Mandatory Commercial Organics Recycling (AB 1826) Stakeholder Workshop

CalRecycle

Overview of the Law

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Policy Drivers

AB 939

- 50% diversion requirement for jurisdictions

AB 32

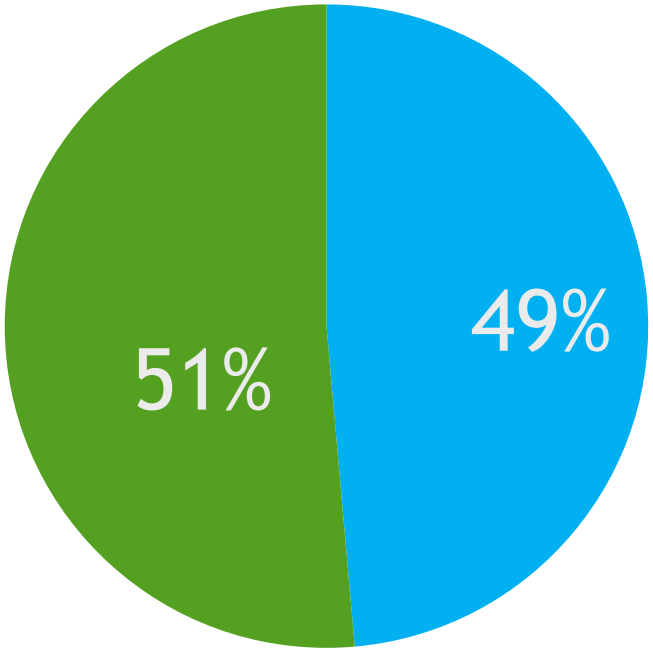
- ARB Scoping Plan – Waste Sector
- Reduce GHGs to < 1990 levels

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

CalRecycle

Where Are We Now?



- Currently Recycled (PPD)
- Currently Disposal-Related Activity (PPD)

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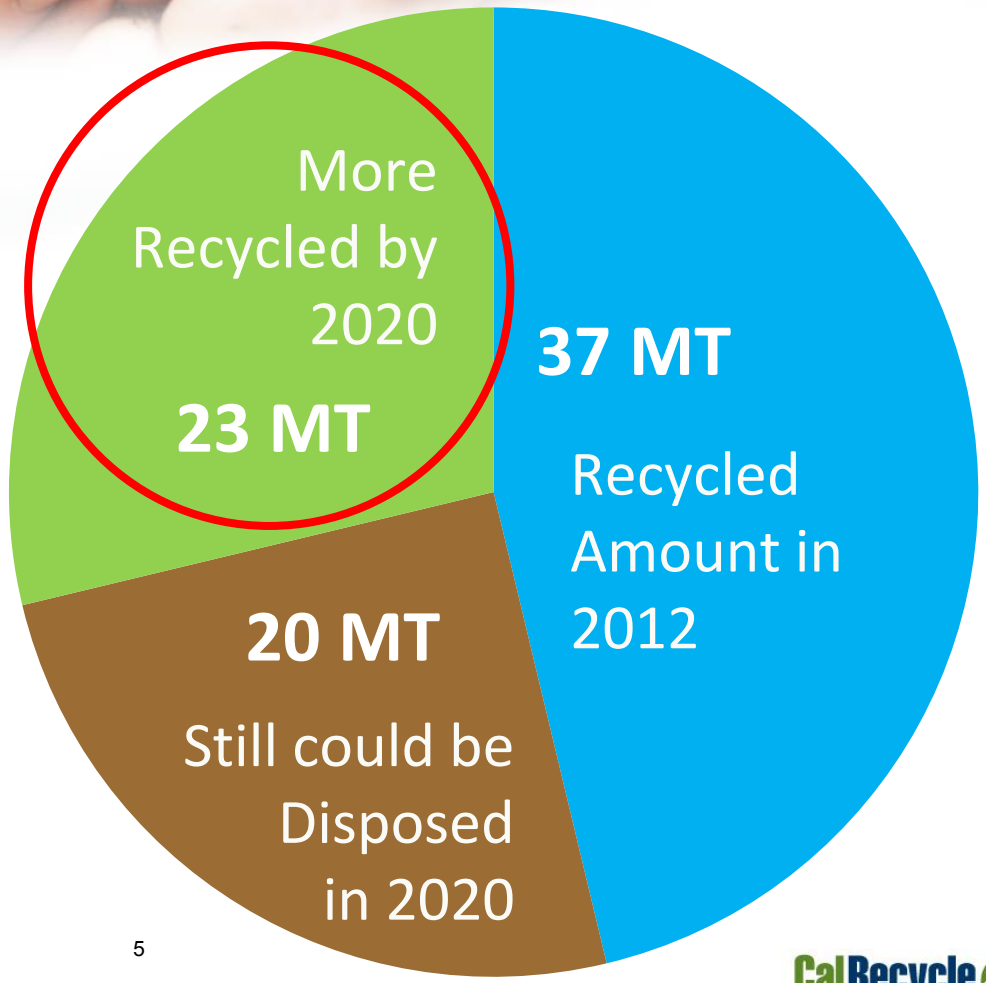
Projected 2020 tonnages to reach 75% recycling



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What Will 75% Take?

- Moving > 20 million tons/year out of landfills
- 1/3 or more organic, plus many traditional recyclables
- Either overseas or other states OR more infrastructure here in California
  - CalRecycle preference to handle waste in CA
- 100s of new or expanded facilities

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What Else 75% Can Achieve

- Jobs if in-state
- GHG reductions
- Biofuel/bioenergy production

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How Will CalRecycle Measure?

- Modify current system used for measuring 50% on statewide basis
- Measure based on per resident activity
  - Allows for population growth
  - No multiplier for economic growth
- Simple and practical
  - Measures disposal but is quantifiable
- No additional reporting burdens

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Connections to AB 32

- ARB Scoping Plan Update 2014
- Waste Management Sector identifies activities to achieve significant GHG reductions
- Potential for 20-30 MMT GHG reductions
- Activities support AB 341
- Measure via CalRecycle waste characterization studies 2014/2015 & ~2018/2019

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Scoping Plan Implementation

- Funding/incentives for infrastructure
  - e.g., Greenhouse Gas Reduction Program $$
- Regulatory/statutory provisions
  - e.g., direct regs on organics in landfills?
- Emission reduction factors
- Permitting
- Procurement

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Why Organics?

- >>30% of total disposal compostable/digestible
- No way to 75% without it
- Scoping Plan identifies organics as key player to help meet GHG goals
- If divert ½ ➔ 3-4 $MMTCO_2e$ reduction/year

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Sticks

Reduce organics disposal through:

- **Legislation:** AB 1826 (statutorily mandated commercial recycling of organics) + AB 1594

AND/OR

- **Regulation:** Air Resources Board could implement through direct regulations

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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
- CalRecycle to recommend actions re: state's organic recycling infrastructure

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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
  - Rural exemption process
- Aug 2017 – begin reporting in Annual Reports on ed., outreach, monitoring
  - Including # regulated businesses generating organics and # recycling organics; if available, tonnage diverted; facility availability and plans to address barriers

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Relationship to MCR

- Some similarities to MCR but more complex
- Similarities:
  - Businesses are responsible
  - Jurisdictions must have outreach, education, monitoring

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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

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Guidance on 1826

- Nov 2014 – initial guidance on 1826 provisions + solicitation of questions from stakeholders + listserv
- Dec 2014 - Developed rural exemption process
- Jan 2015 – Posted responses to “easy” questions
- Jan/Mar 2015 - Outreach to industry associations
- Spring 2015 – workshops
  - Develop revised CIWMP Enforcement Policy
  - Develop guidance on what will be expected in EARs
  - Provide tools for identifying organics generators
  - Tools for assessing program needs
- May/June 2015 – finalize guidance (6 months before initial implementation date)
- July/Dec 2015 - promote tools and resources via local meetings

