

SENATE BILL 1383 REGULATIONS

Los Angeles County Integrated Waste Management Task Force

July 18, 2019

Senate Bill 1383 (2016)

Requires California Air Resources Board to implement the short-lived climate pollutant strategy to **reduce methane emissions by 40 percent**

Requires CalRecycle to develop regulations to achieve the following **organic waste landfill disposal reduction targets:**

- 2020 - 50% reduction in statewide disposal of organic waste
- 2025 – 75% reduction in statewide disposal of organic waste
- 2025 – 20% of edible food that is currently disposed recovered for human consumption



Timeline

- **January 2019** – CalRecycle released first formal draft regulations for 45-day comment period
- **February 2019** – Task Force submitted comments on first formal draft
- **June 2019** – CalRecycle released second formal draft regulations for 30-day comment period
- **July 2019** – Task Force submitted comments on second formal draft
- **September 2019** – CalRecycle will release the third and final formal draft for a public comment period (anticipated)
- **January 2020** – CalRecycle will adopt the regulations (anticipated)

Definition of Organic Waste

SB 1383 Regulations:

“Organic waste” means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.

14 CCR §18720:

“Organic waste” means solid wastes originated from living organisms and their metabolic waste products, and from **petroleum**, which contain naturally produced organic compounds, and which are biologically decomposable by microbial and fungal action into the constituent compounds of water, carbon dioxide, and other simpler organic compounds.

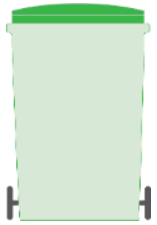
Mandatory Organic Waste Collection Services

3-CONTAINER ORGANIC WASTE COLLECTION SERVICES

Organic Waste	Non-Organic Recyclables Organic Waste (e.g., Fibers, Wood, Textiles)	Non-Organic Waste	Requirements
			<p data-bbox="1668 506 2204 692">Jurisdiction must monitor containers to minimize prohibited container contaminants</p> <p data-bbox="1668 721 2204 1021">If organic waste is not allowed in gray container, then the material in that container is not required to go to a high-diversion organics waste processing facility.</p> <p data-bbox="1668 1042 2204 1220">If organic waste is allowed in gray container, material must go to a high-diversion organics waste processing facility.</p>

Mandatory Organic Waste Collection Services

- **2-Container Organic Waste Collection Services – Green and Gray Container**



- Green

- Organic waste only
- Transported to source-separated organic waste recycling facility

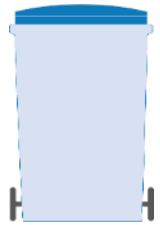


- Gray

- Non-organic waste and recyclables
- Organic waste not designed for green container
- Must be transported to a high-diversion facility recovering 75% of organic waste from mixed waste

Mandatory Organic Waste Collection Services

- **2-Container Organic Waste Collection Services – Blue and Gray Container**



- Blue

- Recyclables, paper, lumber, and textiles
- Must be transported to a facility designed to recovery materials designated for collection in the blue container



- Gray

- Mixed non-organic waste and organic waste
- Must be transported to a high-diversion facility recovering 75% of organic waste from mixed waste

Mandatory Organic Waste Collection Services



- **1-Container Organic Waste Collection Services**
 - Contents must be transported to a high-diversion facility recovering 75% of organic waste from mixed waste

- **Other Container Requirements**
 - Color requirements – effective January 1, 2036
 - Labels for each container with accepted & prohibited materials - effective January 1, 2022

Organic Waste Generators

- Subscribe and comply with requirements of organic waste collection service provided by jurisdiction **OR** self-haul organic waste
- Commercial businesses are required to:
 - Provide containers for organic waste and recyclables
 - Educate and prohibit employees from placing organic waste in wrong container
 - Inspect organic waste containers for contamination
- Option to prevent organic waste generation, manage organic waste on-site, or use community composting operation



Education and Outreach Requirements

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 non-English speaking residents in every language spoken by 10,000 people or 0.5% of the jurisdiction (equivalent to ~5,000 people in unincorporated Los Angeles County)

Landfill Disposal



Disposal

Final deposition at a landfill

Alternative Daily Cover (ADC) and Alternative Intermediate Cover (AIC) **Exception MRF Fines

Any other disposition not specifically identified as recovery

Landfill Disposal Reduction



Recovery

Recycling

Composting

In-Vessel
Digestion

Biomass
Conversion

Soil
Amendments at
Landfills*

Land
Application*

Animal Feed

Food Recovery

Activities
Verified under
Section 18983.2

Soil amendments and land application must comply with additional standards to limit the potential for anaerobic conditions and methane generation

Capacity Planning



- Estimate organic waste that will be disposed by the county and jurisdictions within the county
- Identify existing organics recycling capacity that is verifiably available
- Estimate amount of new organics recycling capacity will be needed
- Submit an implementation schedule with timelines and milestones for accessing new capacity



Infrastructure and Market Analysis Report

- Prepared by CalRecycle in March 2019
- Survey to analyze state organics capacity and markets
 - Organics capacity = composting and anaerobic digestion (AD) only
- Lack of infrastructure for food waste
- Lack of infrastructure for organics that cannot go to composting or AD

Mandatory Penalties

- Jurisdictions impose mandatory minimum penalties
- Penalties range from \$50-\$500 per offense
- No mandatory penalties for container contamination
- Jurisdictions shall issue notices requiring compliance within 90 days before imposing penalties
- CalRecycle may take enforcement action if the jurisdiction fails to enforce





Penalties for Jurisdictions

- CalRecycle will impose penalties on jurisdictions for failing to implement or enforce the regulations.
- Penalties range from \$50-\$2500 per violation and \$500-\$10,000 per day, depending on the type of violation.
- Before imposing penalties, CalRecycle will provide a notice to jurisdictions allowing 180 days to comply.



NEW

Changes in the Second Formal Draft

- Reduces contamination route review frequency from quarterly to annually
- Adds option to use plastic bags to collect organic waste
- Delays container color standardization to 2036
- Relaxes low population waiver eligibility requirements
- Exempts areas above 4,500 feet above sea level from organic waste collection
- Exempts quarantined material and debris from homeless encampments from being recycled
- Expands procurement of renewable gas to include electricity, heat, and pipeline injection in addition to transportation fuel
- Expands procurement to include electricity from biomass conversion

Performance-Based Service

- 3-container organic waste collection services to 90 percent of generators
- All source-separated organic waste must go to a facility that recovers 75% of organic content
- Less than 25% of the contents of the gray container can be organic waste
- Jurisdictions implementing this service are exempt from contamination monitoring, enforcement, education, outreach, reporting, and other provisions





QUESTIONS?
