



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

September 5, 2023

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Presentation on SB 1383 Related to Short Lived Climate Pollution and Organic Waste

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive a presentation and provide direction, if any.

BACKGROUND AND DISCUSSION

Mr. Eric Keller-Heckman, the Director of the Humboldt Waste Management Authority (HWMA), will give a presentation and be available for questions on the organics waste law and its implementation. The City of Rio Dell is a member of HWMA and CalRecycle is the State regulatory agency related to these matters. Attached is the powerpoint presentation.

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SB1383 OVERVIEW AND THE PATH TO COMPLIANCE



Presented to Rio Dell City Council.
September 5, 2023



Presentation Overview

CA Legislative Building
Blocks

Local Organics Diversion
Services & Efforts

Where are we on the path
to compliance

Legislative Building Blocks

| | | |
|------|---------|---|
| 1989 | AB 939 | Mandates reduction of wastes landfilled and established integrated framework for program implementation, solid waste planning and landfill management |
| 2011 | AB 341 | “Mandatory Commercial Recycling” requires jurisdictions to implement <u>commercial recycling programs</u> |
| 2014 | AB 1826 | “Mandatory Commercial Organics Recycling” requires jurisdictions to implement an organic waste recycling program to divert <u>organic waste generated by businesses</u> |
| 2016 | SB 1383 | Short Lived Climate Pollutant Reduction Act requires jurisdictions to implement curbside collection and processing of organic, amongst other requirements |

SB 1383 Regulatory Milestones

January 1, 2020

State to achieve 50% organics reduction thru

AB 1826 commercial diversion compliance activities

***2014 Baseline**

January 1, 2022

Jurisdictions must have organics recycling program in place

Enforceable regulations take effect

Jurisdictions must implement ordinance and other enforcement mechanisms

January 1, 2024

Jurisdictions must take progressive enforcement actions against non-compliant regulated entities:

