direct loan or grant program would require legislative appropriation of new funding. Several county waste management agencies already make disposal vouchers available to property owners of documents illegal dumpsites.
- E. Discussion Points:
  - Pros:
    - Property owners may clean up illegal dump quicker
    - Property owner not being penalized for someone's illegal action
  - Cons:
    - Establishment of additional local and state program
    - Cleanup responsibilities come with ownership of property
    - Funding process could result in delays of small cleanups
    - Additional funds would have to be allocated to support the program.
    - Potential for fraudulent activities
- F. Task Force Priority: Low

## II. COMMUNITY OUTREACH AND INVOLVEMENT

8. Issue: There is no coordinated public education program on prevention of illegal dumping at the state and/or local level.

Recommendation: CIWMB should develop and conduct a statewide illegal dumping prevention campaign in partnership with local governments, non-profits and tax-paying businesses to raise awareness of illegal dumping issues and encourage prevention.

Background: Individuals who litter are committing an intentional or unintentional act that has no economic gain. In contrast, illegal dumping is an intentional act that is done for economic gain. Littering occurs along roadways and in commerce centers, while illegal dumps are typically found at the end of urban and rural streets, canyons, vacant parcels, and open lands. Reports reviewing the state programs in New Jersey and Washington (5, 12) found that public prevention programs play a key role in reducing both litter and illegal dumping and that a public prevention program is only effective if state government plays a lead media role. Illegal dumping reduction can be correlated to the effectiveness of anti-litter campaigns, but litter reduction does not correlate with illegal dumping reduction campaigns (6).

The California Department of Transportation has a \$55 million annual budget for litter control and abatement along the state highways, and funding is included for both state and local media prevention programs. Local grantees in the Waste Tire Management Program can spend a portion of their grants on public education. The local waste tire public education events usually utilize flyers and posters to encourage the proper disposal of waste tires. Likewise, local grantees in the Stormwater Programs can spend a portion of

their grants on public education, and these concentrate more on not allowing fats, oils, and greases into stormwater drains than illegal dumping. There is not a central function within the CIWMB or other agency to coordinate, integrate, and strengthen illegal dumping prevention and cleanup efforts statewide.

Description:

- A. Implementation Options: Adoption of legislation establishing an effective, ongoing state and local level illegal dumping public education program.
- B. Legislation: State legislation would be required to provide program authority and funding.
- C. Agencies Involved: CIWMB, in cooperation with the Cal Trans anti-litter program.
- D. Funding: Reallocation of existing CIWMB monies may assist, but a permanent legislative allocation will be needed.
- E. Discussion Points:
  - Pros:
    - Public education will decrease the cost of illegal dumping cleanup and enforcement to local and state government
    - Partnering with non-profits, tax-paying businesses and local government agencies with expertise in public education could minimize state staffing needs
    - Responsible agency designation fills a void in state government
  - Cons:
    - Illegal dumping is a statewide problem that must be solved locally
    - Additional state government and funding requirements
    - Use of funds originally dedicated for another purpose
    - Public education is not always effective in changing behaviors
- F. Task Force Priority: High

9. Issue: There is no state level coordinated program that provides training to illegal dumping enforcement staff and volunteers in investigation, enforcement and abatement procedures.

Finding: Illegal dumping enforcement training should be enhanced statewide for both the private and public sector.

Background: At the local level, illegal dumping enforcement is the responsibility of a number of different individuals working in different departments under different position series specifications. Included in the mix of “illegal dumping enforcement officers” are Sheriff’s and Police Department officers, Code Enforcement Officers working in Code Enforcement, Building, Community Development and Environmental Health Departments, Environmental Health and Hazardous Materials Specialists working in Environmental agencies, District Attorney Investigators, Park Rangers and even Equipment Operators in Public Works Agencies. Some of the employees are POST trained (Peace Officer Specialized Training), some are Certified Code Enforcement Officers, some are Registered Environmental Health Specialists or Hazardous Materials Specialists and some are trained by experience. Regardless of their employer or job

specification, many have completed specialty training in enforcement through the Cal EPA Basic Environmental Enforcement classes, classes offered through the Attorney General, seminars offered by the CIWMB, DTSC and the ARB, community college and university academic and/or extended learning classes, and through on-the-job training.

However, with the exception of the CIWMB sponsored seminar in Illegal Dumping Enforcement in early 2000, most training and/or certification classes contain very little information on or recognition for illegal dumping. The POST classes, CIWMB LEA training classes, and Cal EPA Environmental Enforcement classes do contain applicable information and procedures on rules of evidence, case preparation, arrest, citation writing, and testimony, but there is limited coverage of what constitutes state and local illegal dumping codes, enforcement standards and penalties.

Many local government agencies are providing outreach brochures and public service announcements to the public on illegal dumping prevention and enforcement. However, the effectiveness of public participation is often limited by their ability to provide adequate evidence for prosecution and their level of willingness to testify when requested.

Description:

- A. Implementation Options: Existing agencies, organizations and schools that provide training in environmental enforcement should be provided with guidelines on illegal dumping enforcement procedures and encouraged to include these guidelines in their existing curriculums. Likewise, the CIWMB and appropriate Cal EPA agencies should provide ongoing training in illegal dumping abatement, investigation, and enforcement to local and state staff working in areas of illegal dumping enforcement. Further, state/local public seminars should be developed and offered to educate the public on the role they can play in reducing illegal dumping.
- B. Legislation: State legislation would be required to formally add the responsibilities of a comprehensive illegal dumping program to the CIWMB, and private and public training could be included in this mandate.
- C. Agencies Involved: One agency, potentially the CIWMB should play a lead coordination role in the inclusion of illegal dumping enforcement training in the existing environmental enforcement training classes offered by the various Boards, Departments and Organizations (BDOs) in Cal EPA, with the Department of Justice for the POST classes, and with the professional organizations and non-profit organizations that currently offer training to state and local government employees working in environmental enforcement.
- D. Funding: Agency staff time would be needed to develop an illegal dumping training curriculum focused on enforcement, but some of the training needs could be handled by existing staff providing training in the BDOs of Cal EPA. Existing funding allocations for travel and tuition for state and local staff attending CIWMB/Cal EPA training classes should be increased to assist local government in covering training costs.

E. Discussion Points:

Pros:

- Inclusion of illegal dumping enforcement procedures in environmental enforcement curriculums will reduce illegal dumping
- Consistent statewide training in illegal dumping enforcement will not exist until a responsible state agency is identified and operational
- Knowledge and use of illegal dumping and litter laws will provide peace and public officers with an important enforcement tool
- Increased public knowledge and participation in illegal dumping abatement and enforcement will reduce the incidence of dumping

Cons:

- Local jurisdictions will want additional fiscal support to pay for the training
- Illegal dumping is not as important as other criminal or civil issues.
- The public won't be willing to actively participate in enforcement

F. Task Force Priority: High

10. Issue: The impact of local illegal dumping programs is limited by the absence of program coordination between counties, cities and regions that bear the impact of the illegal dumping.

Recommendation: One state agency should help coordinate local programs, and there should be more locally initiated coordination between county and city illegal dumping and litter programs.

Background: Local illegal dumping abatement, enforcement and public education programs have evolved in response to public abatement demands on elected and appointed officials, recognition of the cost of abatement and enforcement to local governments, recognition of the public health impacts of illegal dumping, and the recognition of the economic benefits of clean communities. In response to public demands, many counties and cities have formed task forces composed of county or city staff while others have formed community based task forces. The CIWMB IDETF was charged with evaluating the impact of illegal dumping on local government and part of this project included staff outreach to cities, counties, and community illegal dumping and litter task forces. When the composition of local task forces included membership from program staff, staff of other state and local agencies, the business community, the public and environmental groups, the agendas changed from addressing abatement at specific and/or "hot spot" locations, to developing long range abatement plans, community cleanup days and public education projects. Some staff task forces concentrate on enforcement, and have effective working relationships between city staff and county staff. However, in the opinion of the IDETF Coordinator who attended numerous local task force meetings, intentional, conscientious planning and delivery of illegal dumping programs between counties and the cities in the county were the exception and not the norm. The feedback to the IDETF Coordinator and task force members was that the presence of CIWMB staff at local illegal dumping task force meetings, local government staff meetings, regional roundtables and state level meetings was and is appreciated and

the information provided by CIWMB staff and the CIWMB illegal dumping website will result in improvements in local illegal dumping and litter control programs.

Description:

- A. Implementation Options: Establish a formal illegal dumping outreach program within one agency and staff one or more positions to formalize the program.
- B. Encourage counties and cities to work together on illegal dumping abatement, enforcement and public education issues. Review the grant process to determine if separate grants to cities and counties impede or benefits effective cooperation between counties and the cities in the county.
- C. Legislation: Ongoing outreach activities in illegal dumping cleanup, enforcement and education would be formalized by legislation. Program cooperation between cities and counties would not be a legislative issue.
- D. Agencies Involved: The CIWMB could be the lead agency once the responsibility is formalized.
- E. Funding: The need for additional funds to be allocated by the legislature would be dependent on how the Board wants to structure and staff the ongoing program.
- F. Discussion Points:
  - Pros:
    - Cooperation between state, counties and cities will result in more effective illegal dumping programs
    - The CIWMB should be responsible for and provide an effective illegal dumping outreach program to local governments.
  - Cons:
    - The level of concern and response to illegal dumping varies between counties and the cities, making cooperation unrealistic.
    - Cooperation at the local level is an unneeded mandate
- F. Task Force Priority: Medium

11. Issue: The issuance of disposal vouchers to property owners who are the victims of illegal dumping is an effective cleanup tool and state fiscal support of the program is desirable.

Recommendation: Local governments and solid waste authorities should be encouraged to implement the use of disposal vouchers or fee waivers for documented victims of illegal dumping on property they own.

Background: Several counties, including Monterey, will issue disposal vouchers to private property owners who have been victimized by illegal dumping and are willing to cleanup and transport the waste to a local transfer station or landfill. The voucher option may occur as part of an illegal dumping investigation or the property owner may initiate the request, but the Local Enforcement Agency or other designated agencies must determine that the illegal dump is not the action of the property owner before the voucher will be issued. Vouchers are not issued as often as they are available because local staff often find that the property owner will just go ahead and cleanup the illegal dumpsite once they realize that vouchers are available. Interviews with both public and private solid waste authority managers revealed that it is easier

for them to absorb the cost of the voucher than it is to try and recover the cost from local government. Whether additional local governments would implement voucher programs if state support funding was available was not determined.

Description:

- A. Implementation Options: Encourage the issuance of disposal vouchers as an effective tool to timely property cleanup. Mandate that disposal vouchers be made available and fund the cost of the local program.
- B. Legislation: Legislation would not be required to include the concept in a CIWMB outreach program. Legislation would be required to make the program a mandate and to provide local support funding.
- C. Agencies Involved: The CIWMB would be the lead agency.
- D. Funding: Additional funding would not be required if the option is included in an established outreach program. If the program became a local mandate that was supported by state funding, an ongoing funding and administrative support element would have to be established.
- E. Discussion Points:
  - Pros:
    - Disposal vouchers can expedite cleanup by property owners at a minimum expense to local government and solid waste authorities.
    - Disposal vouchers can change owner irritation to owner cooperation
  - Cons:
    - Local government must bear the administrative cost
    - Property owners shouldn't need disposal vouchers to get them to perform their cleanup responsibilities
- F. Task Force Priority: Medium

12. Issue: Some local jurisdictions have established environmental trust funds where monies from prosecutions are held in trust for use in local education and enforcement programs.

Recommendation: Statewide authority for the establishment of local environmental trust funds to help support illegal dumping program activities should be considered.

Background: Several local jurisdictions, including Riverside County, have established environmental trust funds that serve as a protected depository for fines resulting from settlements of environmental crime litigations. The funds are deposited in the environmental trust fund, which is ongoing and isolated from the annual governmental budget process. The environmental trust funds are used to pay for the cost of training local staff in environmental crime enforcement, purchase of equipment, funding local public education programs, community cleanups, and other activities that can be related to the prevention of environmental crimes. The funds are held in trust by the local agencies administering the programs where the fines are generated, and these include the District or City Attorney office and environmental health/hazardous materials programs. Some jurisdictions have adopted enabling legislation and implemented the trust fund while others have been given counsel that questions the legality of implementing environmental trust funds. Without the

environmental trust fund option, fines generated by environmental enforcement agencies are included into the annual operating budget of the administering department or agency.

Description:

- A. Implementation Options: Provide statewide statutory authority to enable local environmental crime jurisdictions to establish environmental trust funds.
- B. Legislation: Enabling legislation could provide consistent statewide authority.
- C. Agencies Involved: The CIWMB and the other Cal EPA BDOs (Boards, Departments and Offices) involved in enforcement of environmental crime laws, and the Department of Justice.
- D. Funding: State program funding would not be required.
- E. Discussion Points:

Pros:

- Environmental trust funds insure that fines resulting from environmental crime settlements are retained by the enforcing programs
- Statewide authority minimizes local implementation arguments
- Statewide authority means offenders can expect the same settlement options in all local jurisdictions

Cons:

- Elected officials should determine how fines from settlements are spent
- Environmental trust funds become additional unbudgeted revenue generators for implementing agencies

- F. Task Force Priority: Low

III. TARGETED ENFORCEMENT

- 13. Issue: There are no statewide standards of acceptable evidence and prosecution policies for illegal dumping enforcement actions.

Recommendation: Encourage local enforcement and prosecution organizations, including the California District Attorney's Association, the California County Counsel Association, the California Code Enforcement Officers Association and other interested parties, with work with the Cal EPA enforcement staff to develop guidelines and standards for enforcement and prosecution of illegal dumping investigations.

Background: The public and its legislators desire active illegal dumping enforcement programs, yet the staff involved in enforcement often find the judicial process is inconsistent in what constitutes enforceable evidence, what will be prosecuted, the length of time an illegal dumpsite will remain until the legal prosecution is completed, and the administrative time and costs of prosecution outweighs the benefits. Legislation passed in 2005 (AB 2253, Canciamilla) elevates many illegal dumping offenses from infractions to misdemeanors, and increases the fines for all illegal dumping and littering violations. Several local jurisdictions are modifying programs to increase prosecution with examples being the Environmental Court program in San Francisco, the last Friday of each month being the court prosecution day for environmental crimes in San Joaquin County, and

Riverside County adding staff working in the environmental health/hazardous materials programs to the District Attorney's Office. Kern County has adopted a local ordinance (7) that makes the discovery of two pieces of evidence (i.e., mailing labels, receipts, charge card slips) bearing the same name at an illegal dump site as prima face evidence of ownership and enables enforcement staff to issue a misdemeanor citation to the party. The legality of this authority is questioned by prosecutors in other jurisdictions, so an effective tool is not utilized on a statewide basis. The use of digital and video surveillance cameras as an enforcement tool at chronic illegal dumping sites is becoming an effective tool, yet the willingness to prosecute these cases varies with jurisdictions. Likewise, some local jurisdictions are trying to minimize the need for citizen testimony in witnessed illegal dumping cases by utilizing follow-up investigations by the staff.

Description:

- A. Implementation Options: Development of a statewide guideline for that would standardize the operational procedures of illegal dumping enforcement programs and identify statewide illegal dumping enforcement standards. If unachievable, legislation on rules of evidence and prosecution could be considered.
  - B. Legislation: If it is determined that desirable standards cannot be achieved without state statutory authority, legislation would be required.
  - C. Agencies Involved: In addition to CIWMB staff, the Legal Counsel offices of the Cal EPA BDOs would be involved along with the Department of Justice. Development of enforcement guidelines would also have to include the active involvement of local government judicial and enforcement agencies.
  - D. Funding: Short term funding for coordinating staff would need to be identified or allocated.
  - E. Discussion Points:
    - Pros:
      - Statewide enforcement standards will result in increased, effective enforcement and subsequent reduction in illegal dumping
      - Local jurisdictions will not have to spend staff time developing their own local program enforcement standards
      - Equal enforcement of offenses statewide
    - Cons:
      - Local judicial bodies can best determine the content and standards of their enforcement programs
      - The judicial system is already overloaded
  - F. Task Force Priority: High
14. Issue: Public oversight of the refuse hauler service provider industry is minimal, and consumers lack insurance that their waste will be legally disposed at a landfill or transfer station.

Recommendation: Refuse hauler service providers should be required to operate under a local permit program.

Background: In most cities and counties, local government agencies administer franchise agreements with residential and commercial waste hauling businesses. These franchise agreements provide the refuse hauler with exclusive, geographically based operational authority to collect, transport, and dispose of solid waste generated by the residents of the dwelling units and businesses. In turn, the franchisee has the obligation to provide the refuse removal service on a scheduled routine basis, often to provide containers for the waste (these often include separate containers and services for green wastes and recyclable wastes), to maintain the refuse hauling equipment in an acceptable manner, to transport the refuse in covered units, and to dispose of the materials at a approved transfer station or sanitary landfill.

In contrast, the refuse hauler service provider industry, commonly referred to as a “mom and pop” refuse hauler, operates outside of the exclusive franchise agreements because they provide the service on an as-requested basis, usually physically remove the waste materials from the subject property and place it in their own vehicles for transport and disposal, and collect the removal and disposal fee directly from the individual requesting the service. Refuse hauler service providers include a growing number of franchise based businesses, the private entrepreneur with the pickup and sideboards, commercial gardeners that remove the yard waste as part of their service, and special districts that haul their own landscape wastes. The refuse hauler service provider will sometimes increase their profit margin by disposing of the waste they collect along a road or on a vacant lot and retain the disposal fee they charged the customer.

Some counties and cities, including Sacramento and Monterey, maintain a list of refuse hauler service providers that have registered with the local agency and encourage the public to only employ individuals or firms on the list. At least one county, Contra Costa, has an ordinance in place requiring the annual permitting of the haulers, but it does not apply to the cities within the county or to haulers operating from outside of the county. Thus, effective regulation of the refuse hauler service provider industry is absent, yet the operators are recognized by local illegal dumping enforcement agencies as being a significant contributor to the statewide illegal dumping problem.

Description:

- A. Implementation Options: Create the requirement for annual permitting and inspection of the vehicles used in the refuse hauler service provider industry, delegate the authority and responsibility to counties, and authorize the local jurisdiction to charge annual fees for the permit and inspection program, provide the authority to charge penalty fees for vehicles operating without permits, and provide legal authority for the administering agency to pursue civil or criminal penalties should an owner or operator not comply with the permit requirements. The program should include the requirement that an operator obtain vehicle permits for each county they enter into business, and that local jurisdictions can also require businesses licenses outside of the refuse hauler service provider permit.
- B. Legislation: State legislation would be required to establish the annual permit requirement, delegation of program authority and responsibility and authority to recover the costs of the state mandated program.

