



CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MARY RAWSON, ALPINE COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – JIM MCHARGUE, AMADOR COUNTY
TAG VICE CHAIR – RACHEL ROSS, TEHAMA COUNTY
PROGRAM MANAGER – MARY PITTO

Rural Counties' Environmental Services Joint Powers Authority Board of Directors' & Technical Advisory Meeting Agenda

1215 K Street, Suite 1650 Conference Room
Sacramento, CA

Thursday, December 8, 2016 9:00 a.m. – 3:00 p.m.

Only those items that indicate a specific time will be heard at the assigned time. All other items may be taken out of sequence to accommodate the Board, the staff, and the general public. Indicated time allocations are for planning purposes only and actual times will vary from those indicated.

I. Call to Order, Self-Introductions, and Determination of Quorum

II. Business Matters

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Discussion and possible action related to the following:

- A. Approval of Minutes from the Meeting of October 20, 2016 – Supervisor Kobseff, ESJPA Chair (*pp 3-8*)
- B. Review and approval of the 2017 Budget – Lisa McCargar, RCRC Chief Financial Officer (*pp 9-11; 10 minutes*)
- C. Review and approval of the 2017 Contract Services Agreement between ESJPA and RCRC – Mary Pitto, ESJPA Program Manager (*pp 13-22; 5 minutes*)

III. Public Comment

Any person may address the Board on any matter relevant to the Authority's business, but not otherwise on the agenda.

IV. Presentations

- A. Electronics Waste – Designated Approved Collectors, Emergency Regulations – Jason Smyth, Senior Environmental Scientist, CalRecycle (*10 minutes*)
- B. Neal Road Recycling and Waste Facility ~ Including Trash Trivia – Eric Miller, Solid Waste Manager, Butte County (*20 minutes*)
- C. Report from CalRecycle – Joe Rasmussen, Supervisor, Materials Management and Local Assistance Program, CalRecycle (*10 minutes*)
- D. Discussion of Senate Bill 1383 (Lara, 2016), the Short-Lived Climate Pollutant Bill – Hank Brady, Supervisor, Legislative and External Affairs Office, CalRecycle (*20 minutes*)

E. Discussion of Bottle Bill Reform – Christine Hironaka, Deputy Director, Policy Development and Analysis Office, CalRecycle (20 minutes)

V. Member County Concerns/Comments

VI. Legislative Update

(This item may be heard at any time during the meeting depending upon the availability of staff) Discussion of Legislative Process for 2017 – Paul Smith, RCRC Senior Legislative Advocate (10 minutes)

VII. Solid Waste/Regulatory Update

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Discussion and possible action related to the following:

A. Air Resources Board

- Cap and Trade Auction Proceeds – Staci Heaton, RCRC Regulatory Affairs Advocate (pp 25-26; 5 minutes)
- Draft Short-Lived Climate Pollutant Reduction Strategy – Mary Pitto, ESJPA Program Manager (pp 27-43; 5 minutes)

B. CalRecycle

- Beverage Container Recycling Reform – Paul Smith/Mary Pitto (pp 45-46; 5 minutes)
- Organic Waste Recycling Information – Mary Pitto (pp 47-68; 5 minutes)
- AB 901 Reporting Update – Larry Sweetser, ESJPA Consultant (pp 69-82; 5 minutes)
- Emergency Regulations for Glass Processors – Larry Sweetser (pp 83-88; 5 minutes)

C. Department of Toxic Substance Control

- Used Oil Filter Issues – Larry Sweetser (5 minutes)
- Retail Waste Working Group – Larry Sweetser (pp 89-90; 5 minutes)
- Proposed Regulations for Photovoltaic Modules – Larry Sweetser (5 minutes)

D. State Water Resources Control Board (SWRCB)

- Stormwater Industrial General Permit Updates – Larry Sweetser (5 minutes)

E. Extended Producer Responsibility

- CA Product Stewardship Council Update – Heidi Sanborn/Christine Flowers, Product Stewardship Council (10 minutes)
- Carpet America Recovery Effort (CARE) Update – Lisa Mekis, CA Senior Associate, CARE (pp 91-92; 5 minutes)
- PaintCare Update – Daria Kent, Northern California Regional Coordinator (pp 93-94; 5 minutes)
- Mattress Recycling Council Update – Liz Wagner, Mattress Recycling Council (pp 95-110; 5 minutes)

F. Grant Program Update – Larry Sweetser (5 minutes)

G. Highlights of November CalRecycle Meeting – Larry Sweetser (pp 111-113; 5 minutes)

H. Other Regulatory Announcements/Issues of Interest

- CalRecycle Fraud Prevention Efforts (pp 115-117)
- Cal EPA CUPA Newsletters (pp 119-120)
- Walgreens Newsroom – Safe Medication Disposal Kiosks (pp 121-123)

VIII. Resolution of Appreciation

IX. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday, March 16, 2017.

X. Articles of Interest (pp 127-156)

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XI. Adjournment



12:00 PM Holiday Luncheon



1:00 PM

Technical Advisory Group Breakout Session

This afternoon session will be conducted as an informal workshop. The following topics are intended for robust discussion about solid waste issues. You are invited to stay and encouraged to participate in this session.

- A. Carpet America Recovery Effort (CARE) Update – Lisa Mekis, California Senior Associate, CARE (20 minutes)
- B. Prevailing Wages Issues for Solid Waste Managers



Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please contact our offices at least 72 hours prior to the meeting by calling (916) 447-4806.

Agenda items will be taken as close as possible to the schedule indicated. Any member of the general public may comment on an agenda item at the time of discussion. In order to facilitate public comment, please let staff know if you would like to speak on a specific agenda item.

The final agenda for this meeting of the Board of Directors of the Rural Counties' Environmental Services Joint Powers Authority will be duly posted at its offices: 1215 K Street, 16th Floor, Sacramento, California at least 72 hours prior to the meeting.

Agenda Item II

BUSINESS MATTERS

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,
SHASTA, SIERRA, SISKIYOU, TEHAMA, TRINITY, TUOLUMNE

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PROGRAM MANAGER – MARY PITTO

**Minutes of the Rural Counties'
Environmental Services Joint Powers Authority
Board of Directors Meeting
1215 K Street, Suite 1650, Sacramento, CA**

Thursday October 20, 2016

MEMBERS REPRESENTED

Mary Rawson, Supervisor	Alpine County
Jim McHargue, Director Solid Waste	Amador County
Bill Mannel, Deputy Director, Waste Management	Butte County
Eric Miller, Solid Waste Manager	Butte County
Greg Stanton, Division Director	El Dorado County
Paula Wesch, Program Coordinator	Lassen County
Aaron Albaugh, Supervisor	Lassen County
Ahmad Alkhayyat, Public Works Director	Madera County
Lorenzo Nadora, Engineer	Madera County
Todd Storti, Manager	Mariposa County
Tony Dublino, Solid Waste Superintendent	Mono County
David Garcia, Program Manager	Nevada County
Bob Perrault, Director Public Works	Plumas County
Rachel Ross, Recycling Coordinator	Tehama County
Paul Freund, Recycling Coordinator	Tehama County
Karl Fisher, Supervisor	Trinity County
Diane Rader, Deputy Director Solid Waste	Trinity County
Belinda Barlow, Solid Waste Specialist	Tuolumne County
Dan Hambrick, Solid Waste Specialist	Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager	RCRC Governmental Affairs
Larry Sweetser, ESJPA Consultant	Sweetser and Associates, Inc.
Staci Heaton, Regulatory Advocate	RCRC Governmental Affairs
Randall Echevarria, Legislative Analyst	RCRC Governmental Affairs
Julie Lunn, RCRC Office Assistant	RCRC Staff

GUEST SPEAKERS:

Rick Jones, DTSC	Gary Glasser, Tetra Tech
Lee Daigle, Tetra Tech	John Carlton, B&B
Daisy Kong, CalRecycle	Julie Trueblood, CalRecycle
David Garcia, Nevada County	Gary Glasser, Tetra Tech
Daria Kent, PaintCare	Joe Rassmussen, CalRecycle
Liz Wagner, Mattress Recycling	Lis Mekis, CARE

OTHERS IN ATTENDANCE:

Curt Fujii, Fujii Civil Engineering
Keir Furey, CalRecycle
Justin Franks, Waste Connections
John Plasse, ACES Waste Svc

Alex Souza, CalRecycle
Susan Mueller, CalRecycle
Nicole Riley, Tulare County
John Pabst, ACES Waste Svc

MEMBERS NOT REPRESENTED

Calaveras County, Colusa County, Del Norte County, Glenn County, Imperial County, Inyo County, Modoc County, Shasta County, Sierra County, Siskiyou County

I. Call to Order, Determination of Quorum and Self Introductions

Vice Chair Supervisor Mary Rawson, Alpine County called the meeting to order at 9:04 a.m. Self-introductions were made. A quorum was determined at that time.

II. Business Matters

A. Approval of Minutes August 18 2016. Vice Chair Supervisor Rawson, Alpine County called for the approval of the minutes from the August 18, 2016 Board of Directors Meeting. The motion to approve the minutes was made by Supervisor Karl Fisher, Trinity County and seconded by Jim McHargue, Amador County. The motion passed unanimously.

B. Review and Approval of the 2017 Meeting Schedule. The motion to approve 2017 Meeting Schedule was made by Supervisor Karl Fisher, Trinity County, and Seconded by Belinda Barlow, Tuolumne County. Motion passed unanimously.

III. Public Comment None

IV. Presentations

A. Used Oil Filter Compliance-Rick Jones, DTSC.

DTSC visited several used oil filter recycler and discovered some drums contained excessive amounts of used oil and concluded that the used oil filters were not drained sufficiently as required by the regulations. Mr. Jones provided an overview of the issue and the requirements for management of metal and paper used oil filters. The current regulations adopted years ago required only oil filters with metal components can be handled under the scrap metal exemption and must be properly drained by manipulating the flap, puncturing, or crushing the filters. Oil filters not meeting this standard, including paper oil filters, are required to be managed as hazardous waste. DTSC will continue to monitor used oil facilities for compliance with the regulations. DTSC has prepared a guidance document on management of used oil filters. That guidance has received many comments and will be updated in the future.

B. Upgrade and Expansions of the Landfill Gas System at the Fairmead Landfill- Gary Glasser, VP of Field Services, Methane Gas Group and Lee Daigle, P.E., Project Manager, Methane Gas Group, Tetra Tech BAS.