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MORe Webpages

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

AB 1594

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

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AB 1594

- Governor's signing message – concern re: creating fee-exempt form of disposal
  - Should not hamper fee structure reform efforts
- Other ADC work – ongoing assessment of overuse at landfills

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AB 1594

- Potential impact on jurisdiction compliance with AB 939?
  - Will ADC not counting as recycling result in jurisdictions failing to meet AB 939 goals and being placed on compliance orders?
- 308 used green waste ADC in 2012
  - Only 9 would fail to meet 50% per-capita disposal target as a result
- AB 939 review process
  - Per-capita disposal: indicator but not determinative of compliance
  - CalRecycle focus continues to be on program implementation

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Guidance on AB 1594

- Webpage
- FAQs
- Annual Reporting guidance
- CIWMP Enforcement
- Examples of how jurisdictions are addressing greenwaste ADC
- Tool to calculate impact of greenwaste ADC

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AB 1594 Webpages

http://www.calrecycle.ca.gov/lgcentral/basics/ADCGreen/default.htm

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Major Issues in Infrastructure Development

- Cost compared to landfilling
- Financing new/expanded facilities
- Permitting at state level
- CEQA
- Local land use decisions
- NIMBY
- Ensuring markets to use increased amount of organics materials

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Permitting/Siting Issues

- Local land use
- CalRecycle regs on composting and AD
  - Definition of food material
  - Requirements for in-vessel digesters
  - Contamination levels
  - Land application restrictions
- Air Districts and ARB
- Regional Water Boards and SWRCB
- CDFA

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Markets: Procurement & Demand

- Markets mostly local or regional – need local demand
  - Local government procurement
  - Promotion with local residents, landscapers, businesses, C of Cs Commerce
- Sustainable landscaping
  - California Urban Water Conservation Council
  - DWR model water-efficient landscape ordinance
- CalTrans (and others) – erosion control, landscaping
- Agricultural and grazing lands
  - Water conservation savings
  - Gov's Office re: soil health
  - Marin Carbon re: rangeland C sequestration

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Markets: Clean Products

- Markets local or regional – contamination comes back to our soils and water
- Compost subject to metals and pathogen standards
- Labeling info: US Composting Council, CDFA re: nutrients
- Organics certifications – e.g., OMRI
- Physical contaminants – glass, plastics
  - Proposed CalRecycle regulations
  - Working with Water Board and CDFA on land application

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Carrots: State Financial Incentives

- ARB: Low Carbon Fuel Standard (LCFS)
- CPUC: SB 1122 feed-in tariffs
- CEC/CPUC: Renewable Portfolio Standard (RPS)
- CEC: AB 118 Grants
- CalRecycle RMDZ Program Loans
- Treasurer: CPCFA Tax-Exempt Bond Financing, CALCAP
- CalRecycle: Greenhouse Gas Reduction Grants/Loans
- BOE: Manufacturers Tax Rebate

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GGRF Grants and Loans

- Funding from Greenhouse Gas Reduction Fund
- $25 million in FY 2014-15
- $25 million again in FY 2015-16

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CalRecycle Greenhouse Gas Reduction Programs

2 Grant Programs ($20 million)

- Organic materials ($15 million)
- Fiber, Plastic, and Glass ($5 million)
- Statewide, competitive

1 Loan Program ($5 million, revolving)

- Organics & Fiber, Plastic, and Glass
- Statewide, competitive

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Goals and Co-Benefits

- Reduce GHG emissions
- Expand composting & AD infrastructure
- Expand manufacturing from paper, resins and glass
- Benefit disadvantaged communities
- Co-benefits:
  - Enhance air and water protection at organics sites
  - Create jobs
  - In-state biofuel/bioenergy production

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Contact Info

Link to all program documents and application:
http://www.calrecycle.ca.gov/Climate/GrantsLoans/

- All questions for the Grant Programs
  GHGreductions@CalRecycle.ca.gov
- All questions for Loans
  Loans@CalRecycle.ca.gov

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Generator Identification Tool

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How to Identify Covered Generators without doing a waste characterization for each business?

1. General Approach to Generator Identification
2. CalRecycle's Approach
3. Alternative Approaches
4. Identification of the Actual Generators
5. Available Resources
6. Suggested Approach to Multifamily

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General Approach to Generator Identification

Step 1: Determine and pick a general criterion (i.e., # of employees) that can be applied to each business group

Step 2: Cross-check the criterion with business license data/business database to identify the likely *existing* generators in your jurisdiction

Step 3: Conduct site visit to business and observe/confirm organic generation (or see if hauler already has this data)

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CalRecycle's Approach

- Using # of Employees to Estimate 8 cu yd of Organic Waste Generation by Business Type (See handout #4 on meeting notice for sample table and calculation method)
  - Using 2014 Waste Characterization Study Data*
  - CalRecycle Business Groups
  - Multi Family Dwellings – will discuss later

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Alternative Approaches

- Open to alternative approach: Jurisdictions need to provide sufficient information/data for CalRecycle to evaluate the approach
  - Reasonableness
  - Feasibility
- Contact Kaoru Cruz (lamd@calrecycle.ca.gov) or your LAMD liaison
  (e-mail subject line should be "**AB 1826 Alternative Method**")

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CalRecycle's Approach for Identification of Actual Generators (Cont'd)

- Using approximate cut-off for the generators; jurisdictions then need to determine which generators are covered by AB 1826
  - CalRecycle approach uses # of employees to determine cut-off
- Cross check with
  - Business data
  - Business license information
  - Hauler's disposal/diversion information

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Available Resources for Jurisdiction-Specific Data

- Employment Development Department – Labor Market Information Division (List of businesses by type/employee range – see Employer Search Tool link on handout)
  - http://www.labormarketinfo.edd.ca.gov/aspdotnet/databrowsing/empgeog.aspx?menuchoice=emp&searchtype=geography
- Private Business List Database Services - detailed information on businesses such as range of number of employees in jurisdiction (subscription base)
  - ReferenceUSA (Infogroup Government Division), Dun & Bradstreet, etc.
- Business license data – some jurisdictions may capture details on # employees

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Local Search Results

About 7,780 results (0.35 seconds)

OES **Employment** and Wages
The Occupational **Employment** Statistics and Wages (OES) program produces ... Wage data for all **geographical areas** have been updated to the first quarter of ...
www.labormarketinfo.edd.ca.gov/.../oes-**employment**-and-wages.html

Quarterly Census of **Employment** and Wages (QCEW)
Quarterly Census of **Employment** and Wages (QCEW) ... Select Geography: .... a custom tabulation for detailed **geographic areas** for economic development and ...
www.labormarketinfo.edd.ca.gov/qcew/cew-select.asp

Mechanical Engineers
Estimated **Employment** and Projected Growth Mechanical Engineers. **Geographic Area** (Estimated Year-Projected Year), Estimated **Employment**, Projected
www.labormarketinfo.edd.ca.gov/.../Detail.aspx?...**Geography**...

Geographic Information Systems Maps
Local **Area** Unemployment Statistics (LAUS) annual average county ... These maps show Annual Average Agricultural **Employment** for 2007 through 2012.
www.labormarketinfo.edd.ca.gov/.../**Geographic**_Information_Systems_ Maps.html

Overview - Labor Market Information Division
LMI by **Geography**. California ... More **Geography** Information ... The **Employment** Development Department is an equal opportunity **employer**/program. Auxiliary ...
www.labormarketinfo.edd.ca.gov/

Dietitians and Nutritionists
Salaries vary by years in practice, education level, and **geographic region**. ... **Employment** growth may be curbed if some **employers** substitute other workers, ...
www.labormarketinfo.edd.ca.gov/.../Detail.aspx?...**Geography**...