- C. Agencies Involved: Minimal state agency involvement would be anticipated, and it would be dependent on the content of the enabling legislation. If the statute also requires the development of regulations, a state agency existing within the Department of Consumer Affairs could feasibly incorporate the program into their
  - D. existing responsibilities. Involvement of an agency within Cal EPA is not anticipated.
  - E. Funding: If an administrative or regulatory responsibility evolves from the legislation, the delegated state agency may have to allocate additional short or long term funds.
  - F. Discussion Points:
    - Pros:
      - Refuse hauler service provider permit will reduce illegal dumping
      - The permit program would provide needed consumer protection
      - The permit program would protect legitimate businesses
    - Cons:
      - The permit costs would result higher fees to the consumer
      - The permit program would punish low income people who are trying to make a living
      - A local permit and inspection program would have to be established
  - G. Task Force Priority: High
15. Issue: Illegal dumping enforcement staffs find that effective enforcement is hampered by the absence of cradle to grave ownership responsibility.

Recommendation: Owners of disposed materials should be held responsible for the approved transportation and disposal of the materials they discard.

Background: Field investigations of illegal dumping incidents sometimes result in the finding of receipts, letters and invoices in the dump that contain the name of the same individual. When the individual is contacted by the enforcing agency, the response often is that the individual is not responsible for the illegal dump because he/she paid an individual or firm to haul and dispose of the waste, or a neighbor "let me add my material" to a load he/she were already taking to the landfill. The accused will sometimes admit fault or responsibility and cleanup the illegal dump, but the enforcing agency is usually faced with the fact that the invoices or letters are not adequate evidence of ownership.

Some counties, such as Kern and Butte (7, 8), have adopted local ordinances that legally define two or more pieces of material with the same name on it as prima face evidence of ownership. Without such definition, the enforcing agency must rely on the actual illegal dumping action being witnessed by a peace officer or a person who is willing to testify in court, video surveillance (providing the prosecuting agency recognizes the use of video surveillance) or as a result of intensive follow-up investigation by the enforcing agency. The typical resident does not feel any responsibility for the disposal of their waste materials once it leaves their property.

Description:

- A. Implementation Options: Define legal evidence standards for ownership of residential waste materials and the ownership responsibility to insure their proper disposal.
- B. Legislation: State legislation to add ownership evidence standards to the existing Penal Codes on illegal dumping would be required.
- C. Agencies Involved: If passed by the legislative, implementation actions by the CIWMB would not be needed. This would be an enforcement provision in code that any local program could take advantage of.
- D. Funding: Additional state funding would not be required.
- E. Discussion Points:
  - Pros:
    - Increased effectiveness of enforcement will reduce illegal dumping
    - Increased utilization of permitted refuse hauler service providers
  - Cons:
    - Individual responsibility for disposal of materials not fair or realistic
    - Discarding owner shouldn't be responsible for someone else's illegal act
- F. Task Force Priority: High

16. Issue: Local government agencies recognize the need for assigned staff to enforce illegal dumping codes and ordinance, yet many counties and cities do not have sufficient funding to support the staff positions. This funding issue is particularly true in rural and lower income jurisdictions, which are also areas that are common sites for illegal dumping.

Recommendation: Provide additional funding for local delivery of illegal dumping enforcement programs.

Background: The two main deterrents to reducing illegal dumping and the costs incurred by local jurisdictions are active enforcement programs and ongoing public education programs. In cities and counties, illegal dumping enforcement responsibilities are usually assumed by or assigned to entities that have an enforcement responsibility. The most common illegal dumping enforcement staff are the code compliance officers in the Building Inspection or Code Enforcement Departments, the Environmental Health or Hazardous Materials Specialist or Technician staff in the Environmental Health and Hazardous Materials Department or Agency, the Deputy Sheriff or Policemen in the Sheriff's Office or Police Department, and the District Attorney Investigators in the Office of the District or City Attorney. While some staff in local jurisdictions are assigned sole responsibility to enforcement of illegal dumping laws and the related abatement actions, most combine the illegal dumping enforcement responsibilities with the other responsibilities of their job. Such responsibilities can include routine law enforcement, abandoned vehicle abatement, building code compliance, street maintenance, nuisance complaints, permit inspections, mandatory refuse collection exemptions, and zoning code compliance. Increased response to the public demand to abate illegal dumping sites is often done at the expense of other programs. The limited amount of staff available for illegal dumping enforcement also means that the program is

complaint driven and time to spend on a comprehensive prevention and enforcement program is often not available.

Description:

- A. Implementation Options: Options include: (a) direct state funding to support illegal dumping programs in counties and cities; (b) increase of state funding to the existing Rural Environmental Crimes Circuit Prosecutor Program to fund one or more District Attorney Investigator Positions; (c) allowing the greater use of locally generated solid waste fees to support illegal dumping programs; and (d) incorporating LEA time in illegal dumping enforcement into the annual Enforcement Program Plan (EPP).
  - B. Legislation: The need for legislation would be dependent on whether direct funding would consist of new monies or reallocated monies and whether statutes would have to be amended to allow changes in allocation or use formulas.
  - C. Agencies Involved: CIWMB could act as the lead agency in the study and implementation.
  - D. Funding: Required, but could range from reallocation of existing funding sources to raising the tipping fees paid to the CIWMB by local transfer stations and landfills.
  - E. Discussion Points:
    - Pros:
      - Increased local enforcement will reduce illegal dumping and its associated costs
      - Increased enforcement will result in abatement of more existing sites
      - Increased staff in rural and low income areas addresses environmental justice realities
    - Cons:
      - Justification for rural or underserved communities to receive additional state funding
      - Increase in state administration and staffing responsibilities
  - F. Task Force Priority: High
17. Issue: Illegal dumping laws and enforcement standards vary between counties and cities.

Recommendations: In cooperation with local enforcing and prosecuting agencies, CIWMB staff should develop a supplement to the existing Illegal Dumping website that will detail the basic components of illegal dumping enforcement programs, and encourage local associations to develop guidelines and standards for illegal dumping enforcement.

Background: The California Penal, Vehicles and Health and Safety Codes (9, 10, and 11) contain statutory laws that define illegal dumping and littering, define the violations of the codes, and establish the maximum penalties for code violations. Local county and city codes typically contain abatement and prevention authorities related to illegal dumping. Included in local codes are mandatory refuse collection requirements, clean and lien authorities, evidence of ownership definitions, zoning requirements for refuse related industries, vehicle impoundment authority (Chapter 765, Statutes of 2006),

administrative hearing authorities and procedures, and requirements for refuse hauler permits. Not all cities and counties have adopted comprehensive illegal dumping enforcement and abatement codes, and the enforcement and prosecution procedures vary between jurisdictions. In 2006, the Legislature passed and the Governor signed AB 1992 (Canciamilla), which updated the solid waste definitions in existing code, and upgraded the civil and criminal penalties for violating codes relating to littering and illegal dumping. The legislation should enable local jurisdictions to increase the impact of enforcement activities, but does not insure that all jurisdictions have and utilized needed supplemental authorities.

Description:

- A. Implementation Options: CIWMB continue the enhancement of the Illegal Dumping website to include delineation of existing state statutes, recommended local authorities, and examples of existing local ordinances. In addition, work with local associations to develop standards and procedures for illegal dumping enforcement activities.
- B. Legislation: State legislation would not be required.
- C. Agencies Involved: CIWMB
- D. Funding: Web enhancement can be completed by existing CIWMB staff, but at least one staff position should be permanently appointed into an illegal dumping education and outreach capacity.
- E. Discussion Points:
  - Pros:
    - Local government agencies should be responsible for developing standards and enforcement guidelines for their local ordinances.
    - The CIWMB Illegal Dumping website is an existing assistance tool for local government that can be effectively enhanced.
    - The CIWMB should provide education and outreach assistance on illegal dumping issues to local government
  - Cons:
    - Consistent statewide enforcement of illegal dumping laws will only occur when local codes become state statutes
- F. Task Force Priority: Medium

18. Issue: Illegal dumping will decrease when the vehicles involved in the act of dumping are impounded by enforcing authorities.

Recommendation: Local enforcement agencies should proceed with implementing the statewide illegal dumping vehicle abatement authority resulting from the passage of AB 2253 (Hancock) in 2006.

Background: Several local jurisdictions, including Los Angeles City and County, Riverside County, Kern County and Butte County, have adopted local ordinances that include impound, seizure, and forfeiture authority of vehicles involved in illegal dumping activities. These local codes have played a significant role in educating the public that illegal dumping is not a good choice. The IDETF identified this issue

prior to the passage of AB 2253, which authorizes a court to impound a vehicle used in illegal dumping under prescribed criteria.

Description:

- A. Implementation Options: CIWMB include the AB2253 statute in the Illegal Dumping website and encourage counties and cities to work with their law enforcement agencies to implement the program.
- B. Legislation: Completed
- C. Agencies Involved: Local implementation.
- D. Funding: Not required.
- E. Discussion Points:
  - Pros:
    - Impounding vehicles is an effective deterrent to illegal dumping
  - Cons:
    - Authority penalizes low income people who are trying to make a living
    - Additional workload for local court systems
- F. Task Force Priority: Medium

19. Issue: Mandatory refuse collection/subscription requirements are a deterrent to illegal dumping.

Recommendation: Local government bodies should adopt mandatory refuse collection/subscription ordinances, and these ordinances should include exemption, hearing and appeal criteria.

Background: Local ordinances that require property owners or occupants to subscribe to a routine refuse collection service are based on the protection of public health, welfare and safety. Most ordinances require that residential and commercial facilities be provided with refuse containers, that the occupant utilize the containers, that collection of refuse from the containers occur on a regular and frequent basis, provide an exemption criteria and process, and allow the governing authority the right to initiate service on properties that have not met the mandate and recover the cost of service on a tax lien. An administrative hearing and appeal process is also included in the ordinances. Exemption criteria are based on factors such as (1) the premises being unoccupied; (2) collection service is not available to the premises due to distance from the nearest collector's area or other reason; and (3) that no unsanitary condition, hazard to health, or public nuisance will occur if collection is not provided. Mandatory collection/subscription ordinances are common in most urban areas of California as well as in the most populated rural areas. Illegal dumping often occurs in rural areas where there is no mandatory collection ordinance, but the source cannot always be attributed to individuals who generate refuse but have no collection service. However, regardless of on-property recycling and reuse, occupants generate refuse that is either disposed of properly at a landfill or transfer station or ends up illegally disposed on their own property or on other property.

During the outreach process to local jurisdictions during the term of the IDETF, it was found that local support of mandatory collection/subscription was present, but the general

request was that it be left the responsibility of the local governing agencies. The IDETF agreed to honor this request.

Description:

- A. Implementation Options: CIWMB support the adoption of local mandatory subscription/collection ordinances in California, and list the option as a core illegal dumping prevention program on the Illegal Dumping website, and include links to local ordinances on the website.
- B. Legislation: None required
- C. Agencies Involved: CIWMB could include the adoption of mandatory subscription/collection ordinances in their outreach program.
- D. Funding: Additional state funding would not be required.
- E. Discussion Points:

Pros:

- Refuse collection and disposal is critical for the protection of public health, welfare and safety
- Illegal dumping occurs more often in areas not having mandatory collection ordinances
- Mandatory subscription stabilizes the refuse collection system

Cons:

- Individuals should be allowed to handle their refuse as they please.
- Local program administration and resulting costs are increased.
- Reduction of competition results in higher consumer costs

- F. Task Force Priority: Medium

20. Issue: Illegal dumping surveillance equipment is expensive to purchase or rent.

Recommendation: CIWMB and Cal EPA Boards, Organizations and Departments provide additional surveillance equipment for use by local enforcement agencies.

Background: Surveillance equipment, including motion-activated digital cameras, continuous recording or motion-activated video cameras, and sound recording machines are useful enforcement tools in the enforcement of illegal dumping statutes and ordinances. The sophistication and reliability of surveillance equipment has increased to the level that one piece of equipment can now record pictures simultaneously of vehicle drivers, vehicle license plates, and actual illegal dumping, and the information can either be immediately sent through telemetry to a central location or it can be recorded on an internal or external computer and downloaded at the operator's convenience. The purchase costs of surveillance equipment starts around \$4,000 per monitor, with multi-functional equipment priced higher. Some local jurisdictions buy or rent a limited number of surveillance monitors, then rotate the monitor to different illegal dumping "hot spots". The CIWMB, in cooperation with the Air Resources Board and Cal EPA, makes a limited number of pieces of surveillance equipment available for loan to local jurisdictions. In addition to purchasing their own surveillance equipment, local government code

enforcement agencies have indicated their support to expand the CIWMB equipment loan program.

Description:

- A. Implementation Options: CIWMB/ARB continues to fund and purchase additional surveillance equipment that can be made available for loan to local illegal dumping enforcement agencies. In addition, expanding the authority to expend monies in existing grant programs for the purchase or rent of surveillance equipment by local government.
- B. Legislation: None required unless it is determined to amend the existing grant provisions.
- C. Agencies Involved: CIWMB, ARB, SWRCB and any of the other BDOs in Cal EPA that provide local grant programs.
- D. Funding: An increase in existing allocated funds may be required, and legislative requirements on the use of grant monies for equipment purchase may have to be amended.
- E. Discussion Points:
  - Pros:
    - Surveillance equipment is an important component of an illegal dumping enforcement program.
    - Enforcement results in reduction of illegal dumping
    - Reduction in abatement costs to local government
  - Cons:
    - Prosecution limits
    - Evolving technology quickly outdates purchased equipment
    - Equipment loan program administration required
    - Additional state funding could be required.

Task Force Priority: Medium

21. Issue: Illegal street vendors contribute to the illegal dumping problem.

Recommendation: Local government enforcement agencies actively enforce existing state and local codes and/or adopt local codes that more effectively regulate street vendors.

Background: Street vendors commonly set up temporary stands on vacant properties or offer products for sale from mobile vehicles in urban areas. Common street vendors include fruit and produce stands, flag stands, ice cream push carts, carpet and rug stands, and preserved food product stands. These vendors usually operate without required health permits or business licenses and are in conflict with local zoning codes and land use permits. Operating on a day-to-day basis, these vendors will often leave waste products on site when they close for the day or relocate to a better site. Efforts to control these vendors by Code/Zoning Enforcement units and Environmental Health staff are time consuming, usually needed on weekends which are not normal staff workdays, and are an ongoing issue. The vendors not only leave waste products that require abatement by government agencies and/or the property owner, but sell unregulated, uninspected

products usually at a lower price than businesses that operate from approved structures, have the required permits, and pay their required sales taxes.

Description:

- A. Implementation Options: Development of local options ranging from a total prohibition of street vendors to allowing them in certain locations with permission of the property owner and with required waste collection containers and disposal practices. Include impound, seizure and forfeiture authority for enforcement agencies, and active, funded enforcement programs.
- B. Legislation: None unless it is determined that specific authorities should be amended into the existing Food Code.
- C. Agencies Involved: The State Department of Health Services delegates regulatory authority of retail food vehicles and stands to local environmental health agencies, and would be the lead agency in any amendments to the Health and Safety Code.
- D. Funding: No state funding is involved.
- E. Discussion Points:
  - Pros:
    - Reduction of litter and waste left by vendors or customers
    - Greater assurance of safe food products
    - Reduces neighborhood nuisance complaints
    - Eliminates unfair business practices
  - Cons:
    - Eliminates income for vendor operators
- F. Task Force Priority: Low

22. Issue: Many beverage and cardboard redemption facilities do not provide waste containers for their customers.

Recommendation: Redemption centers should have waste containers available for their use by their customers, and the customers should be encouraged to use the waste containers.

Background: Redemption centers for beverage and cardboard are located throughout the state, and the Department of Conservation regulations do not require the provision and use of waste containers at the centers. Many individuals bringing materials to the centers will store and transport the recyclable materials in plastic bags or similar storage containers. Some centers provide waste containers for the plastic bags and encourage the customers to use them, while others return the plastic bags to the customer once the recyclable containers or materials have been dumped from the bags. Some customers will take the bags with them and discard them in appropriate waste containers, while others will discard them on the sidewalks or along the streets. The result is more litter and illegal dumpsites that have to be abated by the public or private property owner.

Description:

- A. Implementation Options: Local government agencies require redemption centers to provide and maintain waste containers for use by their customers through the passage and enforcement of zoning codes, land use permits and/or mandatory waste collection ordinances.
- B. Legislation: State legislation would not be required.
- C. Agencies Involved: State agency involvement would not be necessary.
- D. Funding: State funding would not be required.
- E. Discussion Points:
  - Pros:
    - Refuse often illegally dumped would remain at the redemption centers
  - Cons:
    - Homeless could lose some materials they use for shelters
    - Additional disposal costs to the redemption centers
- F. Task Force Priority: Low

23. Issue: Solid waste transfer stations and landfills should be able to amend their hours of operation on an as needed basis.

Recommendation: The IDETF recommended that the CIWMB should not initiate action to allow solid waste transfer stations and landfill operators to amend their hours of operation in a manner other than currently defined in regulations.

Background: The hours of operation for solid waste facilities are specified in the facility land use permit and the facility operational permit. These hours are originally identified in the environmental impact report for the facility and have been through public review and hearings before they are included in the permits. Changing the hours of operation is defined as a major change in the operational permit, and would be subject to the CEQA review process and approval by the Board. The LEA does have the authority to approve a temporary change in operational hours under specified emergency conditions. During the IDETF meetings, several comments were made that illegal dumping often occurs when an individual or business needs to dispose of materials after the normal hours of facility operation. In lieu of waiting until the next day to dispose of the materials, they simply dump the materials along roadsides or on private property. Thus, the premise was that illegal dumping would be decreased if solid waste facilities could change their hours of operation at will.

Description:

- A. Implementation Options: a) Status quo: The operator can amend the hours of operation of the facility under the existing permit amendment or permit renewal processes; b) The operator could consider the use of key-locked areas where dumpsters can be accessed for after hours disposal of waste materials; c) Code enforcement authorities could increase surveillance and enforcement along roads leading to solid waste facilities; d) Change existing permitting requirements.

- B. Legislation: State legislation could be required if it is decided to amend the existing procedures for establishing or changing the hours of operation for solid waste facilities.
- C. Agencies Involved: CIWMB would be the lead agency if it is determined that amendments are appropriate.
- D. Funding: No additional state funding would be required.
- E. Discussion Points:
  - Pros:
    - Illegal dumping could potentially decrease if solid waste facility operational hours were extended.
    - The current codes and regulations restrict business opportunities for landfills and transfer stations.
  - Cons:
    - Illegal dumpers dump for economic reasons and changing the hours of operation will only mean they dump later in the day.
    - Keeping solid waste facilities open later will result in impacts from traffic and noise on the community.
- F. Task Force Priority: Low

#### IV PROGRAM COORDINATION AND MEASUREMENT

24. Issue: There is no one state agency charged with the responsibility of coordinating and evaluating enforcement and education activities in illegal dumping.
- Recommendation: The Board serves as a coordinating agency for illegal dumping programs in California.