Gary Glaaser and Lee Daigle, of Tetra Tech BAS, provided a presentation on upgrades and expansions to the landfill gas system.

C. Paying for Improvements- The Madera County Experience- John G. Carlton, P.E., BCEE, Senior Vice President, Gershman, Brickner & Bratton, Inc.

Mr. Carlton provided an overview of a study GBB conducted for Madera County that provided recommendations to "Improve County's System Financial Performance". Current Revenues Do Not Fully Cover Needed Capital Expenses GBB developed a landfill profit and

loss model that reviewed the cost structure for the landfill and transfer station and the impact on residential rates. The study also looked at “partial mandatory collection in densely populated areas” and evaluated lease or sell of the landfill. The key point was the need to increase rates to entice bidders to operate the system. The study resulted in the transition to a new contractor. New, increased rates are proposed for implementation January 1, 2017.

D. Report from CalRecycle – Joe Rasmussen, Supervisor, Materials Management and Local Assistance Program, CalRecycle.

Joe Rasmussen provided a handout on recent CalRecycle activities, which is available on the ESJPA website.

E. Industrial Storm Water Level 1 Compliance, Now What- Matthew P. Zucca.

Matt Zucca, Erler & Kalinowski, Inc, provided an overview of the general industrial stormwater permit and recommendations on measures to take when a solid waste facility is expected to enter the Level 1 due to numeric action level exceedances. Information was also provided on completion of the required Exceedance Response Actions Evaluation required to be prepared by October 1, 2016 and submitted by January 1, 2017.

V. Member County Concerns/Comments

None

VI. Legislative Update

Mary Pitto and Larry Sweetser provided an update on various bills of interest to the ESJPA including information on:

- SB 1383 Short lived climate pollutants. This bill would require the Air Resources Board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. The bill also would establish specified targets for reducing organic waste in landfills.
- AB 1103 Solid Waste Disposal: Self-haul – This bill addressed private hauler disclosure concerns from the CalRecycle Disposal Reporting System. Much of these issues will be deferred to proposed AB 901 regulations
- AB 1149 Cathode Ray Tubes – This bill allowed for reclassification of CRT glass as nonhazardous wastes and is a small step on development of additional markets for leaded glass.
- AB 2153 Lead-acid Battery Recycling Act – Changes the deposit program for lead-acid batteries with some funds going to the state to provide for cleanup of lead-acid battery sites. Hopefully, there will be no impact to battery collection by ESJPA member programs.
- SB 423 – Surplus household consumer product waste: management. DTSC will convene a Retail Waste Working Group to provide regulatory and statutory recommendations on management of products that can be considered hazardous waste or pharmaceutical waste once a waste determination is made.
- SB 1229 Home-generated pharmaceutical waste: secure drug take-back bins. This CPSC sponsored bill will provide some liability protection for facilities pharmaceutical take-back programs.

VII. Solid Waste/Regulatory Update

Discussion and possible action related to the following:

A. Air Resources Board

- Cap and Trade Auction Proceeds-Staci Heaton reported that the Greenhouse Gas Reduction Fund monies were allocated as part of the budget trailer bills. Monies allocated were mostly an urban focus and less than proposed by the Governor, and much less for solid waste and forestry projects.
- Draft Short-Lived Climate Pollution Reduction Strategy-Mary Pitto reported that the strategy was not released yet but SB 1383 should restrict the ARB from increasing the goals for short-lived climate pollutants in 2020 and 2025. ARB anticipates release of the revised draft in November 2016.

B. CalRecycle

- Beverage Container Recycling Reform – Mary Pitto reported that the bottle bill reform is expected to be part of the 2017-18 budget process. While there have been some discussions amongst stakeholders, there have been no specific proposals. CalRecycle has indicated that “everything is on the table”.
- AB901 Reporting Update-Larry Sweetser reported that CalRecycle is continuing development of the new Disposal Reporting Regulations. The ESJPA provided comments previously. The next workshops are December 12th in Sacramento and December 13th in Diamond Bar. The ESJPA has been invited to be part of a core group to provide feedback on the informal regulations prior to publication. The regulations will also impact reporting for recyclers and transporters. The ESJPA has been advocating for a reporting exemption for small facilities. CalRecycle has been receptive for this exemption.
- Emergency Regulations for Glass Processors-Larry Sweetser reporting that CalRecycle has become aware that some secondary processors of recycled glass container receive loads of glass that may contain plastic, paper, metal, dirt, etc. If a facility handles materials separated for recycling and in processing the material ends up disposing of more than 10% of what was received, the facility can be determined to be a solid waste facility requiring a solid waste permit or must immediately cease operations. These emergency regulations will place those facilities into the Notification Tier and were approved on October 4, 2016 and will expire April 4, 2017. Final regulations will be adopted for these emergency regulations.
- E-Waste Update-Larry Sweetser reported that on September 22, 2016, the Office of Administrative Law (OAL) approved emergency regulations governing the covered electronic waste recycling fee that were approved by the director of the Department of Resources Recycling and Recovery (CalRecycle) on July 20, 2016. The regulations became effective immediately. The rates will be effective January 1, 2017. The fees are changing from \$3 to \$5 for less than 15" screen, \$4 to \$6 for 15" to less than 35", and from \$5 to \$7 for greater than or equal to 35". The changes will provide \$67.3 million dollars in 2018/2019. Without the increase, the fund would be in a deficit due to less CRTs being sold.

C. Department of Toxic Substance Control

- Used Oil Filter Management Issues – Larry Sweetser indicate numerous discussions with used oil companies on their proposed revisions to management of used oil filters. Asbury will require all filters to be crushed or punctured or will be shipped as hazardous waste at much higher costs. Safety-Kleen will only accept used oil filters for recycling is crushed otherwise they are accepted as hazardous waste. Larry has requested DTSC to provide clarification on transport of used oil filters between sites of initial collection to a central site for processing.

- Proposed Regulations for Photovoltaic Modules – Larry Sweetser reported that DTSC is still preparing revised regulations to allow photovoltaic modules (solar panels) to be handled as universal hazardous waste rather than regular hazardous wastes.
 - Emergency Regulations for CRT Glass-Larry Sweetser reported that DTSC adopted regulations to allow other recycling options so that CRT can be used for glass manufacturing or lead smelting. Some potential products might include tiles, bricks, cast concrete, glass beads, auto glass, radiation shielding. The regulations will allow disposal of non-RCRA panel glass in Class II or III. The emergency re-adoption was approved and filed with the Secretary of State on September 12, 2016.
- D. State Water Resources Control Board (SWRCB)
- Waste Discharge Fees-Larry Sweetser reported Waste Discharge Fees – Larry Sweetser reported that SWRCB staff has proposed change in solid waste landfill WDR fees for 2017/2018. The SWRCB did adopt changes to their Enforcement Policy.
- E. Extended Producer Responsibility
- CA Product Stewardship Council Update –Mary Pitto provided a note on SB 1229 liability exemption for pharmaceutical drop-off centers
 - Carpet America Recovery Effort (CARE) Update – Lisa Mekis reported CalRecycle deemed CARE was non-Compliance for implementation. CARE has developed a grant program to develop infrastructure for carpet recycling. CARE’s website has a list of Drop-off sites. New counties have been added with at least one site in every county. Staff have been hired to visit Retail Stores to promote the program. CARE is striving for a 70% collection goal.
 - PaintCare Update –Daria Kent reported that more one day events are being scheduled in underserved Communities not within a 15 mile radius of existing collections. Large Volume pickup are still ongoing. PaintCare is continuing to work with all Haulers. Colusa and Modoc Counties still have not collection programs. Sweetser commented that the 15 mile straight line radius does not work well in rural areas.
 - Mattress Recycling Council Update – Liz Wagner, Mattress Recycling Council, indicated she is meeting with counties and making progress with solid waste facilities and retail partners.
- F. Grant Program Update – Larry Sweetser reported that CalRecycle is expecting a significant funding reduction to the Used Oil Funds in FY 2018/2019 with expected reductions to all programs funded. CalRecycle will be conducting workshops to discuss impacts. State law requires a minimum of 50% of the fund to go to the Oil Payment Program.
- G. Highlights of July/August CalRecycle Meetings – Much of the updates were covered by Joe Rasmussen. Larry Sweetser reported that the Beverage Container City/County payments are continuing with \$9.5 million in funds. Some jurisdictions did not apply for their allocated funds, e.g. San Francisco did not apply for their allocation of \$9.5 million. OPP7 funds were also approved for jurisdictions. In September, CalRecycle approved the budget for Mattress Recycling and the fees for Paint and Carpet.

Wasco Hearing 11/9

- H. Other Regulatory Announcements/Issues of Interest
- CalRecycle Fraud Prevention Efforts
 - DTSC Discarded Battery Management

- Environmental Health Study of Synthetic Turf-August 2016 Update
- CalRecycle E-Waste Updates
- Cal EPA CUPA Newsletters

VIII. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday December 8, 2016. Rachel Ross suggested prevailing wage be on the agenda. No one volunteered for the County presentation.

IX. Articles of Interest - Mary Pitto directed Members to the Board packet.

X. Adjournment- was called at 12:50PM

Respectfully submitted,
Julie Lunn, Office Assistant/Receptionist

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,
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PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board

From: Lisa McCargar, RCRC Chief Financial Officer

Date: November 29, 2016

RE: ESJPA Budget – FY 2017

The proposed 2017 Environmental Services Joint Powers Authority (ESJPA) Operating Budget constitutes our continued commitment to the core functions of providing solid waste planning, solid waste services, regulatory advocacy, and other environmental services. The proposed ESJPA budget for the 2017 calendar year is shown on the following page.

Summary

To better understand the budget, it is necessary to understand the inter-relationship between the ESJPA and Rural County Representatives of California (“RCRC”). ESJPA and RCRC are two separate legal entities, each with their own by-laws and Board of Directors. RCRC is a non-profit mutual benefit corporation with a Board of Directors consisting of County Supervisors who are representatives of the 35 participating counties. The ESJPA, however, is a governmental agency with a Joint Powers Agreement. The Board of Directors of ESJPA consists of delegates (or designated staff “alternates”) from the 23 member counties. ESJPA does not employ staff, but instead contracts with RCRC to provide management, technical, and administrative services as directed by the ESJPA delegates. This contract is subject to annual review and follows the budget on today’s agenda.

The proposed ESJPA budget includes total revenues of \$189,850, proposed expenditures of \$177,510, and results in a budget surplus of revenues over expenses of approximately \$12,340 for the year ending December 31, 2017.