- Generators
- Haulers
- Processers

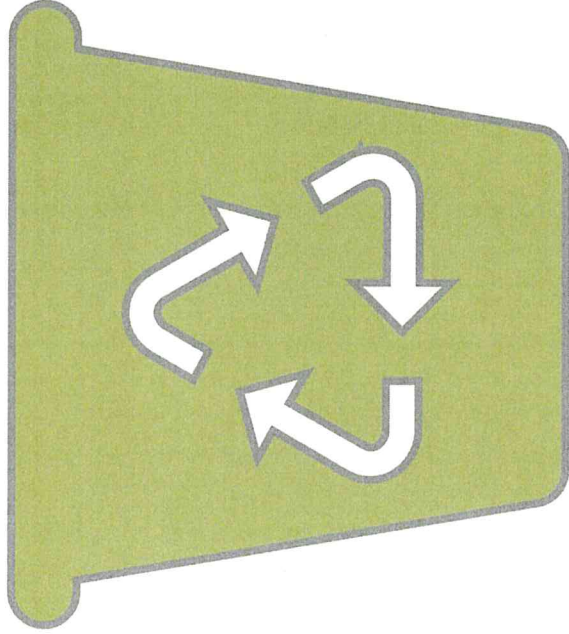
January 1, 2025

State to recover a minimum of 20% of disposed edible food for human consumption

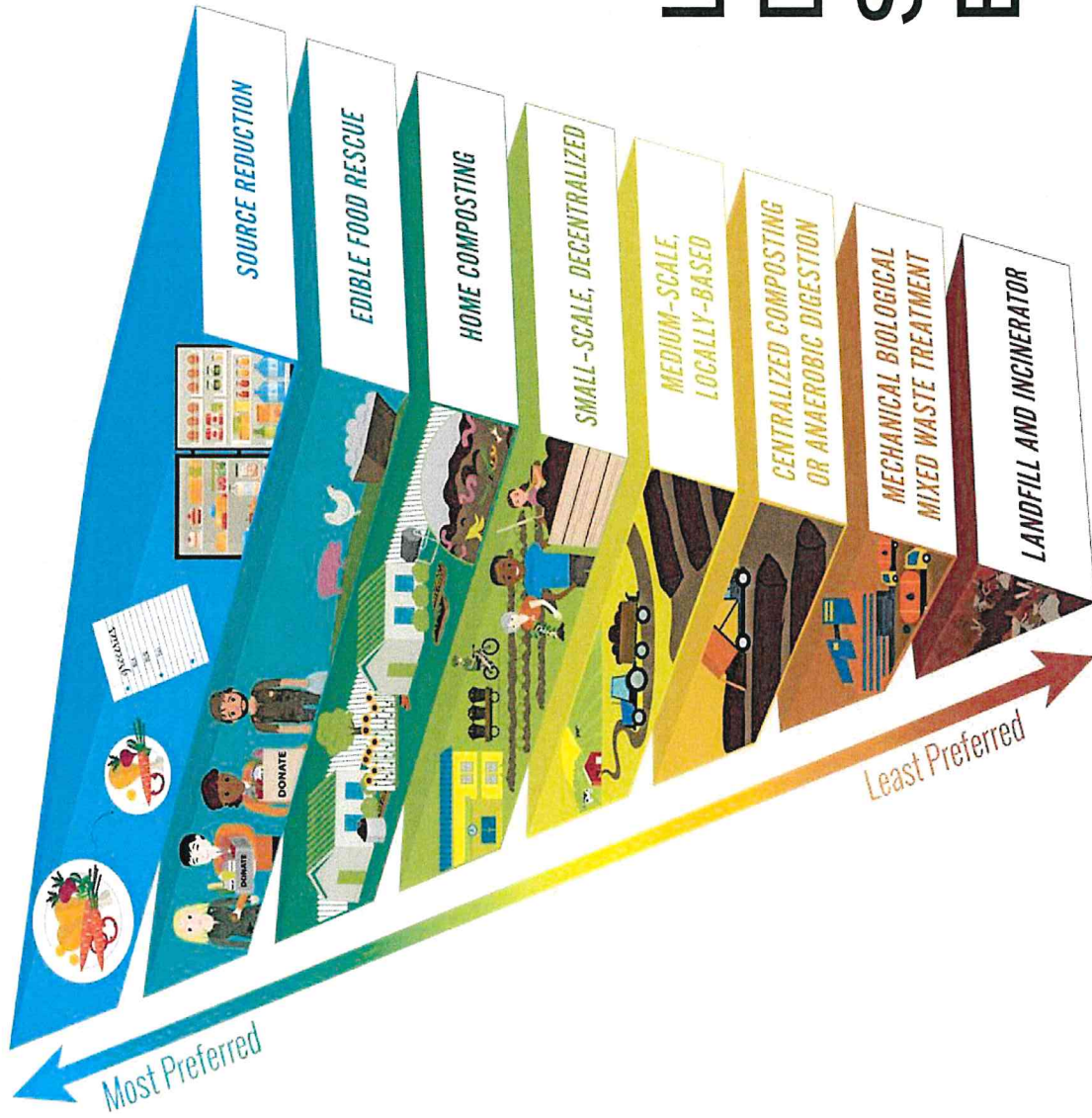
State to achieve 75% reduction in organics disposal (2014 Baseline)

HWMA Processing Facility expected to come online in 2024.