Background: The Public Resources Code specifies that the CIWMB is responsible for the permitting and inspection of solid waste landfills and transfer stations and the abatement of illegal disposal sites. The Penal Code, Sections 374 and 374.3, defines illegal dumping and littering, but does not identify the responsible state enforcement or administrative agency. Since illegal dump sites often become locations for additional dumping that eventually results in an illegal disposal site, it can be argued that the CIWMB could assume lead responsibility in the coordination of illegal dumping programs at the state and local level.

Description:

- A. Implementation Options: A program proposal should be developed that identifies the needed components of an Illegal Disposal Program, and this should include lead activities such as outreach with local illegal dumping enforcement programs and development of a state level public information presence in illegal dumping. The proposal should include identification of existing CIWMB funding to local programs that may be directly or indirectly related to the support of local illegal dumping programs, identification of and

justification for additional local support funding needs, and identification of how the program should be staffed and the cost of managing the program.

- B. Legislation: Legislation would be required to incorporate Board responsibility for illegal dumping in the Public Resources Code. Additional legislation may be required to recognize the use of existing funds or identification of additional funds to support the staffing of the program any needed local assistance funds.
- C. Agencies Involved: The CIWMB would act as the lead agency.
- D. Funding: Additional funding or reallocation of existing funding would be required for adequate staffing of the program, the costs of public education and outreach, and any additional local government grant support that could become part of the program.
- E. Discussion Points:
- Pros:
- There should be a designated agency responsible for illegal dumping education, outreach and support and CIWMB is the logical agency.
  - Illegal dumping is an act that local government must respond to, but state level leadership has been missing and is critical to addressing the issue.
- Cons:
- Additional responsibility for CIWMB means additional staffing and administrative costs.
- F. Task Force Priority: Medium

## REFERENCES

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5. New Jersey Litter Survey, 2004; The New Jersey Clean Communities Council; Gershman, Brickner & Batton, Inc. Fairfax, VA, and Institute For Applied Research, Sacramento, CA; January 28, 2005
6. Conversation with Daniel Syrek, Institute For Applied Research, June 27, 2006
7. Kern County Ordinance Code, Title 8 Illegal Dumping, Chapters 8.47-8.54; 2005 amendments
8. Butte County Ordinance Code, Chapter 49, Unlawful Dumping, 2005 amendments
9. California State Penal Code, Sections 372-374.4
10. California State Vehicle Code, Sections 23112-23114(a)
11. California State Health and Safety Code, Section 117555
12. Washington 2004 State Litter Study, March 2005, Publication No. 05-07-029, Solid Waste and Financial Assistance Program

## **ATTACHMENT 2**

### **Member Roster**

#### **Illegal Dumping Enforcement Task Force California Integrated Waste Management Board March-December 2006**

**Gale Filter**

Employer: California District Attorney's Association  
Representing: California District Attorney's Association

**Brigitta Corsello**

Employer: Solano County Department of Public Works  
Representing: County Engineers Association of California

**Jennifer Lewis/Mary Creasey**

Employer: League of California Cities  
Representing: League of California Cities

**Gary Harris**

Employer: Los Angeles City Department of Public Works  
Representing: California Association of Code Enforcement Officials

**Marlene Mariani**

Employer: Keep California Beautiful  
Representing: Keep California Beautiful

**Karen Keene/Farrah McDaid**

Employer: California State Association of Counties  
Representing: California State Association of Counties

**Larry Sweetser**

Employer: Sweetser & Associates  
Representing: Regional Council of Rural Counties

**Ben Gale**

Employer: Santa Clara County Environmental Health Department  
Representing: California Conference of Directors of Environmental Health

**John Abernathy**

Employer: Sacramento County Solid Waste Management Department  
Representing: Solid Waste Association of North America

**John Gregory**

Employer: Contra Costa County Administrators Office  
Representing: County Administrators Association of California

**John Key**

Employer: Federal Bureau of Land Management  
Representing: Hazardous Materials Investigators Association of California

**George Valdes**

Employer: Fresno City Code Enforcement Department  
Representing: Fresno City Code Enforcement Department

**Sarah Mora**

Employer: California Farm Bureau Federation  
Representing: California Farm Bureau Federation

**Stanton Lange**

Employer: Vineyard Owner  
Representing: Agricultural Industry

**Damian Meins**

Employer: Riverside County Environmental Health Department  
Representing: Riverside County Illegal Dumping Task Force

**John Ramirez**

Employer: Monterey County Environmental Health Department  
Representing: Monterey County Litter and Illegal Dumping Task Force

**James Lawrence**

Employer: California State Department of Transportation  
Representing: California State Department of Transportation

**Neal Fujita**

Employer: East Bay Regional Park District  
Representing: Local Park Districts

**Kit Cole**

Employer: Waste Management, Inc.  
Representing: Waste Management Industry

**Scott Smithline**

Employer: Californians Against Waste  
Representing: Californians Against Waste

**Wendy Breckon**

Employer: California Integrated Waste Management Board  
Representing: Legal Counsel

**Margie Youngs**

Employer: California State Water Resources Control Board  
Representing: State Water Resources Control Board

**Ken Stuart**

Employer: California Integrated Waste Management Board  
Representing: Task Force Coordinator

**ATTACHMENT 3**

**CALIFORNIA STATE ASSOCIATION OF COUNTIES  
ILLEGAL DUMPING SURVEY**

**JANUARY 22, 2007**

## CSAC Illegal Dumping Survey

Conducted jointly with  
the California Integrated Waste Management Board and  
the League of California Cities

*Updated January 22, 2007*

Counties continue to grapple with the challenges created by illegal dumping behavior within their jurisdictions. The CIWMB/CSAC/LCC survey, completed in the summer of 2006, sheds light on both the success stories and barriers local governments encounter in their battle to combat illegal dumping.

### Overview – County Results

**Thirty-five of 58 counties** responded to the survey, with many expressing support for sharing the findings and best practices of the completed survey.

According to the survey results, those 35 counties spend a combined **\$17,981,264, or nearly \$18 million dollars annually** to combat illegal dumping.

Note: Counties' illegal dumping expenditures will prove to be lower than cities', primarily due to the fact that most counties own landfills and therefore are able to waive disposal fees for collected waste.

**Most commonly dumped items**, in order of appearance:

Appliances, tires, household waste, furniture, vehicles, electronic waste, hazardous waste and constructions materials.

**Common sites for illegal dumping:**

Rural, unincorporated areas, such as in Amador, Butte and Calaveras Counties

Vacant lots and alleys, such as in Contra Costa and San Diego Counties

Rivers, streams, ditches and ravines, such as in Tulare, Madera and Santa Clara Counties

Unlocked dumpsters, such as in Orange and Placer Counties

**Counties employ a number of programs to combat illegal dumping**, including:

Enacting ordinances (Butte)

Creating illegal dumping hotlines (Tulare)

Stepping up enforcement efforts through remote surveillance (Sacramento, San Joaquin)

Creating new and specialized collection sites (Calaveras)

Conducting free community cleanup days (El Dorado, Placer, San Joaquin, Sonoma, Yolo)

Creating educational campaigns (Madera, Glenn, Orange, Placer, San Bernardino, Santa Clara, Santa Cruz, Sutter, Yuba)

Many counties find that **free community cleanup or waste disposal amnesty days** prove to be cost effective methods to reduce illegal dumping, including in Madera, Tulare, Sonoma, Solano, San Bernardino and San Benito. Others found that **utilizing grant funding for specialized cleanup efforts** worked well, such as in Calaveras, San Joaquin and Tuolumne Counties. El Dorado, Nevada and Orange Counties offer **public education programs** as a cost-effective measure, and Los Angeles, Placer and Yolo Counties rely on **aggressive enforcement**.

The bulk of the counties surveyed indicated that **funding for illegal dumping abatement programs comes primarily from landfill fees**. Many counties also **supplement such programs through their general fund**, and most also **utilize grant funding** from local sources and CIWMB.

Some **barriers** discussed in the survey include a **lack of funding and staff resources**, but the majority of counties felt that **the existing suite of penalties and enforcement tools were not strong enough** to grab the public's attention and truly address the problem.

Many counties indicated that larger penalties, more grant funding, increased fees, retailer or manufacturer "take back" programs, a reversal in the burden of proof for illegal dumping and a statewide educational campaign would all help in the battle to curb illegal dumping.

**CSAC Illegal Dumping Survey Results  
 Local Cost Estimates with 35 Counties Participating**

**Annual Jurisdiction Costs**

<b>Jurisdiction</b>	<b>Department</b>	<b>Staff Costs</b>	<b>Disposal Costs</b>	<b>Total Costs</b>
<b>Amador</b>		<b>13,500</b>	<b>16,300</b>	<b>29,800</b>
	Building/Code Enforcement	5,000	14,300	19,300
	Environmental Health/ Hazardous Materials	1,500		1,500
	Solid Waste	7,000	2,000	9,000
<b>Butte</b>		<b>141,650</b>	<b>8,500</b>	<b>150,150</b>
	Public Works	66,650		66,650
	Solid Waste/Code Enforcement	75,000	8,500	83,500
<b>Calaveras</b>		<b>58,500</b>	<b>142,000</b>	<b>200,500</b>
	County Administrator	4,000		4,000
	Building/Code Enforcement	17,000	30,000	47,000
	Environmental Health/ Hazardous Materials	27,500	109,600	137,100
	Public Works	10,000	2,100	12,100
	Solid Waste		200	200
<b>Contra Costa</b>		<b>1,841,086</b>	<b>100,100</b>	<b>1,941,186</b>
	County Administrator	30,000		30,000
	Building/Code Enforcement	60,000	10,000	70,000
	Environmental Health/ Hazardous Materials	826,000	44,600	870,600
	General Services	109,000	11,000	120,000
	Public Works	577,000	34,500	611,500
	Sheriff	25,000		25,000
	Solid Waste	39,086		39,086
	Other Costs: Attorney	175,000		175,000
<b>Del Norte</b>		<b>201,051</b>	<b>63,696</b>	<b>264,747</b>
	Building/Code Enforcement	96,657	63,696	160,353
	Environmental Health/ Hazardous Materials			10,856
	General Services	53,762		53,762
	Public Works	2,900		2,900
	Sheriff	20,000		20,000
	Solid Waste			14,875
	Other Costs: District Attorney	2,000		2,000
<b>El Dorado</b>		<b>207,037</b>	<b>108,049</b>	<b>315,086</b>
<b>Fresno</b>				<b>700,000</b>
<b>Glenn</b>		<b>11,788</b>		<b>11,788</b>

	Environmental Health/ Hazardous Materials	324		324
	Public Works	2,675		2,675
	Sheriff	832		832
	Solid Waste	4,824	750	5,574
	Other Costs: Air Pollution Control/CUPA	2,383		2,383
<b>Kings</b>		<b>34,040</b>	<b>16,870</b>	<b>50,910</b>
	County Administrator	1,500		1,500
	Environmental Health/ Hazardous Materials	4,928		4,928
	Public Works	23,025	6,139	29,164
	Sheriff	3,965		3,965
	Solid Waste	622	10,731	11,353
<b>Lake</b>		<b>53,149</b>	<b>13,047</b>	<b>66,196</b>
<b>Los Angeles</b>				<b>2,000,000</b>
<b>Madera</b>		<b>161,128</b>	<b>7,120</b>	<b>168,248</b>
	Building/Code Enforcement	2,628		2,628
	Environmental Health/ Hazardous Materials	6,000	4,000	10,000
	Public Works	152,180	2,985	155,166
	Solid Waste	320	135	355
<b>Monterey</b>		<b>615,000</b>	<b>64,000</b>	<b>679,000</b>
	County Administrator	1,000		1,000
	Environmental Health/ Hazardous Materials	150,000	10,000	160,000
	General Services	1,000	1,000	2,000
	Public Works	462,000	53,000	515,000
	Sheriff	1,000		1,000
<b>Napa</b>		<b>62,000</b>	<b>12,000</b>	<b>74,000</b>
<b>Nevada</b>		<b>18,196</b>	<b>702</b>	<b>18,898</b>
	Environmental Health/ Hazardous Materials	12,705		12,705
	Public Works	5,491	702	6,193
<b>Orange</b>		<b>2,903,403</b>	<b>329,330</b>	<b>3,232,733</b>
	Environmental Health/ Hazardous Materials	27,000		27,000
	Public Works	30,036	4,330	34,366
	Solid Waste	2,846,367	325,000	3,171,367
<b>Placer</b>		<b>431,588</b>	<b>100,000</b>	<b>531,588</b>
	Building/Code Enforcement	30,000		30,000
	Environmental Health/ Hazardous Materials	150,000		150,000
	Public Works	75,000	70,000	145,000
	Sheriff	28,800		

	Solid Waste	140,288	28,000	168,288
	Other: Parks	7,500	2,000	9,500
<b>Sacramento</b>				<b>350,000</b>
<b>San Benito</b>				<b>63,500</b>
<b>San Bernardino</b>		<b>199,000</b>	<b>807,800</b>	<b>1,006,800</b>
	Code Enforcement	93,000		93,000
	Environmental Health/ Hazardous Materials	17,300	37,800	55,100
	Sheriff	1,700		1,700
	Solid Waste	87,000	770,000	857,000
<b>San Diego</b>		<b>658,934</b>	<b>449,184</b>	<b>1,108,118</b>
	County Administrator	5,000		5,000
	Building/Code Enforcement	163,718	350,000	513,718
	Environmental Health/ Hazardous Materials	175,000	20,000	195,000
	General Services	2,500		2,500
	Public Works	265,712	79,184	344,896
	Sheriff	47,004		47,004
<b>San Francisco</b>				<b>855,000</b>
<b>San Joaquin</b>		<b>892,716</b>	<b>150,000</b>	<b>1,042,716</b>
	Environmental Health/ Hazardous Materials	10,000		10,000
	Public Works	800,000	125,000	925,000
	Sheriff	23,716	59,000	82,716
	Solid Waste		25,000	25,000
<b>Santa Clara</b>		<b>193,489</b>	<b>105,578</b>	<b>299,067</b>
	Public Works	118,849	30,578	149,427
	Sheriff	6,500		6,500
	Solid Waste	57,500	75,000	132,500
	Other: Integrated Waste Management	10,640		10,640
<b>Santa Cruz</b>				<b>735,000</b>
	Building/ Code Enforcement		70,000	70,000
	Environmental Health/ Hazardous Materials	50,000		50,000
	Public Works	315,000		315,000
	Sheriff	220,000		220,000
	Solid Waste	20,000	25,000	45,000
	Other: County Refuse Collection Franchise		35,000	35,000
<b>Shasta</b>		<b>250,000</b>	<b>75,000</b>	<b>325,000</b>
	Building/ Code Enforcement	150,000	70,000	220,000
	Environmental Health/ Hazardous Materials	100,000	5,000	105,000

<b>Solano</b>		<b>163,358</b>	<b>11,928</b>	<b>180,286</b>
	Building/ Code Enforcement	5,000		5,000
	Environmental Health/ Hazardous Materials	5,000		5,000
	General Services	7,000		7,000
	Public Works	144,358	11,928	156,286
	Sheriff	6,000		6,000
	Solid Waste	1,000		1,000
<b>Sonoma</b>				<b>340,000</b>
	Public Works			300,000
	Solid Waste			40,000
<b>Stanislaus</b>		<b>443,325</b>	<b>38,115</b>	<b>481,440</b>
<b>Sutter</b>		<b>35,271</b>		<b>35,271</b>
	Public Works	30,000		30,000
	Solid Waste	5,271		5,271
<b>Tehama</b>		<b>46,367</b>	<b>15,000</b>	<b>61,367</b>
	Environmental Health/ Hazardous Materials	2,100		2,100
	Public Works	39,881		39,881
	Sheriff	1,886		1,886
	Solid Waste	2,500	15,000	17,500
<b>Tulare</b>		<b>187,000</b>	<b>90,000</b>	<b>277,000</b>
	Public Works	22,000		22,000
	Sheriff	160,000		160,000
	Solid Waste	5,000	90,000	95,000
<b>Tuolumne</b>		<b>55,838</b>	<b>5,575</b>	<b>61,413</b>
	Environmental Health/ Hazardous Materials	32,554		32,554
	Public Works	23,283		23,283
	Solid Waste		5,575	5,575
<b>Yolo</b>		<b>159,000</b>	<b>7,000</b>	<b>166,000</b>
	Environmental Health/ Hazardous Materials	20,000		20,000
	Public Works	39,000	7,000	46,000
	Solid Waste			100,000
<b>Yuba</b>		<b>137,898</b>	<b>30,558</b>	<b>168,456</b>
	Building/ Code Enforcement	36,281	30,558	66,840
	Environmental Health/ Hazardous Materials	8,960		8,960
	Public Works	74,056		74,056
	Sheriff	18,600		18,600
		Staff Costs	Disposal Costs	Total Costs
<b>TOTALS:</b>		<b>\$10,175,312</b>	<b>\$2,767,552</b>	<b>\$17,981,264</b>

## CSAC ILLEGAL DUMPING SURVEY - Comments

1. What is your county currently doing to combat littering and illegal dumping? (i.e. mandatory collection, educational campaigns, enforcement, etc.)

**Amador:** Enforcement

**Butte:** The County has adopted an Illegal Dumping Ordinance that established a vehicle seizure and forfeiture ordinance and created an Illegal Dumping Hotline. The County created a new position of "Solid Waste Code Enforcement Officer." And the County has a Community Cleanup Grant program where organization or individual county residents can apply to receive funds for local cleanup projects.

**Calaveras:** Universal Waste Collection sites throughout the county.

**Contra Costa:** Created the County's Illegal Dumping web page; Created the County's Recycling Hotline; Sends the owners property notices; Investigates complaints regarding littering and illegal dumping in the county; sends out information on how to properly dispose of hazardous waste.

**Del Norte:** Enforcement through Administrative Citations, or Criminal Prosecution; Cleanup by staff; Cleanups by volunteers or by court ordered community service.

**El Dorado:** Mandatory collection in certain areas; free community cleanup days; free vouchers for curbside pick up of bulky items; three full-time staff conducting litter and illegal dumping abatement.

**Glenn:** Anti-littering education to schools including landfill tours; contact with public at events; road signage; free recycling of used oil, filters, latex paint, antifreeze, cardboard, plastic jugs, and rinsed plastic barrels; require load tarping.

**Kings:** Complaint-based enforcement

**Lake:** Very low tipping fees and very low residential curbside fees, 24 days annually of Hazmobile program, free "no dumping" signs for property owners.

**Los Angeles:** Currently implementing case-by-case enforcement, as well as partnerships and grant funding to clean sites.