Revenues:

ESJPA’s proposed 2017 revenue includes \$124,800 in membership dues. ESJPA’s 2017 revenue also includes grant reimbursements in the amount of \$65,000. The following is a list of current grant activities that are included in the CY 2017 budget.

CalRecycle Used Oil Block Grants (Alpine, Colusa, and Mariposa Counties)
CalRecycle Local Government Waste Tire Amnesty Grant (Colusa, Inyo, Mariposa,
Sierra, and Tuolumne Counties)

Expenditures:

The proposed 2017 ESJPA expenditure budget is designed to provide the resources necessary to carry out core functions. The most significant budgeted expenditures are those associated with grant activities. Grant expenses of \$65,000 are reimbursable and therefore approximate grant revenues. The decrease in grant expenses in 2017 reflect the completion of the Waste Tire Amnesty grant in 2017.

Dues and miscellaneous revenue are used by ESJPA to pay for non-grant related expenses including RCRC Contract Services in accordance with the Board approved ESJPA/RCRC Agreement. As noted above, ESJPA staffing and other allocated expenses are reflected in the \$73,352 contract fee to RCRC. ESJPA also contracts for additional consulting services for solid waste industry expertise, grant administration, and specific issues or projects.

Other Items:

From time to time, ESJPA experiences cash shortfalls due to the timing of grant reimbursements. While the current year operating budget reflects a surplus of revenues over expenditures, in 2015, the RCRC Board provided a standing short term revolving loan facility to ESJPA of up to \$100,000.

Recommendation:

It is recommended that the ESJPA Board adopt the 2017 ESJPA Budget as shown on the following page.

ENVIRONMENTAL SERVICES JOINT POWERS AUTHORITY
FY 2017 BUDGET
For the Year Ended December 31, 2017

Income:	2017 Budget	2016 Budget	Change
Member County Dues	124,800	124,800	0
Contracts-grants/projects	65,000	100,000	(35,000)
Contribution from RCRC	0	0	0
Interest	0	0	0
Miscellaneous	50	100	(50)
Total Income	189,850	224,900	(35,050)
Expenditures:			
Auditing	3,750	2,190	1,560
Bank Fees	0	0	0
Community Relations	1,000	500	500
Consultants	0	12,730	(12,730)
Conferences Attended by Staff	1,250	1,000	250
Contract Support Services	73,352	70,000	3,352
Delivery Services	1,200	1,200	0
Dues, Fees and Subscriptions	2,000	2,000	0
Equipment & Furniture	250	250	0
Grants and Contracts	65,000	100,000	(35,000)
Insurance	3,657	3,619	38
Legal Fees	1,000	1,000	0
Meetings	4,500	3,600	900
Board Member Travel and Reimbursements	1,500	1,500	0
Miscellaneous	1,000	1,000	0
Office Expense	500	500	0
Off-site Storage	1,320	1,320	0
Printing & Duplication	0	6,000	(6,000)
Rent	14,231	12,000	2,231
Training	500	500	0
Travel-Employees	1,500	1,000	500
Total Expenditures	177,510	221,909	(44,399)
Net Revenues over Expenditures	12,340	2,991	9,349

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,
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PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors

From: Mary Pitto, Program Manager

Date: November 29, 2016

RE: ESJPA – RCRC Contract Services Agreement – CY 2017

The proposed ESJPA – RCRC Contract Services Agreement for the 2017 calendar year is shown on the following pages and is presented for your consideration and approval.

The purpose of this agreement is to provide personnel services for technical and grant-related activities. RCRC will continue to provide technical and grant-related personnel services to the ESJPA. The terms and conditions of the 2017 contract remain consistent with the 2016 contract, with the exception of the Technical Support services, which increased slightly. The ESJPA will pay RCRC \$73,352 this coming year out of the membership dues for direct ESJPA activities.

The Agreement also provides that the ESJPA will pay RCRC for reimbursable grant-related activities (principally staff time) on a per hour basis calculated monthly. This amount includes direct and indirect personnel costs consistent with the terms and conditions of each grant or contract ESJPA is assigned to implement on behalf of participating member jurisdictions.

Recommendation:

It is recommended that the ESJPA Board adopt the 2017 ESJPA – RCRC Contract Services Agreement.

AGREEMENT

THIS AGREEMENT ("Agreement"), dated as of January 1, 2017, is entered into by and between the Rural Counties' Environmental Services Joint Powers Authority, a joint powers authority organized and operated under Articles 1-4 of Chapter 5 of Division 7 of Title I (commencing with Section 6500) of the California Government Code (hereinafter "ESJPA"), and the Rural County Representatives of California, a California nonprofit mutual benefit corporation (hereinafter "Contractor").

R E C I T A L S

WHEREAS, ESJPA desires to obtain the services of Contractor; and,

WHEREAS, Contractor is competent and willing to provide such services to ESJPA,

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, ESJPA and Contractor (each a "party," or collectively, the "parties") agree as follows:

1. Contractor's Services.

Contractor shall perform the services described herein and otherwise as specified in **Exhibit A** hereto which is incorporated herein by this reference, under the supervision of ESJPA's Contract Manager. Contractor understands that ESJPA may desire Contractor to perform certain additional services related to the scope of services hereunder, and Contractor agrees to perform such additional services when requested by ESJPA in writing. All such additional services shall be performed as provided herein, unless otherwise provided by written amendment hereto, subject only to an adjustment reflecting the cost of such additional services and the time for performance.

2. Contractor's Personnel.

Contractor acknowledges that the personal services of Contractor's personnel are essential to the performance of Contractor's obligations hereunder, and that no substitution of Contractor's personnel so identified may be made without the prior written approval of ESJPA. Contractor shall not subcontract or assign any portion of the services provided hereunder without the prior written approval of ESJPA, except any subcontracted services identified in **Exhibit A**.

Contractor, and its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers, employees or agents of ESJPA. By initialing this Agreement in the space provided immediately below, Contractor acknowledges that this Agreement is complete, that it does not create an employer-employee relationship between ESJPA and Contractor or any person performing services hereunder on behalf of

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Contractor, and that this Agreement cannot and will not be modified by any oral representation of employment.

Contractor's Initials: _____

Contractor further acknowledges that its taxpayer identification number is 94-1366200, and warrants that it is responsible for paying payroll or any other kind of taxes resulting from compensation paid to Contractor hereunder.

3. Term.

This Agreement shall cover services rendered hereunder from January 1, 2017, until the earlier of completion of Contractor's work hereunder, termination of this Agreement as provided herein, or December 31, 2017, unless the term of the Agreement is otherwise extended by mutual consent of both parties. Contractor specifically acknowledges that time is of the essence with respect to completing its obligations hereunder, and that any failure to meet deadlines provided herein will result in material damage to ESJPA.

4. Compensation.

For services described in **Exhibit A** as "Non-Grant Related," Contractor shall be paid the sum of \$6,113 per month which shall be deemed to include all reasonable actual ordinary and necessary personnel expenses incurred for work performed hereunder.

For services described as "Grant Related" in **Exhibit A**, Contractor shall be compensated in the amount of the actual cost of personnel provided, including direct salary, benefits and related overhead expenses, all as specified in Contractor's invoices. However, if a specific grant program ("**Grant Program**") that the Contractor is administering, hereunder, includes a limitation on the right of Contractor to receive compensation for overhead costs, Contractor's compensation for such overhead costs shall be subject to the limitation specified in the Grant Program. The actual overhead for each hour of work performed by Contractor under this Agreement shall be the amount determined by Contractor's auditors, as adjusted from time-to-time. Nothing herein shall preclude ESJPA from directly contacting granting authorities for each Grant Program to seek the authority to modify any limitation on overhead compensation to be charged against a Grant Program.

Contractor shall submit invoices for services rendered and reimbursable expenses incurred to date not more frequently than monthly for compensation and reimbursement of allowable expenses. Approved invoices shall be paid by ESJPA within ninety (90) calendar days of receipt of such invoices.

The fees provided in this paragraph shall be the entire compensation due Contractor for these services and ESJPA shall not be liable for additional compensation for any of Contractor's time or expense except as provided herein.

5. Work Product; Confidentiality.

Contractor understands and agrees that all documents, information and reports developed in the course of performing its obligations hereunder shall be the property of ESJPA. Contractor agrees to exert its best efforts in the production of such work product of this Agreement. Contractor may retain copies of materials collected or produced hereunder during the term hereof, but in the event of termination of this Agreement, Contractor shall promptly deliver any such materials to ESJPA without exception or reservation.

If, in the course of performing its obligations hereunder, Contractor comes into possession of information known or reasonably expected to be confidential information from any source, Contractor will respect and maintain such confidentiality, whether under state, federal or common law, and be solely liable to any injured person in the event of its wrongful distribution of such confidential material.

6. Nonassignability.

No assignment of the rights nor delegation of the duties of Contractor whether in whole or in part shall be valid unless specifically agreed to in writing by ESJPA.

7. Termination.

A. Either party may terminate this Agreement at any time in the event the other party defaults in performance, fails to perform services in a timely fashion, or otherwise fails to comply with the terms of this Agreement. Either party's default or failure to perform shall be excused if prevented by acts of God, labor disputes or strikes, or other forces beyond such party's control.

B. Either party may terminate this Agreement without cause or default after having given thirty (30) calendar days notice to the other party which indicates which services and/or expenses hereunder are suspended from the date of such notice and the date of termination. Upon such termination, Contractor shall be entitled to compensation for services not suspended and actually rendered and/or expenses allowed to the date of termination and for any unreimbursed expenses otherwise payable hereunder.

8. Attorney's Fees, Costs.

If any action at law or in equity is brought to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, in addition to any other relief to which that party may be entitled. This provision for the recovery of attorney's fees and costs shall be construed as applicable to the entire Agreement.

9. Indemnification and Insurance.

Contractor shall indemnify, defend and hold harmless ESJPA, its officers, directors, agents, employees and attorneys, from any and all claims, causes of action, damages and losses, whether in law or equity (collectively, "**Claim**") arising from or related to the services performed by Contractor under this Agreement or accruing or resulting to any and all

contractors, subcontractors, materialmen, laborers and any other person, firm or corporation furnishing or supplying work, services, materials or supplies, in connection with Contractor's willful misconduct or negligent acts or omissions in the performance of Contractor's duties and services hereunder.

ESJPA shall promptly notify Contractor of any Claim made in connection with the performance of services rendered hereunder.

