

CITY OF BARSTOW

ORGANIC WASTE RECYCLING

March 2022



Overview of laws affecting our community:
AB 1826 (Mandatory Commercial Organics Recycling)
SB 1383 (Reducing Short-Lived Climate Pollutants in CA)

PRESENTATION KEY TOPICS

AB 1826

Background and Overview
Implementation Timeline
Program Status

SB 1383

Background and Overview
Implementation Timeline
Program Status





ORGANICS ARE THE LARGEST PORTION OF DISPOSED MATERIALS IN CALIFORNIA LANDFILLS, COMPRISING OVER 30%.

AB 1826

Mandatory Commercial Organics Recycling ("MORe")

- Enacted in 2014 and became effective in 2016.
- Requires businesses to recycle their organic waste depending on the amount of waste they generate per week.
- Requires that local jurisdictions implement a mandatory commercial organic waste recycling program.
- Organic waste in the context of AB 1826 means food waste, green waste, (landscape /pruning waste), nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.
- Multifamily residential dwellings (5+ units) must recycle their green waste (landscape material) but are not required to divert food waste under this law.
- Organics waste recycling is a big step toward achieving California's increasingly aggressive recycling and greenhouse gas (GHG) emission goals.

AB 1826 MANDATE IS BASED ON WASTE GENERATION THRESHOLDS

MINIMUM THRESHOLDS HAVE DECREASED OVER TIME SINCE 2016

APRIL 2016

Businesses generating 8 cubic yards (cy) of organic waste per week must participate

JANUARY 2017

4 cy of organic waste per week

JANUARY 2019

4 cy or more of **any** solid waste per week

SEPTEMBER 2020

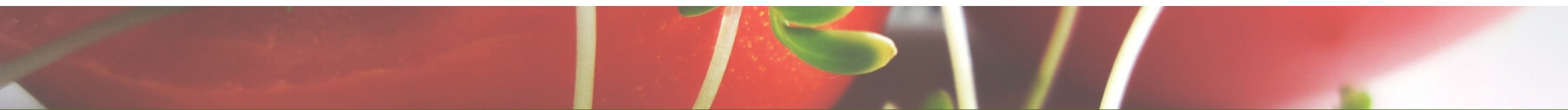
Statewide 50% diversion goal was not met

2 cy or more of **any** solid waste per week **unless** generating less than 1/2 cy of organics per week

JANUARY 2022

Expands under SB 1383 to apply to **all** businesses **unless** generating less than 1/2 cy of organics per week AND for those generating 2 cy of any solid was **unless** generating less than 1 cy of organics

In January 2018 CalRecycle conducted a compliance review of Barstow's program and due to programmatic gaps (lack of organics waste collection services), issued the City a non-compliance letter and request for a detailed implementation plan.



MORe IMPLEMENTATION TIMELINE

2018
MORe Implementation Plan submitted to CalRecycle.

2019
Council adopted Resolution 4970-2019, incorporating commercial food waste recycling rate necessary to program implementation. Burrtec was awarded grant monies to construct an organics processing (composting) facility in Victorville in response to AB 1826 facility & infrastructure needs.

2020
Compost facility opened in late summer and enabled the City to lower rates due to decrease in transportation costs.
Council adopted Ordinance 968-2020 providing an enforcement mechanism for entities subject to the law.
Franchise agreement was updated to reflect organics collection as part of the services provided by Burrtec.

2021
Initial audits were conducted of existing covered businesses meeting the 2 cubic yard threshold. Collection services began May 2021.
Outreach & education through print material, website, social media and channel 6 was conducted to encourage participation.
City achieved approximately 80% compliance rate within the first 6 months of the start of the program.

2022
2nd phase of audit is being conducted so all covered businesses can come into compliance.
Containers will be automatically delivered if no reply to audit notice.
CalRecycle has stipulated that the City must achieve 100% compliance with AB 1826 by 3rd Quarter 2022.

AB 1826 PROGRAM STATUS

At this time, the only organics recycling program in the City of Barstow is for commercial businesses - those who meet the 2cy threshold must subscribe to the food waste only program and MF 5+ Units must divert green waste.

COMPLIANCE

- Currently there are 396 covered businesses.
- 77 businesses are in compliance.
- 259 businesses are being deemed as exempt based on their organics volume.
- Remaining 60 businesses are being assessed to determine whether violation notices are necessary.

EXEMPTIONS

Businesses who meet any of the following are exempt from AB 1826:

1. The business or group of businesses does not generate at least one-half of a cubic yard of organic waste per week.
2. Lack of sufficient space to provide additional organic material recycling bins.
3. The current implementation of actions (such as food donation) that result in the recycling of a significant portion of organic waste.
4. Limited-term exemptions for extraordinary and unforeseen events.

