



Senate Bill 1383 Fact Sheet

Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions

- **January 18, 2019:** CalRecycle begins formal rulemaking, 45-day comment period ends on **March 4, 2019**
- **Jan. 1, 2020:** 50% reduction of the statewide disposal of organic waste from the 2014 level (*target: 11.5 million tons*)
- **Jan. 1, 2022:** Regulations take effect and are enforceable
- **Jan. 1, 2024:** May require local jurisdictions to impose penalties for noncompliance on generators
- **Jan. 1, 2025:** 75% reduction of statewide disposal of organic waste from the 2014 level (*target: 5.7 million tons*)
20% of currently disposed edible food must be recovered for human consumption

Article 1. Definitions

Compliance review – review of records by jurisdiction or CalRecycle to determine compliance with subscribing to organic waste collection service.

Gray container – container where the lid is entirely a shade of gray or black.

Inspection – a site visit where a jurisdiction or CalRecycle reviews records, containers, and collection/handling, recycling, or disposal of organic waste or edible food handling to determine compliance.

Route review – a visual inspection of containers along a hauler route for container contamination; may use cameras.

Article 2. Reductions in Landfill Disposal

- Operation qualified as a Recycling Center
- Compostable Material Handling Operation or Facility
- Small/community composting activities
- In-Vessel Digestion Operation or Facility
- Biomass Conversion Operation or Facility
- Soil amendment for erosion control, revegetation, slope stabilization, or landscaping at a landfill (with criteria)
- Land application (with criteria)
- Animal feed

Article 3. Mandatory Organic Waste Collection

- Provide organic waste collection/recycling via a three-container, two-container (green & blue), or unsegregated single container system for which organic waste must go to a high diversion facility (50% recovery 2022-2024 and 75% after Jan. 1, 2025).
- Blue containers may include paper products, printing/writing paper, wood and dry lumber, and textiles.
- Green container: organic waste only; may not include carpets, non-compostable paper, and hazardous wood waste.
- Provide containers with lids that are green, blue, and gray/black when replacing them or by **Jan. 1, 2022** and place and maintain labels starting **Jan. 1, 2022** on each new container or lid.

Section 30.5 Contamination Minimization

- Jurisdiction must conduct quarterly route reviews for all routes on randomly-selected containers.
 - If contamination is found, the jurisdiction must contact or provide written notice to the generator.
 - If contaminant is visible in green or blue container, contents may be disposed; after 3 occurrences, may impose fees/penalties.
- If a jurisdiction is informed by a solid waste facility operator of contamination, physically inspect containers to determine the source of contamination and provide written notice.

Section 30.11 Waivers – De Minimis Waiver: solid waste collection >2 cy/wk and organics <20 gal or <2cy/wk and organics <10 gal; physical space; emergency equipment or operation failure (90 days); and disaster/emergency debris

Article 4. Education and Outreach (*Jurisdiction and/or Haulers*)

- **Prior to Feb. 1, 2022** and annually thereafter, jurisdictions must provide the following education:
 - generator requirements to source-separate materials;
 - waste prevention methods, recycling onsite, and community composting;
 - methane reduction benefits, how to recycle organic waste, and list of approved haulers;
 - public health and safety and environmental impacts associated with disposal of organic waste;
 - information related to edible food donation;
 - requirements related to self-hauling.

- If more than 5% of generators are “limited English speaking households,” provide education and outreach in the appropriate language(s).

Article 10. Edible Food Generators and Food Recovery

- By 2022, Tier 1 and by 2024, Tier 2 edible food generators must participate in food recovery (p. 7, #73-74) and keep records of who collects and receives its edible food, frequency and quantity collected, and contracts/written agreements with food recovery services and organizations.
- **By Feb. 1, 2022**, jurisdictions shall develop and maintain a list of food recovery organizations and services; monitor compliance of edible food generators, recovery services and organizations; and ensure proper data collection.
- Edible Food Recovery Services/Organizations (≥6 tons/year): keep records of name/address/contact for each edible food generator, quantity collected and transported in pounds per month, and number of meals served per month.

Article 11. Capacity Planning

- All counties, with cities and regional agencies shall:
 - estimate the amount of all organic waste in tons that will be disposed;
 - identify existing infrastructure capacity in tons that is verifiably available to the county and its jurisdictions;
 - estimate the amount of new or expanded organic waste recycling capacity that will be necessary;
 - estimate amount of edible food disposed and existing capacity, identify proposed new or expanded capacity, and identify capacity needed to recover 20% of edible food disposed;
 - if existing and planned capacity is insufficient for either recycling or recovery, jurisdictions that lack sufficient capacity shall submit an implementation schedule;
 - city or regional agency must respond to county’s request for information within 120 days.

Article 12. Procurement

- **Starting Jan. 1, 2022**, jurisdictions must procure compost and renewable transportation fuel annually based on:
 - Procurement target = 0.07 tons per capita x jurisdiction population (Dept. of Finance)
 - 1 ton organic waste=19 diesel gallon equivalent of renewable transportation fuel or 0.58 tons of compost
- **Starting Jan. 1, 2022**, 75% of paper products and printing/writing paper purchased must have 30% recycled content.
- Must maintain all records including contracts, invoices, and applicable certifications.

Article 13. Reporting

- Initial report due **February 1, 2022**: submit report with copy of all ordinances/policies adopted, the date when all containers will be in compliance with color requirements, and all compliance requirements (Section 18994.2).
- Annual reporting starting **Aug. 1, 2022**: submit report on collection services, contamination monitoring, waivers, education/outreach, hauler oversight, CALGreen, food recovery, capacity planning, procurement, and enforcement.

Article 14. Enforcement

- **Jan. 1, 2022** – Jurisdictions shall have an inspection and compliance program:
 - Starting **Jan. 31, 2022**, annually conduct compliance review of all commercial accounts with >2 cy/week of solid waste and generate organic waste; conduct route reviews on commercial and residential on 3 or 2-container system.
 - Conduct inspections of Tier 1 edible food generators and food recovery organizations (Tier 2 Jan. 1, 2024).
 - Conduct inspections, route reviews, or compliance reviews when investigating complaints of violations.
- **January 1, 2022 – January 1, 2024**, provide education materials when an entity is non-compliant.
- **Jan. 1, 2024**, within 60 days, issue notice of violations (NOV) and can impose penalties within 150 days of a NOV.
- CalRecycle shall notify and evaluate jurisdiction’s compliance: review of Implementation Record and conduct inspections, compliance reviews, and route reviews.
- Upon presentation of proper credentials, CalRecycle shall be allowed access to an entity’s premises for inspection.

Section 18995.2 Implementation Record:

- Store in one central location, provide location and contact to CalRecycle, and upon request, provide access to CalRecycle within one business day.

Article 16. Penalties

- Section 18977.2 Table 1:** Jurisdictions shall impose penalties that are equivalent or stricter (\$50-\$500/violation/day).
- Revoking, suspending, or denying a permit, registration, license or other authorization shall be considered stricter.
- Section 18997.3** CalRecycle may impose penalties on jurisdictions, haulers, generators, edible food recovery organizations (\$50/violation-\$10,000/day).