

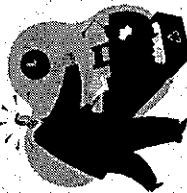
# What Local Agencies Need to Know About the Proposed Commercial Recycling Regulation Requirements

Cara Morgan and Howard Levenson,  
CalRecycle



## Draft Regulatory Requirements

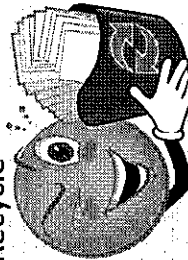
- Businesses, public entities, and multifamily units of 5 or more that dispose of 4 cy/week of solid waste are required to recycle using any combination of the following:
  - Using the franchise hauler(s), arranging for pick-up, self-hauling, and/or using mixed waste processing
  - Businesses, including public entities and multifamily units of 5 or more, that dispose of 4 cy of solid waste/week



Recycling is Good Business!

## Draft Regulatory Requirements

- Jurisdictions must implement a commercial recycling program that consists of:
  - **Education/Outreach**—informing businesses of state requirement and how to recycle in the jurisdiction
  - **Monitoring**—identifying businesses that aren't recycling and informing them of the State requirement
- Jurisdictions must report annually to CalRecycle
  - Electronic Annual Report
  - Commencing with 2012 Annual Report



## Flexibility! Flexibility! Flexibility!



- Jurisdictions have the flexibility to conduct education/outreach/monitoring that meets their needs:
  - Can utilize existing programs, communication modes
  - Can implement an ordinance, policy or enforcement

## Phasing in

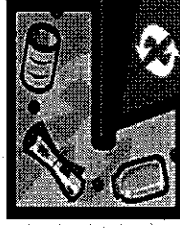
### Education/Outreach/Monitoring

- Educate and monitor in the first year the multifamily complexes that have 16 units or greater
- By law these complexes have on-site managers
- For business owners located in other areas--
- Send letter informing owner of requirement to recycle
- Target a percentage of largest businesses each year



### Education/Outreach: Electronic

- One or more electronic media activities that could be done to inform businesses:
- Send out electronic notifications
- Utilize your existing social media
- Coordinate with local business groups, e.g., Chamber, Apartment Association, to post info on their website or distribute information to members
- Place information on the website



StopWaste.Org - Recycling Regulations...  
<http://www.stopwaste.org/home/index.asp?page=1146>  
 Search...  
 STOP PARTNERSHIP  
 RESIDENTS BUSINESS & INDUSTRY  
 ABOUT US • Recycling Regulations and Compliance • SHARE • Print • E-mail • Feedback

## Recycling Regulations and Compliance

The StopWaste Partnership can help Alameda County businesses, non-profits and institutions stay informed about current landfill bans, policies and ordinances related to proper collection and recycling of resources and hazardous wastes. Our goal is to provide links to current information so that you can operate your organization most efficiently.

Some regulations apply within Alameda County, others apply only to operations within certain cities, and some affect all commercial accounts within California.

### ALAMEDA COUNTY

#### Measure D

In 1999 Alameda County voters overwhelmingly approved Measure D, the **Alameda County Waste Reduction and Recycling Act**, with the ambitious goal of reducing waste by 75% by 2010. Because a large portion of the waste stream in Alameda County is generated by businesses, StopWaste.Org created the StopWaste Partnership program to stimulate business sustainability, promote resource conservation and reduce company costs.

#### Plant Debris Landfill Ban

In 2010 Alameda County enacted a new law that prohibits the disposal of plant debris in landfills. The Landfill Ban applies to landscapers and other large producers of yard trimmings (such as property managers, municipalities and institutions) in Alameda County. Plant debris (such as grass, leaves, shrubbery, vines and tree branches) must be separated from other contaminants, and must be diverted to the designated "clean green" areas of Alameda County disposal facilities. For more information visit [www.LandfillBan.org](http://www.LandfillBan.org), or call the Landfill Ban hotline at 782-6610.