OUTREACH & EDUCATION

- The City, Burrtec and the JPA will continue to provide education & outreach via print, mail, email, web, social media, local TV and radio.
- Staff is working with business license, permit and utility billing departments to incorporate these requirements into their initial application processes.

MONITORING & REPORTING

- Audits will be conducted annually or as needed to ensure covered businesses are following the regulations.
- Burrtec monitors contamination and reports activity to the City for follow up. We provide recycling guides and other resources to help educate business owners, managers, and employees about the requirements.
- Diversion tonnage must be reported to CalRecycle annually as part of the Electronic Annual Report.

SB 1383

Reducing Short Lived Climate Pollutants in CA ("SLCP")

- Enacted in 2016 and became **effective January 1, 2022.**
- Sets aggressive targets, requiring that Californians reduce organic waste disposal by 75% by 2025 and increase edible food recovery by 20% by 2025.
- Builds upon existing AB 1826 requirements by expanding organics recycling requirement to all businesses and residents.
- Part of the statewide effort to reduce emissions of short lived climate pollutants like methane, which is considered a super pollutant 85x more potent than carbon dioxide.
- Organic waste in landfills emits 20% of the state's methane.
- Organic waste in the context of SB 1383 includes green waste, wood waste, food waste, but also fibers such as paper and cardboard.
- These materials make up half of what Californian's dump in landfills.
- State leaders believe reducing organic waste will have the fastest impact on what they refer to as a climate crisis.



Landfills Are the Third Largest Source of Methane in California

SB 1383 IMPLEMENTATION TIMELINE



2016

SB 1383 signed by Governor Brown.

2019

2 Years of informal rulemaking ends; Formal rulemaking begins.

2020

Regulations Adopted November 2020.

2022

Regulations take effect; **Cities must adopt ordinance/enforceable mechanism by Jan 1, 2022 and must implement a plan for its program & compliance.**

State enforcement begins.

2024

Regulations require local governments to take enforcement action against non-compliant entities.

2025

75% Reduction in Organics Disposal.

20% Increase in Edible Food Recovery

WHAT WE MUST DO BEGINNING JANUARY 1, 2022:

Provide Organics
Collection Service to
All Residents and
Businesses



Establish an Edible
Food Recovery
Program



Conduct Education
& Outreach



Meet Procurement
Targets



Plan for Capacity



STARTING JANUARY 1, 2024:

Jurisdictions must take action against non-compliant entities.



Jurisdictions will also have to maintain all program information in an implementation record, which CalRecycle may review as part of an audit. CalRecycle will be actively evaluating our compliance, verifying that organic waste generators have service, the City is providing proper education and that we are issuing violation notices within the correct timeline. Failure to make progress toward compliance with the law could result in compliance orders or fines to the City.

SB 1383 PROGRAM STATUS

- **Ordinance adoption**
 - Completed December 2021.
- **Franchise amendment & rate adjustment**
 - Contract and rates are currently under preliminary review and anticipated to be presented to Council in May 2022.
- **Residential organics collection program implementation**
 - Program is planned to commence in Fall 2022 and would provide a 3rd curbside collection container for source separated organics (unbagged green/yard waste and bagged food scraps).
- **Edible food recovery program**
 - Requires that certain food generators (ie: grocery stores, food wholesalers, restaurants) enter into agreements with local food recovery organizations (ie: churches, food banks) to collect and redistribute edible food.
 - Program is underway and being spearheaded by the JPA.
- **Conduct outreach and education**
 - Updates are happening on an ongoing basis via the City's website, bill inserts/newsletters, Channel 6, and social media.
- **Record keeping and reporting**
 - Happening on an ongoing basis, with an initial report due April 1, 2022.
- **Monitoring and enforcement**
 - Not required until 2024.
- **Capacity planning**
 - The legislation places this responsibly primarily on Counties, but requires coordination with cities.
 - We must provide the County with our tonnage information so they can estimate the amount of organic waste that will be disposed within the County, the amount of infrastructure capacity available, and estimate new or expanded capacity that would be needed in order to meet the mandates.
 - Capacity planning reporting must begin August 1, 2022.



STAY ENGAGED



<https://www2.calrecycle.ca.gov/Listservs/Subscribe/152>



<https://www.calrecycle.ca.gov/organics/slcp>



Everything You Do Can **MAKE A DIFFERENCE!**

BARSTOW...
YOUR CITY. YOUR CHOICES.



CITY OF BARSTOW SOLID WASTE &
RECYCLING DEPARTMENT
760.255.5126



jreed@barstowca.org



@CityofBarstow
@BarstowRecycles



@CityofBarstow
@HighDesertRecycles

QUESTIONS?

Commercial



Residential

