Scrap Your Fears About Food Waste Regulations: Preparing for SB1383

League of California Cities Annual Conference

Nicole Enright
Associate Program Manager
• ILG is the non-profit training and education affiliate of three statewide local government associations

• Together with our affiliates, we serve over 2,500 local agencies – cities, counties and special districts

• We provide practical and easy-to-use resources so local agencies can effectively implement policies on the ground
Our mission is to help local government leaders navigate complexity, increase capacity & build trust in their communities.
Resources, webinars and case examples to help your agency expand your programming and build additional infrastructure:

- Funding and Financing Recycling Infrastructure
- Planning and Siting Recycling Infrastructure
- Commercial Recycling

ca-ilg.org/recycling-resource-center
Today’s Presenters & Subject Matter Experts

Nicole Enright
Associate Program Manager
Institute for Local Government

Cara Morgan
Branch Chief
CalRecycle

Jennifer Chong
Public Works Program Manager
City of Half Moon Bay

Chuck Helget
Director of Government Affairs
Republic Services
Meeting Goals

- Understand how the regulations of SB 1383 will impact your city services and delivery.
- Learn promising practices about how to develop, create, and implement local programs to reach the statewide goals to reduce organic waste.
Organic waste reduction and recycling in the context of…

- A global pandemic
- Devastating wildfires
- Climate impacts
- Economic downturn
- Uncertainty…and more
Beyond back to normal
Back to “better”

Work together
Reduce climate impacts
Build resilience
Reduce super pollutants
California’s Super-Pollutant Reduction Strategy

An Overview of SB 1383’s Organic Waste Reduction Requirements
Organic Waste Is the Largest Waste Stream in California

In California, millions are food insecure. 1 in 5 Californians.


California's Waste Stream:
- Non-Organic Waste 33%
- Other Organics 19%
- Food 18%
- Paper 18%
- Other 19%
- Lumber 12%

California throws away more than 6 million tons of food waste every year!
CLIMATE CHANGE NEGATIVELY IMPACTS CALIFORNIA

Landfilled Organic Waste Emits
Methane Gas—A Super Pollutant
More Powerful than CO2

Methane Gas Contributes to Climate Change in California

CALIFORNIA is already experiencing the impacts of CLIMATE CHANGE

IN 2015 THE DROUGHT COST THE AGRICULTURE INDUSTRY IN THE CENTRAL VALLEY AN ESTIMATED $2.7 BILLION & 20,000 JOBS
### SB 1383 Requirements

<table>
<thead>
<tr>
<th>Year</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td><strong>50% Reduction in Landfilled Organic Waste</strong>&lt;br&gt;(11.5 Million Tons Allowed Organic Waste Disposal)</td>
</tr>
<tr>
<td>2022</td>
<td><strong>Regulations Take Effect</strong></td>
</tr>
<tr>
<td>2025</td>
<td><strong>75% Reduction in Landfilled Organic Waste</strong>&lt;br&gt;(5.7 Million Tons Allowed Organic Waste Disposal)</td>
</tr>
<tr>
<td>2025</td>
<td><strong>20% Recovery of Currently Disposed Edible Food for Human Consumption</strong></td>
</tr>
</tbody>
</table>
New Statewide Programs to Reduce Super Pollutants

**Food & Organics Waste Collection**
- 27 million tons of organic waste not landfilled

**Edible Food to Food Insecure**
- Millions of meals to 1 in 5 food insecure in CA

**New and Expanded Recycling**
- 15,000 green jobs

**Recycled Organics Products**
- 10,000 refuse trucks or 5,700 buses powered by renewable fuels

**Lower GHGs**
- 1.7 million fewer cars a year
Starting January 1, 2024, jurisdictions must take action against non-compliant entities.