**Madera:** Educational campaigns

**Monterey:** Mandatory collection, public education, increased enforcement – including surveillance and investigation, established/facilitating Adopt-A-Road program, and providing vouchers to cover tipping fees at disposal facilities. In addition, a County Ordinance is in development that will encourage reporting of illegal dumping activities – to include a reward system and substantial fines.

**Napa:** Free bulky item and waste tire drop-off included with new garbage hauling franchises, allocating funds in a franchise fee to assist with the costs of roadside pickup.

**Nevada:** Maintain an illegal dumping Hotline; Waste dumped on County right-of-way or easements are collected and disposed of by Public Works; When traceable evidence is discovered,

Environmental Health pursues cleanup by the responsible party; When appropriate, enforcement action may be pursued by the Districts Attorney's Office.

**Orange:** Public education through advertisements and public announcements; If illegal dumping is being done by a business, enforcement can also be used as a deterrent.

**Placer:** Our departments and agencies utilize combinations of: Mandatory collection of garbage in some areas; Education (Solid Waste, volunteer efforts, Adopt-A-Road program); Enforcement; Signage at Parks, litter cleanup, fund volunteer cleanups, free disposal coupons, free collection events, and enforcement signage.

**Sacramento:** The County has implemented a comprehensive illegal dumping program which consists of the following program elements: Enhanced response time for cleanup activities; Installation of barriers, signage and lighting; Illegal dumping sting operations; Purchase & installation of surveillance camera equipment; Media relations community outreach; Website development; Public service announcement; Reward Program.

**San Benito:** Mandatory refuse and recycling collection as of January 2002.

**San Bernardino:** In 2004, mandatory collection was imposed on more urbanized areas; Code Enforcement, in association with the Solid Waste Management Division, will conduct 30 community cleanups in 2006; Using grant money from the Lahontan Regional Water Quality Control Board (LRWQCB), a new illegal dumping enforcement program is commencing; the County operates a facility for the collection of household hazardous wastes; the County is developing an illegal dumping ordinance and supporting education campaign; a 30-second television public service announcement has been developed.

**San Diego:** The County utilizes various enforcement tools, including citations and abatements; do not have limited educational campaigns.

**San Joaquin:** Mandatory garbage collection in most unincorporated areas; Placement of remote camera(s) in the "high-use" dumping locations; Waste Tire Enforcement Grant to regulate the tire haulers and facilities that store, sell, transport, recycle and dispose of waste tires; Local ordinance increasing fines and rewards for illegal dumping; Annual dumpster days cleanup offered.

**Santa Clara:** The Sheriff's Office responds and investigates reports of illegal dumping. The Environmental Health/Integrated Waste Management: Enforces county ordinance sections that require mandatory garbage collection; Inspection and surveillance activities as a Waste Tire guarantee; Inspection of refuse collection vehicles; The County's HHW program has developed and implemented an outreach and collection campaign.

**Santa Cruz:** Educational campaigns; Follow up enforcement is evidence is found linking dumping to individual or business; Posting no-dumping/abandoned vehicle signs; Cost recovery for abandoned vehicle replacement.

**Solano:** Mandatory Collection; Education and Enforcement; Use of City and County Code Enforcement staff to address vehicles abatement and Environmental Health LEA collecting money to fund extra help staff with pick up programs in Public Works.

**Sonoma:** Household Hazmat collection at the landfill is at no cost for small (non-commercial) quantities. Free monitor/TV disposal at the landfill. Free dumpsters available for scheduled cleanups.

**Sutter:** County has mandatory collection in incorporated and most unincorporated areas. Staff educates public about illegal dumping. Brochures have been developed to educate public about illegal dumping of tires. Enforcement. Staff charges hourly rate for each enforcement hour spent investigating.

**Tehama:** The landfill budgets for tipping fees to cleanup illegal dump sites if labor is provided for cleanup. The Planning Dept recently started a vehicle abatement program to lessen the potential for abandoned vehicles.

**Tulare:** The Sheriff's Office has a litter and tire abatement program that uses inmates to clean up illegal dumping; Semi-Annual community cleanups with reduced disposal fees; County Ordinance requiring refuse collection.

**Tuolumne:** Proposing to hire a Solid Waste Technician to implement the Board approved Tuolumne County Illegal Disposal Prevention and Abatement Program.

**Yolo:** Good Neighbor Coupon – County provides free disposal for materials that residents voluntarily pickup in County right-of-ways and issues a coupon worth up to \$12 for future disposal each time; Code Enforcement Coupon; Waiver for Volunteer Clean-up groups - the County waives disposal fees for volunteer cleanup events; Education.

**Yuba:** County has mandatory collection in incorporated and most unincorporated areas. Staff educates public about illegal dumping. Brochures have been developed to educate public about illegal dumping of tires. Enforcement. Staff charges hourly rate for each enforcement hour spent investigating.

2. What is the item most commonly illegally dumped, for example: gravel, household refuse, appliances, hazardous waste, bio-waste, e-waste, tires, furniture, vehicles or something else?

**Amador:** Household waste, appliances, tires and vehicles.

**Butte:** Household refuse, appliances, tires and mattresses.

**Calaveras:** Tires, batteries, appliances, construction debris, vehicles.

**Contra Costa:** Household refuse, followed by landscape trimmings, furniture, tires, construction materials, vehicles, appliances, medical and e-waste.

**Del Norte:** Appliances, furniture, tires.

**El Dorado:** Gravel, household refuse, appliances, hazardous waste, e-waste, tires, furniture, vehicles.

**Glenn:** General refuse, white goods, Freon containing devices, furniture and mattresses, automobiles/boats, tires.

**Kings:** Tires, furniture, appliances, and household refuse.

**Lake:** Household waste, appliances, furniture and mattresses, vehicles, construction materials, mobile homes, hazardous waste.

**Los Angeles:** Electronic waste, furniture, construction and demolition, and household waste.

**Madera:** Household refuse, tires, furniture, vehicles and hazardous waste.

**Monterey:** Construction debris, household refuse, bio-waste, appliances, illegal drug lab materials, e-waste, tires, furniture, vehicles, hazardous waste.

**Napa:** Household refuse, appliances, all types of e-waste, tires.

**Nevada:** Household refuse, vehicles, furniture, tires, C&D, HHW, and e-waste.

**Orange:** Used oil, e-waste and hazardous waste, household refuse, paint, appliances.

**Placer:** Tires, garbage, vehicles, appliances, electronics, hazardous materials, and furniture.

**Sacramento:** Furniture, appliances.

**San Benito:** Tires, construction waste.

**San Bernardino:** Construction debris, household refuse, e-waste, tires, waste oil, paint, solvents, and illegal drug lab waste.

**San Diego:** Household wastes, tires, appliances, furniture, vehicles.

**San Joaquin:** Household refuse, tires, appliances, and hazardous materials.

**Santa Clara:** Household garbage, paints, chemical cans, medical waste, dirt, TV's, computers, furniture, cars, car parts, trailers and old building materials.

**Santa Cruz:** Appliances, TV's/Monitors, tires and vehicles.

**Shasta:** N/A

**Solano:** Appliances, electronic waste, large bulk items not accepted for free at the landfills, waste haulers or curbside pickup.

**Sonoma:** Household refuse, appliances and tires.

**Sutter:** Household refuse, appliances, tires, e-waste, furniture and vehicles.

**Tehama:** Appliances, furniture, and tires

**Tulare:** Tires, furniture, appliances, and household waste.

**Tuolumne:** Tires, household refuse, e-waste, furniture and appliances.

**Yolo:** Tires, Appliances, electronics, furniture, mattresses, garbage, litter, construction/remodeling debris.

**Yuba:** Household refuse, appliances, tires, e-waste, furniture and vehicles.

3. What is the most common area where illegal dumping occurs in your jurisdiction – remote areas, rural roadsides, waterways, private property, government property or city streets and alleys?

**Amador:** Remote areas, rural roadsides, and private and public property.

**Butte:** Rural roadsides.

**Calaveras:** Rural roadsides.

**Contra Costa:** Along roads and remote areas; public streets in the lowest income neighborhoods; vacant lots, private property.

**Del Norte:** Remote areas of rural roads – these are frequently adjacent to rivers and streams.

**El Dorado:** Rural roadsides and remote areas, private property.

**Glenn:** Most of Glenn County's roads fall into the rural, remote category, and this is where most complaints come from.

**Kings:** Private property in remote areas, including arroyos and irrigation ditches/canals.

**Lake:** County and city parks dumpsters, rural undeveloped areas, rivers and streams.

**Los Angeles:** Abandoned empty lots, remote rural areas, and former landfills and community disposal sites.

**Madera:** Remote areas, rural roadsides, waterways, private property.

**Monterey:** Remote, rural roadsides.

**Napa:** Roads with limited population.

**Nevada:** Remote undeveloped areas, rural roadsides and private property.

**Orange:** City streets and alleys, rural roadsides, flood control channels, unlocked dumpsters, government property.

**Placer:** Remote areas, private property, along rural roads, commercial dumpsters, and parks.

**Sacramento:** Rural Roads

**San Benito:** Rural roadsides, usually private property; Dumping in the San Benito river and its tributaries.

**San Bernardino:** Private property in rural areas, rural roadways, and vacant property.

**San Diego:** Remote areas, roadsides, alleys.

**San Joaquin:** Remote and rural roadside areas and channels.

**Santa Clara:** Remote areas along roadside on public or private property. Ravines in remote areas are also popular for ditching cars and large items of furniture.

**Santa Cruz:** Remote turnouts on public and private roads, ravines off rural roads, farmland, and rural private property.

**Shasta:** N/A

**Solano:** Rural roadsides in public right of way or private property as well as remote waterways.

**Sonoma:** Rural roadsides

**Sutter:** Remote areas, farmlands, rural roadsides, waterways and private property.

**Tehama:** Remote areas, rural roadsides

**Tulare:** Roadsides, waterways and private property that is conveniently close to communities but out-of-the-way enough to hide from public view while dumping.

**Tuolumne:** Remote areas and rural roadsides

**Yolo:** Remote areas along county roadways adjacent to agriculture fields and waterways.

**Yuba:** Remote areas, farmlands, rural roadsides, waterways and private property.

4. What programs that you are currently doing have you found to be the most cost effective?

**Butte:** Adopt-A-Highway

**Calaveras:** Waste Tire cleanup

**Contra Costa:** Roadside litter pickup; place responsibility for cleaning of illegally dumped debris on garbage companies/landfills/transfer stations; mandatory subscription and Waste Tire program.

**Del Norte:** Issuing Administrative Citations when a suspect can be located; use of court ordered community service for cleanup; Abandoned Vehicle Authority to remove abandoned/junk cars.

**El Dorado:** Public education for recycling, contract with CalTrans for litter abatement on State highways.

**Glenn:** Just get out and get it.

**Kings:** We recently started a program with water districts and the Farm Bureau to combine resources with the County and the Kings Waste Recycling Authority to “pre-pay” the tipping fee when private property owners or water districts bring illegally dumped refuse to the MRF.

**Los Angeles:** Aggressive enforcement to get illegal dumpers to bear the cost.

**Madera:** Waste disposal amnesty days.

**Monterey:** Extensive utilization of either inmate or “Work Alternative” personnel to accomplish the removal of illegally dumped materials. A clean road tends to discourage additional dumping activities.

**Napa:** The only cost-effective programs are the state-funded ones.

**Nevada:** Environmental Health’s monitoring of the Illegal Dumping Hotline and coordinating with Public Works to dispose of the waste. Public Works providing an e-waste collection center and a HHW & ABOP Collection Center at the local Transfer Station. Public Works also provides an excellent public education website for recycling and waste disposal.

**Orange:** Educational Outreach in the hazardous waste regulatory program and through grants from the CIWMB; Mandatory collection; Use of locked dumpsters.

**Placer:** Mandatory collection and enforcement signage (Sheriff)

**Sacramento:** The post and cable installations have changed behavior and are a cost effective measure; Anecdotal remarks indicate that our roll out of the pilot Appointment Based Neighborhood Clean Up program is also making a difference.

**San Benito:** The quarterly “bulky item recycle days” program.

**San Bernardino:** The community cleanup program.

**San Diego:** Majority are in Code Enforcement areas; recently increased our investments in education and outreach.

**San Joaquin:** The San Joaquin County Dept of Public Works (DPW) Household Hazardous Waste Facility provides a recycling/disposal alternative for hazardous materials generated in the county. The CIWMB Waste Tire Enforcement Grant helps to curtail illegal tire disposal in the County.

**Santa Clara:** Where illegal dumping/litter issues are rectified easily, then the costs for correction is relatively low compared to more chronic and obstinate cases. The Roads Department works with the Dept of Corrections to utilize inmates and others assigned to community service to remove trash from roadsides on both weekdays and on scheduled weekends.

**Santa Cruz:** Use of inmate labor to supplement the clean-up crews for roadside litter and illegal dumping.

**Solano:** County Cleanup Days as well as Earth Day.

**Sonoma:** Community Cleanups are cost effective as community volunteers do the majority of ‘staffing.’ Household Hazardous Waste disposal at the landfill avoids some of the costly cleanups from roadside dumping of the products.

**Sutter:** Responding to citizen complaints and surveillance by the staff.

**Tehama:** Payment of tipping fees if local residents supply labor.

**Tulare:** Reduced or waived fee programs such as semi-annual community cleanups in which County disposal fees are half-price and case-by-case approved cleanup of illegal dumping in which the disposal fees are entirely waived.

**Tuolumne:** Advertisement, grant funded programs such as tire amnesty month, planned cleanups throughout the county and Clean Up Days Coupons.

**Yolo:** We recently discontinued our existing cleanup events (bulky waste collection) program for the unincorporated areas in the county because it did not appear to be reducing the illegal dumping.

**Yuba:** Responding to citizen complaints and surveillance by the staff.

5. What funding sources do you utilize to cover the costs of these programs?

**Amador:** General Fund.

**Butte:** County landfill gate fees

**Calaveras:** Code violation fines and vehicle registration fees

**Contra Costa:** Solid waste/recycling collection franchise fees; Department funds

**Del Norte:** General Fund and Abandoned Vehicle Authority funds

**El Dorado:** Parcel fees, CalTrans, CIWMB grants

**Glenn:** Landfill budget as miscellaneous items

**Kings:** Reduced tip fee at the MRF, a contribution to the Farm Bureau, water districts, and the County.

**Lake:** Landfill fees, grants for materials and/or sites, volunteer time, Public Works road funds, code enforcement funds.

**Los Angeles:** Grants from the State, piecemeal expenditures by various County agencies, volunteers and in kind donation of funds, supplies, and labor from local businesses and organizations.

**Madera:** Grants, General Fund, and special district funding.

**Monterey:** "General Fund" dollars are expended for the County staff costs and tipping fees associated with illegal dumping efforts. In addition, a voucher program – funded by the disposal site operators – assists in the litter abatement efforts on both public and private property.

**Napa:** State grants, franchise fees, and Public Works funding.

**Nevada:** Environmental Health is Fee for Service and will invoice for time spent on enforcement activities. Public Works is funded through parcel charges and gate fees.

**Orange:** The CIWMB provides grants to local jurisdictions that fund educational outreach for used oil recycling; disposal fees.

**Placer:** Public funds, disposal tipping fees, garbage franchise fees, and grants.

**Sacramento:** State Grant, Dept of Waste Management and Recycling, Dept of Transportation, Solid Waste Authority.

**San Benito:** Tipping fees and franchise hauler contributions are both utilized to fund the quarterly “Bulky Item Recycle Days” program.

**San Bernardino:** Landfill tipping fees and grants.

**San Diego:** County General Fund and the State Abandoned Vehicle Abatement Program; also utilize revenue from some county leases to address illegal dumping on those leased sites.

**San Joaquin:** EHD Solid Waste Trust Fund for Local Enforcement Agency (LEA) activities; EHD/DPW CIWMB Farm and Ranch Cleanup Grant; EHD CIWMB Enforcement Assistance Grant; EHD CIWMB Waste Tire Enforcement Grant; Public Works Road Fund, Flood Control and Solid Waste Enterprise funding; County General Fund predominately supports Sheriff Patrol costs.

**Santa Clara:** User fees that are charged to refuse collection vehicles and solid waste facilities; the Waste Tire Program is funded by grant monies received through the CIWMB.

**Santa Cruz:** Recycling and refuse programs enterprise fund (Solid Waste) provides most of the funding. A portion of the funding for abandoned vehicle abatement comes from vehicle registration fees.

**Shasta:** N/A

**Solano:** Landfill dumping fees collected by LEA and Resource Management for mitigation.

**Sonoma:** A portion of the litter control cost is recovered by a surcharge on refuse disposal. Monitor/TV disposal costs are now reimbursed by state programs.

**Sutter:** Mostly Regional waste management authority, CIWMB and fines in terms of staff time spent on enforcement to responsible parties.

**Tehama:** Disposal is budgeted as part of landfill operations paid by tipping fee of legally disposed waste.

**Tulare:** Solid Waste Enterprise Fund provides for the Sheriff’s litter and tire abatement program and the reduced or waived disposal fees for County cleanup programs. The Road Fund provides for litter abatement activities performed by Road employees. The County Redevelopment Agency offsets some costs of the community cleanups that occur within the Redevelopment Project Areas.

**Tuolumne:** Tipping fees and some grants.

**Yolo:** No general funds are used. The landfill is an enterprise fund. Revenue is primarily from tipping fees, with minor amounts from energy royalties, recycling sales and grant funds.

**Yuba:** Mostly Regional waste management authority, CIWMB and fines in terms of staff time spent on enforcement to responsible parties.

6. What barriers have you encountered in your county’s work to combat littering and illegal dumping?

**Amador:** Staff and funding.

**Butte:** The ability to access a higher penalty would help defray costs and act as a stronger deterrent to potential law breakers.

**Calaveras:** Monitoring of remote and rugged roadways

**Contra Costa:** Lack of adequate penalties in existing statute, funding.

**Del Norte:** Penalties less than legal dumping fees; Tire disposal fees too high; cost of recycling tires too high, forcing disposal in landfill.

**El Dorado:** Rural areas make it easy to dump illegally, litter on State highways seems to be constant, most areas of county do not have mandatory garbage collection.

**Glenn:** Cost of disposal; lazy, stupid, cheap, or angry people; very low priority for prosecution.

**Kings:** Difficulty in catching illegal dumpers in the act. The perception that our courts do not impose adequate penalties whenever someone is caught dumping illegally.

**Lake:** Unenforceable laws, untrained, unavailable or unwilling code enforcers, pre-emption issue for local ordinances, lack of pre-disposal fees for many banned or expensive disposal items.

**Los Angeles:** Citation powers for the regulatory agencies, clean up or lien power. Clarification of laws to make property owners responsible for cleanups of dump sites on private property.