In order to ensure Contractor's obligations hereunder, Contractor shall maintain insurance as follows:

(1) Contractor shall maintain a commercial general liability insurance policy in the amount of not less than \$1 million per occurrence, and not less than \$2 million in the aggregate, from a carrier admitted in the State of California with a Best rating of not less than A-, VIII;

(2) Comprehensive business or commercial automobile liability coverage, including non-owned and hired automobile liability, in the amount of not less than \$1 million from a carrier admitted in the State of California with a Best rating of not less than A-, VIII;

(3) Worker's Compensation Insurance as may be required by the California Labor Code for Coverage A (statutory limits) and not less than \$1 million for Coverage B (employer liability limits) from a carrier admitted in the State of California with a Best rating of at least B+, VIII;

(4) All such policies shall remain in force during the term of this Agreement and shall be payable on a "per occurrence" basis unless otherwise accepted in writing by ESJPA, and shall be in form acceptable to ESJPA and its insurance advisers. ESJPA shall be named as an "additional insured" on any policy as may be requested by ESJPA and Contractor shall provide certificates of insurance and any endorsements required signed by Contractor's insurer prior to the commencement of Contractor's services hereunder. Any such policies or endorsements shall provide for 30 days prior notice to ESJPA in the event of any termination or reduction in coverage of such insurance.

(5) Nothing contained herein shall be construed as or constitute a limitation of Contractor's liability or Contractor's responsibility in law or equity to indemnify and hold harmless from any and all claims, damages, losses and expenses that may arise by reason of Contractor's willful misconduct or negligence, and all remedies provided hereunder shall be cumulative with all other remedies under law or equity.

10. Jurisdiction and Venue.

This Agreement shall be governed by the laws of the State of California without regard to choice of law if an action is brought in California based on activities outside California. Any action to enforce or interpret the terms of this Agreement shall be brought in Sacramento County, California.

11. Miscellaneous Provisions.

A. Partial Invalidity.

If any provision of this Agreement shall be declared invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

B. Contractor's Qualifications.

Contractor covenants that it is competent to provide the services required hereunder and is licensed and qualified as necessary to perform such services in California and/or as provided herein. Contractor covenants that it will comply with all applicable federal, state and local laws affecting services provided hereunder.

C. Records and Audit.

Contractor shall maintain current and complete books and records relating to this Agreement, including, but not limited to, documents supporting all bids, income and expenditures. Books and records kept shall be original entry books with a general ledger itemizing all debits and credits for work performed hereunder. In addition, where applicable, Contractor shall maintain detailed payroll records including subsistence, travel and field expenses, and canceled checks, receipts and invoices for all such items. Contractor's documents, books and records shall be retained for at least five (5) years from the date of completion of this Agreement, and Contractor shall permit access to audit its books, accounts and records relating hereto, and such records of all business entities controlled by Contractor who participated in the performance of this Agreement. Any audit by ESJPA may be conducted on Contractor's premises, or at the option of ESJPA, Contractor shall provide all such records to ESJPA for such audit elsewhere. Contractor shall refund any moneys erroneously paid; if Contractor has erroneously billed for an amount exceeding five percent (5%) of the compensation paid hereunder, Contractor shall also be liable for the cost of audit in addition to any other penalty.

D. Nondiscrimination Clause.

During the performance of this Agreement, Contractor shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, sex or sexual orientation, ancestry, physical handicap, medical condition, marital status, or age (over 40).

E. Cooperation.

The parties shall cooperate with each other in the performance of their respective obligations hereunder. ESJPA's Contract Manager shall be Mary Pitto or such other person designated in writing by ESJPA. Contractor's representative for the purpose of any approvals or requests made hereunder shall be Greg Norton.

F. Entirety, Amendments.

This Agreement supersedes any and all other agreements, oral or in writing, between the parties hereto with respect to the subject matter hereof and contains all of the covenants and agreements between the parties with respect to said matter, and each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied or referred to herein, and that no other agreement, statement, or promise not contained or referred to in this Agreement shall be valid or binding.

This Agreement is entire as to all of the performances to be rendered under it. Breach of any of the performances to be rendered by Contractor shall constitute a breach of the entire Agreement and shall give ESJPA the right to terminate this Agreement. ESJPA's breach of any of the obligations created by this Agreement shall constitute a breach of the entire Agreement and give Contractor the right to terminate this Agreement.

No amendment or modification of the provisions of this Agreement shall be valid unless made in writing and signed by the parties hereto.

G. Disclosure.

Contractor agrees to make any necessary disclosures and filings required of Contractor under the California Government Code, if applicable.

H. Notice.

Any notice, tender, or delivery to be given hereunder by either party to the other may be effected by personal delivery in writing or by mail, postage prepaid, and shall be deemed communicated as of the date of actual receipt. Mailed notices shall be addressed as set forth below, but each party may change its address by written notice in accordance with this paragraph.

To Contractor: Rural County Representatives of California
1215 K Street, Suite 1650
Sacramento, California 95814
Attn: Greg Norton, President and CEO

To ESJPA: Rural Counties' Environmental Services
Joint Powers Authority
1215 K Street, Suite 1650
Sacramento, California 95814
Attn: Mary Pitto, Program Manager

WHEREFORE, the parties hereto have executed this Agreement as of the date set forth above.

CONTRACTOR:

RURAL COUNTY REPRESENTATIVES OF
CALIFORNIA, A CALIFORNIA NONPROFIT
MUTUAL BENEFIT CORPORATION

By: _____

Greg Norton
President and CEO

ESJPA:

RURAL COUNTIES' ENVIRONMENTAL
SERVICES JOINT POWERS AUTHORITY, A
JOINT POWERS AUTHORITY

By: _____

Michael Kobseff
ESJPA Board Chair

EXHIBIT A

Contractor shall provide professional, technical, administrative, and related support services to the ESJPA as follows:

A. Non-Grant Related Work: For the purposes of this Agreement, "non-grant related work" shall include all services provided by the Contractor for which the ESJPA does not receive reimbursement from a grantor agency. Under the direction of the ESJPA Board of Directors, this work shall include providing advocacy services on behalf of the member county interests; providing technical support services and information distribution; organizing, scheduling, preparing agendas, and recording minutes for ESJPA Board meetings, for the ESJPA Technical Advisory Group, and for the ESJPA Legislative Task Force; representing the ESJPA at conferences, workshops, and seminars, as well as to governmental agencies, trade associations, private industry, and other organizations; facilitating coordination and cooperation between member counties; preparing reports, technical memoranda, grant applications, and other documents on behalf of the ESJPA; managing ESJPA contracts and performing associated administrative and clerical duties; and other related services and projects as may be requested by the ESJPA Board of Directors.

B. Grant Related Work: Upon request by the ESJPA and/or member counties, Contractor shall provide services for the administration and implementation of grant-related projects. Services shall be provided by the Contractor in accordance with the requirements of the grantor agency and shall be consistent with the approved scope of work as described in the grant agreement between the ESJPA and grantor agency.

Contractor may provide requested services to the ESJPA for the following grant programs:

- Household Hazardous Waste Grants
- Waste Tire Grants
- Used Oil Opportunity Grants
- SB 332 City/County Recycling Programs
- USDA Universal Waste Management Training

Upon mutual agreement, RCRC may provide additional grant-related services, in accordance with the terms of this agreement, for other grant programs as may be requested by the ESJPA in writing.

C. Additional Work: Upon mutual written agreement of the parties, RCRC may provide additional services to the ESJPA beyond those specified above. The basis for compensation to RCRC for these additional services shall be as specified in writing and as agreed to by both parties.

11/29/16

Agenda Item VII

SOLID WASTE REGULATORY UPDATES

CALIFORNIA CAP-AND-TRADE PROGRAM
SUMMARY OF JOINT AUCTION SETTLEMENT PRICES AND RESULTS
 Last updated November 2016

Auction Name	Total Current Vintage Allowances Offered	Total Current Vintage Allowances Sold	Current Auction Settlement Price	Total Future Vintage Allowances Offered	Total Future Vintage Allowances Sold	Advance Auction Settlement Price
November 2016 Joint Auction #9	87,069,495	76,960,000	\$12.73	10,078,750	1,020,000	\$12.73
August 2016 Joint Auction #8	86,278,410	30,021,000	\$12.73	10,078,750	769,000	\$12.73
May 2016 Joint Auction #7	67,675,951	7,260,000	\$12.73	10,078,750	914,000	\$12.73
February 2016 Joint Auction #6	71,555,827	68,026,000	\$12.73	10,078,750	9,361,000	\$12.73
November 2015 Joint Auction #5	75,113,008	75,113,008	\$12.73	10,431,500	10,431,500	\$12.65
August 2015 Joint Auction #4	73,429,360	73,429,360	\$12.52	10,431,500	10,431,500	\$12.30
May 2015 Joint Auction #3	76,931,627	76,931,627	\$12.29	10,431,500	9,812,000	\$12.10
February 2015 Joint Auction #2	73,610,528	73,610,528	\$12.21	10,431,500	10,431,500	\$12.10
November 2014 Joint Auction #1	23,070,987	23,070,987	\$12.10	10,787,000	10,787,000	\$11.86

Allowances offered and sold are in metric tons. Current Auction Settlement Price means the allowance price that resulted from the sale of allowances in the Current Auction per metric ton. Advance Auction Settlement Price means the same for future vintages allowances offered in the Advance Auction. All prices here are shown in U.S. dollars. Joint Auction results include California and Québec allowances.

The Air Resources Board conducted California-only auctions of greenhouse gas (GHG) allowances prior to the linkage of the California Cap-and-Trade Program and Québec Cap-and-Trade System. A summary of auction settlement prices and results resulting from California-only auctions conducted from November 2012 through August 2014 is available on the next page.

For more detailed information on all auction results, please refer to the Summary Results Reports posted after each auction, available on the Air Resources Board's Archived Auction Information and Results webpage at http://www.arb.ca.gov/cc/capandtrade/auction/auction_archive.htm.