Employment by Industry Data
These data are also called the Industry **Employment** – Official Estimates. ... To select industry data for selected industries for all **geographic areas**, use the ...
www.labormarketinfo.edd.ca.gov/.../**Employment**_by_Industry_Data.html

Geographic Area
Employers by Geographic Area. Help with this page? Select the State or a County. Select an Area: State of California, Alameda County, Alpine County, Amador ...
www.labormarketinfo.edd.ca.gov/.../empgeog.aspx?...**geography**

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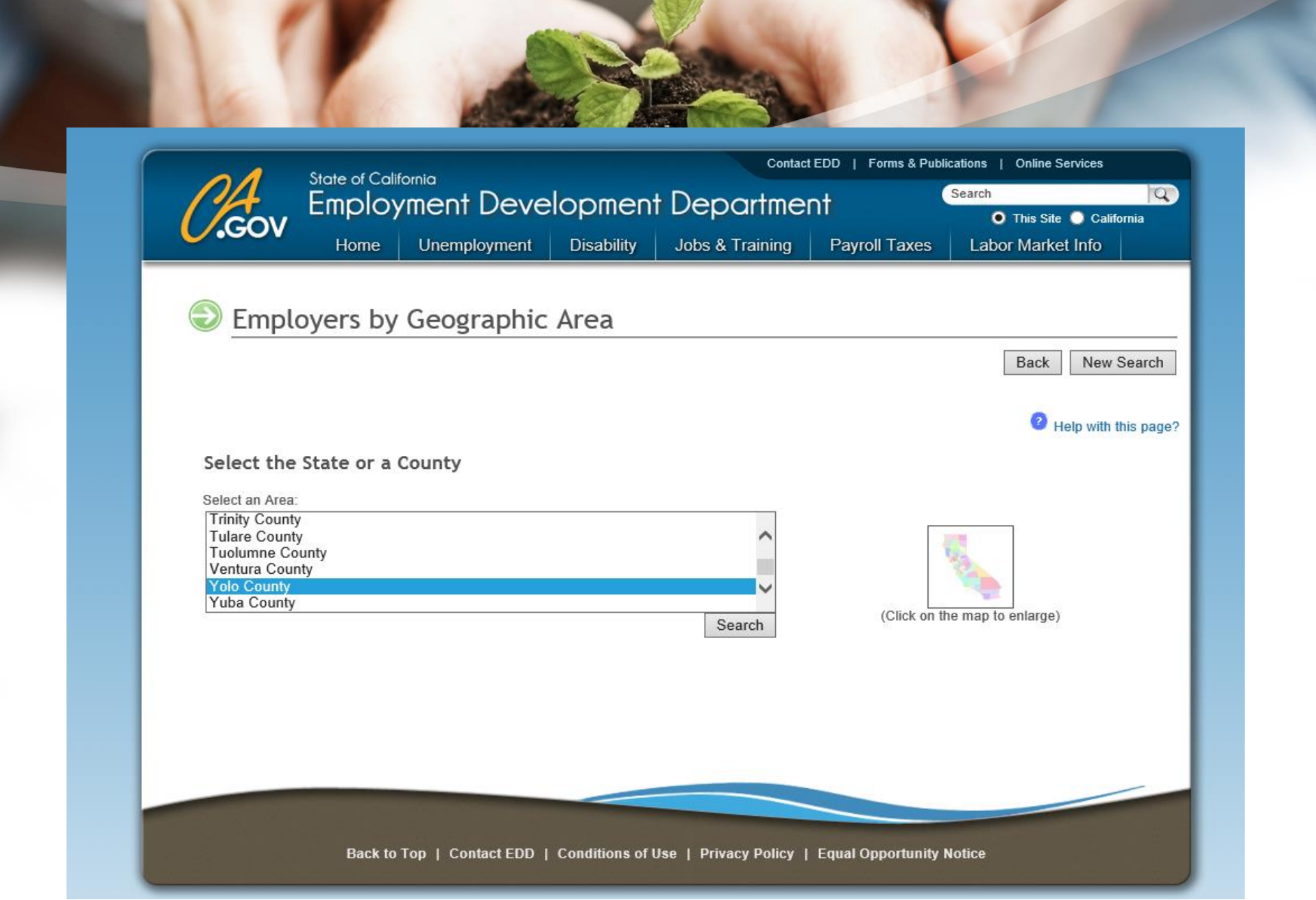
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Help with this page?

Option 1. Search for an Industry by Keyword

Type your keywords in the box and click the "Search" button

Enter an Industry Name or Code

Search

Option 2. Select a NAICS Industry Sector

Please make a selection from the industry sector (2 digit) listbox below and click the Search button or search by keyword using the option above.

Sector	Title
44	Retail Trade (44 & 45)
48	Transportation and Warehousing (48 & 49)
51	Information
52	Finance and Insurance

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Select a NAICS Industry Group

Select an industry below and click on the "Select Detail Industries" button to refine your search or "View Employer List" to list employers in that industry.

Group Title (Number of Employers in Yolo County)

4442 . . . . Lawn & Garden Equipment/Supplies Stores (13)
4451 . . . . Grocery Stores (95)
4452 . . . . Specialty Food Stores (39)
4453 . . . . Beer, Wine, and Liquor Stores (20)

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there are **95 employers** matching your selection criteria.

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Page 1 of 4 (25 results/page) [Next]

Name	Address	City	Industry	Size Range
7-ELEVEN	E Main St	Woodland	Convenience Stores	1-4 employees
7-ELEVEN	Jefferson Blvd	West Sacramento	Convenience Stores	1-4 employees
7-ELEVEN	Cottonwood St	Woodland	Convenience Stores	1-4 employees
7-ELEVEN	L St	Davis	Convenience Stores	5-9 employees
7-ELEVEN	Lake Ct	West Sacramento	Convenience Stores	5-9 employees
Aisle1	E Gibson Rd	Woodland	Supermarkets and Other Grocery Stores	1-4 employees
Amin Foods	W Capitol Ave	West Sacramento	Supermarkets and Other Grocery Stores	1-4 employees
Ampm	Russell Blvd	Davis	Convenience Stores	5-9 employees
Ampm	W Main St	Woodland	Convenience Stores	5-9 employees
Ampm	Reed Ave	West Sacramento	Convenience Stores	5-9 employees
Ampm	County Road 102	Woodland	Convenience Stores	5-9 employees
Ampm	Harbor Blvd	West Sacramento	Convenience Stores	5-9 employees
Ampm	Mace Blvd	Davis	Convenience Stores	10-19 employees
Ariana Food Mart	W Capitol Ave	West Sacramento	Convenience Stores	1-4 employees
Arteaga's Starlite Supermarket	Sacramento Ave	Broderick	Supermarkets and Other Grocery Stores	10-19 employees
Bel Air Markets	W Capitol Ave	Broderick	Supermarkets and Other Grocery Stores	250-499 employees
Berezka Market	Sacramento Ave	West Sacramento	Supermarkets and Other Grocery Stores	1-4 employees
Berryessa Sporting Goods-Mini	E Grant Ave	Winters	Supermarkets and Other Grocery Stores	10-19 employees
Bridgeview Market	3rd St	West Sacramento	Supermarkets and Other Grocery Stores	1-4 employees
Byte Way Market	Lisbon Ave	West Sacramento	Supermarkets and Other Grocery Stores	5-9 employees

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Select one to five size ranges.

20-49
50-99
100-249
250-499

By City:
Select one to five cities.

Show Original List
Broderick
Clarksburg
Davis

By Industry:
Select one industry.

