



March 24, 2020

The Honorable Cecilia Aguiar-Curry
Chair, Assembly Local Government Committee
State Capitol, Room 5144
Sacramento, CA 95814

RE: Request for Relief for the Solid Waste and Recycling Industry During the COVID-19 Pandemic

Dear Assembly Member Aguiar-Curry:

The solid waste and recycling industry, which includes many rural county governments, are of importance to our state's residents, particularly in a time when California's citizens are sheltering in place and need to know that their waste disposal services will see as little disruption as possible during this time to minimize exposure to the COVID-19 pandemic. CalRecycle's leadership in ensuring these operations continue is vital, particularly since this agency has the ability to offer emergency exemptions for certain regulations currently in effect that could ease the burden on local solid waste and recycling collection.

RCRC and its Environmental Services Joint Powers Authority requests, on behalf of the Assembly Local Government Committee, that CalRecycle provide the following actions in the short term to allow the local governments/industry to continue serving the public:

- Exemptions from the imposition of penalties or issuance of compliance orders because of a jurisdiction's failure to meet AB 939 solid waste diversion requirements or because of backsliding due to the COVID-19 emergency.
- Exemptions from penalties for failure to meet mandatory commercial recycling and organic waste recycling mandates pursuant to Assembly Bill 341 (Chesbro, 2012) and Assembly Bill 1826 (Chesbro, 2014).
- Delay implementation of any new major regulations until six months after the COVID-19 emergency is deemed over by the State of California, including tolling implementation of new organics diversion mandates pursuant to Senate Bill 1383 (Lara, 2016) for a period of time commensurate with the duration of the COVID-10 emergency.

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- Provide additional time for the submission of reports to CalRecycle, including the suspension of any penalties that would normally apply for late submissions.
- Provide increased flexibility for solid waste haulers and facilities, including, but not limited to: 1) allowing facility operating hours to be extended to facilitate the safe processing of material; 2) allowing facilities to safely store more recyclable material on-site for longer periods of time than is currently authorized; and 3) waiving daily tonnage, vehicle and other limits as necessary to ensure that material can move safely through the collection, processing, and disposal system.
- Provide explicit guidance to local enforcement agencies (LEAs) to use existing emergency waiver tools as necessary, as well as a commitment to swiftly developing additional tools should those existing measures prove inadequate.
- Provide guidance to LEAs to reassure local jurisdictions that they will not be penalized if they fail to meet their diversion mandates during and six months after the COVID-19 emergency.

We appreciate your immediate response and attention to these requests to help ensure continuity of the necessary operations of our solid waste and recycling industries for all Californians.

Sincerely,



STACI HEATON

Senior Regulatory Affairs Advocate

cc: Jared Blumenfeld, Secretary, California Environmental Protection Agency
Caroline Godkin, Deputy Secretary for Environmental Policy and Emergency
Response, California Environmental Protection Agency