



Mandatory Commercial Organics Recycling

(AB 1826 and AB 1594)





Policy Drivers

AB 939

- 50% diversion requirement for jurisdictions

AB 341

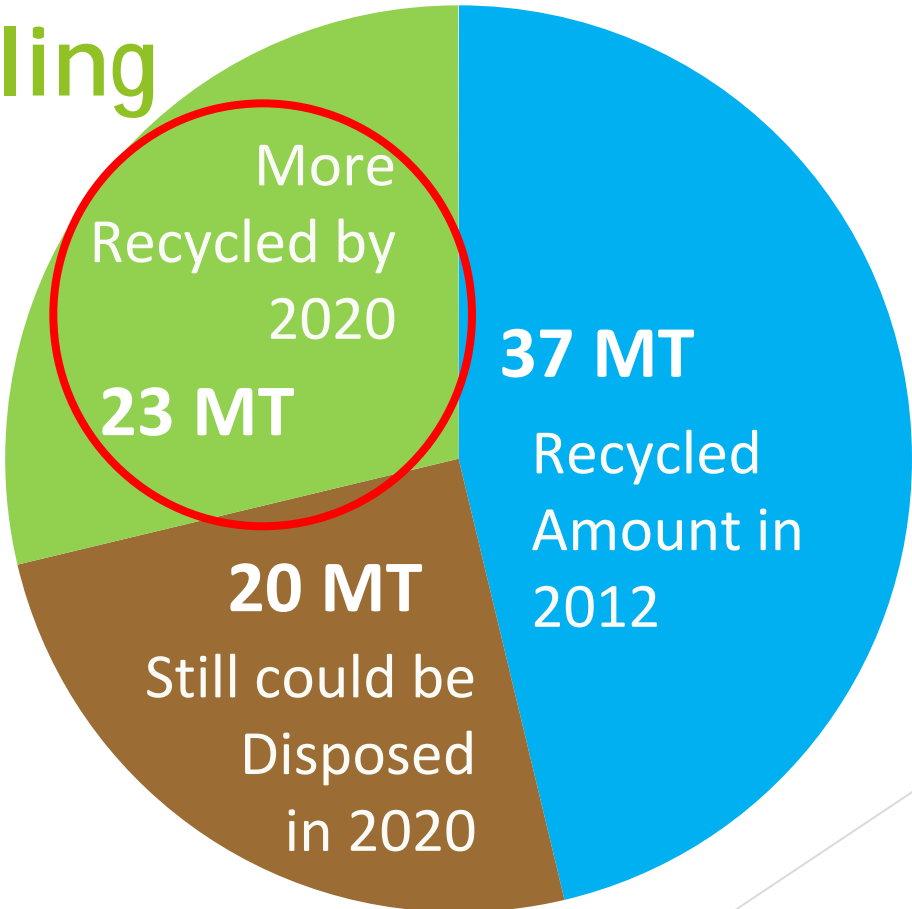
- 75% reduction, recycling, composting statewide goal by 2020
- Not transformation or disposal-related activities, etc.
- Doesn't change AB 939 mandate on jurisdictions or how CalRecycle evaluates compliance

AB 32

- ARB Scoping Plan - Waste Sector
- Reduce GHGs to < 1990 levels
- SLCP - divert 90% of organics by 2025, effectively eliminate organics disposal in CA landfills



Projected 2020 tonnages Million Metric Tons (MT) to reach 75% recycling



A close-up photograph of a pair of hands gently holding a small green seedling with several leaves in a dark pot of soil. The background is softly blurred, showing more of the hands and the plant. The image is overlaid with a semi-transparent white banner that contains the title and list.