**2022**
- Provide Organics Collection Service to All Residents and Businesses
- Establish Edible Food Recovery Program
- Conduct Education and Outreach
- Procurement
- Capacity Planning

**2024**
- Starting January 1, 2024
- Jurisdictions must take action against non-compliant entities
Jurisdiction Responsibilities

- Provide Organics Collection Services to All Residents and Businesses
- Establish Edible Food Recovery Program
- Conduct Education and Outreach to Community
- Procure Recyclable and Recovered Organic Products
- Secure Access to Recycling and Edible Food Recovery Capacity
- Monitor Compliance and Conduct Enforcement
SB 1383 in Action

Local Government Roles and Responsibilities

SB 1383 doesn’t just apply to waste management and recycling departments. Every local department plays a role in SB 1383 implementation.
Organic Waste Collection Services

Three-Container “source separated” Collection Service
- Organics prohibited from black container
- All organic waste segregated for collection and recycling

Two-Container Collection Service
- One container for collection of segregated organic waste
- One container for collection of mixed waste (subject to 75% organic content recovery standard)

One-Container Collection Service
- One container for collection of mixed waste (subject to 75% organic content recovery standard)
- Minimum contamination monitoring and reduction requirements
- Collection waivers authorized for certain documented circumstances
Ensure Commercial Edible Food Generators Have Access to Food Recovery Services

Monitor Commercial Edible Food Generators for Compliance

Expand Existing Food Recovery Capacity (if needed)

Identify Existing Food Recovery Capacity

Local Governments

Commercial Generators

Food Banks and Pantries

Health Department

Food Recovery Services

Food Recovery Kitchens

Local Food Policy Council

Food Delivery Services

CalRecycle

JURISDICTION REQUIREMENTS

SB 1383 IN ACTION

EDIBLE FOOD RECOVERY PROGRAM

Establish Edible Food Recovery Program


**SB 1383 IN ACTION**

**EDUCATION REQUIREMENTS**

Conduct Education and Outreach to Community

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**JURISDICTION REQUIREMENTS**

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

Jurisdictions must provide print or electronic communication.

Jurisdictions May Supplement with Direct Communication.

Appropriate educational material must be provided to linguistically isolated households

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CalRecycle®
Signage for AB 827 (2019) and SB 1383:
https://www.calrecycle.ca.gov/Recycle/Commercial/Organics/PRToolkit/
SB 1383 IN ACTION

PROCUREMENT REQUIREMENTS

Procure Recycled and Recovered Organic Products

JURISDICTION REQUIREMENTS

COMPOST, RNG & ELECTRICITY

• Minimum Procurement

PAPER PROCUREMENT REQUIREMENTS

• Recycled Content
• Recyclability

Close the Loop

01 Collection
02 Recycling/Recovery
03 Procurement
04 End-Use

CalRecycle
Construction & Landscaping Requirements

Model Water Efficient Landscape Ordinance (MWELO) requirements for compost and mulch application.

Recycling organic waste commingled with C&D debris, to meet CalGreen 65% requirement for C&D recycling in both residential and non-residential projects.
SB 1383 IN ACTION

INFRASTRUCTURE REQUIREMENTS

Evaluating Current Infrastructure and Planning New Compost and AD Facilities and Edible Food Recovery
**SB 1383 in Action**

**Inspection and Enforcement Requirements**

<table>
<thead>
<tr>
<th><strong>Ordinance 2022</strong></th>
<th><strong>Compliance Monitoring &amp; Education 2022-2024</strong></th>
<th><strong>Compliance Monitoring &amp; Enforcement 2024</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopt an Ordinance (Enforceable Mechanism)</td>
<td>Annual Compliance Reviews, Route Reviews, Inspections</td>
<td>Annual Compliance Reviews</td>
</tr>
<tr>
<td>Including Enforcement</td>
<td>Educate Violators</td>
<td>Route Reviews, Inspections, Notice of Violations, Penalties for Violators</td>
</tr>
</tbody>
</table>

Monitor Compliance and Conduct Enforcement
Must Have Enforcement and Inspection Program that Includes:

