



# CalRecycle Update for LARA Members

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1<sup>st</sup> Quarter LARA Meeting: March 20, 2019



# Outline

- MCR & MORE Informal Plans
- MORE: Exemptions
- AB 901: Recycling & Disposal Reporting System
- SB 1383: Short-Lived Climate Pollutants



# **MCR & MORe Informal Plans**



# At Any Time Process

- January 10, 2017 Director Memo
  - *CalRecycle will initiate a review and may refer a jurisdiction to enforcement **at any time** that CalRecycle receives information that a jurisdiction has not implemented, or is not making a good faith effort to implement, its required programs.*
- Letter of Concern (30-Day Notice): *Initiation of formal public review prior to the end of the regular 4-year review cycle*
- Jurisdiction will have 30 days to respond (Formal Plan)
- Request For Approval (RFA): Early Summer 2019



## Purpose of Informal Plan

- Opportunities to address program gaps before Letter of Concern (30-Day Notice) is initiated
- Outlines Jurisdiction's new education/outreach activities and monitoring to address gaps in program



## **Program Gap: Low Participation**

- Analysis of 2016 and 2017 numbers reported in the EAR
- No improvement, decreasing numbers, fluctuating numbers, inconsistency, etc.



# Contents of Informal Plan

- New Education & Outreach Activities
  - Target Audience
  - Type of Outreach (Electronic, Print, Direct Contact)
  - Responsible Party (City, Hauler, Consultant, Other)
  - Frequency
  - Implementation/Completion Date



# Informal Plans: Things to Consider

- Feasibility of Target Audience
  - Targeting **all** businesses and multifamily without a program may be feasible depending on the number of non-compliance businesses in the Jurisdiction (ex. 9 vs 18,000). It may be more feasible to target largest generators first, by sector, geography, percentage, etc. during a single reporting year.
- Implementation/Completion Dates
  - Consider internal deadlines, City Council dates, and other road-blocks that may be involved in getting activities completed during the review year.
- City Oversight of Hauler Education/Outreach
  - City staff should provide oversight of hauler's education and outreach activities and monitoring of covered businesses to ensure completion of activity. This is especially important for Cities with multiple commercial haulers.
- Over Promise/Under Deliver
  - Consider City/hauler staffing needs to get the proposed activities/follow-up completed within the review year.





# MORe: Exemptions



# Business Requirements

- April 1, 2016: 8+ cy organic waste/week
- January 1, 2017: 4+ cy organic waste/week
- **January 1, 2019: 4+ cy commercial solid waste/week**  
(Note: MF not required to divert food waste)
- Summer/Fall 2021: 2+ cy solid waste/week – if CalRecycle determines statewide disposal of organic waste in 2020 not reduced by 50% of the level disposed during 2014



# Identifying Tier III Businesses

- Businesses that generate 4+ cy commercial solid waste/week
  - The definition of **commercial solid waste** was further clarified through AB 1398 and includes all types of solid waste generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of five or more units that falls under the definition of a covered business (PRC Section 42649.1).
- Jurisdictions can exempt businesses and multifamily complexes on a case-by-case basis from the requirements of the law if the business or multifamily complex meets any of the following criteria (see next slide)



# Case-by-Case Exemptions

1. Lack of sufficient space at a multifamily complex or business to provide additional organic material recycling bins.
2. The current implementation of actions (such as food donation) that result in the recycling of a significant portion of organic waste.
3. Limited-term exemptions for extraordinary and unforeseen events.
4. The business or group of businesses does not generate at least one-half of a cubic yard of organic waste per week.
5. The business or group of businesses does not generate at least one cubic yard of organic waste per week, if the local jurisdiction provides CalRecycle with information that explains the need for this higher exemption (see following Note\*\*)

Note: If after January 2020 CalRecycle determines that the state did not reduce statewide disposal of organic waste by half, a jurisdiction will no longer be allowed to grant exemptions to businesses that generate 1 cubic yard of organic waste per week.



# Jurisdictions Granting Exemptions

- Assessing businesses on a case-by-case basis
- Monitor and track businesses granted exemptions
- Reporting Exemptions in the EAR
  - Total Number of Businesses/MF subjected to MORE: \_\_\_\_
  - Total Number Not Recycling\* (Not in Compliance): \_\_\_\_
  - Total Number of Exemptions Granted: \_\_\_\_

\*Note that that Total Number Not Recycling should not include exempted businesses.