Sacto Sustainable is on Twitter  
 Don't take any further from Sacto Sustainable. Get your Account on Twitter today to stay up-to-date on what interests you!

**Sacto Sustainable**  
 @SactoSustain  
 Location: California  
 Website: <http://www.sactosustainable.com>  
 Website: <http://www.sactosustainable.com>  
 Website: <http://www.sactosustainable.com>

**CR2011** (CR2011 Conference is 100% Green!)  
 Zero Waste: Ride the Wave to Sustainability  
 Annual Conference Preliminary Program at <http://www.cr2011.com>

**Green Building**  
 Green Building is a daily news in all the top sustainability news sites. Follow us on Twitter for the latest in green building news.

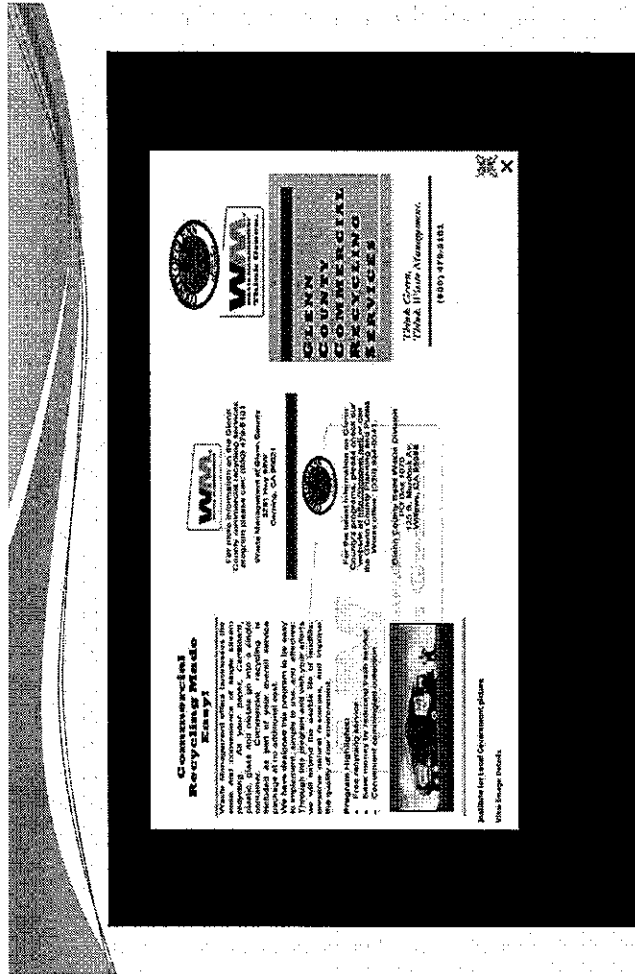
**Back to the Future**  
 Back to the Future is a daily news in all the top sustainability news sites. Follow us on Twitter for the latest in green building news.

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**Sung Up the Green**  
 Sung Up the Green is a daily news in all the top sustainability news sites. Follow us on Twitter for the latest in green building news.

## Education/Outreach: Print

- Utilize existing brochures, letters, newsletters
- Add information about the state requirement and how to recycle in the jurisdiction
- Utilize ILG's model brochure and cover letter
- Recommend sending out information in print form annually:
  - Can be phased in
  - Rurals