AB 1826 Business Requirements

- April 2016 - Businesses generating 8 CY organics/week required to have organic waste recycling
 - Jan 2017 - 4 CY/week of organics
 - Jan 2019 - 4 CY/week of solid waste
 - 2020 trigger: CalRecycle can reduce to 2 CY of waste if statewide organics disposal not cut in ½
 - Multifamily complexes not required to divert food waste



AB 1826 Jurisdiction Requirements

- ▶ Jan 2016 - Implement program:
 - Outreach, education, monitoring
 - Organics recycling program
 - May include mandatory recycling via policy or ordinance, franchise agreement or contract, or requiring material to go through MRF
 - Identify barriers; plan to address barriers under control of jurisdiction
- ▶ 2016 -annual calls/site visits, staff will discuss with each jurisdiction what they plan to do for education/outreach/monitoring activities.
- ▶ Aug 2017 - begin reporting in Annual Reports on education, outreach, monitoring, barriers/plans, facility infrastructure



Relationship to MCR

- ▶ Some similarities to MCR but more complex
- ▶ Similarities:
 - Businesses are responsible
 - Jurisdictions must have outreach, education, monitoring
- 2016 annual calls/site visits, CalRecycle Local Assistance & Market Development staff will discuss with each individual jurisdiction what they plan to do for education/outreach/monitoring activities.



Relationship to MCR

► Differences:

- Variability in organic waste types and programs
 - General lack of food waste programs
 - Roles of food banks, renderers, etc.
- What constitutes a program?
- Need to identify those that generate organics
 - Need to provide #s of businesses that are recycling
 - Need to provide tonnage diverted, if available
- Need to ID more information and specify plan
- Rural exemption process



AB 1594

- 2020: Green material ADC ≠ recycling
 - Will be considered disposal
 - Exempt from tipping fee
- August 1, 2018: In Annual Report, each jurisdiction to provide info on plans to divert this material
- August 1, 2021: If jurisdiction fails to meet 50% as result, then in Annual Report also has to address barriers to recycling green material
- CalRecycle required to update Legislature on status of IWMA fund



CIWMP Enforcement Policy Part II

- ▶ Foundation for CalRecycle's Jurisdiction Reviews
 - ▶ Last revised in 2015 due to AB 341/AB1826/AB 1594
- ▶ Part II - How CalRecycle determines whether J's programs are adequately implemented
 - Criteria for analysis
 - Mechanisms CalRecycle uses to determine a J's compliance
 - Structure of penalties that may be imposed for failing to implement
- ▶ MCR and MORE need to be implemented regardless of per capita disposal rate



Determining Progress Achieved in Implementing Program

- ▶ What constitutes “organics waste recycling services” varies
- ▶ Did J demonstrate that programs available to regulated entities are adequate?
 - Generator ID, PNAT analysis of existing programs, etc.
- ▶ If J has not implemented appropriate program that meets needs of its businesses, has it answered questions re: markets, funding, facilities, staffing, legal issues?



Steps Toward Issuance of Compliance Order

- ▶ If CalRecycle finds J failed to adequately implement MCR and/or MORE requirements...
 - Regardless of whether it met per-capita target
 - And has not demonstrated good faith effort
- ▶ Then CalRecycle may issue Compliance Order



How Can State and Locals Work Together For Additional Diversion, Especially Organics?

- ▶ Provide financial and technical assistance to composters, Anaerobic Digestion projects, recycling manufacturers
- ▶ Project with Institute for Local Government
 - ▶ educate planners and elected officials
 - ▶ develop models/tools for planning, siting, local infrastructure development, etc.
 - ▶ <http://www.ca-ilg.org/recycling-resource-center>
- ▶ Partner with local Small Business Development Corps and Economic Development Centers
- ▶ Educate generators of organics about AB 1826 law
- ▶ Promote end use markets for compost, including using compost in local projects



Institute for Local Government Resource Center

- ▶ Recycling Road Map: How to Plan, Site, and Finance Your Recycling Facility
- ▶ True Cost of Recycling: How California Communities are Financing and Siting Recycling Infrastructure
- ▶ Model Goals, Policies, Zoning, and Development Standards for Composting and Remanufacturing Facilities
- ▶ www.ca-ilg.org/recycling-resource-center





Questions?

CalRecycle Webpage:

www.calrecycle.ca.gov/Recycle/Commercial/Organics/