# **AB 901: Recycling & Disposal Reporting System (RDRS)**



# Recycling and Disposal Facility Reporting (AB 901)

- RDRS regulations approved March 5, 2019 and effective immediately.
- Changes how organics, recyclable material, and solid waste are reported to CalRecycle.
- Disposal, recycling, and compost facilities, as well as exporters, brokers, and transporters of recyclables or compost will be required to submit information directly to CalRecycle on the types, quantities, and destinations of materials that are disposed of, sold, or transferred inside or outside of the state.



# Tentative Estimated Schedule

- Solid Waste Facility Reporting Continues in DRS through Q2 2019
- Adoption of the Regulations: Late 2018
- Development of the Electronic Reporting System: 2018-Early 2019
- Outreach and Training: Early 2018-Mid 2019
  - [March 21, 2019 \(1:30 PM – 5:00 PM\)](#) – RDRS Workshop (SCAQMD, Webcast Available)
    - Learn about how to register your solid waste and recycling facility in the forthcoming Recycling and Disposal Reporting System. Entities who sell, transfer, or dispose material may be required to register with the Department's new reporting system by April 30, 2019. Staff will walk through various scenarios and explain the requirements for the registration process.





## Tentative Estimated Schedule (Cont.)

- Initial Online Facility Registration in the Recycling and Disposal Reporting System (RDRS): April 1-30, 2019
- Reporting Entities Begin Recording Required Information for RDRS Reports on July 1, 2019
- Reporting Entities Submit Online RDRS Reports for the Third Quarter of 2019
  - Haulers: October 31, 2019
  - Transfer/Processors, Recycler/Composters, Broker/Transporters: November 30, 2019
  - Disposal Facilities: December 31, 2019



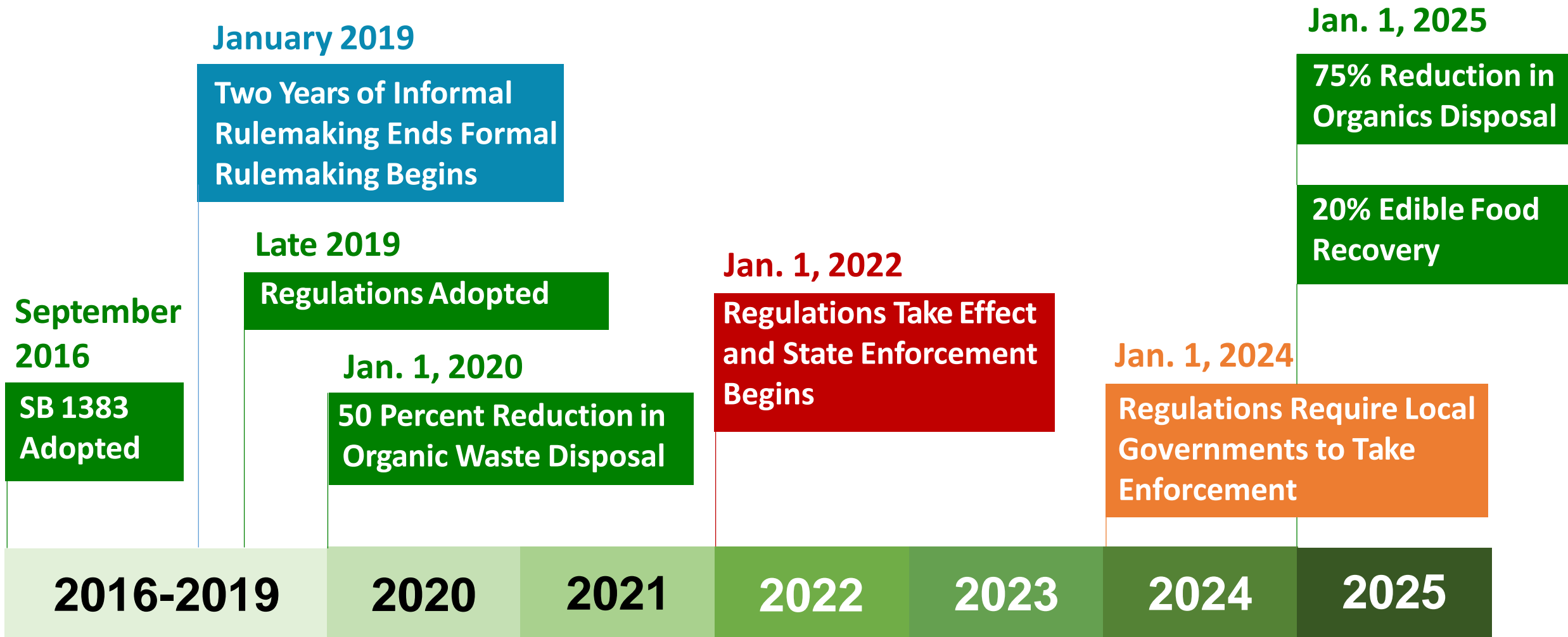
# **SB 1383: Short-Lived Climate Pollutants**