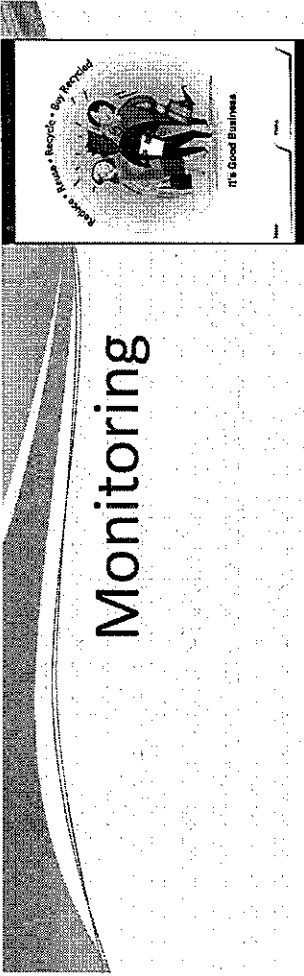






## Monitoring

- Identifying businesses that are not recycling, and notifying businesses that are not in compliance.
- Flexibility to implement monitoring that fits existing programs and resources to maximize resources:
  - Letters, site visits, phone calls, etc.
  - Choose who conducts these activities, staff, hauler, etc.
  - Phase in monitoring over time depending on how many businesses are in the jurisdiction.



## Monitoring

- Identify businesses that are not recycling via the hauler(s), jurisdiction staff
  - Either the jurisdiction or the hauler would send a notice to the business
  - Either the hauler or the jurisdiction could follow-up in person or with a phone call
  - The purpose of this follow-up would be to assist the business with identifying how it can recycle in the local jurisdiction.

## Monitoring



- Rural jurisdiction suggestions:
  - Hauler informs the jurisdiction
  - Jurisdiction sends out letter that explains the state requirement and how businesses can recycle
  - If there aren't staff or a hauler to ascertain which businesses are not recycling, then an annual letter to all businesses would suffice.
  - The letter could be sent electronically or hard copy depending upon the rural jurisdiction's situation.

## Questions about what would work

- How can I report in the annual report on the tons recycled by multifamily when all of the material is commingled?
  - CalRecycle will be measuring the effectiveness of the regulation on a statewide basis, using a "macro" statewide characterization approach
  - So you don't have to report tons! The proposed regulation does not require businesses or jurisdictions to track and report to CalRecycle actual collected tonnages
  - Jurisdictions report on how they are implementing education/outreach/monitoring
    - What activities were implemented and why, how many and/or which types of businesses were contacted, how did you track the X number of businesses that aren't recycling and inform them of the requirement, etc.



## Questions about what would work

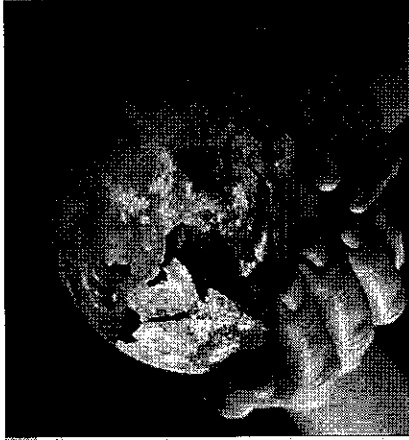
- How will evaluations of effectiveness of programs work if County/Cities are not able to provide data, e.g., on the number of businesses and how many are not recycling?
- CalRecycle will take into consideration the reasons that data is not available
- However, jurisdictions should have some data to provide to CalRecycle in the Annual Report to demonstrate that they have conducted education/outreach/monitoring
- The bottom-line is that if jurisdictions are making a good faith effort to educate/outreach/monitor and there are things outside of their ability to control, e.g., a hauler just won't provide data, then CalRecycle would take this into consideration.
- Parallel to the AB939 review regarding implementing the SRRE and HHWE programs, good faith effort is determined on a case by case basis.
- Again, the amount of tonnage that the regulation is targeting is modest. Because of this modest goal the regulation was developed with flexibility in mind for both businesses and jurisdictions.