**CALIFORNIA CAP-AND-TRADE PROGRAM
SUMMARY OF CALIFORNIA-ONLY AUCTION SETTLEMENT PRICES AND RESULTS
Conducted from November 2012 through August 2014**

Auction Name	Total Current Vintage Allowances Offered	Total Current Vintage Allowances Sold	Current Auction Settlement Price	Total Future Vintage Allowances Offered	Total Future Vintage Allowances Sold	Advance Auction Settlement Price
August 2014 Auction #8	22,473,043	22,473,043	\$11.50	9,260,000	6,470,000	\$11.34
May 2014 Auction #7	16,947,080	16,947,080	\$11.50	9,260,000	4,036,000	\$11.34
February 2014 Auction #6	19,538,695	19,538,695	\$11.48	9,260,000	9,260,000	\$11.38
November 2013 Auction #5	16,614,526	16,614,526	\$11.48	9,560,000	9,560,000	\$11.10
August 2013 Auction #4	13,865,422	13,865,422	\$12.22	9,560,000	9,560,000	\$11.10
May 2013 Auction #3	14,522,048	14,522,048	\$14.00	9,560,000	7,515,000	\$10.71
February 2013 Auction #2	12,924,822	12,924,822	\$13.62	9,560,000	4,440,000	\$10.71
November 2012 Auction #1	23,126,110	23,126,110	\$10.09	39,450,000	5,576,000	\$10.00

ALPINE, AMADOR, BUTTE, CALAVERAS, COLUSA
DEL NORTE, EL DORADO, GLENN, IMPERIAL, INYO, LASSEN



MADERA, MARIPOSA, MODOC, MONO, NEVADA, PLUMAS,
SHASTA, SIERRA, SISKIYOU, TEHAMA, TRINITY, TUOLUMNE

CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MARY RAWSON, ALPINE COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – JIM MCHARGUE, AMADOR COUNTY
TAG VICE CHAIR – RACHEL ROSS, TEHAMA COUNTY
PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors
From: Mary Pitto, Program Manager
Date: November 29, 2016
RE: Short-Lived Climate Pollutants

Short-Lived Climate Pollutants-Reducing Methane Emissions

RCRC worked with a small coalition from the public and private solid waste industry to express our concerns with the Air Resources Board (ARB) Proposed Short-Lived Climate Pollutant (SLCP) Reduction Strategy (Draft Strategy) regarding methane emission reduction from landfills, released in April 2016. The Draft Strategy proposed to reach 75% organics diversion from landfills by 2020 and 90 percent organics diversion by 2025. The coalition actively advocated that any new regulatory action should not be considered until after 2020, after evaluation of the progress of implementation of Assembly Bill 1826 (Chesbro, 2014), the mandatory commercial organics diversion bill requiring 50 percent diversion of organics from landfills by 2020, and a more thorough and accurate understanding of landfill emissions is known.

RCRC maintains the principal focus of ARB, CalRecycle, and the stakeholders in the near-term should be implementation of AB 1826. The mechanics to divert organics from landfills is not the problem; it is the infrastructure needed to process the organics upon diversion. It will be challenging enough to build the necessary facilities financially and due to the constraints of the permitting process. CalRecycle estimates it will require an additional 100 new or expanded facilities to process the diverted organics in order to comply with AB 1826. Quite frankly, it is unrealistic to believe that 100 new facilities can be built within the next three years given the challenges of the permitting process.

Senate Bill 1383 (Lara) was introduced earlier in the year to be the vehicle to address reduction goals of the SLCPs to 2030. In addition to working with the ARB staff and their Board members, RCRC staff and the coalition devoted time to educate legislators on the issue. After significant amendments were made, SB 1383 gained passage and now requires the ARB, no later than January 1, 2018, to approve and begin implementing a comprehensive strategy to reduce emissions of SLCPs to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. SB 1383 also established specified targets for reducing organic waste in landfills at 50 percent by 2020, consistent with AB 1826, and 75% by 2025. The bill also requires CalRecycle in consultation with the ARB, to adopt regulations to meet the specified organic waste reduction goals, however not to take effect until on or after January 1,

2022. There are additional aspects that provide some flexibility including numeric organic waste disposal limits shall not established for individual landfills and the regulations may include different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals for 2020 and 2025. While RCRC did not directly support the bill, the attached letters to Senator Lara and the Governor express our concerns.

ARB staff originally anticipated the final proposed SLCP Reduction Strategy to appear before the Board for consideration at a public hearing in fall 2016. However, the Revised Proposed SLCP Reduction Strategy (SLCP Strategy) was just released on November 28, 2016 for public review, with comments due by January 17, 2017. The revised SLCP Strategy established specified targets for reducing organic waste in landfills at 50 percent by 2020, and 75% by 2025, consistent with both AB 1826 and SB 1383. The bill also requires CalRecycle in consultation with the ARB, to adopt regulations to meet the specified organic waste reduction goals, however not to take effect until on or after January 1, 2022.

The public notice and that portion of the SLCP Strategy dealing with landfills are attached. The revised SLCP Strategy and accompanying documents can be accessed at ARB's website at: <https://www.arb.ca.gov/cc/shortlived/shortlived.htm>.



August 24, 2016

The Honorable Das Williams
Chair, Assembly Natural Resources Committee
State Capitol, Room 4005
Sacramento, CA 95814

RE: Senate Bill 1383 (Lara) – Short-Lived Climate Pollutants

Dear Assembly Member Williams:

On behalf of the League of California Cities (League), the California State Association of Counties (CSAC), and the Rural County Representatives of California (RCRC), we write to inform you that in light of recent amendments we are removing our concerns to Senate Bill 1383 (Lara).

SB 1383 sets forth new statewide targets for reducing organic materials in our state's solid waste landfills. The bill also confers authority to CalRecycle for developing regulations and enforcement mechanisms to meet these aggressive targets.

First, we wish to thank Senator Lara and his staff as well as your staff in developing and incorporating amendments that address many of the concerns of cities and counties. We support reasonable and achievable goals in removing short-lived climate pollutants from landfills. To that point our organizations have supported a number of measures in recent years, including Assembly Bill 341 (Chesbro, 2011) and Assembly Bill 1826 (Chesbro, 2014), which put forth goals and requirements to remove organic materials in solid waste disposal facilities.

Even though we are removing our concerns, we cannot, at this time, reach a "support" position. For our organizations to get to a "support" position, we would need to have:

- Substantial public sector funding (namely "Cap-and-Trade" proceeds) to help offset the costs in developing an organics recycling infrastructure;
- Significant revisions to existing state requirements for siting and permitting organics processing/recycling facilities; and,
- Increases in market support for compost and renewable fuels (subsidies of bio-mass facilities much like wind and solar facilities).

The Honorable Das Williams
Senate Bill 1383
August 24, 2016
Page 2

In closing, we acknowledge the progress made in crafting a proposed statute that assists the State in reducing greenhouse gas emissions found in many short-live climate pollutants. And, if SB 1383 is enacted, we stand ready to work with CalRecycle and the Air Resources Board to implement the targets outlined. But more importantly, we implore the Legislature to provide both local governments and industry with the tools needed to ensure we reach these aggressive targets without punitive sanctions that will only complicate the goals outlined in these recently-adopted measures.

If you have any questions, please contact Jason Rhine at jrhine@cacities.org, Cara Martinson at cmartinson@counties.org, or Paul A. Smith at psmith@rcrcnet.org.

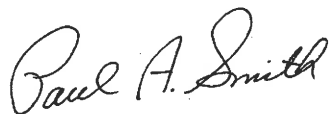
Sincerely,



JASON RHINE
Legislative Representative
LCC



CARA MARTINSON
Legislative Representative
CSAC



PAUL A. SMITH
Senior Legislative Advocate
RCRC

cc: The Honorable Ricardo Lara, Member of the California State Senate
Members, Assembly Natural Resources Committee
Scott Smithline, CalRecycle



RURAL COUNTY REPRESENTATIVES
OF CALIFORNIA

September 13, 2016

The Honorable Edmund G. Brown, Jr.
Governor, State of California
State Capitol, First Floor
Sacramento, CA 95814

RE: Senate Bill 1383 (Lara)

Dear Governor Brown:

Senate Bill 1383, authored by Senator Ricardo Lara, addresses and revises statewide goals to reduce the number of short-lived climate pollutants that are released into the atmosphere. SB 1383 currently awaits your consideration for signature. RCRC is an association of thirty-five rural California counties and the RCRC Board of Directors is comprised of an elected supervisor from each of those member counties.

SB 1383, among other provisions, sets forth new statewide targets for reducing organic materials in our state's solid waste landfills. The bill also confers authority to CalRecycle for the development of regulations and enforcement mechanisms to meet these aggressive targets. We wish to thank Senator Lara, his staff, legislative staff, as well as members of your Administration in crafting amendments that address many concerns of rural counties. We support reasonable and achievable goals in removing short-lived climate pollutants from landfills. As such, RCRC encouraged your signature of Assembly Bill 341 (Chesbro, 2011) and Assembly Bill 1826 (Chesbro, 2014) both of which put forth goals and requirements to remove organic materials in solid waste disposal facilities.

As you consider the final disposition of SB 1383, we wish to offer some brief comments in the event this bill becomes law and we begin the implementation phase. RCRC wishes to continue the work with Air Resources Board, CalRecycle and others to address a number of vital issues surrounding the reduction/removal of organic materials from solid waste disposal facilities. These issues include:

- The need for substantial public sector funding (namely "Cap-and-Trade" proceeds) to help off-set the costs in developing an organics recycling infrastructure;

1215 K Street, Suite 1650, Sacramento, CA 95814 | www.rcrcnet.org | 916.447.4806 | Fax: 916.448.3154

ALPINE AMADOR BUTTE CALAVERAS COLUSA DEL NORTE EL DORADO GLENN HUMBOLDT IMPERIAL INYO LAKE LASSEN MADERA MARIPOSA MENDOCINO MERCED
MODOC MONO NAPA NEVADA PLACER PLUMAS SAN BENITO SAN LUIS OBISPO SHASTA SIERRA SISKIYOU SUTTER TEHAMA TRINITY TULARE TUOLUMNE YOLO YUBA

The Honorable Edmund G. Brown, Jr.
Senate Bill 1383
September 13, 2016
Page 2

- Reforms to the State's solid waste disposal fee (commonly referred to as the "tipping fee") in order to ensure monies are available from ratepayers to develop and maintain an organics recycling infrastructure;
- Significant revisions to existing state requirements for siting and permitting organics processing/recycling facilities; and,
- An increase in market support for compost and renewable fuels (subsidies of biomass facilities much like wind and solar facilities).

We acknowledge the progress made during the legislative process in crafting SB 1383. However, more needs to be done. As such, we implore the Legislature, and your Administration, to provide local governments with the tools necessary to ensure we reach these aggressive targets without punitive sanctions that will only complicate the goals outlined in these recently-adopted measures.

