

# SB 1383 Overview for CAALAC

Presented by

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# Introduction

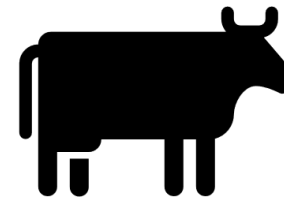
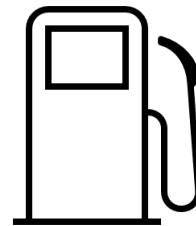
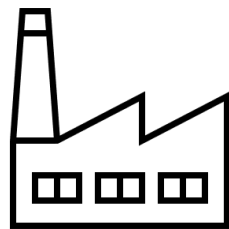
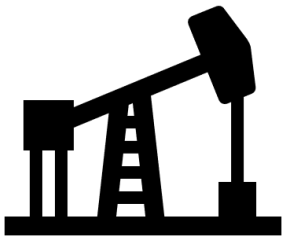
- Meet the Presenters
- Overview of Today's Presentation
- Goals
  - Legal
  - Practical

# SB 1383

- The Short-Lived Climate Pollutants Act
- Signed in 2016 by Governor Jerry Brown
- Codifies **California Air Resources Board's** Short-Lived Climate Pollutant Reduction Strategy, established under SB 605 [2014] to achieve reductions in the statewide emissions of short-lived climate pollutants

# SB 1383 Targets

- Establishes targets to achieve a **50 percent reduction** in the level of the statewide disposal of organic waste from the 2014 level **by 2020**
- **75 percent reduction** in the level of the statewide disposal of organic waste **by 2025**

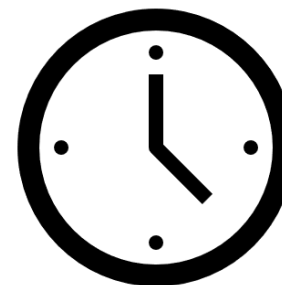


# SB 1383 – Local Requirements

- Every\* county and city must adopt **enforceable ordinances** to ensure that residential and commercial generators meet certain organic waste recycling goals.
  - *\*Some cities may be exempt* – as relevant to LA County
- City Low Population Waiver - Cities can get a low-population waiver if they meet two criteria
  - 1) they disposed of **less than 5,000 tons** in 2014 (based on the State Disposal Reporting System); and,
  - 2) they have a population of less than 5,000 people (based on U.S. Census data).

# SB 1383 – State Oversight

- **CalRecycle** is the state agency responsible for SB 1383 regulations and compliance
  - Regulations issued in late 2020
- Important CalRecycle **deadlines**:
  - January 1, 2022: CalRecycle's organic waste reduction regulations take effect and are enforceable on this date.
  - January 1, 2024: Regulations may require local jurisdictions to impose penalties for noncompliance on generators within their jurisdiction



# SB 1383 – Compliance Options

- **Standard Compliance Ordinance**

- 3-container system provided to EVERY customer
- Limited waivers (space, de-minimis)
- Use compliant facilities to process organic waste

- **Performance Based Ordinance**

- 90% of generators must subscribe to 3-container system
- Processing facilities must meet organics recovery standards – e.g. Solid waste contains no more than 25% organic wastes
- Waste composition studies required

# SB 1383 – Food Recovery

- All local ordinances must outline plan for food recovery
  - Food recovery means the recovery of edible food that would be disposed of in landfills



# Procurement

- January 1, 2022 – All jurisdictions subject to SB 1383 will be **REQUIRED** to procure annually a quantity of recovered organic waste products.
- Procurement target based on **0.08 Tons** of organic waste per resident and a target for the City to fulfill on its own
- Target can be met by procuring any combination of
  - Compost
  - Mulch
  - Renewable Electricity from Anaerobic Digestion and Electricity from Biomass Conversion

# Procurement (Continued)

- Jurisdictions **Required** to purchase recycled-content paper, which counts towards the procurement target.
- Jurisdiction should look at their purchasing policies as a way of fulfilling procurement requirements
  - Example- City use of compost and mulch in parks and greenspaces counts towards goal

# MWELO

- SB 1383 - Article 8 requires implementation of MWELO
- Requires Cities to adopt MWELO standards for
  - Compost application
  - Mulch application

# SB 1383 – Enforcement

- Implement
  - compliance monitoring programs for multifamily and commercial organic waste generators with two cubic yards or more of materials per week;
  - inspection programs for edible food generators;
  - food recovery organizations and services by January 1, 2022
- Investigate all complaints received alleging non-compliance
- Take enforcement actions, including issuing notices of violation and assessing penalties under City's Code

# Franchise Issues to Consider

- Does the franchise agreement need to be amended?
- Will rates rise? Or can the costs be recovered as a regulatory program fee?
- Does the city need to go through a Prop 218 process for rate increases?
- Will the franchisee conduct inspections and compliance checks on behalf of the city?

# SB 1383 – State Resources

- The state has released a model ordinance, model franchise agreement, and model food recovery plan
  - These must be revised to meet the local requirements
- SB 619 – Potential help for cities given the strict timeline
  - Pending legislation would require, until January 1, 2023, that penalties only be imposed if the city did not make a reasonable effort, as determined by CalRecycle, to comply with the regulations

# Questions?

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