**Madera:** The District Attorney and supporting agencies be required to file mandatory charges for individuals who confess or have been caught in the act of illegal dumping or littering.

**Monterey:** Involvement of the Ag Industry - Illegal dumping fluctuates with the harvest seasons; Enforcement Barriers – funding for health and law enforcement personnel; Availability and affordability of legal disposal sites.

**Napa:** The biggest barrier is regulatory direction that bans e-waste from landfills with no funding options, recycling infrastructure, or concurrent public education campaign.

**Nevada:** Lack of staff resources to thoroughly pursue all violators when evidence is discovered in illegally disposed refuse.

**Orange:** Identifying the perpetrators who illegally dump with educational outreach, and providing additional methods for residents to dispose of their universal wastes.

Placer: Inadequate staffing, program costs, costs of providing free disposal, lack and cost of education, enforcement priority (Sheriff), limited enforcement options.

**Sacramento:** Lack of resources.

**San Benito:** Evidence test to 'prove' illegal dumping.

**San Bernardino:** Availability of law enforcement; finding and prosecuting illegal parties; Cost of enforcement.

**San Diego:** Large and very remote rural areas; limited funding.

**San Joaquin:** Illegal dumping is pervasive throughout the county and state; Public apathy and disregard for the environment; difficulty catching perpetrators.

**Santa Clara:** Workload priorities; the enforcement fine process alone; One barrier is the difficulty in preventing Illegal dumping due to the remoteness of some areas of the County.

**Santa Cruz:** Too many rural roadways to adequately police; Not enough money to conduct good enforcement and creation of more disincentives for littering.

**Shasta:** N/A

**Solano:** Adequate resources to catch and prosecute offenders. The State proposes changes in waste stream disposal before new programs to handle waste stream are available at the City and County level.

**Sonoma:** Identifying who is doing the dumping is a problem and litter/dumping is not a priority of law enforcement.

**Sutter:** Easy access to known dump sites, poverty, lack of education, easy to get away without any legal action against the offender.

**Tehama:** Low on the list of priorities for many departments. Lack of funding.

**Tulare:** Lack of funding for programs. Lack of ability to properly enforce County Ordinance requiring refuse collection.

**Tuolumne:** Research and identify a consistent long term funding, manpower to implement the Tuolumne County Illegal Disposal Prevention and Abatement Program, manpower to cleanup sites.

**Yolo:** Lack of state and regional programs. Illegal dumping does not observe jurisdictional boundaries; High cost to monitor and clean up frequent dumping sites; Insufficient penalties deter illegal dumpers and; low priority to investigate and/or prosecute illegal dumpers.

**Yuba:** Easy access to known dump sites, poverty, lack of education, easy to get away without any legal action against the offender.

7. What changes would you like to see made to fix some of the encounters you've encountered? Do you believe the changes could be done through regulatory changes, or would they need to be made through legislation?

**Amador:** Grant funds for private and public property cleanups.

**Butte:** Larger administrative penalties would have to be done through legislation.

**Calaveras:** Double the AVA fee

**Contra Costa:** Need more funding dedicated to illegal dumping abatement/enforcement, additional legislation is needed; Would be helpful if some of the tire disposal fees collected with purchase of new tires could be used to encourage recycling of tires modeled after the CRV program for aluminum cans; or a program like the E-waste disposal program to give consumers a cost effective means to

properly dispose of unwanted appliances; Funding for a full time litter enforcement officer; Funding for prosecution through the District Attorney's Office of repeat offenders.

**Del Norte:** Increase maximum allowable fines for Administrative Citations for illegal dumping; Subsidize local tire recycling in rural areas.

**El Dorado:** More public service announcements against highway littering; in process of passing a local Adopt-A-Road ordinance.

**Glenn:** Block Grant Amnesty Days for refrigerators or appliances; manufacturer and retailer "take back" programs; higher priority on arrest and prosecution, including portable surveillance equipment for repeat sites.

**Kings:** Subsidize legal disposal of bulky and electronic waste.

**Los Angeles:** Streamlined grant funding opportunities, including funding for small sites; simplification of process for private property cleanups, billing responsible parties, etc.

**Madera:** Having the cases filed in the Superior Court (Enforcing our current laws) and the violators be fined in an amount equal to the total cost of the cleanup.

**Monterey:** Regardless of the method utilized to fix the barriers (regulatory or legislative) – key will be the funding of staff personnel to enforce the chosen process. The Agricultural Industry needs to be involved in any definitive effort; improvement of disposal site locations, facility operation hours, and tipping fees commensurate with the user population's income.

**Napa:** Immediate funding to local jurisdictions for clean up of material that has been banned from landfills.

**Nevada:** Enhanced utilization of investigators from the District Attorney's Office; Further utilization of CIWMB Cleanup Grant programs; Funding to further support Environmental Health's Investigations of illegal dumping complaints.

**Orange:** Legislation can promote manufacturers and retail companies to take back electronic wastes for proper recycling.

**Placer:** Additional grant funding and expanded enforcement options.

**Sacramento:** An adequate funding mechanism to fully address the issue is needed.

**San Benito:** Legislation is needed to reverse the burden of proof for illegal dumping.

**San Bernardino:** Local agencies need legislative authority to issue citations to illegal dumping violators as well as additional funding for enforcement activities. Regulatory changes to enable the collection of deposits on the purchase of new electronic items are also necessary to fund the collection and disposal of e-waste.

**San Diego:** Establishment of additional/convenient dumpsites could allow the public to dispose of household and e-waste. Additionally, increased and coordinated public education at the State level would be beneficial.

**San Joaquin:** Legislation to require predisposal or advance fees for the most commonly dumped items or materials to fund state and local recycling and disposal costs; consider mandatory collection statewide; professional public outreach/mass media campaign to discourage illegal dumping statewide.

**Santa Clara:** Accountability for the last identified registered owner of illegally dumped vehicles or crafts; implement a lien process for cleanup; implement an easier way to fine and prosecute those that litter and illegally dump; focus finding industries and areas of society that could use more education regarding these matters. Enforcement could be stepped up.

**Santa Cruz:** Stiffer penalties for illegal dumping and littering; More State funding to provide for follow-up investigation to locate and prosecute offenders.

**Shasta:** N/A

**Solano:** Prior to legislation of waste stream the funding to adequately handle the programs. Offer more exemptions – streamline approvals- expand farm cleanup solutions – create alternative disposal.

**Sonoma:** Mandatory garbage pickup for all residents. It may help to have a hotline number for citizens to contact when they see roadside dumping. Increased enforcement of fines and penalties.

**Sutter:** Continuous surveillance of know dumpsites and legal action against caught offenders; legislative changes need to be made.

**Tehama:** N/A

**Tulare:** Increased funding for programs.

**Tuolumne:** Make more grant money available and make it easier to get.

**Yolo:** A State or regional promotional campaign to bring the problem to the public's attention and get them involved; higher penalties for illegal dumping and/or; rewards or incentives for reporting offenders. Some of these solutions may require state legislation and funding.

**Yuba:** Continuous surveillance of know dumpsites and legal action against caught offenders; legislative changes need to be made.

*-end-*

## **ATTACHMENT 4**

# **LEAGUE OF CALIFORNIA CITIES ILLEGAL DUMPING SURVEY**

**JANUARY 2007**

## 2006 Illegal Dumping Survey- City Responses Local Cost Estimates & Programs

**A survey prepared for the State-Local Illegal Dumping Enforcement Task Force  
Formed by the Integrated Waste Management Board, the League of California  
Cities  
And the California State Association of Counties**

### Annual Jurisdiction Costs

<b>Jurisdiction</b>	<b>Department</b>	<b>Staff Costs</b>	<b>Disposal Costs</b>	<b>Total Costs</b>
<b>Apple Valley</b>	<b>Jurisdiction Wide</b>	<b>40,500.00</b>	<b>5,250.00</b>	<b>45,750.00</b>
<b>Arcadia</b>	<b>Jurisdiction Wide</b>			<b>10,000.00</b>
<b>Anaheim</b>	Solid Waste	89,000.00	28,800.00	118,700.00
<b>Brea</b>	<b>Jurisdiction Wide</b>	<b>13,814.00</b>		<b>13,814.00</b>
<b>Brentwood</b>	<b>Jurisdiction Wide</b>	<b>23,210.00</b>	<b>6,744.00</b>	<b>29,954.00</b>
	Building/ Code Enforcement	1,200.00		1,200.00
	Public Works	12,810.00	2,000.00	14,810.00
	Police	2,000.00		2,000.00
	Solid Waste	5,200.00	4,244.00	9,444.00
	Parks and Recreation	2,000.00	500.00	2,500.00
<b>Campbell</b>	<b>Jurisdiction Wide</b>	<b>84,094.00</b>	<b>27,000.00</b>	<b>111,094.00</b>
	Building/ Code Enforcement	10,094.00	12,000.00	22,094.00
	Environmental Health/Hazardous	32,000.00	10,000.00	30,000.00
	Public Works	30,000.00	5,000.00	35,000.00
	Police	12,000.00		12,000.00
<b>Clayton</b>	<b>Jurisdiction wide</b>	<b>1,000.00</b>		<b>1,000.00</b>
<b>Colusa</b>	<b>Jurisdiction wide</b>		<b>25,000.00</b>	<b>25,000.00</b>
<b>Concord</b>	<b>Jurisdiction Wide</b>			<b>33,073.00</b>
	Public Works	23,623.00		23,623.00
	Debris Tech Contract			9,450.00
<b>Clovis</b>	<b>Jurisdiction wide</b>			<b>8,800.00</b>
<b>Costa Mesa</b>	<b>Jurisdiction wide</b>	<b>21,899.96</b>		<b>851,899.96</b>
	City Manager	100.00		100.00
	Building Code Enforcement	21,799.96		21,799.96
	Public Works			830,000.00
<b>Costa Mesa Sanitary District</b>	<b>Jurisdiction Wide</b>	<b>240.00</b>		<b>525,000.00</b>
<b>Daly City</b>	<b>Jurisdiction wide</b>	<b>150,500.00</b>	<b>52,000.00</b>	<b>202,500.00</b>
	City manager	2,000.00		2,500.00
	Building/Code Enforcement	5,000.00		5,000.00
	Public Works	130,500.00	52,000.00	182,500.00
	Police	1,000.00		1,000.00
	Solid Waste	10,500.00		10,500.00

	Clean Community	1,000.00		1,000.00
<b>Del Rey Oaks</b>	<b>Jurisdiction Wide</b>	<b>500.00</b>		<b>500.00</b>
<b>Elk Grove</b>	<b>Jurisdiction wide</b>	<b>474,100.00</b>	<b>240,000.00</b>	<b>714,100.00</b>
	City manager	300.00		300.00
	Building/Code Enforcement	2,800.00		2,800.00
	Environmental Health/Hazardous Material	20,000.00	33,000.00	53,000.00
	Public Works	25,000.00	7,000.00	32,000.00
	Police	6,000.00		6,000.00
	Solid Waste	120,000.00		120,000.00
	Franchised Hauler	300,000.00	140,000+60,000 equipment	500,000.00
<b>Fairfield</b>	Public Works	51,104.23	19,593.38	70,697.00
<b>Fontana</b>	<b>Jurisdiction Wide</b>	<b>39,768.00</b>	<b>28,776.00</b>	<b>68,544.00</b>
	Building Enforcement Code	6,360.00		6,360.00
	Environmental Health/Hazardous Materials	14,400.00		14,400.00
	Public Works	19,008.00	21,576.00	40,584.00
	Police	600.00		600.00
<b>Fortuna</b>	<b>Jurisdiction Wide</b>	<b>5,712.00</b>		<b>5,712.00</b>
<b>Foster City</b>	Police Department Only department info available	630.00		630.00
<b>Glendale</b>	<b>Jurisdiction Wide</b>			<b>350,000.00</b>
<b>La Habra Heights</b>	<b>Jurisdiction wide</b>			<b>10,000.00</b>
<b>La Palma</b>	<b>Jurisdiction wide</b>	<b>700.00</b>	<b>100.00</b>	<b>800.00</b>
	Building/Code Enforcement	400.00		400.00
<b>Livermore</b>	Public Works	44,234.00		44,234.00
<b>Los Angeles</b>	<b>Jurisdiction Wide</b>			<b>10,000,000.00</b>
<b>Madera</b>	<b>Jurisdiction Wide</b>	<b>194,988.75</b>	<b>12,350.00</b>	<b>207,388.75</b>
	Building/Code Enforcement	194,638.75	12,000.00	206,638.75
	Police	350.00		350.00
<b>Monterey Park</b>	<b>Jurisdiction wide</b>	<b>85,000.00</b>	<b>Included in city refuse collection contract</b>	<b>85,000.00</b>
<b>Monrovia</b>	<b>Jurisdiction Wide</b>	<b>1,000.00</b>	<b>Included in city refuse contract</b>	<b>1,000.00</b>
<b>Norwalk</b>	<b>Jurisdiction wide</b>	<b>106,600.00</b>	<b>166,200.00</b>	<b>272,800.00</b>
	Building/Code Enforcement	6,600.00		6,600.00
	Environmental Health		16,000.00	16,000.00
	Public Works	43,000.00	47,000.00	90,000.00
	Police	52,000.00		52,000.00
	Solid Waste	5,000.00	103,200-300,000	108,200-305,000
<b>Ontario</b>	<b>Jurisdiction Wide</b>	<b>491,300.00</b>	<b>327,000.00</b>	<b>961,000.00</b>
	Building/Code Enforcement			10,000.00

	Environmental Health/Hazardous Waste	26,000.00	17,000.00	43,000.00
	Public Works	423,000.00	310,000.00	733,000.00
<b>Pomona</b>	<b>Jurisdiction Wide</b>			<b>350,000.00</b>
	Solid Waste	5,000.00	103,200.00-300,000.00	108,200.00-305,000.00
<b>Rancho Santa Margarita</b>	<b>Jurisdiction Wide</b>	<b>52,500.00</b>		<b>52,500.00</b>
	Building/Code Enforcement	500.00		500.00
	Public Works	52,000.00		52,000.00
<b>Sand City</b>	<b>Jurisdiction Wide</b>	<b>97,810.00</b>	<b>1,500.00</b>	<b>99,310.00</b>
	Hope Services (City Contract)	82,000.00		82,000.00
	Public Works	13,000.00	1,500.00	14,500.00
<b>San Bruno</b>	<b>Jurisdiction Wide</b>	<b>10,850.00</b>	<b>7,350.00</b>	<b>18,200.00</b>
	Building/Code Enforcement	5,500.00	2,000.00	7,500.00
	Public Works	1,350.00	1,350.00	7,500.00
	Parks Division	4,000.00		4,000.00
<b>San Leandro</b>	<b>Jurisdiction Wide</b>	<b>21,000.00</b>	<b>3,000.00</b>	<b>24,000.00</b>
	Environmental/Hazardous Waste	2,000.00		2,000.00
	Public Works	19,000.00	3,000.00	21,000.00
<b>Santa Maria</b>	<b>Jurisdiction Wide</b>	<b>62,842.00</b>	<b>293,065.00</b>	<b>358,407.00</b>
	Building/Code Enforcement	55,000.00		55,000.00
	Fire Department			2,500.00
	Public Works		5,000.00	5,000.00
	Solid Waste	unknown	286,265.00	286,265.00
	Recreation and Parks	1,000.00	1,000.00	2,000.00
	Streets Maintenance	6,842.00	800.00	7,642.00
<b>Selma</b>	<b>Jurisdiction Wide</b>	<b>14,500.00</b>	<b>1000.00</b>	<b>15,500.00</b>
<b>Sunnyvale</b>	Public Works	28,488.00	93.00	28,581.00
	Police	1,300.00	1,500.00	2,800.00
<b>Grand Total</b>				<b>15,718,288.71</b>

## Local Programs, Funding Sources and Ways to Improve

### *Extended Responses*

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#### **A. What is your city currently doing to combat littering and illegal dumping?**

**Anaheim:** 3 free bulky item pickups annually (must be fewer than 20 items per pickup)

**Arcadia:** public education, website information, encouraging citizens to report illegal dumping activities, quick cleanup of sited litter.

**Apple Valley:** mandatory trash collection and residential recycling, free hazardous waste drop off 2x month, free bulky item pick up 2x annually, tire amnesty days, free mattress pick-up, 3 annual community cleanup days, occasional "blight projects" to target neighborhoods, \$500 reward to report info leading to the arrest of an illegal dumper, 30 day impounding of vehicles used for illegal dumping.

**Brentwood:** Annual city-wide clean up events, signage, mandatory collection, code enforcement

**Brea:** Mandatory Collection, website link, code information

**Carmel:** mandatory collection.

**Costa Mesa:** "No Dumping" signs posted in alleyways, garbage cans by bus stops and on sidewalks; Costa Mesa sanitary district offers large item collection; one day electronic waste collection day, annual used tire collection, curbside pickup service for used motor oil and other household hazardous waste. An environmental services company was contracted for hazardous waste cleanup and education for the public/school children.

**Clayton:** illegal dumping is not a major issue here, the city provide education and city trash cans in the downtown area.

**Clovis:** mandatory collection service, biannual free debris collection, reduced cost special pick up service, waste tire amnesty days

**Colusa:** annual citizens clean up day annually in spring

**Costa Mesa Sanitary District:** newsletters, free bulk item pickup 2x annually, furnishes standardized containers, used tire roundup, electronics waste event

**Campbell:** signage in problem areas, annual community cleanup, education, website information (storm water pollution prevention, business generated wastes, household hazardous waste, recycling and proper disposal of various debris), Police enforcement, agency coordination to clean up homeless encampments, mandatory collection, educational campaigns, kindergarten 4<sup>th</sup> and 5<sup>th</sup> grade presentations.

**Daly City:** increased fines, mandatory collection, education

**Del Rey Oaks:** enforcement, signage

**Elk Grove:** education, contracted city garbage collector is required to pick up illegally dumped items; public works staff collects smaller litter items.

**Fontana:** the city has an illegal dumping hotline, a City Code that allows a vehicle to be seized if caught illegally dumping. The city also offers two free clean up day events a year and two free bulky item pick-ups a year. All of the information regarding these programs is posted on the city's website, printed in the Public Works guide and given out during events.

**Fortuna:** regular outreach efforts to stress recycling and waste reduction to the business community and the general public; city ordinances against illegal dumping at thrift stores, etc; trash cans on city streets and parks.

**Fairfield:** enforcement, mandatory collection

**Foster City:** police patrols in repeat dumping locations

**Glendale:** education campaign, free bulky item pickup, Adopt a Block Programs, public ash trays in downtown area.

**Gilroy:** Keep Gilroy Clean campaign

**Livermore:** one staff person dedicated to collecting litter from main thoroughfares, public works staff, contracted garbage collector collects illegally dumped items and provides bulky item pickup, mandatory residential and commercial collection, informational letters sent to vehicular litterbugs, green waste collection, targeted cleanup in areas of frequent dumping.