Show Original List
Convenience Stores
Supermarkets and Other Grocery Stores

Filter the List | Show Original List

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Amin Foods	W Capitol Ave	West Sacramento	Supermarkets and Other Grocery Stores	1-4 employees
Ampm	Russell Blvd	Davis	Convenience Stores	5-9 employees
Ampm	W Main St	Woodland	Convenience Stores	5-9 employees
Ampm	Reed Ave	West Sacramento	Convenience Stores	5-9 employees
Ampm	County Road 102	Woodland	Convenience Stores	5-9 employees

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there are **95 employers** matching your selection criteria.
Page 1 of 1 (25 results/page)

Name	Address	City	Industry	Size Range
Davis Food Co-Op	G St	Davis	Supermarkets and Other Grocery Stores	100-249 employees
Nugget Markets	E Covell Blvd	Davis	Supermarkets and Other Grocery Stores	100-249 employees
Nugget Markets	Mace Blvd	Davis	Supermarkets and Other Grocery Stores	50-99 employees
Safeway	Cowell Blvd	Davis	Supermarkets and Other Grocery Stores	100-249 employees
Safeway	W Covell Blvd	Davis	Supermarkets and Other Grocery Stores	50-99 employees
Save Mart	Anderson Rd	Davis	Supermarkets and Other Grocery Stores	50-99 employees
Trader Joe's	Russell Blvd	Davis	Supermarkets and Other Grocery Stores	50-99 employees
Whole Foods Market	1st St # 1	Davis	Supermarkets and Other Grocery Stores	100-249 employees

infogroup
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Employer Details

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Employer Name:	Davis Food Co-Op
Business Description:	Grocers-Retail
Employer Address:	620 G St Davis, CA 95616-3726 Map This Address
Mailing Address:	N/A
Contact:	Mike Simpson, Hr Executive
Telephone:	530-758-2667
Website:	DAVISFOOD.COOP (Links to external websites are for informational purposes only. The information on external websites is believed accurate but not guaranteed.)
Employer Size Class:	100-249 Employees
Industry Description:	Supermarkets and Other Grocery Stores (NAICS code: 445110) This industry comprises establishments generally known as supermarkets and grocery stores primarily engaged in retailing a general line of food, such as canned and frozen foods; fresh fruits and vegetables; and fresh and prepared meats, fish, and poultry.

Related Links

Local Area Profile

infogroup

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Suggested Approach to Multifamily

- No tool from CalRecycle is available to determine cutoff (e.g., # number of units) for multifamily complexes (MFD), due to:
  - Data limitations (landscapers take green waste away after their work, could not capture accurate amount, property managers cannot estimate amount)
  - Uniqueness of MFD (too many variations of MFD, lots of greenery to no landscaping, hard to average out)

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Types of Multifamily

Suggested approach to MFDs (cont'd)

- One approach: jurisdictions could conduct outreach/education/monitoring for multifamily complexes (MFD) that have 5 units or more
  - MFDs are to recycle grass clipping, branches/ pruning waste, non-hazardous wood waste
  - Might mean that you are informing complexes of the law even if they don't generate 8 or 4 cy of organic material
  - Benefit is that you are not having to go through a process of identifying how much organic material (excluding food/food soiled paper) the complex generates
- Or, jurisdictions can conduct waste assessments at complexes so they can target MFDs generating the threshold amount
- CalRecycle would like to solicit ideas/feedback on how to determine covered MFDs

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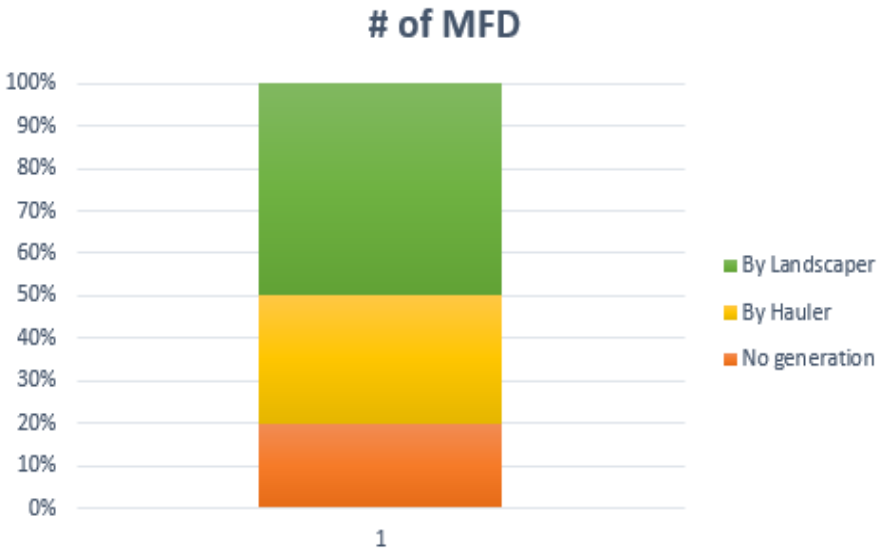
Suggested Monitoring Approach

To identify how many MFDs are in compliance:

- Hauler's data (MFD subscription to their organic collection service)
- No generation of organic materials (excluding food/food soiled paper waste)
  - Complexes that don't have trees, grass, etc.
  - Served by a landscaper/gardener
  - Possibly phase-in approach



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- Comments/Questions?

Electronic Annual Report (EAR)

Electronic Annual Report (EAR) Reporting

- First Annual Report that will include reporting on AB 1826 will be 2016 Annual Report **(due August 1, 2017)**
  - Separate section within EAR
  - Update on program development and implementation of identification, education/outreach, monitoring each year
  - Optional reporting for rural that applied for exemption
- Specific provisions for reporting on implementation of jurisdiction's program

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Summary of Information Required in 2016-2020 EARs

2016 EAR Jurisdiction reports on:

- Implementation of its organic waste recycling program **on and after January 1, 2016**
- Efforts to **identify** covered entities that generate 8 or more cubic yards/week of organic material
- **Education, outreach,** and **monitoring** provided to covered entities

2017 – 2020 EAR:

- As above, according to each year's threshold

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Numeric Information for the Reporting Year - Businesses

- Number of covered businesses
- Number of covered businesses that are recycling organic waste
- (Optional) If available provide tonnage of organic material diverted by businesses

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Numeric Information for the Reporting Year - Multifamily

- Number of covered multifamily complexes
- Number of covered multifamily complexes that are recycling green waste, landscape and pruning waste, and nonhazardous wood waste
  - i.e., all organic waste except food waste or food soiled paper
- **(Optional)** If available provide tonnage of material diverted by multifamily complexes

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Narrative Information for the Reporting Year

- Describe method(s) used to identify covered entities
  - If data is not available, explain why, and how and when the data will be gathered

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Education and Outreach for the Reporting Year

- Describe education and outreach methods, including efforts by both jurisdiction & hauler(s):
  - Electronic
  - Print
  - Direct Contact
- If applicable, describe challenges encountered in implementing education and outreach

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Monitoring for the Reporting Year

- Explain how generators not in compliance with AB 1826 were notified about the law, and how to comply with the law
- If applicable, please describe any challenges encountered in implementing monitoring

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Additional Information That May or May Not Be Applicable

If applicable:

- Enforcement efforts
- Additional certification requirements for self-haulers
- Exemptions

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Facility Infrastructure—Existing/Planned

- The following shall be reported for compost, anaerobic digestion and chip and grind facilities, and may include other facilities that recycle organic waste per PRC Section 42649.82(d)
  - Name nearby **existing organic waste recycling facilities** and **available capacities;**
  - Describe existing solid waste/organic waste recycling facilities within jurisdiction that could be **expanded** to include **organic waste processing**;
  - Describe efforts to develop **new private or public regional organics facilities**, including project timeline;
  - List **closed or abandoned sites** that could be developed into organics facilities;

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Facility Infrastructure—Existing/Planned (Continued)

- Describe **other nondisposal opportunities or markets** (e.g., food donation, on-site composting, etc.) available in the jurisdiction;
- Confirm if **appropriate local zoning and permit requirements are in place** to locate new organic waste recycling facilities, or describe any **limitations to site new facilities** if applicable;
- Describe any **incentives** available to develop new organic facilities within the jurisdiction.