Member Agency Franchise agreements currently in negotiations



**AB 341 & AB 1826
Implementation Drove
Commercial
Implementation &
Compliance**



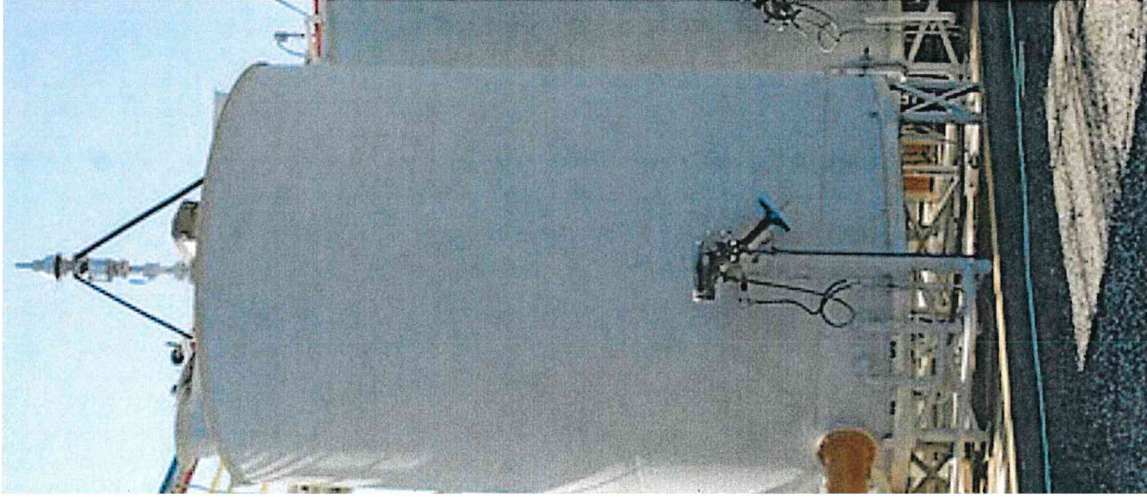
Local Organics Diversion Services and Efforts

Organics Diversion Efforts to Date

Food Waste Diversion Pilot Program 2012-14

- ❖ HWMA, Eureka & HSU
- ❖ 60 Commercial Participants
- ❖ Training & Education
- ❖ Contaminant Removal
- ❖ Processing by Cold Creek
Compost
- ❖ Eureka City Council opted
not to proceed





Regional Anaerobic Digestion Facility

- ❖ Concurrent with Food Waste Pilot Project
- ❖ HWMA Secured Consulting Engineer
- ❖ Secured Site & Performed Environmental Review
- ❖ HWMA Request for Proposals & Evaluated Proposals
- ❖ Lack of Material Commitment by Jurisdictions

HWMA was unable to move forward with design, financing or permitting to construct

