

**Exhibit A**

**AB 939 Report**  
**County of San Mateo:**

**AB 939**

Programs & Associated Costs

November 20, 2009

## **REPORT REGARDING AB 939 FEES IN SAN MATEO COUNTY**

This report is intended to succinctly describe the San Mateo County programs and activities that are included in the San Mateo County Integrated Waste Management Plan, the funding requirements with regard to the County's costs of preparing, adopting, and implementing the County Plan through those programs (the "AB 939 Programs"), and the landfill fees required to meet those costs.

The AB 939 Programs and their costs are set out in Attachment A, which is a table that lists the component programs and activities, the County's costs associated with those programs and activities, and the categorization of the programs and activities in relation to the San Mateo County Integrated Waste Management Plan.

It is anticipated that 585,000 tons of municipal solid waste will be land filled within the unincorporated area of San Mateo County during calendar 2010. Attachment B is a graph that depicts the history of the solid waste tonnage that has been disposed of in the unincorporated areas of San Mateo County over the past decade and shows the anticipated amount for calendar year 2010. The anticipated amount of 585,000 tons is an estimate that is consistent with historical trends as demonstrated in Attachment B and the termination of the contract with the landfill owner/operator. Anticipating 585,000 tons recognizes not only the continuing effects of diversion, but also that the Ox Mountain landfill is the only active landfill within the unincorporated area, or within any area, of San Mateo County, and that the termination of the contract between the County of San Mateo and the owner/operator of the Ox Mountain landfill means the termination

of the contractual restrictions on the amounts and sources of waste that may be land filled at the Ox Mountain landfill.

The principles underlying AB 939 fees suggests that landfill users should pay an amount proportional to the amount of waste which they dispose of in the landfill.

Therefore, an AB 939 fee based on the amount of waste land filled is appropriate.

Attachment A sets forth the expenses to be funded and Attachment B sets forth the amount of waste that is estimated to be land filled. The Fee is calculated by dividing

program costs by the estimated disposal tonnage to generate a cost per ton Fee. The

following table sets forth a summary of the estimated disposal tonnage in the calendar

year 2010, the total cost of the AB 939 Programs, and the calculated AB 939 Fee (\$9.83

per ton). The table also indicates the AB 939 Solid Waste Management Diversion

(SWMD) Fee Component (\$4.81 per ton), and the AB 939 Household Hazardous Waste

and state mandated Local Enforcement Agency (HHW/LEA) Fee Component (\$5.02 per

ton).

<b>Program</b>	<b>Program Cost (Attachment A)</b>	<b>Estimated Disposal Tonnage (2010) (Attachment B)</b>	<b>Calculated AB 939 Fee or AB 939 Fee Component (Program Cost/Disposal Tonnage)</b>
AB 939 Programs	\$5,750,550	585,000	\$9.83
<b>AB 939 Fee Components:</b>			
AB 939 SWMD	\$2,813,850	585,000	\$4.81
AB 939 HHW/LEA	\$2,936,700	585,000	\$5.02

In particular, as shown in the previous table, with the County's annual cost of the SWMD Programs at \$2,813,850 and 585,000 tons of waste land filled in the County over that period, an AB 939 Fee of \$4.81 per ton is appropriate. Similarly, with the County's annual cost of the HHW/LEA Programs at \$2,936,700 and 585,000 tons of waste land filled in the County over that period, an AB 939 Fee of \$5.02 per ton is appropriate. Together the AB 939 Fee Components call for a total AB 939 Fee of \$9.83 per ton.