- Annual Compliance Review
  - Commercial Businesses that Generate ≥ 2 Cubic Yards/week
  - Verify Businesses are:
    - Subscribed to Service or Self-hauling

- 2 or 3 Container Collection Service: Route Reviews of Commercial/Residential Areas to Verify Service and Inspect for Contamination

- Single Un segregated Collection Service: Verify Businesses are subscribed to a service that is Transporting Contents to a High Diversion Organic Waste Processing Facility

Requirements Harmonize with AB 1826 and Don’t Establish a Minimum Quantity of Physical Inspections
Commercial Edible Food Generator Inspections Can Be Combined with Existing Mandatory Inspections

Must Have Enforcement and Inspection Program that Includes:

- Inspections to verify:
  - Edible food Recovery arrangements

- Tier 1 Commercial Edible Food Generators by 2022

- Tier 2 Commercial Edible Food Generators by 2024
Recordkeeping Requirements:

- Organic Collection Services
- Hauler Program
- Contamination Minimization
- Waivers
- Education & Outreach
- Edible Food Recovery Program
- Recycled Organic Waste Procurement
- Recycled Paper Procurement
- Commercial Edible Food Generators
- Jurisdiction Inspection & Enforcement

SB 1383 IN ACTION
JURISDICTION REQUIREMENTS

Maintain Records and Report to CalRecycle
If Violations

- Issue Notices of Violation
- May Authorize Corrective Action Plan
- Allows up to 24 months to address barriers outside of a jurisdiction’s control

Authorize Waivers
- Low Population
- Rural Areas

Emergency Circumstances

Oversee and Monitor
- State Agencies and Facilities
- Local Education Agencies

Oversee and Monitor for Compliance
- Conduct joint inspections with jurisdictions
- Review Implementation Record

CALRECYCLE OVERSIGHT (BEGINS IN 2022)
Model Implementation Tools

https://www.calrecycle.ca.gov/organics/slcp/education

- Franchise Agreement
- Mandatory Organics Disposal Reduction Ordinance
- Procurement Policy
- Food Recovery Agreement
Statewide Public Education Campaign

Goals
- Increase Recycling Rate
- Clean Up Recycling System
- Making Organics Recycling Routine

Deliverables
- Research
- Messaging and Branding
- Translation
- Assistance to Jurisdictions

Funding
- 3-Year contract for up to $15.9 Million
Market Development Opportunities

- Greenhouse Gas Grant & Loan Programs
- Recycling Market Development Zone (RMDZ) Program
- Partnership with the Governor’s Office of Business and Economic Development
STAY ENGAGED

https://www2.calrecycle.ca.gov/Listservs/Subscribe/152

https://www.calrecycle.ca.gov/organics/slcp

Cara Morgan
916-341-6253
Cara.morgan@calrecycle.ca.gov
SB1383 Case Study:
City of Half Moon Bay

Jennifer Chong
Public Works Program Manager
Jurisdiction Responsibilities

- Provide Organics Collection Services to All Residents and Businesses
- Establish Edible Food Recovery Program
- Conduct Education and Outreach to Community
- Procure Recyclable and Recovered Organic Products
- Secure Access to Recycling and Edible Food Recovery Capacity
- Monitor Compliance and Conduct Enforcement
About Half Moon Bay

- **Population:** ~ 13,000
- **Businesses:** ~ 1,100
- **Waste Hauler:** Republic Services
- **Franchise Agreement:** 10-year with a 5-year extension, at City’s option
- **Franchise Agreement Start Date:** April 1, 2018
Highlights of Franchise Agreement

• Established a rate structure that incentivized diversion
  ➢ Base service includes minimum level of garbage, recycling and compost
• Added food scraps to compost waste collection
• Included new carts with graphic labeling with color requirements
• Expanded reporting and outreach requirements
Success Through Rate Structures: Single-Family Dwellings