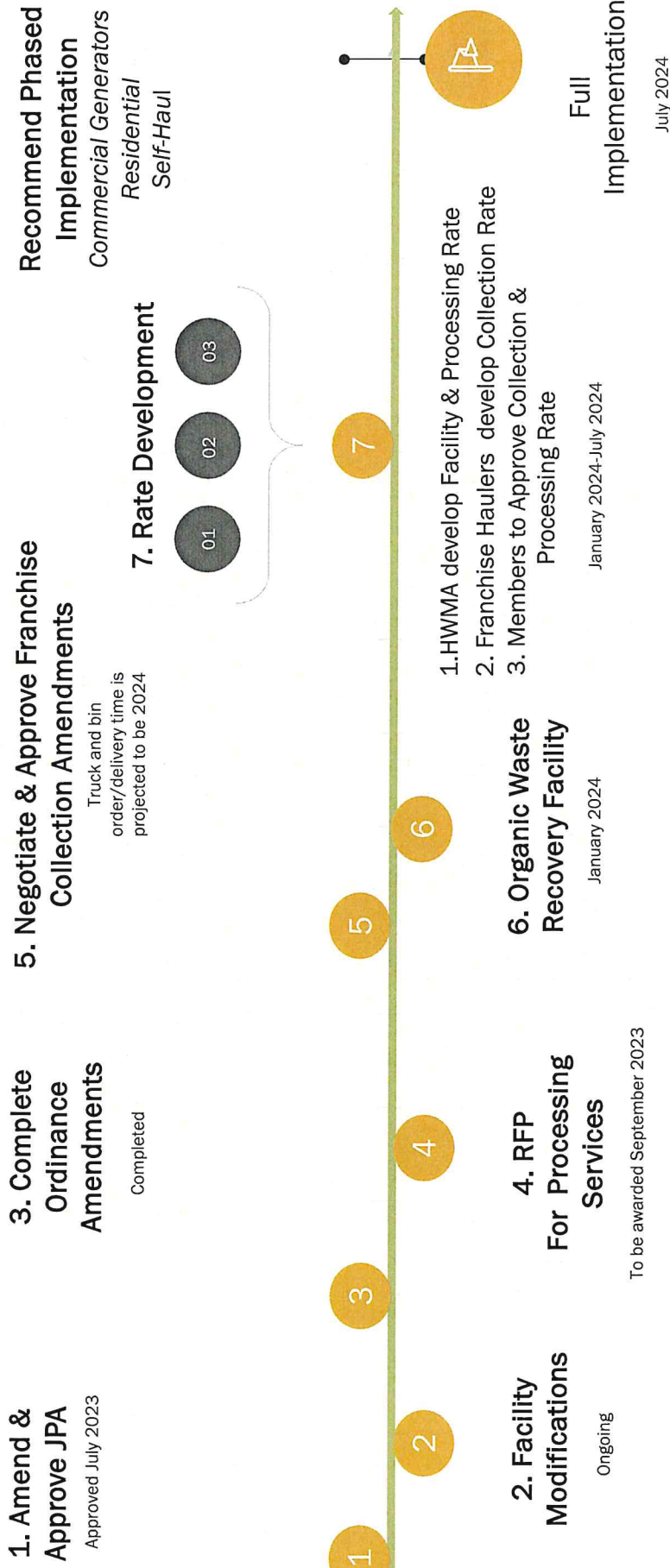
Other Related Efforts

HWMA Waste Characterization Study 2020-21

HWMA contracted with Cascadia Inc. to perform a Waste Characterization Study to determine material composition disposed by residents of HWMA's Member Agencies.

This included evaluating those edible foods that could potentially be recoverable for future recovery program development.

Proposed Organics Processing Timeline





Short-lived Climate Pollutants (SLCP): Organic
Waste Reductions

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California Code of Regulations
Title 14, Division 7, Chapter 3
Article 6.0. Transfer/Processing Operations and Facilities Regulatory Requirements
Section 17402. Definitions
(a) For the purposes of these articles:
1. For the purposes of these articles:
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22. For the purposes of these articles:

Elected Official Guidance tools:

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

Final SB 1383 Regulations approved November 2020

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

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Section 18991.1. Scope of Chapter.
(a) This chapter establishes the regulatory requirements for jurisdictions, generators, haulers, solid waste facilities, and other entities to achieve the organic waste disposal reduction targets codified in Section 39730.6 of the Health and Safety Code and Chapter 13.1 of Division 30 of the Public Resources Code.
Authority cited: Public Resources Code Sections 40502, 43020, 43021, and 42652.5. Reference: Public Resources Code Sections 40002, 42652.5, 42654, and Health and Safety Code Section 39730.6.

Section 18991.2. Implementation Requirement on Jurisdictions.
(a) By January 1, 2022, a jurisdiction shall adopt enforceable ordinance(s), or similarly enforceable mechanisms that are consistent with the requirements of this chapter, to mandate that organic waste generators, haulers, and other entities subject to the requirements of this chapter that are subject to the jurisdiction's authority comply with the requirements of this chapter.
(b) A jurisdiction may designate a public or private entity to fulfill its responsibilities under this chapter. A designation shall be made through any one or more of the following:
(1) Contracts with haulers or other private entities; or
(2) Agreements such as MOUs with other jurisdictions, entities, regional agencies as defined in Public Resources Code Section 40181, or other government entities.
(c) Notwithstanding Subdivision (b) of this section, a jurisdiction shall remain ultimately responsible for compliance with the requirements of this chapter.
(d) Nothing in this chapter authorizes a jurisdiction to delegate its authority to impose civil penalties, or to maintain an action to impose civil penalties, to a private entity.
(e) If a jurisdiction designates another entity as allowed in Subdivision (b) of this section, the jurisdiction shall include copies of all agreements and contracts in the Implementation Record required by Section 18995.2.
(f) Nothing in this section authorizes a jurisdiction to require a public or private entity to fulfill its obligations under this chapter without designating the entity through a mechanism authorized in Subdivision (b) of this Section.

Authority cited: Public Resources Code Sections 40502, 43020, 43021, and 42652.5. Reference: Public Resources Code Sections 42652.5, 42654, and Health and Safety Code Section 39730.6.

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Questions