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Barriers

- Address any known barriers to siting or expanding organic recycling facilities in the area:
  - Availability of markets,
  - Budgetary issues,
  - Low population density,
  - Distance to markets, or
  - Cost to process material is prohibitive due to small amount of material, etc.
- For identified barriers that are in jurisdiction's control, provide summary of jurisdiction's plan to remedy barriers [PRC Section 49649.82 (d) (1) (B)].

Wrap Up

- Training will be provided to Jurisdictions in Spring 2017 for Annual Report submittal which begins in August 1, 2017.
- Mock-ups for annual reporting will be posted on the AB 1826 website starting in 2016.

CalRecycle

- Comments/Questions?

Commercial Generator Examples

How Much Organic Material?

- Statewide Disposal
  - ~30 million tons disposed annually
  - ~10 million tons compost/AD/mulch
    - ~5 million tons food waste
- Commercial Disposal
  - ~1/3 can be composted/digested/mulched
  - Food is roughly 2/3 of commercial organics
- 2014 Waste Characterization Study coming soon!

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2014 Waste Characterization Study

- Disposal facility-based waste characterization
- Commercial Generator-based characterization of commercial 'black bin' waste
- Source Separation: Blue and Green Bins
- Comprehensive ***Diversion*** Data from Business Groups

CalRecycle

Examples of Commercial Generators

- Grocery Stores
- Hotels
- Restaurants
- Schools & Universities
- Venues & Stadiums
- Construction & Demolition

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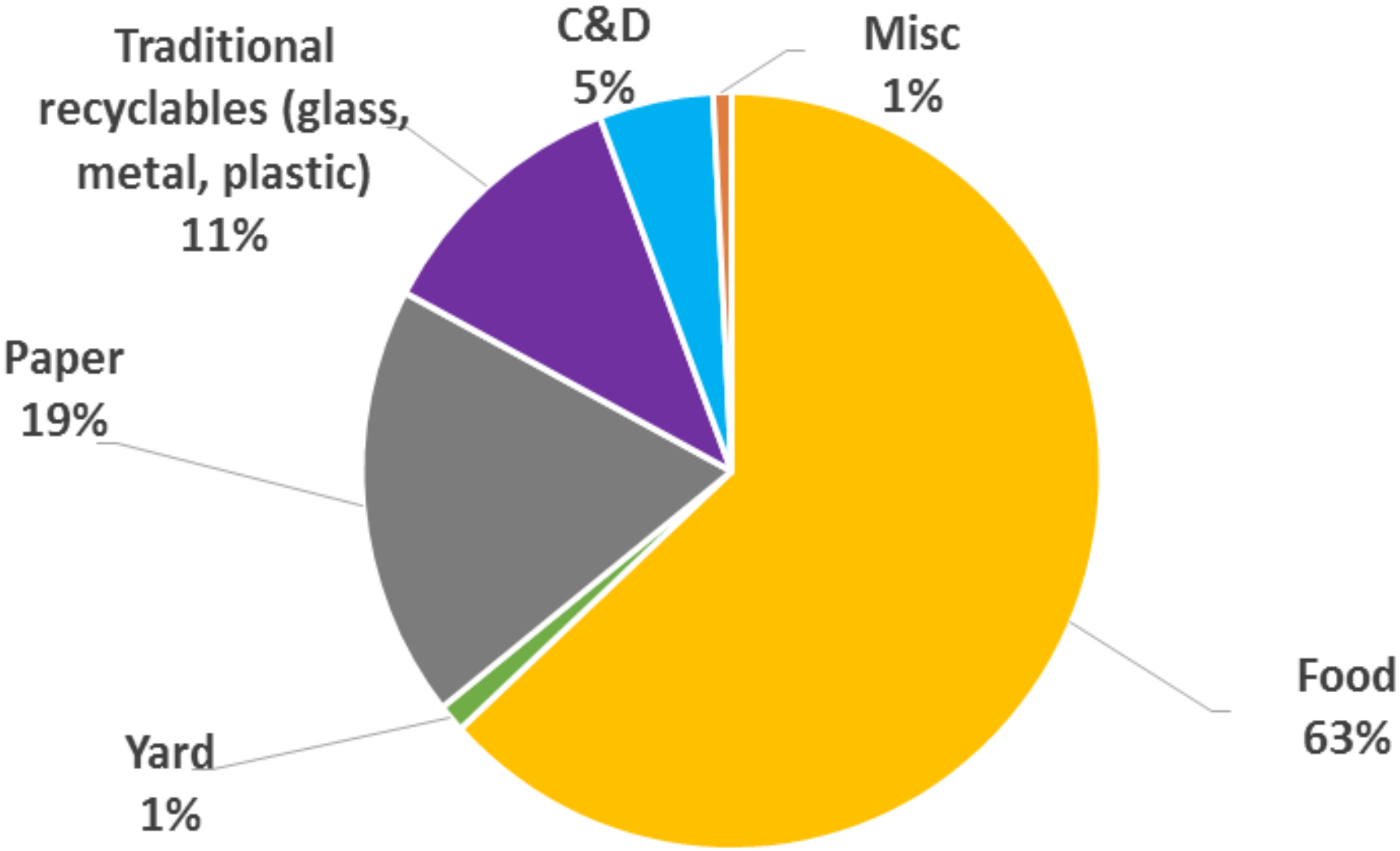
Grocery Stores

