

**CalRecycle Update**  
**Environmental Services Joint Powers Authority Meeting**  
**10-20-2011**

**Program Update**

**Local Assistance and Market Development Division Update**

Staff are completing their State Agency and Local Jurisdiction Annual Report Reviews. This is not a compliance review year, but next year after the 2011 annual reports are reviewed, a compliance review will begin for all reporting jurisdictions. Specific program implementation information in the 2011 Annual report notes will be particularly important.

**Travel Restrictions**

CalRecycle staff are still under the travel restrictions of the governor's Executive Order; however we are able to make our mandated site visits to verify program implementation, conduct audits and inspections, etc. Staff continues to conduct beverage container recycler and dealer, tire enforcement, and landfill inspections, as well as jurisdiction site visits and other mandated travel.

**Waste Reduction Awards Program**

Staff has completed their review of 284 applications by businesses describing their diversion, procurement and education efforts. The awards are scheduled to be announced November 15<sup>th</sup> at the CalRecycle Monthly meeting. Preliminary numbers indicate businesses reported more than 2.3 million tons of diverted materials and more than \$200 million in cost savings.

**Regulatory Update**

**AB 341 –**

75% Requirement and Per Capita Measurement

The language in AB 341 mirrors what is in statute—the 75% goal is a diversion goal, and it will be measured on a statewide basis. Current jurisdiction per capita goals are unchanged and still are equivalent to a 50% diversion goal, unless they have an approved reduced goal. The AB939 50% “diversion” goal has not changed for each Jurisdiction, and will continue to be measured using a per capita goal.

NDFE change

AB 341 changed the NDFE amendment process to an update process.

By December or sooner, CalRecycle will be updating the website with the new process and likely send out a listserv note to Jurisdictions when the website is ready with new guidance. This will also address what local jurisdictions need to do, such as whether public noticing will be required or not, etc.

Commercial Recycling

AB 341 supersedes AB 818 regarding multifamily recycling.

AB 341 is mostly consistent with the previously proposed ARB/CalRecycle commercial recycling regulations. The main difference is the threshold for multifamily recycling is not tied to the 4 cubic yard threshold.

## **AB 341 Commercial Recycling Regulations**

Tentative timeline for rulemaking:

- November, 2011 (or possibly late October): Start 45-day comment period, extending through December, 2011 or January 2012 depending on OAL approval
- The required public hearing on the proposed regulations may be scheduled for December 13 depending on when OAL approves and notices the 45-day comment period. At the latest it will be held in mid-January, 2012:
- January–March, 2012 (May be in January if the public hearing is in December): 15-day Public Comment Period, if needed, in response to written comments submitted to CalRecycle during the formal 45-day comment period.
- Adoption of the regulations could be as early as January or February depending on whether the public hearing is held in December, and if an additional 15 day comment period is needed. At the latest it will be scheduled for the March, 2012 Public Meeting: Finalized proposed regulations will be presented at the CalRecycle public meeting.

The Request for Approval to commence the rulemaking and the draft regulations can be found at: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=526&aiid=507>

(See Item I (1) of the agenda for the RFA/attachment.) You are encouraged to sign up on the commercial recycling listserv for up to date information on the rulemaking.

## **CalRecycle/ARB Public Meeting on Mandatory Commercial Recycling/AB 341**

Oct 21<sup>st</sup>, Byron Sher Auditorium, Cal EPA Building

<http://www.arb.ca.gov/board/ma/2011/ma102011.htm>. This meeting starts at 8:30, but this item will probably be heard in the later morning or after lunch. CalRecycle and ARB staff will be presenting a joint informational item regarding the development of the ARB/CalRecycle regulations, impact of AB 341, next steps for CalRecycle's rulemaking and for additional collaboration with ARB regarding recycling and composting emissions factors, waste characterization studies to measure GHG emission reductions, and support for recycling manufacturing in CA. If you didn't receive our listserv e-mail I can send it to you.