## Formal Public Hearing – March 12, 2014

- [Webcast and Documents available online](#)
  - The following slides are taken directly from the presentation given at the Public Hearing (Full presentation available online)

# SB 1383 KEY IMPLEMENTATION DATES



# SB 1383 REQUIREMENTS

2020

50 PERCENT REDUCTION IN LANDFILLED ORGANIC WASTE  
(11.5 MILLION TONS ALLOWED ORGANIC WASTE DISPOSAL)

2022

REGULATIONS TAKE EFFECT

2025

75 PERCENT REDUCTION IN LANDFILLED ORGANIC WASTE  
(5.7 MILLION TONS ALLOWED ORGANIC WASTE DISPOSAL)

2025

20 PERCENT OF CURRENTLY DISPOSED EDIBLE FOOD MUST BE  
RECOVERED FOR HUMAN CONSUMPTION

# FORMAL RULEMAKING PROCESS

FORMAL REGULATORY  
TEXT

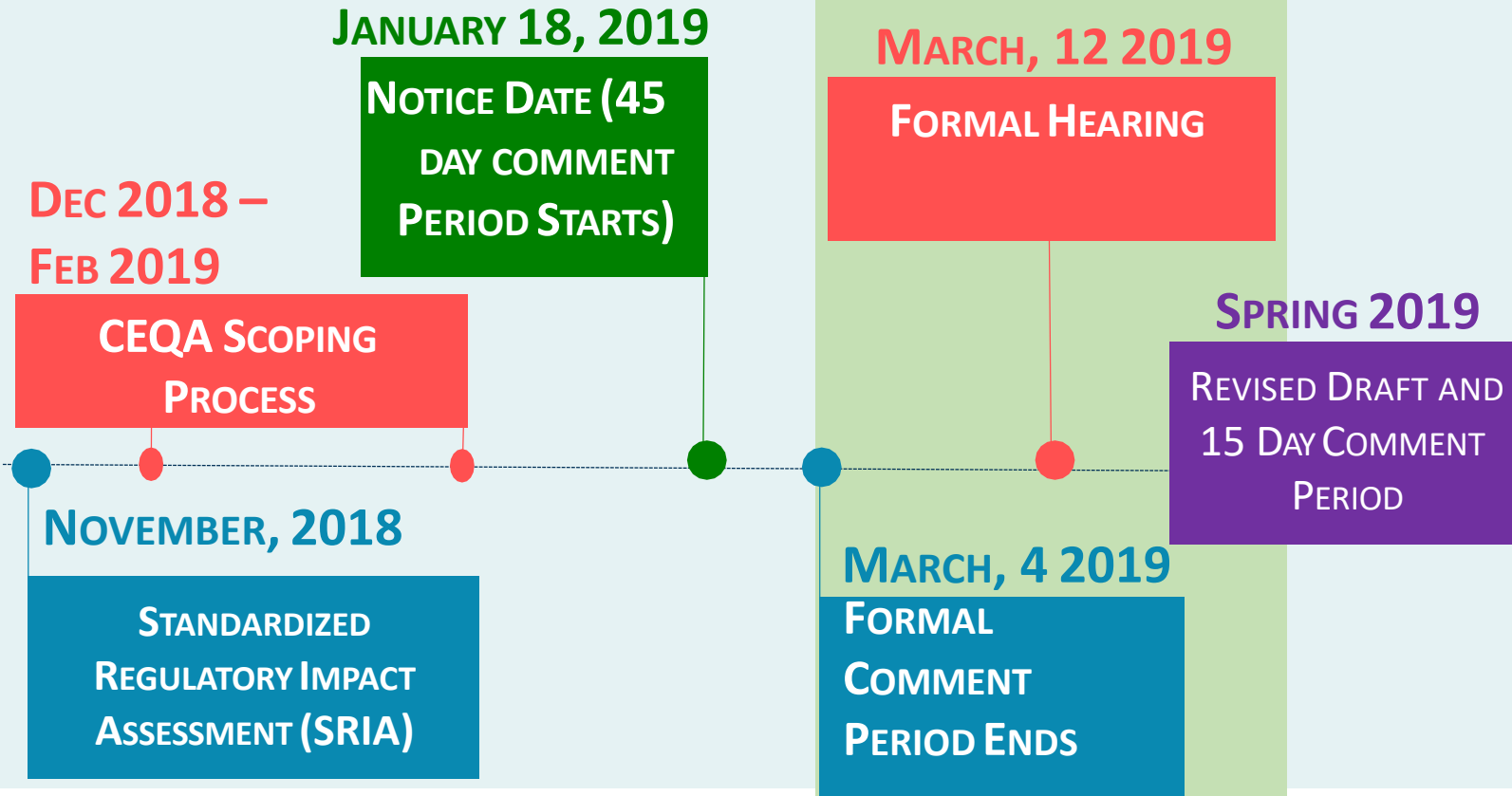
INITIAL STATEMENT OF  
REASONS

STANDARDIZED REGULATORY  
IMPACT ASSESSMENT

ENVIRONMENTAL IMPACT  
REPORT

RESPONSE TO COMMENTS

## 2018-2019 RULEMAKING MILESTONES



# ORGANIC WASTE COLLECTION



Each Jurisdiction (or Their Designee)  
**Must Provide an Organic  
Waste Collection Service**  
to all Residential and Commercial  
Generators

**Residents and Businesses  
Are Required to Subscribe  
to Organics Collection Service**

## Regulations Allow a Menu of Service Options

Each Option is Subject to Minimum  
Standards.



# EDUCATION REQUIREMENTS



**Conduct Education and Outreach to Community**

Annually educate all organic waste generators, commercial edible food generators, and self-haulers about relevant requirements

Print



Electronic



Direct Contact



**Appropriate educational material must be provided to linguistically isolated households**





# JURISDICTION REPORTING REQUIREMENTS



## February 1, 2022, Jurisdictions Shall Report to the Department

- Copies of ordinances adopted
- Date of Compliance with Container Color Requirements
- Reporting Items Identified in Section 18994.2



## Beginning in August 1, 2022, Jurisdictions are Required to Report Annually the Required Information in Article 13.

- First Report Due August 1, 2022 for Jan 1, 2022 to Jun 30, 2022
- Second Report Due August 1, 2023 for Jan 1, 2022 to Dec 31, 2022
- For Each Subsequent Year, the Report Shall Cover the Entire Previous Calendar Year