One rate, three streams

- Rate based on garbage cart size
- Garbage options: 20, 32, 64 gallon

➢ Default is 64-gal recycling, 96-gal organics
Success Through Rate Structures: Multi-Family Dwellings

All-inclusive base level service

- Garbage service includes...
  - 20-gallon organics per MFD unit*
  - 32-gallon recycling per MFD unit*

- Recycling free up until 10 CY Debris Boxes
- Additional organics cost $

*Services can be combined into larger bin
Success Through Rate Structures: Commercial Businesses

All-inclusive base level service
- Garbage service includes...
  - 32-gallon organics
  - 96-gallon recycling
- Recycling free up until 10 CY Debris Boxes
- Additional organics cost $
New Carts and Refurbished Bins
Cart and Bin Labeling
Conduct education and outreach to community

Education and Outreach

Bilingual Mailers and Community Meetings
Post Implementation Workshops
Bi-lingual Posters
**Education and Outreach**

**Conduct education and outreach to community**

**Bilingual Mailers and Community Meetings**

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**Join us!**

Come to our Community Meeting to learn more about the upcoming changes.

**Date:** January 11, 2018  
**Time:** 6–7 pm  
**Location:** Ted Adcock Community Center, 535 Kelly Avenue, Half Moon Bay
Education and Outreach

Conduct education and outreach to community

Post Implementation Workshops

GARbage, RecYcling & ORGANICS 101

Learn about your upcoming garbage and recycling services, including the brand new residential food scraps program!

UPCOMING WORKSHOP DATES

1) Tuesday, February 27, 2018 at 6:30pm
2) Monday, March 5, 2018 at 1:00pm
3) Monday, March 12, 2018 at 6:30pm

Spanish translation available at this meeting

All workshops will be held at the Ted Adcock Community Center at 535 Kelly Avenue

City of Half Moon Bay Public Works Department
521 Main Street, Half Moon Bay, CA, 94015
Phone 650-736-6279 • Fax 650-736-6284 • www.hmbcitty.com
Education and Outreach

Conduct education and outreach to community

Bi-lingual Brochures
Education and Outreach

Conduct education and outreach to community

Bi-lingual Posters
Securing Capacity for Recycling and Compost

- RFP required identification of disposal and processing facilities for recycling and organics
  - Ownership or signed agreement with facility
  - Compliance with all rules, regulations, and laws
  - **Ability to accept 100% of material generated from jurisdiction**

Evaluating current infrastructure and planning new compost and AD facilities and edible food recovery
Procurement

- Franchise Agreement includes two, 15-yard compost giveaways per year
- City adopted a Sustainable Purchasing and Operations Policy in September
Compliance and Enforcement

- City working on adopting the ordinance using CalRecycle models
- Leverage Franchise Agreements to support implementation and enforcement
Food Recovery Programs

- County of San Mateo currently piloting food recovery programs
- County Contact: Jack Johnson, Senior Sustainability Specialist,
  jejohnson@smcgov.org
Contact Information

Jennifer Chong
Public Works Program Manager

jchong@hmbcity.com
(650) 712-5835
Scrap Your Fears About Food Waste Regulations: Preparing for SB1383

October 2020
Key Recycling Legislative Milestones

1989  **AB 939 (Sher)** sets a diversion rate of solid waste from landfills at:
  • 25% by 1995
  • 50% by 2000

2011  **AB 341 (Chesbro)** sets a recycling rate of solid waste from landfills at:
  • 75% by 2020
  • Requires businesses to arrange for recycling services

2014  **AB 1826 (Chesbro)** requires:
  • Local governments to adopt an organic waste recycling program
  • Generators of organic waste to arrange recycling services by 2019

  **AB 1594 (Williams)** eliminates:
  • Diversion consideration for green waste as alternate daily cover
  • Effective January 1, 2020

2016  **SB 1383 (Lara)** sets a diversion rate of organic waste from landfills at:
  • 50% by 2020
  • 75% by 2025
  • CalRecycle estimates more than $21 billion to implement
**Update on Achieving Recycling Milestones**