If you have any questions, please feel free to contact either Ms. Mary Pitto at mpitto@rcrcnet.org, or Paul A. Smith at psmith@rcrcnet.org. Thank you for your consideration in this matter.

Sincerely,



PATRICIA MEGASON
Executive Vice President

cc: The Honorable Ricardo Lara, Member of the California State Senate
Scott Smithline, CalRecycle

CALIFORNIA AIR RESOURCES BOARD

NOTICE OF PUBLIC WORKSHOPS, PUBLIC BOARD MEETING, AND PUBLIC COMMENT PERIOD ON THE REVISED PROPOSED SHORT-LIVED CLIMATE POLLUTANT STRATEGY AND REVISED DRAFT ENVIRONMENTAL ANALYSIS PREPARED FOR THE STRATEGY

This notice announces the availability of a revised Proposed Short-Lived Climate Pollutant Reduction Strategy (SLCP Strategy) and a revised Draft Environmental Analysis (Revised Draft EA) for public comment as well as public workshops and a public Board Meeting on the SLCP Strategy and Revised Draft EA.

Public Workshops on the Revised Proposed Short-lived Climate Pollutant Strategy:

The Air Resources Board (ARB or Board) will conduct public workshops to discuss the SLCP Strategy, released for public review on November 28, 2016. During the workshops, ARB staff will provide a summary of the changes made in the SLCP Strategy and the Revised Draft EA. We welcome and encourage your participation in this effort.

The workshop locations, dates, and times are listed below:

DATE: December 12, 2016

TIME: 6:00 p.m.

**LOCATION: San Joaquin Valley Air District
1990 E Gettysburg Ave
Fresno, California 93726**

DIRECTIONS:

[www.valleyair.org/General info/Directions Fresno.htm](http://www.valleyair.org/General_info/Directions_Fresno.htm)

WEBCAST:

http://www.valleyair.org/Workshops/public_workshops_idx.htm

DATE: December 15, 2016

TIME: 10:00 a.m.

**LOCATION: South Coast Air Pollution Control District
Auditorium
21865 Copley Drive
Diamond Bar, California 91765**

DIRECTIONS:

http://www.aqmd.gov/contact#&MainContent_C005_Col00=1

WEBCAST: <http://www.aqmd.gov/home/library/webcasts>

DATE: **December 16, 2016**

TIME: 10:00 a.m.

LOCATION: California Environmental Protection Agency
Byron Sher Auditorium
1001 I Street
Sacramento, California 95814

DIRECTIONS: <http://www.calepa.ca.gov/epabldg/location.htm>

WEBCAST:

<http://www.arb.ca.gov/cc/shortlived/archived-meetings-documents.htm>

Public Board Meeting:

The Board will hold a public meeting at the time and place noted below to consider approving the SLCP Strategy.

DATE: **March 23 and 24, 2017**

TIME: 9:00 a.m.

LOCATION: South Coast Air Pollution Control District
Auditorium
21865 Copley Drive
Diamond Bar, California 91765

WEBCAST: <http://video.calepa.ca.gov/>

This item will be considered at a two-day meeting of the Board, which will commence at 9:00 a.m., March 23, 2017 and may continue at 8:30 a.m., on March 24, 2017. This item may not be considered until March 24, 2017. Please consult the agenda for the meeting, which will be available at least 10 days before March 23, 2017, to determine the day on which this item will be considered.

Background on the Short-Lived Climate Pollutant Strategy:

Short-lived climate pollutants (SLCP) are powerful climate forcers that remain in the atmosphere for a much shorter period of time than major climate pollutants such as

carbon dioxide (CO₂). Their relative potency in terms of how they heat the atmosphere can be tens to thousands of times greater than CO₂. SLCPs include black carbon, methane, and fluorinated gases, including hydrofluorocarbons (HFC). The impacts of SLCPs are especially strong within the near term. Reducing these emissions can have an immediate beneficial impact on climate change.

California's Global Warming Solutions Act, Assembly Bill (AB) 32 (Nuñez, Chapter 488, Statutes of 2006), charges the ARB with reducing statewide greenhouse gas (GHG) emissions to 1990 emission levels by 2020 and maintaining a statewide GHG emission limit, while seeking to continue GHG emission reductions. In September 2016, Governor Brown signed Senate Bill (SB) 32 (Pavley, Chapter 249, Statutes of 2016), codifying a reduction target for statewide GHG emissions of 40 percent below 1990 emission levels by 2030. SLCP emission reductions will support achieving these targets. Specific to SLCP emission reductions, SB 605 (Lara, Chapter 523, Statutes of 2014) requires ARB to develop a plan to reduce emissions of SLCPs, and SB 1383 (Lara, Chapter 395, Statutes of 2016) requires ARB to approve and begin implementing the plan by January 1, 2018.

SB 1383 also sets targets for statewide reductions of SLCP emissions of 40 percent below 2013 levels by 2030 for methane and HFCs and 50 percent below 2013 levels by 2030 for anthropogenic black carbon. SB 1383 also provides specific directions for reducing emissions from dairy and livestock operations. It also provides for emissions reductions from landfills by diverting organic materials.

The SLCP Strategy was developed pursuant to SB 605 and SB 1383 and lays out a range of options to accelerate SLCP emission reductions in California, including regulations, incentives, and other market-supporting activities. The SLCP Strategy will inform and be integrated into the upcoming 2030 Target Scoping Plan Update, which will incorporate input from a wide range of stakeholders to develop a comprehensive plan for achieving the SB 32 statewide 2030 GHG limit of 40 percent below 1990 levels. The process for updating the Scoping Plan began in fall 2015 and is scheduled for completion in 2017.

The SLCP Strategy and its appendices are available on ARB's website at: <http://www.arb.ca.gov/cc/shortlived/shortlived.htm>

Revised Draft Environmental Analysis:

The Revised Draft EA was prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and ARB's regulatory program certified by the Secretary of Natural Resources (California Code of Regulation, title 17, sections 60006-60008; California Code of Regulation, title 14, section 15251, subdivision (d)). The resource areas from the CEQA Guidelines Environmental Checklist were used as a framework for a programmatic environmental analysis of the reasonably foreseeable compliance responses resulting from implementation of the proposed measures discussed in the SLCP Strategy. The Revised Draft EA is a

substantially updated version of the document released with the SLCP Strategy in May 2016. The revision is being recirculated for a new public review period and new comments must be submitted on the Revised Draft EA to be responded to in writing with the Final EA. (Cal. Code Regs., tit. 14, § 15088.5., subd. (f).)

The Revised Draft EA provides an analysis of both the beneficial and adverse impacts and feasible mitigation measures for the reasonably foreseeable compliance responses associated with the proposed measures under each of the 17 environmental resource areas. Collectively, the Revised Draft EA concluded implementation of these actions could result in the following short-term and long-term beneficial and adverse impacts: beneficial long-term impacts to air quality and GHG emissions; less than significant impacts to aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy demand, geology and soils, GHG emissions (short-term), hazards and hazardous materials, hydrology and water quality, resources related to land use planning, mineral resources, noise, population and housing, public services, recreational services, transportation/traffic and utilities and service systems; and potentially significant and unavoidable adverse impacts to aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, resources related to land use planning, noise, transportation/traffic, and utilities and service systems. The potentially significant and unavoidable adverse impacts are primarily related to short-term construction-related activities, which explain why some resource areas are identified above as having both less-than-significant impacts and potentially significant impacts. Please refer to the Revised Draft EA for further details.

The Revised Draft EA is included as Appendix E to the SLCP Strategy and can be obtained from ARB's website at: <https://www.arb.ca.gov/cc/shortlived/shortlived.htm>

Copies of the Revised Draft EA may also be obtained from ARB's Public Information Office, 1001 I Street, First Floor, Environmental Services Center, Sacramento, California, 95814.

Submittal of Comments:

ARB invites comments on the SLCP Strategy and Revised Draft EA during the public comment period that begins on November 28, 2016, and ends on January 17, 2017. Comments should be submitted using the address or web page listed below. Interested members of the public may also present comments orally or in writing at the public workshops listed above.

After the close of the public comment period, ARB will prepare written responses to comments received on the Revised Draft EA as provided in California Code of Regulations, title 17, section 60007(a). Although all comments received on the SLCP Strategy and the Revised Draft EA will be considered by ARB, only those comments relating to the Revised Draft EA received no later than 5 p.m. on January 17, 2017, will be responded to in writing in the supplemental response

document which will be posted on ARB's website before the scheduled Board meeting.

Written comments on the SLCP Strategy and the Revised Draft EA must be submitted to one of the following:

Postal mail: Clerk of the Board,
Air Resources Board
1001 I Street
Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code Section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, etc.) become part of the public record and can be released to the public upon request.

Further inquiries regarding this item should be directed to Dave Mehl, Air Resources Supervisor, at (916) 323-1491, or (designated back-up contact) Marcelle Surovik, Staff Air Pollution Specialist, at (916) 327-2951.

SPECIAL ACCOMMODATION REQUEST

Special accommodation or language needs can be provided for any of the following:

- An interpreter to be available at the meeting.
- Documents made available in an alternate format or another language.
- A disability-related reasonable accommodation.

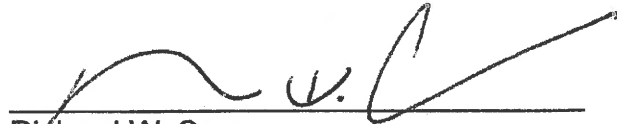
To request these special accommodations or language needs, please contact the Clerk of the Board at (916) 322-5594 or by facsimile at (916) 322-3928 as soon as possible, but no later than 10 business days before the scheduled Board meeting. TTY/TOO/Speech to Speech users may dial 711 for the California Relay Service.

Comodidad especial o necesidad de otro idioma puede ser proveido para alguna de las siguientes:

- Un interprete que este disponible en la audiencia.
- Documentos disponibles en un formato alterno u otro idioma.
- Una acomodaci6n razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al (916) 322-5594 o envíe un fax a (916) 322-3928 lo más pronto posible, pero no menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TOO/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

CALIFORNIA AIR RESOURCES BOARD

A handwritten signature in black ink, appearing to read 'R. W. Corey', is written over a horizontal line.