Grocery Stores Disposal Characterization



Options for Grocery Stores

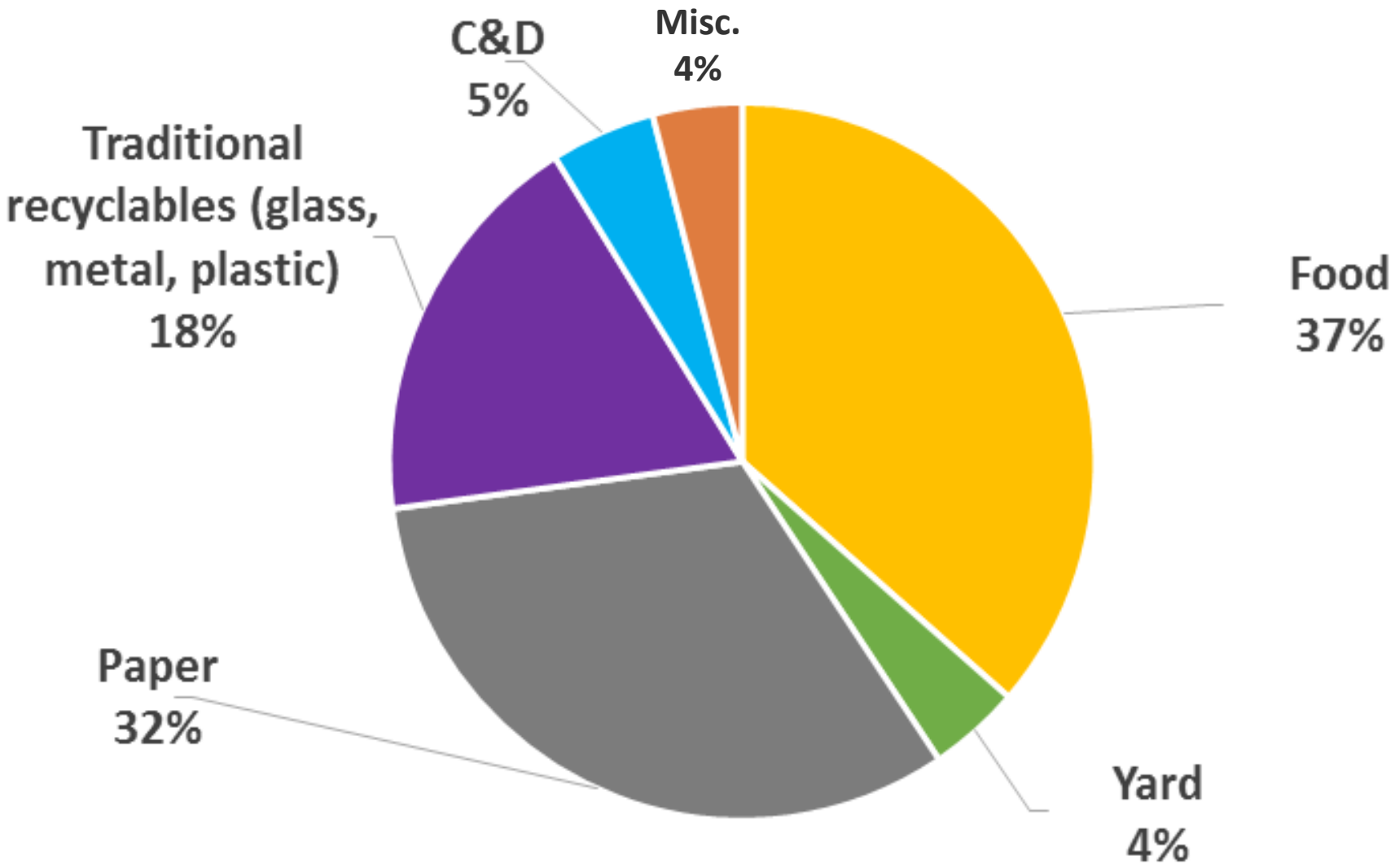
- Partner with a food bank or food rescue organization
- Back-haul food material to distribution center and send to large-scale composting or AD facility
- Contract with a hauler to provide separate collection for inedible food

Anaerobic Digestion: Ralph's & Food 4 Less distribution center, *150 tpd food*

Compton, LA County

Hotels

Hotels Disposal Characterization



Options for Hotels

- Hotels with restaurants may partner with a food rescue organization to donate edible food
- Tax deductions available; record keeping essential
- Work with hauler to send food materials to compost or AD Facility
- Landscaping contracts specify that all green material must be recycled
- Compost yard waste on site using in-vessel technology

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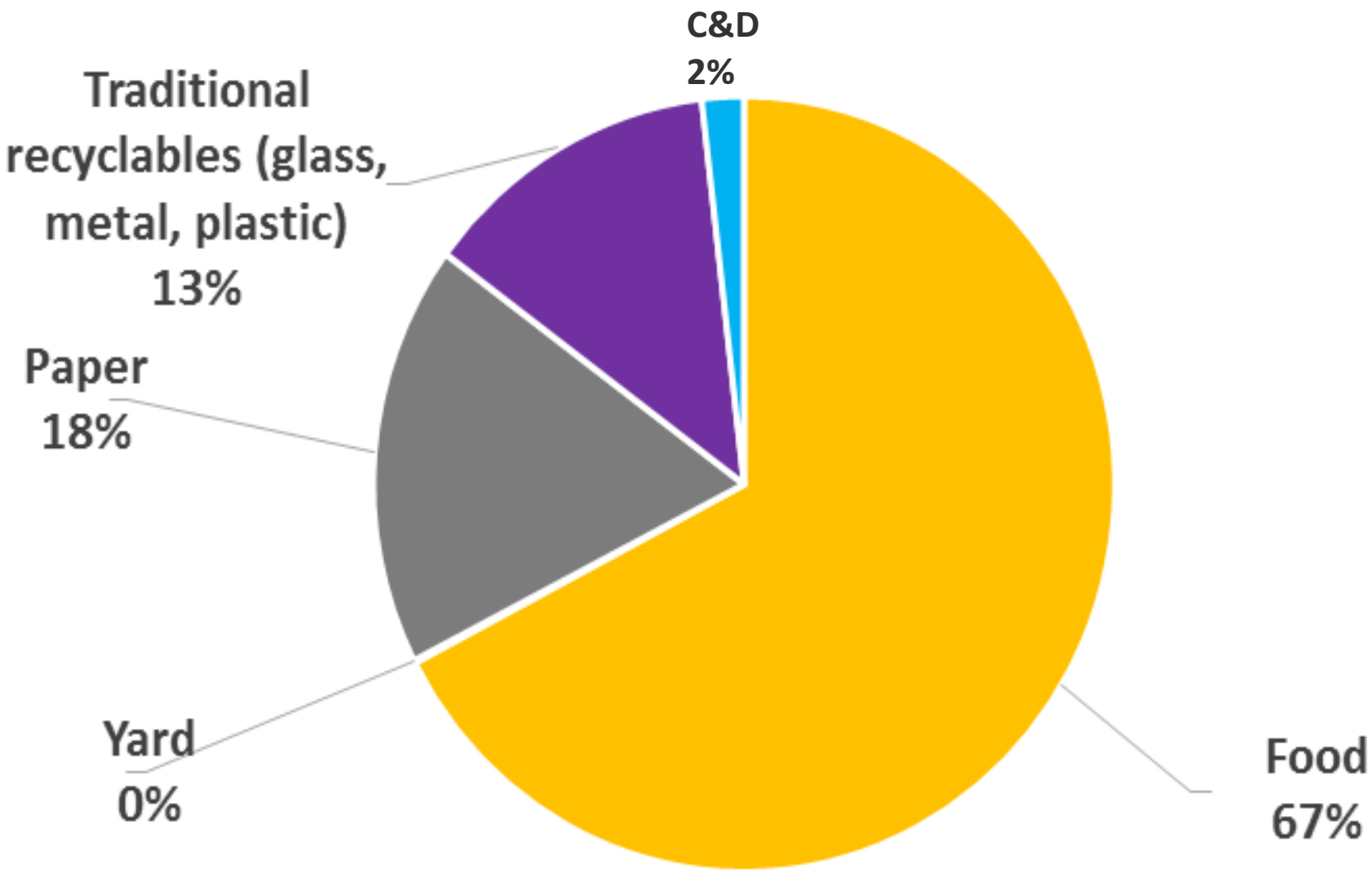
Restaurants

Full Service Restaurants Disposal Characterization



Options for Restaurants

- Reduce food waste by right-sizing portions, better management of perishable ingredients
- Donate edible food to food rescue organizations
- Work with hauler to send food waste to composting or AD
- Send meat and bones to rendering services
- On-site composting

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In-vessel Composting at Restaurants

Earth Tub system behind LEED-certified Hot Italian Pizza and Panini Bar in downtown Sacramento

Hot Rot compost system at Sierra Nevada Brewery & Restaurant in Chico.