## **Paint and Carpet EPR Regulations**

- Paint regulations: Currently in 15-day comment period through October 25th, Comments can be sent via mail or [paint@calrecycle.ca.gov](mailto:paint@calrecycle.ca.gov). It is likely there will be a second 15-day comment period. We anticipate considering adoption of the regulations at the December monthly meeting.
- Carpet regulations: Currently in a second 15-day comment period through October 26th. Comments can be sent via mail or [carpet@calrecycle.ca.gov](mailto:carpet@calrecycle.ca.gov). We anticipate considering adoption of the regulations at the November monthly meeting.

## **Compost Regulation Revisions**

A Workshop was held on 10/18 to discuss 12 potential changes to composting regulations. CalRecycle will have a series of workshops with intent to pursue rulemaking in 2012.

The topics currently being considered for changes include:

- The definition of food waste
- Land application of compostable material, compost and ash for beneficial use
- The 12,500 cubic yard limit for notification tier permits
- Consistency in odor complaint reporting
- Coordination of regulation of Publicly Owned Treatment Works accepting food waste, fats, oils, and grease
- Allowable acceptable levels of contamination in green waste at permitted facilities
- Permitting of Anaerobic Digestion Facilities
- Regulatory overlap of regulation of meat, fish, and poultry waste
- Inconsistency of maximum metal concentrations with federal regulations
- The Definition of "agricultural material" relative to the term "processing"
- Regulation of small-scale composting
- Clarification of the term "permitted maximum tonnage"

## **Grant Update**

<http://www.calrecycle.ca.gov/Grants/>

### **October**

- Tire Enforcement (TEA) – Application Release (for LEAs and Approved enforcement entities)
- Rubberized Pavement Grants - Applications due October 25th

### **November**

- City/County Beverage Container Recycling Payment Program - We anticipate sending invitations to apply and posting the application information November 1. Cities and Counties will have 90 days to apply.
- Farm and Ranch Cleanup Grant - Applications due November 1<sup>st</sup>
- Tire Cleanup (TC) – Proposed criteria for FY 2012/13 will be presented at the November CalRecycle Meeting
- Tire Derived Aggregate Grants - Applications due November 16<sup>th</sup>
- Local Government Waste Tire Enforcement Grants - Applications due November 30<sup>th</sup>

### **December**

- Grants to Public Entities to Abate Illegal Disposal Sites – Applications due December 15th
- Local Government Matching Grants – Application due December 15<sup>th</sup>

### **January**

- Beverage Container Recycling Competitive Grants – concepts were due October 10, Final project proposal due for accepted concepts due January 16, 2012

Oil payments - payments will be made to cities and counties in April 2012 (unless they requested and qualified an early payment which they will receive in October).

## Event Update

### Daily Transaction Consumer Load Limits (Beverage Container Program)

| Where  | When   |
|--|--|
| CalEPA Building<br>1001 I Street Coastal Hearing Room, 2nd Floor<br>Sacramento, CA 95814 | 10/26/2011 9:00AM to 12:00PM<br>Open to the Public |

**Description**  
Daily Transaction Consumer Load Limits - Certification and Enforcement Branch

**More Information**  
Sponsor: CalRecycle- Certification & Enforcement Branch  
Contact: Roberta Crittenden  
Phone: (916) 323-4248  
Cost: \$0  
Event Type: Workshop

### Household Hazardous Waste Information Exchange

| Where  | When   |
|--|--|
| Fred Kavli Theater, Thousand Oaks Civic Arts Plaza<br>2100 E. Thousand Oaks Blvd.<br>Thousand Oaks, CA 91362 | 11/08/2011 10:00AM to 2:00PM<br>Open to the Public |

**Description**  
The information exchange provides a forum for the HHW and Used Oil Recycling Program grantees and associates to share program ideas, success stories, and training, and to provide input to state program staff concerning barriers to program implementation and effectiveness.

**More Information**  
Sponsor: City of Thousand Oaks  
Contact: Don Peri  
Phone: (916) 323-3415  
Cost: \$20.0  
Event Type: Meeting