Richard W. Corey
Executive Officer

Date: November 28, 2016

3. Landfills

Landfilling organic materials leads to the anaerobic breakdown of these materials into methane, which can work its way out of the landfill as a fugitive emission. Organic waste constitutes a significant portion of California's waste stream, and as with dairy manure, a holistic approach is needed to effectively divert and manage it. This means not only keeping organics out of landfills, either through source reduction or recycling, but also improving the infrastructure for diverting and/or recycling organics, including minimizing and rescuing edible food wastes, composting, anaerobic digestion and other novel processes for energy recovery. In particular, California must have enough in-state composting and in-vessel digestion or other organics processing and recycling capacity to maximize the benefits from this waste stream and effectively minimize the spreading of unprocessed organic waste on open lands, which can have adverse environmental impacts. It also means having markets for this material that are robust and resilient whether as food rescue/recovery, compost, soil amendments, mulch for erosion control, transportation fuels, energy, or other uses. The State can accelerate progress by providing more consistent financial and institutional support for these efforts, and taking steps to align tipping fees, financial incentives, and cross-media regulatory structures in the sector with its organics diversion goals.

Diverting organic wastes can provide a variety of environmental and economic benefits. Food rescue or recovery is the practice of using edible foods that would otherwise go to waste from restaurants, grocery stores, dining facilities, food packing facilities, and produce markets, and distributing it to local food programs. Food recovered from farms, which would otherwise be plowed under, is typically gathered by volunteers. The main benefit of food rescue programs is that they provide healthy foods to those in need, but they also reduce organic waste disposal. Food wastes that may not be easily used for human consumption may alternatively be used as animal feed if it meets all regulatory requirements. Composting returns nutrients to the soil, builds soil organic matter, improves water holding capacity, increases carbon sequestration in the landscape, and avoids the use of fossil fuel-intense inorganic fertilizers. Anaerobic digestion can support the State's efforts to obtain at least 50 percent of its electricity from renewable resources, aid in reducing the carbon intensity of transportation fuels, and displace fossil natural gas consumption. As described in Chapter II, significantly reducing the disposal of organics in landfills as part of a broad effort to put California's organic waste streams to beneficial use can generate thousands of jobs and provide billions of dollars in value, much of it concentrated in the Central Valley and other rural areas.

Eliminating the disposal of organics in landfills would align California with a growing range of efforts to do so in other states and countries. In California, San Francisco and Alameda County require that food waste be separated and kept out of the landfill, and both Los Angeles and San Francisco, along with other cities, have plans in place to achieve zero-waste.

The State has already established its intent to phase out the disposal of organics from landfills. Existing law sets a goal to source reduce, recycle, or compost 75 percent of solid waste by 2020 and provides other measures and requirements to support diverting organics from landfills. California will build on that intent and progress, with market and institutional support, and reduce disposal of organics by 50 percent of 2014 levels by 2020 and 75 percent by 2025. Due to the multi-year timeframe required to breakdown landfilled organic material, emissions avoided by diverting organic material in one year are realized over several decades to come. These actions would reduce landfill emissions by 4 MMTCO₂e in 2030,¹¹⁸ but one year of waste diversion in 2030 is expected to avoid 14 MMTCO₂e of emissions over the lifetime of waste decomposition.

Still, waste-in-place will continue to emit methane for decades to come. California has a Landfill Regulation in place that requires owners and operators of certain uncontrolled municipal solid waste landfills to install gas collection and control systems. This effort has improved management of landfills in California and reduced methane emissions. There may be additional opportunities to employ best practices and further reduce methane emissions from landfills over time.

However, quantifying emissions from landfills is difficult, due to their area-wide nature and several landfill-specific factors (size, age, materials deposited, local atmospheric conditions, soils, landfill cover, and gas collection system). In the GHG inventory, and its climate programs, ARB assumes a methane capture efficiency of 75 percent at landfills. This conforms with common practice nationally. In its Landfill Regulation, ARB estimated that the landfill regulation may increase the collection efficiency at regulated landfills to 80-85 percent.

Estimates of methane collection efficiency at landfills vary widely. In the U.S. EPA landfill database, the weighted average of collection efficiencies at California landfills is 78 percent.¹¹⁹ However, this data is self-reported and the emission estimation method does not incorporate emission changes due to California's regulation. Additionally, various studies suggest that California's methane inventory is underestimating methane emissions in the State. The source(s) of potential incremental methane emissions has not been identified. Continuing evaluation of major sources of methane in the State is necessary, and this includes landfill emissions.

The State is currently pursuing research opportunities to improve understanding of emissions from landfills and landfill gas collection efficiencies, and will engage stakeholders in potential opportunities to further control emissions from landfills in the

¹¹⁸ Methane emission reductions from landfills (Table 8) are calculated assuming regulated landfills achieve methane capture efficiencies of 80 percent by 2030, and that an annual organics tonnage amount equal to 50 percent of the organics deposited in landfills in 2014 is diverted from the organics waste stream sent to landfills by 2020, and an annual organics tonnage amount equal to 75 percent of the organics deposited in landfills in 2014 is diverted from the organics waste stream sent to landfills by 2025 (i.e, meeting the organics diversion targets identified in this SLCP Strategy).

¹¹⁹ The average collection efficiency at California landfills in 2013, according to EPA's database is 76 percent. When weighted by methane generation, the average is 78 percent. <http://www3.epa.gov/airtoxics/landfill/landflpg.html>

future. Once more is understood about emissions from California's diverse set of landfills, ARB may update the assumptions regarding collection efficiency used in its inventory and various programs and consider whether additional actions, including a "phase 2" of the landfill regulation, would deliver further cost-effective GHG emission reductions.

Uncertainty around landfill emissions does not suggest that the existing Landfill Regulation is not reducing emissions or that steps to divert organics from landfills should be delayed. To the contrary, what is certain is that best management practices at landfills reduce methane emissions, diverting organics from landfills can provide a wide range of economic and environmental benefits in California, and that doing so is the only reliable way to avoid methane emissions from landfills on a lasting basis.

The State will take the following actions to reduce methane emissions from landfills in California:

Require Organics Diversion from Landfills

CalRecycle, in consultation with ARB, will develop regulations to reduce disposal of organic waste by 50 percent of 2014 levels by 2020 and 75 percent by 2025, as required by SB 1383. These regulations shall take effect on or after January 1, 2022. CalRecycle is planning to adopt the regulations by the end of 2018, so that regulated entities (e.g., jurisdictions, generators, facilities and haulers) have a long lead time to plan budgetary and programmatic



Food recovery program (City Harvest) delivering produce in New York

changes that will be needed to meet the requirements effective in 2022. Of the edible food in the organic waste stream, not less than 20 percent is to be recovered to feed people in need by 2025. This goal could be met through local food waste prevention and rescue programs, which may be independent of or through partnerships with haulers and jurisdictions. The regulations also will cover this provision. Food waste prevention includes activities such as education regarding food preparation and storage, refining food purchasing practices, and software that can help inform food ordering and menu selections. Rescue includes local organizations such as homeless shelters, food banks, and community kitchens that provide food for people in need.

Material that cannot be effectively recovered would be diverted to organics recycling facilities to make useful products, including compost, fertilizer, fuel or energy. These facilities may be developed at existing landfills, other waste management sites, or at new stand-alone sites. Some organic wastes could also be diverted to regional

wastewater treatment plants or dairies that have excess capacity for co-digestion. Local governments must play an important role in diverting organics both as land use and permitting authorities for recycling facilities and as partners in implementing SB 1383 and other statutory requirements. The State will work with its local partners to explore development of helpful tools such as programmatic EIRs or guidance documents. Community engagement, outreach and education in the planning and environmental review processes are critical, both for understanding and mitigating potential negative health and environmental impacts and for understanding the positive economic and health and environmental benefits afforded by such projects.

Align Financial Incentives with Organics Diversion

Eliminating organics disposal in landfill will require additional infrastructure capacity to process and reuse diverted organic waste destined for landfills—through composting (including chipping and grinding), anaerobic digestion, or other methods. Continued, increased State funding is critical to building this necessary infrastructure. An increase in California’s Integrated Waste Management Fee is also needed to support the establishment of food rescue programs, discourage the landfilling of organic waste and other recyclables, and provide funding to support organics recycling infrastructure and markets. CalRecycle estimates that State support of at least \$100 million per year for five years, in the form of grants, loans, or incentive payments, will be needed to leverage private sector financing and local rate structure changes to support the development of necessary organic infrastructure and help to foster markets. However, as disposal in landfills decreases per the goals of this SLCP Strategy, so too would the funding from the Integrate Waste Management Fee. One option for stabilizing funding would be to establish a charge for waste generation, decoupling funding from landfill disposal.

Collaborate to Overcome Barriers

State agencies, including the AB 1045 working group and the Interagency Waste Working Group, are currently collaborating to evaluate and resolve existing constraints in the planning, siting, and permitting process, to provide clear standards and compliance pathways for all public health and environmental goals, and to quantify co-benefits. The beneficial use of methane produced at organic waste processing facilities faces many of the same obstacles described for dairy manure or wastewater treatment, and working groups are collaborating to address barriers to beneficial use of organic waste streams. Also, appropriate standards should be developed to guide the direct application of organic materials on land and ensure this activity does not pose a threat to human or environmental health.

Foster Recovery Programs and Markets

CalRecycle will work collaboratively with other agencies and departments to help establish food rescue programs and to identify, develop, and expand markets for the use of compost, mulch, and renewable fuels and energy. CalRecycle and CDFA will

continue their efforts to incentivize the use of compost on agricultural lands in support of the Healthy Soils Initiative, including developing best management practices for agricultural use. They will also work with the State Water Resources Control Board to evaluate potential mechanisms to account for the use of compost and its impacts on nitrogen budgets in the Irrigated Lands Program as well as the potential impacts of land application of uncomposted organic materials. CalRecycle will continue to work towards strengthening State procurement requirements relative to compost and mulch. Finally, building on the existing use of mulch and compost as a water conservation practice that is essential for climate adaptation with respect to drought, State agencies will support research to quantify strategic water conservation (e.g. seasonal groundwater recharge) and other potential benefits and consider developing mechanisms to account for and value them. If new funding sources are developed, as described above, then CalRecycle could also develop an incentive payment program to overcome the marginal costs associated with most beneficial end-uses of organics.

Improve Understanding of Landfill Emissions

ARB and CalRecycle are currently pursuing research opportunities to improve understanding of emissions from California landfills and landfill gas collection efficiencies and will support future research to identify opportunities to further reduce emissions from existing waste-in-place. ARB will consider the latest science and whether adjustments to emissions accounting in the inventory or other programs is warranted. Based on this information, ARB, in collaboration with CalRecycle, may consider additional actions to further reduce and capture methane emissions from landfills in the future.

