

Commercial Solid Waste & Recycling

July 3, 2019

District Solid Waste & Recycling History

- ▶ In 2011, the District took over solid waste powers from the County of San Bernardino, assuming responsibility for meeting the State of California's existing and future recycling requirements
- ▶ District adopted existing Franchise Agreement between CR&R and the county
- ▶ District began reporting diversion to the county in 2016
 - ▶ Diversion is anything that is not sent to the landfill, such as recyclable plastics, glass, cardboard, returned printer cartridges, tires, etc. What the state considers divertible is subject to change:
 - ▶ Ex: In certain circumstances, green waste will no longer be considered diversion on January 1, 2020, in terms of measuring the minimum diversion percentage
 - ▶ Includes gathering all data from District businesses on what is diverted and in what quantities
 - ▶ Also includes information on all District programs and educational outreach efforts
- ▶ In December 2017, after significant outreach, the District adopted:
 - ▶ Ordinance No. 2017-02 - Established mandatory commercial solid waste service
 - ▶ Ordinance No. 2017-03 - Established mandatory commercial recycling service

District's Compliance Requirements

- ▶ California Integrated Waste Management Board's (CalRecycle) requirements for local jurisdictions:
- ▶ All Community Services Districts with solid waste powers are subject to Public Resources Code Division 30 (Commencing with Section 40000 et seq.)
 - ▶ Required to comply with state waste management & diversion laws and reporting requirements as stipulated in Section 41821.2 of the Public Resources Code
 - ▶ Annual reporting to the county of information on:
 - ▶ Waste management programs implemented by the CSD
 - ▶ Amount of waste disposed and diverted from CSD waste collection programs
 - ▶ Any additional reporting as required by current or future state waste management and diversion laws

District's Compliance Requirements

▶ Current State Waste Management & Diversion Laws:

▶ AB 939 - Integrated Waste Management Act

- ▶ Established in 1989
- ▶ 50% diversion requirement
- ▶ Development of various county-wide plans, elements, and enforcement mechanisms
- ▶ County submittal of Electronic Annual Reports (EAR) to CalRecycle

▶ SB 1016 - Solid Waste Per Capita Disposal Measurement Act

- ▶ Established in 2008
- ▶ Changed the compliance requirements of AB 939 to a disposal indicator (per capita)

▶ AB 341 - Mandatory Commercial Recycling Law

- ▶ Established in 2011
- ▶ Requires businesses that generate 4 cubic yards or more of commercial solid waste per week and multi-family residential dwellings of 5 or more units to recycle
 - ▶ Self-haul recyclables or
 - ▶ Subscribe to service

District's Compliance Requirements

- ▶ Current State Waste Management & Diversion Laws (cont.):
 - ▶ AB 1826 - Mandatory Commercial Organics Recycling Law
 - ▶ Established in 2014
 - ▶ Requires business to recycle organic waste
 - ▶ Requires jurisdictions to implement an organic waste recycling program by Jan 1, 2016
 - ▶ Organic waste is food waste, green waste, landscape and pruning waste, non-hazardous wood waste, and food-soiled paper waste that is mixed in with food waste.
 - ▶ Phased compliance requirement:
 - ▶ April 1, 2016 - 8 cubic yards of **organic** waste per week
 - ▶ January 1, 2017 - 4 cubic yards of **organic** waste per week
 - ▶ January 1, 2019 - 4 cubic yards of **commercial** solid waste per week
 - ▶ Businesses required to recycle organic waste must implement at least one:
 - ▶ Source-separate organic waste & subscribe to organic waste recycling service
 - ▶ Self-haul organic waste for recycling
 - ▶ Subscribe to service that separates and recycles organic waste
 - ▶ Sell or donate recycled organic waste

District's Compliance Requirements

- ▶ Current State Waste Management & Diversion Laws (cont.):
 - ▶ AB 1594 - Green Material Used as Alternative Daily Cover Law
 - ▶ Established in 2014
 - ▶ Mandates that as of January 1, 2020, the use of green material as alternative daily cover (ADC) will no longer constitute diversion
 - ▶ Beginning 2017, the EAR requires jurisdictions to outline plans to divert green material used as ADC
 - ▶ Beginning 2020, jurisdictions that do not meet 50% per capita disposal target without ADC required to identify and address barrier to recycling green material and develop a plan to address barriers

District's Compliance Requirements

- ▶ Current State Waste Management & Diversion Laws (cont.):
 - ▶ SB 1383 - Short-Lived Climate Pollutants (SCLP): Organic Waste Methane Emissions Reductions Law
 - ▶ Signed into law September 2016 - Currently in the Rulemaking & Regulations Process
 - ▶ 50% reduction in the level of statewide disposal of organic waste from the 2014 level by 2020
 - ▶ 75% reduction in the level of statewide disposal of organic waste from the 2014 level by 2025
 - ▶ 20% of currently disposed edible food is to be recovered for human consumption by 2025
 - ▶ CalRecycle was granted the regulatory authority to achieve the reduction targets
 - ▶ Impacts almost everyone, **including residential generators**
 - ▶ Formal rulemaking is still in process and regulations will not take effect until 2022
 - ▶ Enforcement begins January 1, 2022
 - ▶ Expanded enforcement begins January 1, 2024
 - ▶ Key regulatory requirements also include:
 - ▶ Organic Waste Collection Program
 - ▶ Edible Food Recovery Programs
 - ▶ Education
 - ▶ Monitoring of contamination and conducting targeted education
 - ▶ Inspection and enforcement
 - ▶ Planning for adequate capacity
 - ▶ Procurement of recycled content products
 - ▶ **Reporting**

Why Mandatory Commercial Collection?

- ▶ To comply with state laws regarding commercial service
 - ▶ AB 939 - Increase diversion percentage from approximately 3% to 50%
 - ▶ AB 341 - Mandatory Commercial Recycling - 2011
 - ▶ While AB 341 only requires businesses with 4 cubic yards of solid waste per week to recycle, the District requires all businesses to recycle. Why?
 - ▶ Economic feasibility of establishing commercial recycling route
 - ▶ Increased opportunity to meet 50% diversion requirement
 - ▶ Foresight with SB 1383 provisions
 - ▶ Collecting organic waste & edible food
 - ▶ Ex: Small restaurant may not have 4 cubic yards of solid waste but they must still comply with recycling organic waste
- ▶ Compliance with AB 1826 & SB 1383

A Look Into the Future

- ▶ 23 Bills related to recycling & waste management introduced this legislative session so far
- ▶ New laws pending with applicability to the District:
 - ▶ AB 257 - Solid Waste Woody Biomass: Collection & Diversion
 - ▶ Pilot program to develop comprehensive biomass policy
 - ▶ AB 815 - Integrated Waste Management Plans: Source Reduction & Recycling Element & HHW Element: Dual Stream Recycling Programs
 - ▶ Adds a factor when determining compliance with AB 939 which changes the current good faith effort measurement
 - ▶ AB 827 - Solid Waste: Commercial & Organic Waste: Recycling Bins
 - ▶ Requires businesses other than full-service restaurants to provide customers with clearly and uniformly marked recycle bins
- ▶ Mandatory residential service
 - ▶ May be required to comply with SB 1383 & AB 815

Questions?