Schools and Universities

Options for Schools & Universities

- Food Waste Prevention
- Establish on-site management (e.g. small AD or composting)
- Establish sustainability goals
- Educational Opportunities
  - Harness student volunteers and enthusiasm
  - Build into curriculum
- Contract with a hauler to provide on-site collection of source-separated food materials for composting or AD

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Food to Flowers Lunchroom composting program (San Francisco)

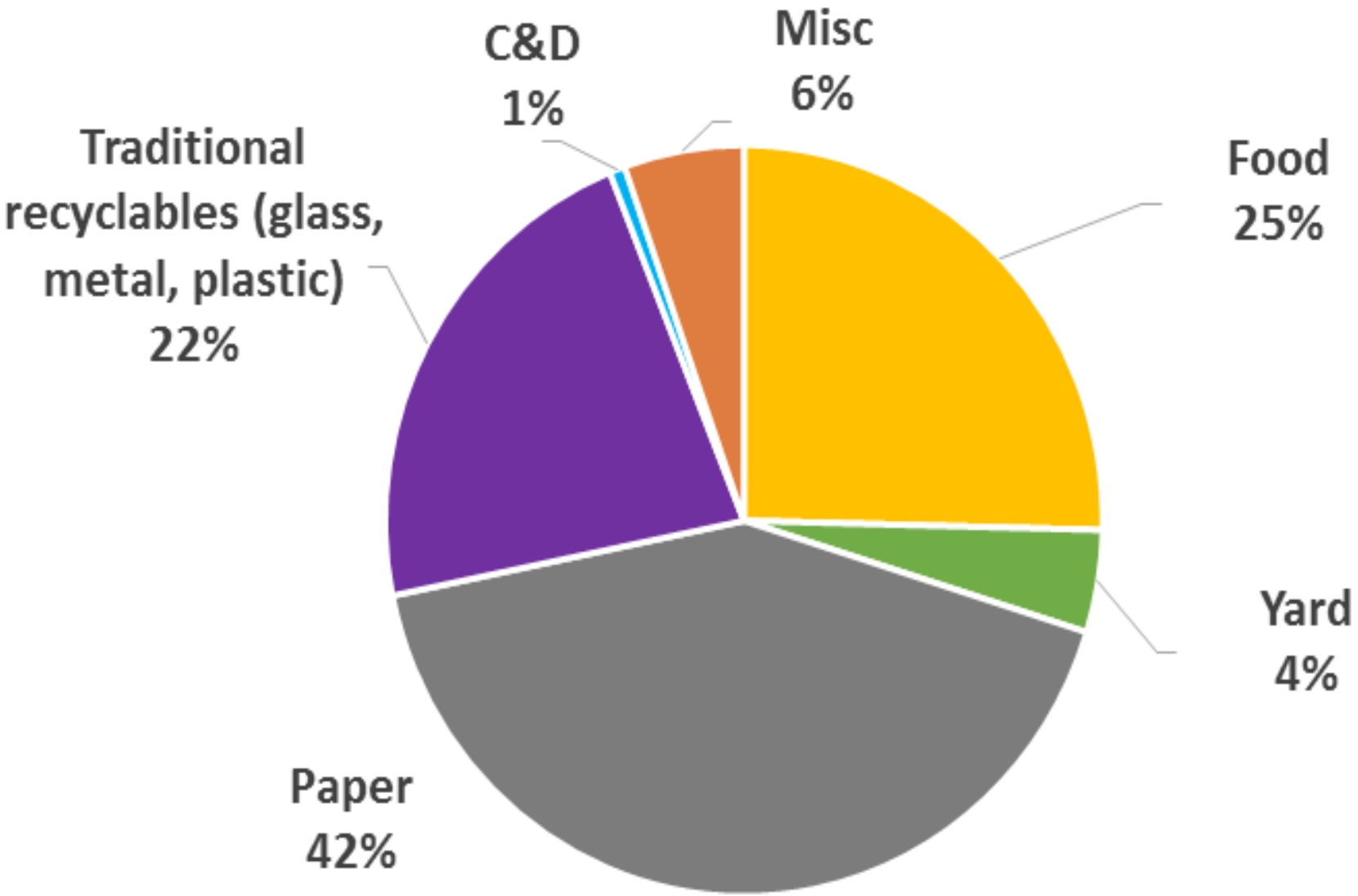
UC Berkeley and Lean Path

Venues & Stadiums

(arenas, stadiums, convention centers)

Raley Field,
City of West Sacramento

Venues & Stadiums Disposal Characterization



Options for Venues and Stadiums

- Donate edible food to food rescue organization
- Establish on-site management (e.g. small AD or composting)
- Contract with a hauler to provide on-site collection food waste and green material

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Construction & Demolition

- Lumber Included in MORe
- CALGreen requires 50% diversion for new construction and certain additions or alterations to existing buildings
- Local C&D ordinances may require higher diversion than CALGreen
- CALGreen is enforced by local building dept.

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Construction & Demolition

Over 98% of Sacramento Downtown plaza construction project was recycled in 2015

Questions/Comments

Programmatic Needs Assessment

Programmatic Needs Assessment Tool (PNAT)

- Primary goal of 1826 -- divert organics from landfills:
  - Businesses required to recycle the organics they generate
  - Jurisdictions must have organic recycling program that meets the needs of its businesses
  - Jurisdictions required to annually provide education and outreach, then monitor annually the regulated businesses
- Organic recycling programs vary by Jurisdiction, Type of generators/material types, Type of infrastructure

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Programmatic Needs Assessment Tool (PNAT)

- Information CalRecycle will use to determine adequacy of program implementation
  - Information obtained during annual reviews,
  - Annual Report information
  - Other data, such as monitoring information
- Jurisdiction's assessment of organics recycling services/programs using PNAT
  - Not prescriptive
  - Not a checklist
  - Good indicators for Jurisdiction Review (basis for CIWMP Enforcement Policy Part II)

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Programmatic Needs Assessment Tool (PNAT)

A	B	C	D	E	F
What generators meet the threshold?	What types of organic materials are generated/are the materials diverted?	What existing types of programs are available in the Jurisdiction?	What programs do generators need?	What program(s) can the jurisdiction add to meet generator needs?	If the jurisdiction is not able to provide programs, what are the barriers and what is the jurisdiction doing to address the barriers?

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Jurisdiction 1

- Generator type:
  - Grocery Stores: large chain store vs independently owned store
- The following describes this jurisdiction's existing programs:
  - Exclusive franchise hauler for residential and commercial sectors
  - Mandatory commercial organic recycling program
  - Self-haul or back-haul food waste or green waste by businesses
  - Food rescue organizations available
  - Landscapers serving businesses
  - On-site small scale composting
  - Donation of food waste/food scrap to farm as animal feed

Jurisdiction 3

- Generator type:
  - Grocery Stores: large chain store vs independently owned store

- The following describes this jurisdiction's existing programs:
  - Exclusive franchise hauler for residential and commercial sectors
  - Green waste collection (no food waste) to multifamily complexes
  - On-site commercial green waste collection service (no food waste) to businesses
  - Food rescue organizations are available
  - Self-haul or back-haul food or green waste by businesses to a recycling facility
  - Landscapers serving businesses
  - Donation of food waste/food scrap to farm as animal feed

Jurisdiction 6

- Generator type:
  - Grocery Stores: large chain store vs independently owned store
- The following describes this jurisdiction's existing programs:
  - Jurisdiction is in remote area (rural) that is not exempt by law
  - Residential franchise hauler offers residential green waste collection to MFDs
  - Food rescue organizations are available in more populated areas
  - May have livestock farmers taking a limited amount of pre-consumer food waste from businesses
  - Back-haul/Self-haul food waste or greenwaste by businesses
  - May have biomass facility operating intermittently depending on energy markets that accepts clean wood waste and woody yard waste
  - Landscapers serving businesses

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Comments/Questions?