<table>
<thead>
<tr>
<th>Year</th>
<th>Goal Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1995</td>
<td>25% diversion of solid waste</td>
<td>✔</td>
</tr>
<tr>
<td>2000</td>
<td>50% diversion of solid waste</td>
<td>✔</td>
</tr>
<tr>
<td>2016</td>
<td>44% actual diversion rate</td>
<td>❌</td>
</tr>
<tr>
<td>2019</td>
<td>Lower projected rate</td>
<td>❓</td>
</tr>
<tr>
<td>2020</td>
<td>75% recycling of solid waste</td>
<td>❌</td>
</tr>
<tr>
<td></td>
<td>50% recycling of organic waste</td>
<td>❌</td>
</tr>
<tr>
<td>2025</td>
<td>75% recycling of organic waste</td>
<td>HIGHLY UNLIKELY</td>
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</table>

**2018**

China Sword destroys commodity market
What Happened?
Major Structural Changes in the Recycling Marketplace

Changes in the Stream
Newsprint has declined from 18 million tons in 2000 to only 2 million tons in 2015.

Material Light-weighting
It takes twice as much effort to recycle 1 ton of plastic bottles in 2015 as it did in 2000.

China Sword (2018)
Total ban of recyclable imports in 2020- US lost 1/3 of our recycling markets –
Processing cost double

Commodity Markets Crash
Mixed paper is down 95%, corrugated cardboard is down 70%. Glass has negative value.
SB 1383 Disposal Baseline and Targets*:  
50% below 2014 level by 2020  
75% below 2014 level by 2025
What Will Happen?
An Unfunded Mandate has Created a Looming Problem

- Achieving California’s organic waste diversion goals will require $41 B to implement SB 1383 Organics diversion goals
- $400 million per year over the next 10 years ($4 billion) for infrastructure/processing upgrades and markets:
- Local garbage rates triple!!!

Currently, no funding source has been identified.
Funding Sources for Recycling Renewal—Key Objectives.

- Funding Must Be Adequate To Support State Imposed Recycling Mandates
- Offset Increased Recycling Costs and Declining Commodity Prices
- Fund Upgrades to Recycling Infrastructure and Markets
- Stable Long-Term Funding Source
Conclusion – Action Needed!

*Without a stable state funding source, California will not meet the state-imposed recycling and GHG reduction goals!*

- $400,000,000 Annually for 10 Years
- COVID 19 and Worst Wildfire Season on Record
- Shared Responsibility – We can only do this if we work together!
- Recycling is Imperative... But, No Longer Free
City of Stockton Contract – It Can Be Done!

- Republic held contract since 1981/Extension Due
  
  • Escalator of 50% CPI fell far short of cost recovery
  
  • City Switched billing - led to 15% bad debt on garbage bill
  
  • Recycling Market collapse - Regional recycler went from paying $40/ton in 2017 to charging $110/ton in 2019
  
  • Contamination a major issue
  
  • SB 1383
City of Stockton Contract Terms

- Roughly a 30% Increase
- Commercial Base Rate includes 1 Cu/Yd Recycling /96 Gallon Organics = Automatic Compliance
- Contract Covers SB 1383 Obligation Except:
  - Local Enforcement/Procurement/edible Food Recovery
- Increased Contamination Monitoring Budget
- Bad Debt Costs Millions $$$ – Tax Lien
- Residential/Commercial Bin Replacement
- Contamination Fee BUT…Heavy Focus On Education/Front End Contamination
- Reasonable Annual Increase
THANK YOU!

Chuck Helget
Director, California
Government Affairs

e: chelget@republicservices.com
o: 916-449-9686  c: 916-257-0472
Group Discussion

What does COVID-19, wildfires, climate impacts and other uncertainty mean for organic waste recycling?

How is your agency responding?

What are the opportunities you see?
THANK YOU!