**La Habra Heights:** Enforcement and signage

**La Palma:** mandatory use of city rubbish contractor, semi annual bulky item collection

**Livermore:** one staff person dedicated to collecting litter from main thoroughfares, public works staff, contracted garbage collector collects illegally dumped items and provides bulky item pickup, mandatory residential and commercial collection, informational letters sent to vehicular litterbugs, green waste collection, targeted cleanup in areas of frequent dumping.

**La Habra Heights:** Enforcement and signage

**La Palma:** mandatory use of city rubbish contractor, semi annual bulky item collection

**Monrovia:** Mandatory residential and commercial Waste collection, 2 free bulky item pick-ups annually, neighborhood services/code enforcement, anti-litter campaigns, public refuse cans throughout downtown and bus stops, and weekly street-cleaning.

**Monterey Park:** education and enforcement, mandatory collection, hold property owners responsible for maintaining their park and alleyways

**Madera:** Alley cleanup effort, surveillance cameras, surveillance by city staff, code enforcement, curb side cleanup

**Marina:** enforcement, cleanup, fencing, etc.

**Norwalk:** education, letting people know of available collection services

**Ontario:** Education, bulky item pickup, debris cleanup, neighborhood cleanup services, code enforcement.

**Pasadena:** staff targets known illegal dumping sites, 2 free bulky item pickups per year.

**Pomona:** mandatory residential collection, bulky item collection.

**Roseville:** local government channel advertising, signs to call and report illegal dumping, quick cleanup of waste to prevent more

**Sand City:** actively citing individuals caught littering, enforcing camping laws, and the Public Works keeps problem areas clean of brush that is visible to the public which deters dumping.

**Seaside:** Mandatory collection, county-wide education campaign.

**San Bruno:** signage, code enforcement, asking landlords to police their vacating residents.

**San Leandro:** enforcement, monitoring encampments, trying to find those responsible for dumping.

**Santa Maria:** Mandatory service, no charge landfill to residents 2x a year, monitoring of target code enforcement, Public Works street maintenance, recreation and parks daily rounds, SWAP non violent offender community service, fire department responds to about 10 calls annually for illegal oil dumping/spills.

**Selma:** mandatory collection, biannual city wide cleanups

**Sunnyvale:** Public Safety inspects for hazardous wastes/waste tire. Mandatory refuse collection, city-wide cleanups 2x a year, city offers 4 extra dump weekends, transfer station contract responsible for cleaning up litter along the three main roads leading to the station. Public Works educates residents and businesses on prevention of illegal storm drain and sewer dumping.

**Upland:** garbage cans in heavily used public areas, education

## **B. What is the item most commonly illegally dumped?**

**Anaheim:** Mattresses, bed frames, couches, chairs, e-waste and appliances.

**Arcadia:** Furniture, mattresses.

**Apple Valley:** household refuse, tires, furniture

**Brentwood:** furniture, appliance, gravel, concrete, household garbage, boxes of junk disguised as cardboard

**Brea:** Appliances and furniture

**Campbell:** mattresses, household refuse, appliances, paint, oil.

**Carmel:** gravel, gasoline, radiator coolant, restaurant grease and residue.

**Clayton:** yard waste, but this issue has been resolved

**Costa Mesa Sanitary District:** household furniture/appliances, e-waste, landscape contractor refuse, construction/demolition materials

**Clovis:** Furniture

**Colusa:** e-waste items, televisions, computers, tires, vehicles

**Costa Mesa:** furniture (mattresses couches), appliances, televisions, water heaters, refrigerators, abandoned vehicles in alleys.

**Daly City:** household furniture, appliances, mattresses, televisions, computer parts, any items the disposal facilities charge a premium to discard.

**Del Rey Oaks:** tires, household refuse, newspapers

**Elk Grove:** appliances, trailers, boats, automotive batteries, computers, and televisions.

**Fontana:** tires, furniture and appliances

**Fortuna:** household waste dumped in city dumpsters; TVs, tires, mattresses and old couches dumped in vacant lots.

**Fairfield:** furniture, appliances

**Gilroy:** household refuse, appliances, furniture

**Glendale:** furniture, abandoned appliances, hazardous waste.

**Livermore:** furniture, household appliances, tires, shopping carts, and construction debris

**La Habra Heights:** gravel, dirt, building materials, tires, hazardous waste, household refuse, furniture.

**La Palma:** Appliances, Furniture, e-waste, construction waste

**Marina:** Appliances, mattresses

**Monrovia:** Large furniture items, mattresses, e-waste.

**Monterey Parks:** furniture, household refuse

**Madera:** household refuse, tires, appliances

**Norwalk:** Furniture/other household items

**Ontario:** Appliances, tires, furniture, and shopping carts

**Pasadena:** Furniture

**Pomona:** mattresses, couches, appliances, green waste, construction/demolition from roofing/remodeling (contractors), tires; hazardous or bio waste is rare but expensive.

**Roseville:** Furniture and some HHW

**Sand City:** waste paper, household items from homeless camps, shopping carts, tires and cars.

**Seaside:** Furniture

**San Bruno:** Household refuse, appliances, tires, and furniture

**San Leandro:** gravel, furniture, e-waste, tires, batteries.

**Santa Maria:** tires, x-mas trees, food wrappers, car parts, tires, old furniture and mattresses

**Selma:** appliances, tires, furniture

**Sunnyvale:** furniture, shopping carts and household garbage. Hazardous and bio-waste is rarely dumped.

**Upland:** concrete, sand gravel, paint, oil and hazardous waste

**C. What is the most common area where illegal dumping occurs in your jurisdiction?**

**Anaheim:** Alleys and roads.

**Arcadia:** City streets, alleyways

**Apple Valley:** rural, undeveloped areas

**Brentwood:** Brentwood Café, behind Centro mart and other strip malls, walking trails, and creek

**Brea:** alleyways

**Campbell:** private and commercial properties, alleys, city streets, some waterways and remote areas

**Carmel:** private property, government property, city streets.

**Clayton:** open spaces maybe 2x a year

**Costa Mesa Sanitary District:** parkways and alleyways

**Clovis:** Public streets and alley ways

**Colusa:** Alleys, and streets

**Costa Mesa:** city streets, alleyways especially those next high density apartments.

**Daly City:** high density population areas, freeway overpasses, dead end streets

**Del Rey Oaks:** rural roadways,

**Elk Grove:** remote areas, city streets, alleys; often in the area of our neighborhood pick up program.

**Fairfield:** remote areas, open fields, alleys

**Fontana:** privately owned fields, unoccupied property and open fields.

**Foster City:** private property, private dumpsters

**Fortuna:** private property, city streets and parks.

**Glendale:** streets and alleys, occasionally dumping occurs in parkways in front residential properties.

**Gilroy:** Alleys and roadsides

**Jackson:** most occurs in the rural unincorporated surrounding county

**Livermore:** railroad properties, alleys, remote areas, and vacant lots

**La Habra Heights:** remote areas, rural roads, government and private property, vacant parcels, flood control channels.

**La Palma:** Private and commercial alleyways, loading dock areas

**Marina:** Remote areas, government property

**Monrovia:** Alley ways, dead end roads, and enclosures are the most common areas

**Monterey Park:** city streets, alleys, private property

**Madera:** alleys and empty lots

**Norwalk:** alleys, private business areas

**Ontario:** Roadsides, city streets, alleys, and refuse bin enclosures

**Pasadena:** high density, multi-unit complexes and alleys

**Pomona:** alleyways, remote areas and rural roadsides.

**Roseville:** most illegal dumping happens at recycling sites

**San Bruno:** Access roads that dead end into parks, remote areas, city streets and transportation easements.

**Sand City:** the beach, railroad right of way, remote areas, and city streets

**San Leandro:** remote areas, dead ends, industrial areas, and underpasses.

**Santa Maria:** remote locations, the road on the way to the landfill, areas of blight, alleyways, parking lots, rural roads maintained by the county

**Selma:** Alleys

**Seaside:** city alleyways

**Sunnyvale:** hazardous waste/tire dumping occurs on vacant industrial/commercial land; shopping carts are often dumped near bus stops and apartment buildings; most illegal dumping occurs throughout the city on streets and in vacant lots.

**Upland:** Remote areas, alleys, private property, and city streets.

**D. What programs that you are currently doing have you found to be the most cost effective?**

**Anaheim:** Bulky Item pick-up program

**Arcadia:** packaging illegal dumping education with environmental protection education, residents respond better to this kind of holistic approach.

**Apple Valley:** free drop off programs provided by the Town collect tons of materials and prevent city officials from having to pick up those items in the desert

**Brea:** free bulky pickup 3x year, plenty of garbage receptacles at large events.

**Brentwood:** annual city wide clean up events, mandatory subscription, creek cleanup events

**Carmel:** code enforcement by police dept, planning and building officials

**Daly City:** concentration of Public Works, Code Enforcement and Police in a city block area (a kind of test case); there was reduction in dumping, but it was not completely eliminated.

**Elk Grove:** neighborhood cleanup program- monthly cleanup of specific city regions

**Fortuna:** locking city dumpsters.

**Fontana:** Most cost effective are the bulky item pick-up, cleanup day events, and advertising programs in the Public Works guide.

**Glendale:** Adopt a Block Program; 49 active volunteer groups help keep 22 linear miles of streets and alleyways litter free.

**Gilroy:** Keep Gilroy beautiful campaign, incorporating some pickup requirements in garbage haulers contract. Fenced off an area that was frequently used for dumping

**Livermore:** increased public education, article in the city newsletter, and neighborhood meetings.

**La Habra Heights:** Code enforcement and signage

**La Palma:** rapid removal of dumped waste, “no dumping” signs, and outdoor security cameras (real and fake).

**Marina:** posting, signing, fencing

**Monrovia:** Free bulky items, public education and street sweeping

**Monterey Park:** property owner parkway/alley maintenance enforcement program.

**Madera:** alley cleanups and staff surveillance

**Norwalk:** pro active and reactive enforcement, clean up events, newsletters

**Ontario:** timely bulky item pick-up, debris removal and cleanup, regular maintenance of right of ways, parks and public areas; visible education programs

**Pasadena:** we incorporate coverage of illegal dumping sites into regularly scheduled bulky item pick-up routes

**Pomona:** Residential bulk item collection, community cleanup, periodic “hot spot” collection.

**Sand City:** vehicle abatement and city awareness

**Seaside:** educational program (television. print media)

**San Bruno:** Photograph and document info, send to police, exclude areas from public access.

**San Leandro:** Use sweeper operators and other maintenance staff always in the field to report immediately “potential activity”

**Santa Maria:** SWAP program, mandatory collection service, extra pickups, citations and fines to offset costs, charging the dumper when that person can identify.

**Sunnyvale:** WPCP programs have been successful, Neighborhood Preservation responds to incidents illegal dumping and enforces the municipal code.

**Upland:** school assemblies, bus stop trash cans.

**E. What funding sources do you utilize to cover the costs of these programs?**

**Anaheim:** Sanitation Fund

**Arcadia:** General Fund, Department of Conservation Cans and Bottles Grant.

**Apple Valley:** general fund

**Brentwood:** City's solid waste division, Community Development funds staff and postage

**Brea:** general fund

**Campbell:** general fund moneys, CDBG funds, Department of Conservation Grant Monies to fund annual cleanup

**Carmel:** general fund

**Clayton:** general fund, storm water utility fund

**Costa Mesa Sanitary District:** the revenue stream is based on trash collection rates charged on property taxes

**Colusa:** Monthly rates

**Costa Mesa:** State funds are used for the used oil and household hazardous waste pickup

**Clovis:** Refuse Enterprise Fund-refuse user fees.

**Daly City:** Gas Tax funding.

**Del Rey Oaks:** general fund

**Elk Grove:** Franchise Fees from commercial and residential sectors, and city fee imposed on developers.

**Fontana:** Police funds, street funds, gas tax and solid waste funds.

**Fortuna:** monies are used from Parks and Public Works budgets.

**Glendale:** Community Development block grant funds are the primary source. Funds are also raised through corporate and individual donors.

**Gilroy:** general fund, the garbage company under contract provides services.

**Livermore:** general fund, garbage rate payers, \$50,000 appropriated from the general fund to abate public nuisances.

**La Habra Heights:** General Fund.

**La Palma:** General Fund.

**Marina:** Existing budget

**Monrovia:** AB 939 fees/Franchise Fees.

**Monterey Park:** city's refuse fund.

**Madera:** general fund, CIWMB for tire cleanup efforts, RDA funding for enforcement purposes.

**Norwalk:** General Fund, used oil grant money.

**Ontario:** General fund, solid waste utility service rates, Grant programs CDBG, San Bernardino County, State Grant opportunities.

**Pasadena:** gas tax fund.

**Pomona:** Refuse fund, general fund; revenue is generated from residential trash fees and solid waste commercial franchise fees.

**Sand City:** vehicle abatement fees for illegally dumped vehicle, and the annual city budget

**San Bruno:** General Fund.

**San Leandro:** Street Cleaning Funds.

**Santa Maria:** Utilities/Solid Waste budgets, general fund, Gas tax, Measure D,

**Seaside:** contributory funding from all municipalities in MRWMD and State funding.

**Sunnyvale:** general fund, solid waste Enterprise fund, wastewater enterprise fund.

**Upland:** San Bernardino County Co-Permit NPDES Permit Program Fees

**F. What barriers have you encountered in your city's work to combat littering and illegal dumping?**

**Anaheim:** Accessibility to alleys, roadsides for others outside the city to illegally dump items.

**Arcadia:** Due to the nature of the activity, it is extremely difficult to identify the particular demographics, if any, illegally and litter more frequently than others. Lacking this information, public education campaigns can't be targeted at groups where they would be most effective.

**Apple Valley:** public's unwillingness to report illegal dumping as it occurs

**Campbell:** limited resources for enforcement and monitoring, difficulty in identifying appropriate agencies responsible for the property; budget in general is a problem. Cities are asked to keep highway medians and freeway on and off ramps clean, but those areas are under separate jurisdiction. More partnering and communication with these agencies is needed.

**Clayton:** "none, it is not a problem in our community- our problem is trying to convince regulators that it is not a problem in our community

**Costa Mesa Sanitary District:** non-English speaking customers

**Clovis:** regardless of city offered alternatives a small percentage of the population continues to dump illegally

**Colusa:** Funding for special events such as clean up day, vehicle abatement

**Costa Mesa:** language barriers, inability to communicate with multi family property owners who reside out of state/country who do not provide property management staff, Public Services Department does not have the personnel to stay atop of the problem.

**Daly City:** The dumping is a direct result of the high cost of properly dumping at a refuse facility, to prosecute illegal dumping you must catch someone in the act.

**Del Rey Oaks:** people don't care; they simply want to get rid of things.

**Elk Grove:** Private property is more difficult to arrange for a cleanup

**Fontana:** not enough information on people who illegally dump, residents not reporting illegal dumping, open spaces and lack of anti-dumping signage.

**Fortuna:** Some folks don't seem to think that illegal dumping is wrong.

**Glendale:** Glendale is an ethnically diverse community. Different cultures have different attitudes in regard to litter. The “Don’t Trash Glendale” campaign utilizes multilingual outreach materials to address this issue. Law enforcement personnel do not issue citations for littering.

**Gilroy:** cost of disposal at the local dump has increased resulting in a higher rate of dumping, Alleys area huge problem, and not enough code enforcement

**Livermore:** lack of cooperation from railroad companies, and the need for additional assistance from Caltrans at maintaining freeway on and off ramps.

**La Habra Heights:** High Cost disposal and distance to approved dump sites

**La Palma:** residents who dump items in front of their home and call the city to report it as illegally dumped, absentee property owners

**Marina:** Assistance, patrolling, police department(s)

**Monrovia:** People don’t want to wait until their regular trash pick-up day for bulky item pick-up, so they just throw it out on the parkway. People don’t want to call for bulky item pick-up. People are unaware of bulky item pick-up services.

**Monterey Park:** language barriers, also the ability to witness illegal dumping as it occurs

**Madera:** ACLU would like to place a halt on surveillance using cameras

**Norwalk:** insufficient resources, lack of surveillance equipment

**Ontario:** Public knowledge, accessibility/convenience of programs and land fills, cost of land fill disposal for the public.

**Pasadena:** funding

**Pomona:** Residents perceive it not as a crime, but as a problem that cities should clean up, illegal dumping often goes unreported; police do not have enough staff to enforce illegal dumping codes.

**San Bruno:** Finding and notifying violating parties

**Sand City:** time required to complete tasks, lack of public interest

**San Leandro:** not a police priority, sometimes neighbors are reluctant to get involved

**Seaside:** lack of personnel to cover both law enforcement and cleanup needs from dumping.

**Santa Maria:** counter-fit Landfill Free Day Cards, residents have come to rely on “free” illegal dumping, difficulty in identifying the offender(s).

**Selma:** not being able to identify the dumpers

**Sunnyvale:** Educating multi family managers and tenants about proper disposal methods, identifying responsible parties, language barriers, inadequate city resources, and having different jurisdictions throughout the city.

**Upland:** Language Barrier and enforcement authority.

**G. What changes would you like to see made to fix some of the barriers you've encountered?**

**Anaheim:** Other cities should convenient bulky item pickup collection programs at no charge to their customers.

**Arcadia:** It is unlikely that either changes in regulations or legislation would overcome the obstacles presented in question F.

**Apple Valley:** more compliance with existing ordinances

**Brentwood:** we are moving the free drop off location and will be installing cameras at the site. Dumping is a relatively minor problem in Brentwood

**Campbell:** vehicular traffic causes much of the litter that can't be controlled, this issue may take legislation. More policing is needed to combat illegal dumping of yard waste, construction materials, and appliances. State funding is needed. NPDES Storm water Program can't raise rates without an election and 2/3 vote passage. Another issue is litter coming from schools and fast food restaurants, limiting the non-biodegradable waste could be helpful. A single point of contact for litter concerns to put the caller in contact with the appropriate agency in charge of maintaining the property.

**Clayton:** "We have not had any issues with illegal dumping due to the socio-economics and community location, our issue is that the state regional water board assumes that all communities have this problem and need to do something about (develop a program). They approach it as if all are guilty and you have to jump through hoops to show that it is not a problem in your city."

**Costa Mesa:** the current laws are sufficient; it is only a matter of changing the behavior of people who indiscriminately dump items.

**Daly City:** Charge a disposal fee at the time of a purchase of such items as mattresses, appliances, and other frequently dumped items

**Elk Grove:** no additional regulations, education is needed

**Fontana:** Stricter enforcement of the laws and regulations, more stringent consequences and advertising that promotes proper disposal.