California Integrated Waste Management Plan (CIWMP) Enforcement Policy

CalRecycle

CIWMP Enforcement Policy Part II

- Foundation for CalRecycle's Jurisdiction Reviews
  - Last revised in 2010 due to SB 1016
- 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
- This revision incorporates MCR, MORe, 1594

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SB 1016 Refresher

- Per-capita disposal target and rate
- Per capita disposal rate not determinative of compliance
- Focus on program implementation
- Annual site visits
- 2-year and 4-year cycles

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Enforcement Policy – 4 Scenarios

1. Implementing all or most programs and meeting diversion requirements
2. Implementing some/all programs but not meeting diversion requirements
3. Implementing small number of programs and meeting diversion requirements
4. Not implementing programs and not meeting diversion requirements

- Enforcement Policy describes questions and criteria for each scenario
- MCR and MORe need to be implemented regardless of per capita disposal rate

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Enforcement Policy - Incorporation of MCR Requirements

- Js already developed MCR programs including education, outreach, monitoring
- CalRecycle worked with each jurisdiction to develop planned activities and each year review implementation
- Incorporated in current 2-year review cycle
- Good progress by Js
- Not focus of workshop – written comments OK

CalRecycle

Enforcement Policy – AB 1594 Greenwaste/ADC

- Jurisdictions have to start reporting in 2018 about plans to address greenwaste ADC
- Compliance review begins with the 2021 Annual Report submittal
- Included here for planning purposes
- Not focus of workshop – written comments OK

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Enforcement Policy – Incorporation of MORe Requirements

- Statutory intent –those over generation threshold must divert their organic wastes
  1. Business requirement: recycle all organic wastes it generates
     - Statute doesn't specify percentage
  2. Similar to MCR each jurisdiction also has to:
     - Provide organics recycling program
     - Conduct and report on education/outreach/monitoring

- MORe is more difficult than MCR
  1. Most jurisdictions had commercial recycling programs
  2. Programs for commercial greenwaste and foodwaste are not in place everywhere
     - Takes time to implement commercial organics programs, e.g., processing infrastructure, collection services, assess needs of businesses
     - For jurisdictions that don't have a commercial organics recycling program that meets the needs of its businesses. then need to assess barriers and provide plan in the annual report

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MORe Basics (continued)

- Lots of variability--Therefore new approach needed to planning
- What constitutes program and what is adequate is key
- Analytical tool ➔ based on CalRecycle's questions and approach
- In Review Cycle, staff uses annual site visits and verifying programs, annual reports, hauler data, website information, etc.
- Specific criteria for analysis are detailed in draft CIWMP Enforcement Policy II
- Not prescriptive, not a checklist
- No mandate that each criterion be adhered to
- Criteria are guidelines for understanding and analyzing programs

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Identifying Commercial Generators of Organic Materials

- Reasonable efforts taken to ID generators required to recycle organic waste?
- Was data provided on # of regulated businesses, multifamily complexes, including how many of each meet threshold and how many are recycling?
- If no data, reasonable explanation and J is trying to address gap?
- If phased in, adequate rationale?

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Conducting Education/Outreach

- Did J use variety of approaches to inform regulated entities annually of the law and how to recycle organics?
- Is education/outreach accessible to regulated entities?
- Have language barriers been addressed?
- Have incentives been provided?
- Was sufficient staff available?
- If phased in, adequate rationale?

Monitoring

- Were entities not in compliance annually notified?
- If phasing in, adequate rationale?
- If no data, explanation of J's efforts to address gap?
- Staffing or budgetary constraints?

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Ensuring Organic Waste Recycling Services

- Multiple elements possible
- Statute outlines 3 elements that could be in jurisdiction program:
  1. Implementing mandatory commercial organic waste recycling policy or ordinance that addresses organic waste recycling
  2. Requiring mandatory commercial organic waste recycling program through franchise contract or agreement
  3. Requiring organic waste to go through source separated or mixed processing system that diverts material from disposal
- Could be in conjunction with existing efforts/programs, including but not limited to:
  1. Food rescue programs
  2. On-site composting/AD
  3. Self-hauling/Back-hauling to recycling facilities
  4. Landscaping services

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Ensuring Organic Waste Recycling Services

- Js also may consider:
  - Certification requirements for self-haulers or on-site management
  - Enforcement provisions
  - Charging fee to cover costs

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Determining Progress Achieved in Implementing Program

- What constitutes “organics waste recycling services” will vary
  - Types of generators
  - Types of organics generated
  - Types of existing or potential infrastructure
  - On-site collection options
- Services must be appropriate for J and meet needs of its businesses
- Must provide opportunities for regulated businesses re: organics recycling services

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Determining Progress Achieved in Implementing Program (continued)

- Did J demonstrate that programs available to regulated entities are adequate?
  - Generator ID, analysis of existing programs, etc.
- Did J demonstrate that programs available to regulated entities are adequate?
- If J has not implemented appropriate program that meets needs of its businesses, has it answered questions re: markets, funding, facilities, staffing, legal issues?

Additional Reporting and Analysis Requirements re: Infrastructure

- Commencing with 2016 EAR (due August 1, 2017), Js must report info on:
  - Existing organics recycling facilities
  - Potential for expansion or colocation within J
  - Other private or regional efforts
  - Closed or abandoned sites that may be available
  - Other non-disposal opportunities or markets
  - Zoning and permitting requirements
  - Availability of local incentives
  - Known barriers, within J's control, to siting or expanding
  - Plan to address barriers within J's control

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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 diversion requirements
  - And has not demonstrated good faith effort
- Then CalRecycle may issue Order of Compliance
- All current procedures for issuing Order will be used
  - No changes

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FAQs to be discussed and solicit input…

How effective does a jurisdiction's program to divert organics need to be to avoid being put on compliance order? What if businesses are not diverting organics or options cannot be identified?

- "GFE" means jurisdiction has made all reasonable and feasible efforts to implement
  - Identifying covered businesses; conducting education, outreach, monitoring
  - ensuring services available to all businesses
- "Not the same as ensuring all businesses are meeting requirement to recycle
- Numerous factors evaluated on case-by-case basis
- If jurisdiction identifies lack of options:
  - Required to provide information in Annual Report about lack of infrastructure, other non-disposal options, lack of markets
  - Also information re: its efforts to remove barriers

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My jurisdiction currently has a green waste drop off program that is available to all businesses, as well as residents. Will this program be sufficient to meet the requirements of the law and, if not, what additional programs will the jurisdiction need to provide?

- Definition of organic waste includes multiple types
- Jurisdictions required to provide education and outreach to businesses
  - Drop off location would be one way for businesses and multifamily dwellings
  - But J should determine whether it accepts other organic materials
  - If not, then J needs to provide education and outreach re: other known opportunities, and resources to address all covered material types
- If J's program does not provide adequate options, then J needs to address barriers and specify plan, e.g., if businesses generate food waste then the J would need to implement a food waste program that meets the needs

CalRecycle

What if no food waste diversion opportunities are currently available within a reasonable vicinity? Are there any exemptions for the jurisdiction if a food waste collection program cannot be developed during the time frame specified in the law?

- No exemption
- If J's program does not provide adequate options, then J needs to address barriers and specify plan
  - In annual report commencing on and after August 1, 2017.
- CalRecycle will consider multiple factors in determining GFE
  - Availability of sufficient infrastructure
  - Other nondisposal opportunities, markets
  - Extent to which J has taken steps to remove barriers

CalRecycle

How will CalRecycle determine compliance with the law? What will a jurisdiction need to do to show a Good Faith Effort to implement its selected organic waste recycling program?

- Conduct formal Jurisdiction Review
- CalRecycle determines whether the jurisdiction has made a good faith effort
- Consider factors in its evaluation of a jurisdiction's good faith effort that are provided for in PRC Section 42649.82

CalRecycle

Is there anything stipulating that a jurisdiction is required to provide a curbside program?

- No, curbside program not specifically required
- Js required to have organics recycling program that meets the needs of its businesses
  - This could mean a curbside program is what is needed, as well as provide education, outreach, and monitoring re: requirements and how they can recycle

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- Comments/Questions?

Next Steps:

- Submit comments to LAMD@Calrecycle.ca.gov mailbox by May 15, 2015
- Guidance will be finalized and posted on website

CalRecycle