## Questions about what would work

- If haulers are not a regulated party, how can the County/Cities and businesses be held accountable if the haulers are not required to provide services or report out to the jurisdictions?
- The requirement is on businesses to recycle by using any combination of recycling options
- It seems unlikely that a community has no options for businesses to recycle
- It is possible that if the scenario presented here was a significant statewide issue that we would revisit the regulation, but we don't believe that this is a current issue
- Jurisdictions could establish their own requirements on haulers regarding reporting

# Timeline

Initial Informal Stakeholder Feedback	Draft Regulation Development	Additional Informal Stakeholder Workshops	Formal Rule Making	Adoption/ Implementation
July – September 2009	September 2009 – December 2010	June & Sept 2010, January 2011	Fall 2011	2011/2012



## For More Information:

CalRecycle's web page at:

<http://www.calrecycle.ca.gov/Climate/Recycling/default.htm>

- Tracey Harper-- [Tracey.harper@calrecycle.ca.gov](mailto:Tracey.harper@calrecycle.ca.gov)  
916-341-6531
- Marshallle Graham-- [Marshallle.Graham@calrecycle.ca.gov](mailto:Marshallle.Graham@calrecycle.ca.gov)  
916-341-6270

## Discussion Panel Questions



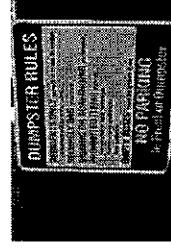
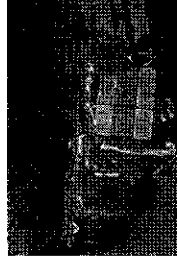
- Randy Murphy, Glenn County
- Lisa Rapp, City of Lakewood
- Rogelio Gamino, Los Angeles County

*“My city plans to ...”*

*“If my county does xyz, will it...?”*

*“What about this approach?”*

## Tools to Help Local Agencies



## Resources from the Institute for Local Government



- Sample commercial recycling ordinance
- Stories from cities and counties
- Commercial recycling education flyer template
- Webinars about commercial recycling
- Examples of education and outreach materials from local agencies and haulers

Available at: [www.ca-ilg.org/commercialrecycling](http://www.ca-ilg.org/commercialrecycling)

The screenshot shows the ILG Commercial Recycling Resource Center website. At the top left is the ILG logo and the text "INSTITUTE FOR LOCAL GOVERNMENT" with the tagline "Promoting Good Government at the Local Level". Navigation links include "Home", "Calendar", "Publications", "About ILG", "Resources", "Issue Areas", and "Publications". A search bar is located at the top right. The main content area features a large recycling symbol and the heading "Commercial Recycling Resource Center". Below this is a welcome message and a list of resources including sample ordinances, local agency webinars, outreach materials, and case studies. A "RELATED TOPICS" section is also visible. At the bottom, there is a "FREE - Commercial Recycling Webinar Series" announcement.

**INSTITUTE FOR LOCAL GOVERNMENT**  
Promoting Good Government at the Local Level

Home | Calendar | Publications | About ILG | Resources | Issue Areas | Publications

### Commercial Recycling Resource Center

Welcome to the California Climate Action Networks Commercial Recycling Resource Center. Here you will find:

- Sample Commercial Recycling Ordinances
- Examples of Local Commercial Recycling Ordinances
- Local Agency Webinars
- Outreach and Educational Presentations
- Commercial Recycling Case Studies
- A Snapshot of Local Agency Commercial Recycling Programs and Facilities
- Working with Local Businesses to Increase Recycling (A Whitepaper)
- Increasing Commercial Recycling: Tips for Local Agency Leaders (A Whitepaper)
- A Discussion Forum on Commercial Recycling Ordinances and Programs (led at request)

These resources were developed under a contract with the California Integrated Waste Management Board (now CalRecycle).

**FREE - Commercial Recycling Webinar Series**

The Institute for Local Government is hosting a series of webinars on adopting commercial recycling ordinances in collaboration with CalRecycle.

Internet Explorer | Mozilla Firefox



## Sample Commercial Recycling Ordinance

The sample commercial recycling ordinance was prepared in 2009 by the Institute for Local Government's California Climate Action Network under a contract with the California Integrated Waste Management Board (CIWMB).