**Fortuna:** A gradual move towards mandatory trash collection may alleviate some of these problems.

**Glendale:** We would like Law Enforcement Personnel to issue citations for littering. Aside from improving our environment, additional revenues could be brought to the City's General Fund.

**Gilroy:** one of the keys is controlling design of new development to eliminate "dead spaces" that are attractive to illegal dumpers

**Livermore:** require railroad companies to maintain their properties, increase penalties for illegal dumping, increase funding to local jurisdictions for refuse pickup and disposal.

**La Habra Heights:** more local roundups for hazardous materials and closer in town locations funded by the state

**Marina:** Unique to Government Property, funding for barriers, etc to prevent access into abandoned areas.

**Monterey Park:** funding available at the local level

**Monrovia:** Regulatory, unless there is new funding for state programs or city programs. State wide education is needed.

**Norwalk:** harsher punishment for offenders, government funding for surveillance equipment.

**Pomona:** Standardized policies throughout the state that would require mandatory trash collection and bulky item collection; Pomona experiences illegal dumping from surrounding municipalities.

**San Bruno:** There is a need for additional law and code enforcement; heavier fines, prosecution, and cost reimbursement.

**Sand City:** education higher fines, television, media sound bites

**San Leandro:** "Politically- if illegal dumping was made apriority- our job in Public Works might be easier"

**Santa Maria:** more monitoring of hot spots, increased fines for violators who are caught.

**Seaside:** Increased police enforcement and investigation of illegal dumping; regulatory changes

## **ATTACHMENT 5**

### **Illegal Dumping Legislation Adopted in 2006**

AB 1668 (Niello) – Illegal dumping enforcement officers

Summary: This bill authorizes local governments to appoint illegal dumping officers and would grant the officers limited enforcement authority. This bill provides that nothing in its provisions may be construed to award peace officer retirement benefits to illegal dumping enforcement officers.

AB 1992 (Canciamilla) – Solid waste: dumping

Summary: This bill provides clarification to the Health and Safety Code relative to the placing, depositing, dumping, or overflow of solid waste on private property without the owner's consent is a misdemeanor. The bill includes a local enforcement agency (LEA) in the list of entities that determine whether the dumping of solid waste is a public health and safety hazard. The bill changes the violation of illegal dumping in the Penal Code from an infraction to a misdemeanor, and increases some of the fines for violations.

AB 2211 (Karnette) – Solid waste disposal site cleanup

Summary: This bill adds solid waste facilities and sites involving solid waste handling to those sites eligible for emergency action funding from the Solid Waste Disposal Site Cleanup Trust Fund, and authorizes the Board to expend funds directly for the cleanup of a publicly owned or operated site only if the Board determines that the public entity lacks resources or expertise to manage the cleanup itself. The bill deleted the requirement that the grants provided be matching grants and would instead authorize the Board to provide grants to public entities, to assist in site cleanup.

AB 2253 (Hancock) – Vehicles; illegal dumping

Summary: This bill authorizes the impoundment and, in specific instances, civil forfeiture of a motor vehicle used in illegal dumping when the registered owner has multiple convictions for misdemeanor illegal dumping of waste matter.

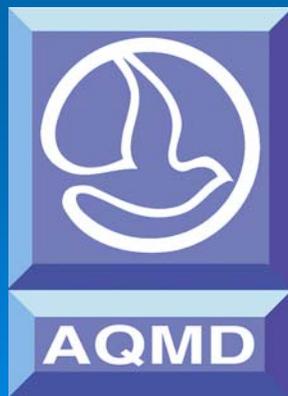
AB 2449 (Levine) – Recycling; plastic bags

Summary: Beginning July 1, 2007, this bill requires store operators to establish a recycling program that provides an opportunity for a store customer to return a clean plastic carryout bag to the store.

# Proposed Amendments to Rule 1110.2

For the LA County Solid Waste  
Management Committee

April 19, 2007



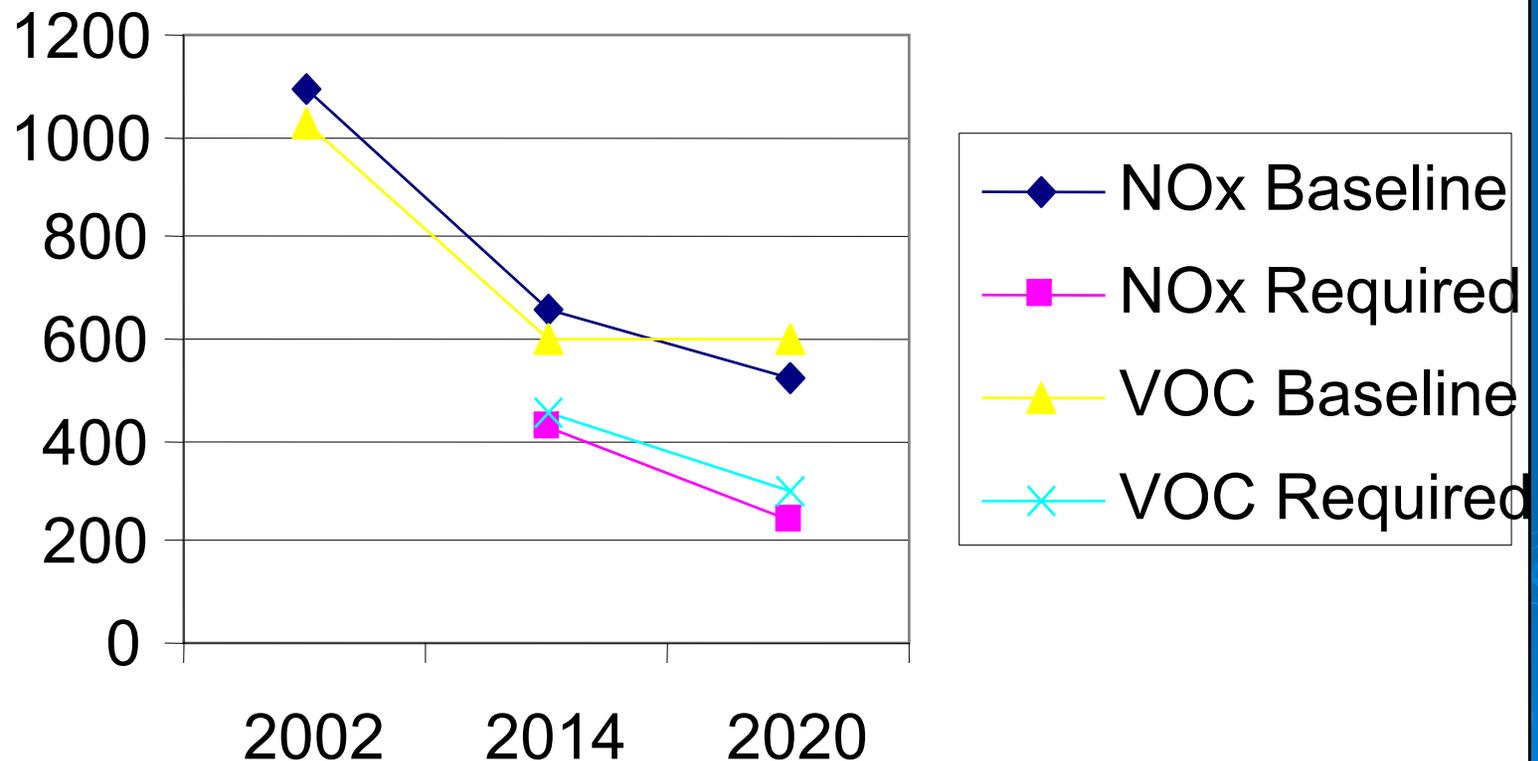
South Coast Air Quality  
Management District

# Overview of Goals

- Improve the monitoring, recordkeeping and reporting for better compliance
- Remove obsolete portable engine requirements
- Require new distributed generation (DG) engines to meet CARB 2007 DG standards
- Reduce emissions in accordance with 2007 Air Quality Management Plan

Why are these amendments  
necessary?

# Needed NOx and VOC Reductions from Draft 2007 AQMP



# 2007 AQMP Benefits

- Decreased mortality: >2400 deaths/year
- Decreased morbidity (sickness)
- Annual benefits of \$20.4 billion vs. costs of \$2.4 billion

# Draft 2007 AQMP

- Sufficient emissions reductions haven't been identified
- Control Measure #2007MCS-01 – Facility Modernization
  - Will require facilities to retrofit or replace their equipment to achieve BACT emission levels
  - Super-compliant VOC materials

# Engine Compliance Problems

- Unannounced emission tests of engines by AQMD
- 226 tests of old engines subject to Rule 1110.2 and new engines subject to more stringent BACT
- Engines driving compressors, pumps and electrical generators
- Engines by nine engine manufacturers or packagers

# Compliance Statistics

	<b>Rich-Burn Engines</b>	<b>Lean-Burn Engines</b>
No. of Tests	215	11
No. of ICEs Tested	180	11
% of Tests on ICEs with BACT Limits	79%	91%
% Non-Compliance	51%	27%
% NOx Violations	40%	27%
% CO Violations	28%	0%

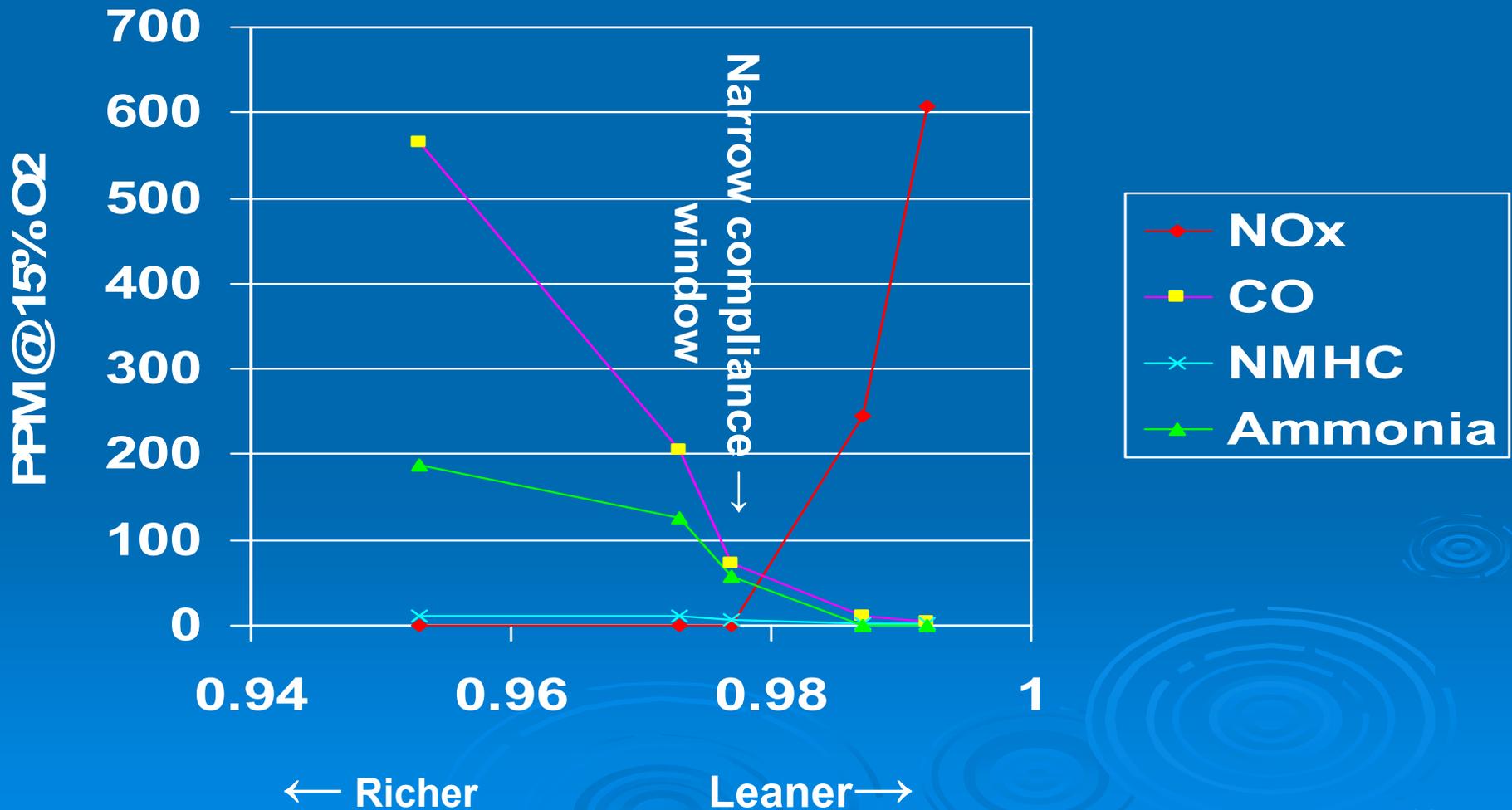
# Emission Exceedances

	<b>NOx</b>	<b>CO</b>
Rule 1110.2 Limits, ppm*	36-45	2000
Typical BACT Limits, ppm*	11	70
Maximum Test Concentration, ppm*	850	12,500
Average Violation Concentration, ppm*	137	2,520
Maximum % Over Limit	7,430%	18,400%
Average % Over Limit	912%	1,830%
Tested Excess Emissions, Tons/Year	385	4,894

\* @ 15% O<sub>2</sub>

# Why So Much Non-Compliance?

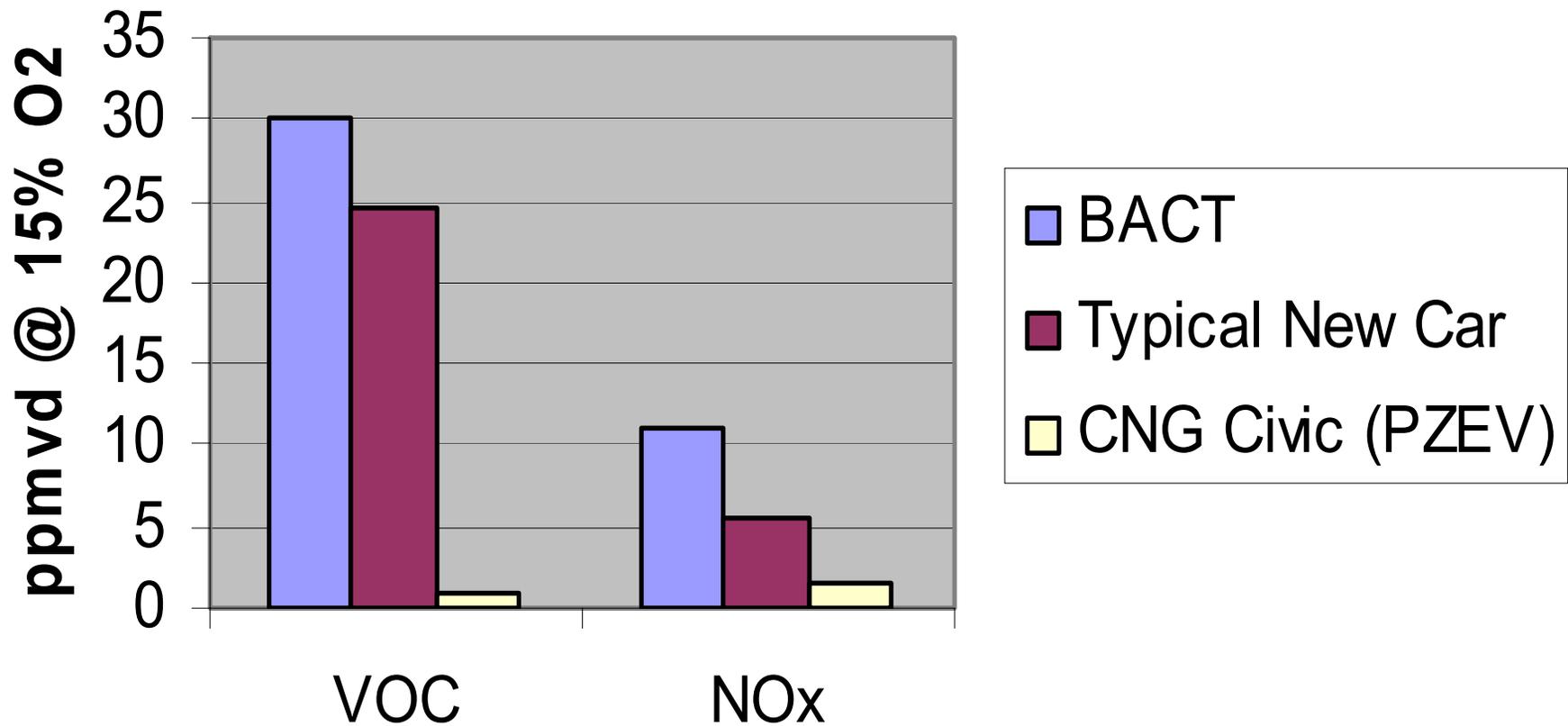
# 3-Way Catalyst Controlled Engine Emissions vs. Lambda



# Rich-Burn Engine Control Technology Summary

- Current air-to-fuel ratio controllers do not keep engines in compliance, or detect non-compliance
- Stationary Engine Technology is Far Behind Automotive Control Technology

# Stationary Engine BACT Versus Vehicles



# Affected Sources and Emission Inventory (Tons per Day)

- About 940 stationary non-emergency engines

	<b>NOx</b>	<b>VOC</b>	<b>CO</b>
Emissions if engines were in compliance	3.29	1.47	11.2
Estimated Excess Emissions	1.29	5.40	21.7
Totals	4.58	6.87	32.9

# What Amendments Are Proposed to Improve Compliance?

# Proposed Amendments to Monitoring, Recordkeeping and Reporting

## ➤ Continuous Emission Monitoring

- Put CO CEMS requirement back in rule (deleted by 1997 rule)
- Require CEMS for engines with a combined rating of 1000 hp or more in one location (within 75 ft)
  - Time-sharing allowed for additional CEMS
- Compliance with Rule 218

# Proposed Amendments – Source Testing

- Increase frequency from every 3 years to every 2 years (or 8760 hrs operation).
- Multiple load tests
- No pre-test adjustment, no abort for non-compliance
- Submit protocol, give 30-day notice, submit results within 30 days
- Provide sampling facilities (Rule 217)

