

## COMMERCIAL AND MULTI-FAMILY RECYCLING

Approximately 75 percent of California's solid waste generation is from commercial sources. These include commercial, industrial, and construction/demolition activities which together comprise approximately 66 percent of statewide waste generation, while large multi-family residential complexes generate almost nine percent of statewide solid waste. The commercial sector, however, is not directly subject to the requirements of the Integrated Waste Management Act of 1989 (AB 939 Sher, Chapter 1095, Statutes of 1989) to divert waste from landfills.

Disposing commercial waste that could otherwise be recycled and reused drains natural resources, harms California's environment, prevents economic growth and recycling sector job creation, and contributes to global warming.

While some commercial recycling already occurs, about ½ of the commercial waste still disposed in landfills is easily recyclable. By increasing commercial recycling, businesses and multifamily complexes can reduce costly disposal fees and reclaim valuable resources.

### **Mandatory Commercial Recycling**

To help increase commercial recycling, a mandatory commercial recycling measure was included in the California Air Resources Board (ARB) Scoping Plan adopted in December 2008, as required by the California Global Warming Solutions Act of 2006. Increasing the recovery of recyclable materials will directly reduce GHG emissions. This mandatory commercial recycling measure was designed to achieve a reduction in greenhouse gas emissions of 5 million metric tons of carbon dioxide equivalents. To achieve this, an additional 2 to 3 million tons of material will need to be recycled from the commercial sector by 2020 and beyond.

As the state's lead for the mandatory commercial recycling measure, CalRecycle originally worked with ARB to develop a Mandatory Commercial Regulation that was to be adopted by the ARB under its AB 32 authority. However, as a result of Assembly Bill (AB) 341 ([Chapter 476, Statutes of 2011 \[Chesbro, AB 341\]](#)) being signed on October 6, 2011, CalRecycle was given authority to directly adopt its own mandatory commercial recycling regulations.

While there are some distinctions between the draft regulations in the prior rulemaking effort and the commercial recycling program outlined in AB 341, the fundamental framework and principals are parallel. The primary difference is the change in the multifamily threshold. Therefore, CalRecycle staff has adjusted the proposed regulation for a new rulemaking, and commenced its own rulemaking to implement the statute. These regulations will reflect the statutory provisions and provide additional procedural clarifications. CalRecycle initiated the formal rulemaking with a 45-day comment period beginning October 28, 2011, and a subsequent public hearing will be held on December 13, 2011.

### **Key Elements of the Law**

The purpose is to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in California.

### **Key roles**

**Business Commercial Recycling Requirements:** A business (includes public entities) that generates four cubic yards or more of commercial solid waste per week or a multifamily residential dwelling of five units or more shall recycle.

**Local Government Requirements:** Each jurisdiction shall implement a commercial solid waste recycling program that consists of education, outreach and monitoring of businesses, that is appropriate for that jurisdiction and is designed to divert commercial solid waste from businesses, whether or not the jurisdiction has met the requirements of PRC Section 41780.

**CalRecycle Review:** CalRecycle shall review a jurisdiction's compliance with implementing its education, outreach and monitoring program as part of the department's review required by PRC Section 41825.

### **Implementation Dates: Mandatory Commercial Recycling Program**

Early 2012, CalRecycle considers adoption of the Mandatory Commercial Recycling Regulation  
July 1, 2012, Business and Local Jurisdiction Commercial Recycling Program Implementation  
August 2013, Jurisdiction Annual Reports for calendar year 2012  
August 2014, First CalRecycle Review of jurisdictions on a two-year review cycle

### **Additional Programs that Facilitate and Support Commercial Recycling**

In addition, CalRecycle continues to work on a number of projects that support enhanced commercial recycling.

CalRecycle contracted with H F & H Consultants to complete a "[Cost Study on Commercial Recycling](#)" that includes a cost model that estimates costs, net costs and savings related to developing or expanding selected commercial recycling programs. The cost study provides the data that was used in the analysis of the economic impact of implementing the mandatory commercial recycling regulation.

Soon to be released, the *Commercial Recycling Cost and Climate Calculator* is a tool designed to provide information to businesses about how to reduce, recycle or dispose materials and the estimated costs/savings and potential GHG reductions associated with their decisions.

CalRecycle's [Facility Information Toolbox \(FacIT\) Project](#) provides a centralized source of information about California waste management and recycling facilities. The tool will be helpful in determining if materials or programs being considered for implementation or expansion could be supported by existing regional processing capacity or requires expansion of that capacity.

### **Recycling and Composting Emission Reduction Factors**

In support of MCR, ARB staff developed life-cycle based greenhouse gas emission reduction factors for recycling and composting. These factors were designed to provide local government officials, planners and other interested stakeholders with a reliable estimate for alternative waste management options. The methodology for their development can be found at: [Recycling Emission Reduction Factors](#) and [Composting Emission Reduction Factor](#).

The [Small Business Toolkit](#) is a "one-stop-shop" of guidance and resources to help small businesses reduce greenhouse gas emissions and save money. This is just one of the many tools provided at [www.coolcalifornia.org](http://www.coolcalifornia.org) to provide all Californians with the tools they need to voluntarily reduce global warming pollution.

The [California Green Business Program](#) is a network of local governments working with the Department of Toxic Substances Control to help companies make the switch to green business practices. Businesses earn a seal of certification from their local city or county by meeting rigorous criteria established by the California Green Business Program.

CalRecycle also contracted with the [Institute for Local Government](#) to:

- Develop a sample ordinance that local jurisdictions may choose to utilize when [implementing mandatory commercial recycling](#);
- Document [case studies](#) of jurisdictions that have successfully developed and/or implemented climate change action plans and commercial recycling programs;
- Develop a tiered [recognition program](#) for jurisdictions that have achieved actual emission reductions through implementation of a variety of actions, including solid waste management programs; and
- Conduct a series of educational [webinars](#) for local agencies interested in adopting commercial recycling ordinances or implementing commercial recycling programs.

*CalRecycle Staff:* [Teri Wion](#), [Marshall Graham](#)  
[MCR Website](#)