Adoption and implementation of the sample ordinance by local agencies is voluntary.

The sample ordinance empowers policy choices at the local level and is designed to be modified by individual agencies to reflect the unique circumstances in the community. The ordinance is intended to be adopted as a model ordinance, but it does not include any provisions that require the ordinance to be adopted or provides background explanations for many provisions.

The sample ordinance is available at the right in both Word and pdf versions.

**Advisory Committee**

The Institute thanks the county, city, waste industry and Waste Board representatives who participated in the Advisory Committee process. The members of the sample ordinance, as well as others who reviewed and commented on drafts of the sample ordinance. In particular, we wish to thank the following individuals for their assistance:

- Charles Hennessy, City of Chula Vista
- Chuck Hegel, Republic Services, Inc.
- Steven J. Fox, Attorney of Law
- Lynn France, City of Chula Vista
- Gregory Francis, City of Fremont
- Gregory Francis, Waste Management
- Randy Alvarado, Glenn County
- Patricia Quinn, Stanislaus

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## ILG Climate Leadership Stories on Commercial Recycling

Cities and counties are leading by example and undertaking a range of innovative programs to reduce greenhouse gas emissions. These programs can serve as examples that other agencies can adapt to meet their community's unique circumstances.

To view all of the case studies in one document, please see a link to "Climate Leadership Stories on Commercial Recycling - A.L.E. at Right."

### Stories about Local Commercial Recycling Programs

- Commercial Recycling: A Snapshot of Local Agency Policies and Programs 2009
- County and City of Stanislaus
- County of San Diego
- City of Arcadia
- City of Chula Vista
- City of Fresno
- City of Huntington Beach
- City of Irvine
- City of Newport
- City of Lodi
- City of Ojai
- City of Palmdale

### Stories about Education and Outreach Activities

- City of Chula Vista
- City of Fresno
- City of Huntington Beach
- City of Irvine
- City of Newport
- City of Lodi
- City of Ojai
- City of Palmdale

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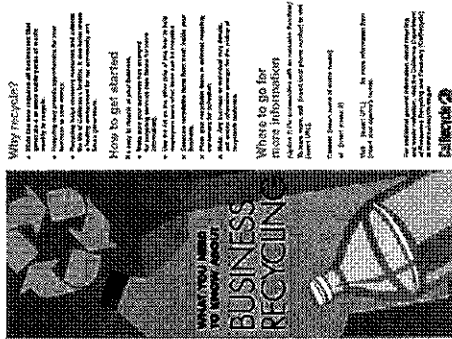
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## Sample Education Flyer Template



**WHY RECYCLE?**

- Reduce the amount of waste that ends up in landfills.
- Save energy.
- Reduce the amount of greenhouse gases that contribute to global warming.
- Save money.
- Save space.

**How to get started!**

- Know what is recyclable in your area.
- Find out what is accepted in your area.
- Find out what is not accepted in your area.
- Find out what is accepted in your area.
- Find out what is not accepted in your area.
- Find out what is accepted in your area.
- Find out what is not accepted in your area.

**Where to go for more information**

Ask your local business with the recycling symbol. They will provide you with the information you need to get started.

Call 1-800-RECYCLE-CA

## Free Commercial Recycling Webinars [www.ca-ilg.org/CommercialRecyclingWebinar](http://www.ca-ilg.org/CommercialRecyclingWebinar)

**INSTITUTE OF LOCAL GOVERNMENT**

**Joining A Commercial Recycling Program - How to Get Started**

Learn how to join a commercial recycling program and what you need to know to get started.

**INSTITUTE OF LOCAL GOVERNMENT**

**Recycling Programs in Apartment Complexes: Basics for Local Officials**

Learn the basics of recycling programs in apartment complexes and how to get started.

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Learn from colleagues



[www.ca-ilg.org](http://www.ca-ilg.org)



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