# Proposed Amendments – Inspection and Monitoring (I&M) Plan

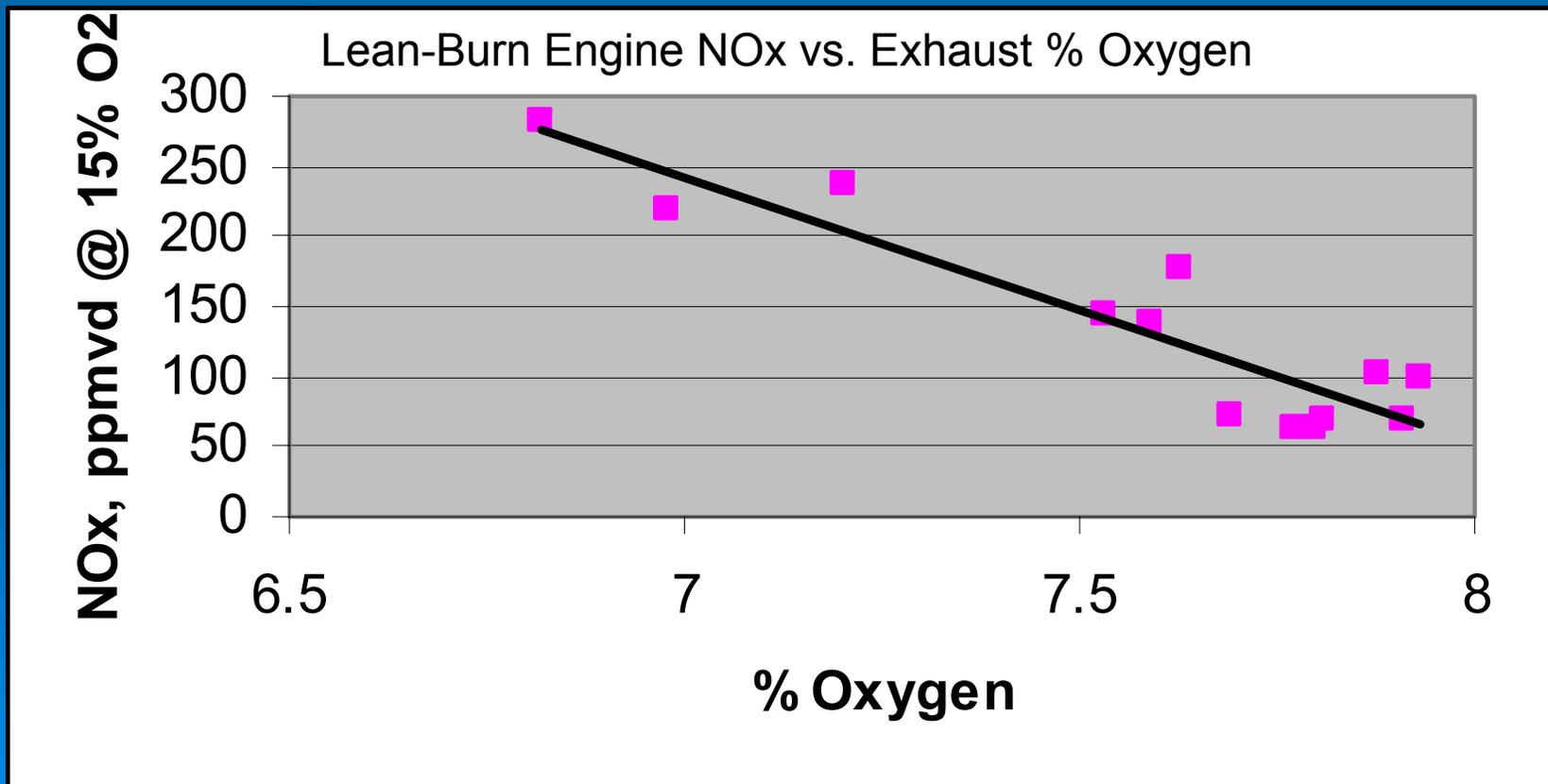
- I&M Plan required by CARB & EPA
- Required for engines with no CEMS
- Submit plan by 1/1/08; implement 5/1/08
- Determine parameter ranges for emission compliance over engine load range
  - O2 sensor voltage, Cat T's, reagent rate (if SCR)
  - initially and, for rich-burn engine, whenever O2 sensor changed

# I&M Plan (cont.)

- Daily monitoring and recording of engine and control equipment parameters, faults and alarms
- Emission checks weekly (or 150 hrs) using portable analyzer
  - Monthly (or 750 hrs) if three successive weekly tests OK
- Preventative and corrective maintenance and schedules
- Portable Analyzer Training

# Proposed Requirements – Air-to-Fuel Ratio Controllers (AFRC)

- AFRCs with O<sub>2</sub> sensor and feedback control
- For engines without CEMS, even lean-burns:



# What Amendments Are Proposed to Lower Emission Limits?

## Proposed Amendments to Requirements – Efficiency Correction

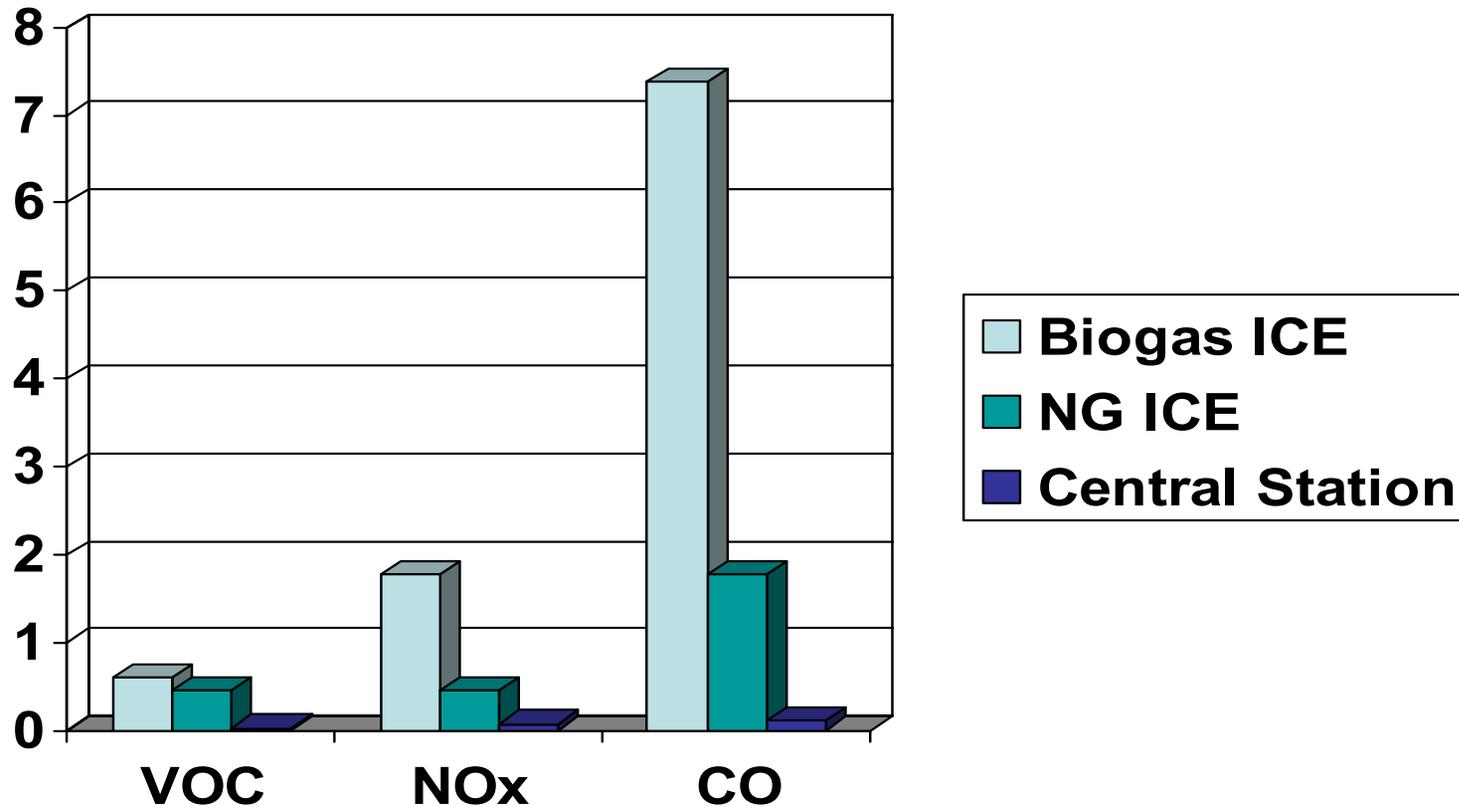
- Eliminate efficiency correction because it is difficult to determine, and often ignored.
- Unnecessary for three-way catalyst equipped engines (CARB BARCT is 25 ppm without efficiency correction)
- Excludes engines using at least 90% landfill or digester gas
  - Operator must demonstrate claimed efficiency using ASME test procedure

# Proposed Amendments to Requirements – Future Reduction to BACT Levels

- Limits drop to 11 ppm NO<sub>x</sub>, 30 ppm VOC, 70 ppm CO at 15% O<sub>2</sub>:
  - Natural gas, diesel, field gas  $\geq 500$  hp – 7/1/2010
  - Natural gas, diesel, field gas  $< 500$  hp – 7/1/2011
  - Landfill or digester gas – 7/1/2012

# BACT for Biogas ICEs, Nat Gas ICEs vs. Central Generating Station BACT (lbs/MW-hr)

Biogas engines emissions are high and need to be reduced.



# Digester Gas Facility Emissions

	NOx, lbs per year
San. Dist. of Orange Co	118,862
San. Dist. of Orange Co.	112,712

- Emissions exceed 18 of the 20 power plant facilities
- Higher than the 1,950 MW AES Alamitos power plant

# Landfill Facility Emissions

	NOx, lbs per year
Penrose Landfill	55,661
Ridgewood Power, Brea	54,798

- Emissions exceed 13 of the 20 power plant facilities
- Higher than the 1,310 MW AES Redondo Beach power plant

# New Technologies to Reduce Biogas Engine Emissions

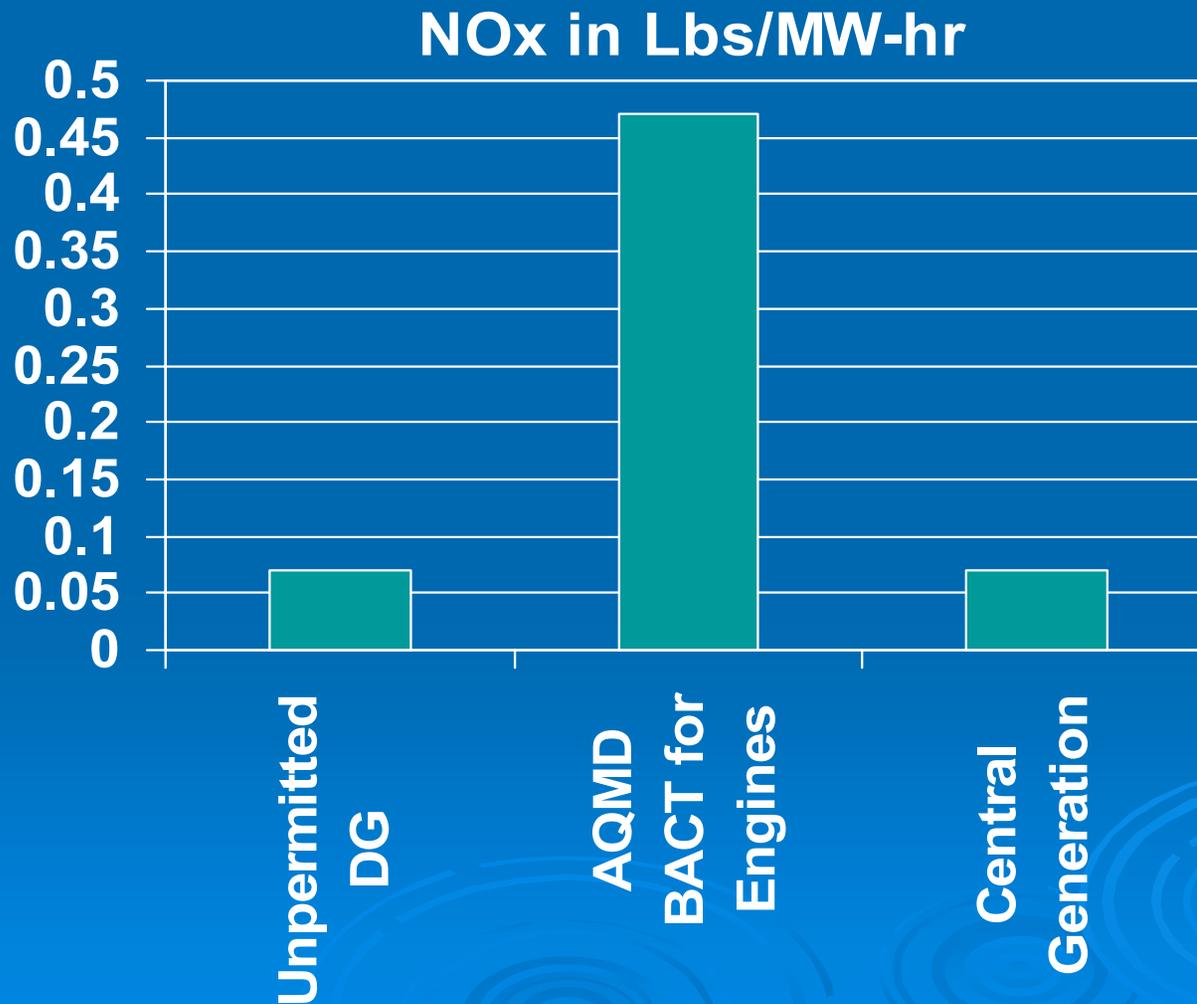
- Biogas cleanup to allow use of SCR and oxidation catalysts
  - Draft permit issued for demo project at Ameresco, Ox Mountain Landfill
  - In operation with CO catalysts at Brea Olinda Landfill, and OCSD Huntington Beach
- Non-catalytic NO<sub>x</sub>/VOC/CO controls: NO<sub>x</sub> Tech
  - In operation at Woodville Landfill, Tulare Co.

# Cleaner Technologies to Use Biogas

- Biogas cleanup to make LNG
  - In operation at Puente Hills and Bowerman Landfills
- Microturbines, fuel cells, gas turbines, boilers at many locations

# Distributed Generation

# Electrical Generator Emissions Comparison



# CARB 2007 DG Standards

	lb/MW-hr	Equivalent ppm @ 15% O <sub>2</sub> **
NO <sub>x</sub>	.07*	1.6-4.0
CO	0.1*	3.7-9.3
VOC	.02*	1.3-3.2

\*CHP credit of 1 MW-hr per 3.4 MMBtu of waste heat recovered

\*\* HHV efficiency range: 28%-70%

# Proposed Amendments to Requirements – Distributed Generation

- New stationary, non-emergency generators must meet CARB 2007 standards (lb/MW-hr)
- Credit for waste heat utilization @ 1 MW-hr per 3.4 MMBtu recovered and utilized
  - Net power production and waste heat utilization must be determined daily and reported annually.
- Does not apply to engines using at least 90% landfill or digester gas.

# Other Amendments

# Proposed Amendments - Exemptions

- Exempt start-up emissions until sufficiently warmed up, not to exceed 15 minutes
  - Additional CEMS startup data are welcomed
- Emergency Engines
  - Combine flood control and fire-fighting with other emergency uses
  - Limit to 200 hours/yr
  - Require limits on permits

# Proposed Amendments - Recordkeeping and Reporting

- Recordkeeping of data, logs, test reports, actions and other information required by the rule
- Reporting of non-compliance within one hour of discovery
- Follow breakdown procedures of Rule 430

# Compliance Options

Operators will have several choices to comply:

- Retrofit emissions controls on existing engines, or
- Use cleaner technologies such as, fuel cells, microturbines, gas turbines or zero-emission electric motors
- Buy grid power

# Cost Effectiveness

- Average Incremental Cost: \$5,840 per ton
- Range of Costs: \$15 to \$125,000 per ton
- More options for biogas to be evaluated
- Electrification Costs (\$/ton):

	Average	Incremental
Average	\$6,870	\$18,600
Range	\$2,800 - \$82,700	-\$109,000 - \$57,400

# Process and Schedule

- Staff is preparing responses to comments and rule revisions
- Consultation Meeting TBD
- Set public hearing date: July 13, 2007
- Public board hearing: September 7, 2007

**Chang, Erayna**

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**From:** Mike Mohajer [mikemohajer@yahoo.com]  
**Sent:** Wednesday, April 11, 2007 11:59 PM  
**To:** Mike Mohajer  
**Subject:** SGV Tribune - Ethanol Efforts Worth The Pitfalls.....4-11-07

**Ethanol efforts worth the pitfalls**

NOT even the top economists can predict the effect a swing toward ethanol fuel will have on corn futures. But with corn farmers planning to boost production for next year regardless, the game is afoot.

We put ourselves in the same category as many economists: we're optimistic, about corn, and energy futures. Sure, there may be a rise in milk prices or the price of corn-on-the-cob at the grocery store, but chalk all of that up to the cost of changing business. Changing the energy business, that is. If ethanol can help move American motorists away from fossil fuels, we welcome the unsteady markets and the bumps and pitfalls along the way.

What's truly important is this: A move toward harvesting corn to make an alcohol-

gasoline fuel mixture - to run what the president says could be half the cars in the nation by 2012 - represents

a paradigm shift away from fossil fuels. The Iowa-driven ethanol program, though not grand in the Big Oil scheme of things, could be the start of America's rehab from oil addiction.

We don't agree with the petroleum companies who pay lip service to the president's ethanol plan by dousing the idea with polite rhetoric, even though their numbers are hard to argue against. According to an article in Reason Magazine, today America produces about 4.5 billion gallons of ethanol, but that number is on the rise. However, when compared to

a U.S. gasoline appetite of

150 billion gallons per year, the ethanol output is minuscule (about 3 percent of the U.S. transportation needs). The American Petroleum Institute told our editorial board the most ethanol American farmers can make is about 12 billion to 15 billion gallons per year. API predicts oil, which represents about 40 percent of America's energy today, will remain at 40 percent in 2030, while renewables

will increase from 6 percent to 7 percent.

Still, there are other possibilities, other alternatives that can move the renewables

needle up the scale.

For instance, the United States should get over its

distaste for Latin American dictators and start negotiating some Brazilian ethanol imports. Brazilian President Luiz Inacio Lula da Silva asked President Bush recently to drop a \$0.54 cent per gallon tariff on his country's ethanol. His stance will

promote free trade and help the U.S. lessen dependence on fossil fuel, both Bush administration goals.

Second, and this is where the petroleum folks are correct, the federal government must incentivize research into new technologies that would allow ethanol to be made from grass clippings and wood chips. Making energy out of so-called "green waste" (known as cellulosic ethanol) is better than what it is currently used for in Los Angeles County: as landfill cover.

Yes, Big Oil is correct that in the short term, ethanol will not cure America of her addiction to oil. But the bigger point is that such a paradigm shift, when supported by emerging technologies, better trade agreements with other countries for energy products, and increased energy efficiencies in new automobiles and other products, it can continue that shift toward cleaner, more renewable energy.

Even if it means paying more for that roasted, garlic-sprinkled corn-on-the-cob.