# Reporting and Implementation Record Must Include All Information Required by the Chapter:



**Organic  
Collection  
Service**



**Contamination  
Minimization**



**Waivers**



**Education &  
Outreach**



**Hauler  
Program**



**Edible  
Food Recovery  
Program**



**Recycled  
Organic Waste  
Procurement**



**Recycled  
Paper  
Procurement**



**Commercial  
Edible Food  
Generators**



**Jurisdiction  
Inspection &  
Enforcement**

# MORE MONITORING COMPARED SB 1383 COMPLIANCE REVIEW

## MORe covers

- Only Commercial Business
- (>2CY) of solid waste per week) shall arrange for organic waste recycling services

## Jurisdictions Requirements

- Conduct Education and Outreach
- Monitor Participation
  - (>2CY of solid waste per week) shall arrange for organic waste recycling services
- Notify Noncompliant businesses and educate them about their compliance obligations
- Enforcement: (optional)
- Annually report

## SB 1383 Regulations covers

- All Organic waste generators
- \*Note: Jurisdictions must make sure all generators have service or compliant self-haul, backhaul or exemptions

## Jurisdictions Requirements :

- Conduct Education and Outreach
- Monitor Participation (Annual Compliance Review)
  - (>2CY of solid waste per week) shall arrange for organic waste recycling services
- Notify Noncompliant businesses and educate them about their compliance obligations (2022-24)
- Enforcement mandatory after Jan 2024)
- Annually report

*New: Inspect edible food facilities, conduct route reviews, respond to complaints*



# CalRecycle Website & Listservs



# CalRecycle Websites

- CalRecycle Home Page: <https://www.calrecycle.ca.gov/>
- MORE (AB 1826): <https://www.calrecycle.ca.gov/recycle/commercial/organics>
- RDRS (AB 901): <https://www.calrecycle.ca.gov/laws/rulemaking/reporting>
- SLCP (SB 1383): <https://www.calrecycle.ca.gov/laws/rulemaking/slcp>
- Events & Meetings: <https://www.calrecycle.ca.gov/Calendar/>



# CalRecycle Listservs

- Subscribe: <https://www2.calrecycle.ca.gov/Listservs/>
  - Local Jurisdiction Interested Parties
  - Mandatory Commercial Organics Recycling (AB 1826)
  - AB 901: Disposal and Recycling Facility Reporting
  - Short-Lived Climate Pollutants (SLCP)



# Questions & Comments