Evaluate Progress towards Organic Diversion Goals

To evaluate progress towards meeting the 2020 and 2025 organics waste reduction goals, CalRecycle, in consultation with ARB, will complete a detailed analysis by July 1, 2020. This analysis will evaluate:

- The status of new organics infrastructure development;
- The status of efforts to reduce regulatory barriers to the siting of organics recycling facilities;
- The effectiveness of policies aimed at facilitating the permitting of organics recycling infrastructure; and
- The status of markets for products generated by organics recycling facilities.

The analysis may result in making additional requirements and/or incentives in the regulations, as required by SB 1383.

4. Wastewater Treatment and other Miscellaneous Sources

Wastewater treatment, industrial operations, rice cultivation, septic tanks, and other sources of methane account for about nine percent of the State's methane inventory.



CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MARY RAWSON, ALPINE COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)
TAG CHAIR – JIM MCHARGUE, AMADOR COUNTY
TAG VICE CHAIR – RACHEL ROSS, TEHAMA COUNTY
PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors
From: Mary Pitto, Program Manager
Date: November 29, 2016
RE: Beverage Container Recycling Program Reform

Beverage Container Recycling Program Reform

Staff continues to monitor the Beverage Container Recycling Program (Bottle Bill), which has been operating in a structural deficit for quite some time. Now that the recycling rate is so high (85 percent), the payments to consumers and the myriad of extra programs (i.e. city/county payments, handling fees, curbside supplemental payments, state educational program) exceeds the beverage container fees collected. CalRecycle currently anticipates that funds will become insufficient for the extra programs and will need to impose “proportionate reductions” beginning July 2017.

Bottle Bill reform has been discussed for many years to no avail. There has been talk of expanding the container types, increasing the container fees, paying less per container than is collected per container (\$0.05 in/\$0.04 out), and doing away with the program. There are so many stakeholders involved with different perspectives that no progress has been made to date.

In addition, over the past twelve months, many rural counties have experienced closures of Certified Recycling Centers. This has occurred due to the crippling decline in scrap values, the fifteen month lag time in calculating “processing payments” (which are supposed to cover the gap between the actual and calculated scrap value), and the increase in minimum wage. Low-volume centers simply could not operate at a profit. Approximately one-third of the centers have now closed within the state, with the greatest impact felt in rural counties. These buy-back centers are critical to the recycling infrastructure.

Prior to the Legislature’s August Recess, there was much attention given for a short-term fix to encourage the buy-back centers to reopen and buy time for the long-term reform. However, the Brown Administration made it clear it would not support any short-term fix and was only interested in long-term solutions. To this end, the Administration held an informational meeting on August 3rd with all of the stakeholders. It was announced that the Administration expected CalRecycle to spend the month of August doing research on programs in other states and countries. Discussions on reform led by the Administration and CalRecycle would then commence in September.

While staff has had numerous discussions with CalRecycle staff the last several months, no specific proposals have been revealed. However, it has been stated that everything is “on the table” and that

we can expect to have Bottle Bill reform addressed in the budget process. We anticipate a framework outlined as part of the Governor's 2017-18 proposed Budget in January, with details to be worked out throughout the budget process.



Mandatory Commercial Organics Recycling (MORE)

Education/Outreach Toolkit: Customizable Outreach Materials

CalRecycle has developed a number of customizable materials to assist jurisdictions with education and outreach campaigns for California's Mandatory Commercial Organics Recycling law (AB 1826, Chesbro, Chapter 727, Statutes of 2014). These include PSAs, promotional tools, and a brochure. It is critical that jurisdictions and haulers/service providers work together to customize these materials to reflect the program and services of the community. So, for example, if the local recycling program does not accept meat, and or food soiled papers/containers, then you would **not** include those in your education and outreach materials. The items provided here include a broad scope of included materials, which may not be in your local program. Several local jurisdictions have also provided [examples of their promotional materials](#) for other jurisdictions to use (as appropriate relative to offered local programs).

If you require special accommodation to access these materials pursuant to California accessibility requirements, please contact the Office of Public Affairs at (916) 341-6300.

Public Service Announcements (PSA)

PSAs can be posted online, emailed to local businesses, sent to local press for coverage, played at presentations, or submitted to local television broadcasters by contacting the station's community affairs/public affairs/public service director.

Customization. Selecting a PSA below opens a video player page. A download link (below the video on the right) allows you to save the video file and place it on your Web site, Facebook page, etc. Customization will require opening the PSA file using editing software such as Windows Movie Maker, iMovie, or one of the other software options available on line.

- ➔ [30-Second Public Service Announcement Video on Mandatory Commercial Organics Recycling](#) (30 sec.) MP4, 303 kb/s. [Transcript](#) (PDF, 60 KB). This short PSA video highlights the new law, starting in 2016, that requires commercial business owners to recycle their organic waste. Customize this PSA by adding your contact information to the upper 1/3 of the screen @ 0:24-0:30 seconds (over video, above CalRecycle web information).
- ➔ [1-Minute Public Service Announcement Video on Mandatory Commercial Organics Recycling](#) (1 min.) MP4, 276 kb/s. [Transcript](#) (PDF, 60 KB). This PSA video highlights the new law requiring California commercial business to recycle organic material, like yard waste, food waste and food soiled paper. Customize this PSA by adding your contact information to the upper 1/3 of the screen @0:47-1:00 seconds (over video, above CalRecycle web information).

Presentations

The presentations below are designed to be customized to educate audiences about the law, and to train tenants of a property about its specific recycling and composting program.

- ➔ [Mandatory Commercial Organics Recycling presentation](#) (PowerPoint, 2.8 MB)
- ➔ [Tenant Recycling & Compost Training](#) (PowerPoint, 2.4 MB) Note: Remember to adjust content consistent with local programs (e.g., what goes in recycling and composting bins).

Flyers, Posters, and Signs/Stickers

The flyers, posters, and signs/stickers below indicate acceptable materials for each container. Your local contact information can be easily added, via Adobe Acrobat Reader (the free version), by typing in the gray box at the bottom of each piece. In order to customize other parts of the flyer (e.g., to reflect what can be recycled and composted), you will need special instructions, software and files. If needed, [contact your LAMD representative](#) for more information.

- ➔ **Do Not Merge: Separate Your Trash (Recycling vs Landfill) Flyer.** Available in [11" x 17"](#) (PDF, 2.5 MB) or [8.5" x 11"](#) (PDF, 1.9 MB)
- ➔ **No Merging Sign** (PDF, 409 KB). This file includes two 11" x 17" signs--one for trash/recyclables, and the other for trash/recyclables/compost.
- ➔ **Double-Sided "What to Put in Recycling, Composting, and Trash Bins" Flyers** (PDF, 1.6 MB). Three double-sided, 8.5" x 11" flyers in one file. Front of each is pictorial and includes English, Spanish, and Chinese. Reverse includes bulleted lists in English only.
- ➔ **Paper Towels Only Sign/Sticker** (PDF, 63 KB). 9" x 20" container sign/sticker with message in English, Spanish, and Chinese.
- ➔ **"What to Put in Recycling, Composting, and Trash Bins" Signs** (PDF, 469 KB). Three single-sided, 8.5" x 11" container signs in one file. English, Spanish, and Chinese on each sign.
- ➔ **"What to Put in Recycling, Composting, and Trash Bins" Stickers/Signs** (PDF, 2.6 MB). Three single-sided, 9" x 20" container signs/stickers in one file. English, Spanish, and Chinese on each sign.
- ➔ Specific to schools, CalRecycle has developed a:
 - ➔ **Flyer** (PDF, 282 KB) to educate the school community about AB 341 and AB 1826; and
 - ➔ **Brochure--FAQs for Schools and Other Small-Scale Food Composters**

Communications

Remember to adjust the content consistent with local programs (e.g., what goes in recycling and composting bins).

- ➔ **News Release--Organic Waste Recycling Soon Required in Our Area** (Word, 24 KB)
- ➔ **Mandatory Businesses and Multifamily Organic Waste Recycling Brochure**
- ➔ **Email Pitch** (Word, 13 KB)
- ➔ **Template Memo to Employees/Tenants** (Word, 54 KB)
- ➔ **Template Memo for Building Tenants on New Recycling and Composting Program** (Word, 56 KB)

Last updated: September 7, 2016
 Commercial Recycling, <http://www.calrecycle.ca.gov/Recycle/Commercial/>
 Contact: LAMD@CalRecycle.ca.gov (916) 341-6199

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NEWS RELEASE

Name of Jurisdiction

Media Contact: Your Name
phone | email

Insert date, 20XX

FOR IMMEDIATE RELEASE

Organic Waste Recycling Soon Required in Our Area *xxLOCALxx businesses alerted to 2016 law change*

CITY – Name of Jurisdiction is announcing the formal launch of our massive education and outreach efforts to prepare area businesses for California’s new recycling law. Starting in 2016, businesses, including commercial or public entities like schools, hospitals, stores, restaurants, industrial businesses, for-profit or nonprofit organizations, residential dwellings with 5+ units*, and others must recycle their organic waste over time based on the amount and type of waste the business produces on a weekly basis, with full implementation realized in 2019.

*Note: Multifamily dwellings are not required to have a food waste diversion program.

Businesses can meet the mandatory organics recycling requirements through any of the following:

- Source separate organic waste from other waste and participate in a waste recycling service that includes collection and recycling of organic waste.
- Recycle its organic waste on site, or self-haul its organic waste off site for recycling.
- Subscribe to an organic waste recycling service that may include mixed waste processing that specifically recycles organic waste.

Organics recycling requirements depend on the amount of organic waste generated by the business each week (see chart below). The minimum threshold of organic waste generation by businesses decreases over time, so a larger proportion of the commercial sector will be required to comply in the new organics recycling requirements in the coming years.

Date	Threshold to arrange for organic waste recycling services
April 1, 2016	Businesses that generate 8 cubic yards of organic waste per week
January 1, 2017	Businesses that generate 4 cubic yards of organic waste per week
January 1, 2019	Businesses that generate 4 cubic yards of commercial solid waste per week
Summer/Fall 2021	*Businesses that generate 2 cubic yards of commercial solid waste per week

*Takes effect if CalRecycle determines that statewide disposal of organic waste in 2020 has not been reduce by 50% of 2014 levels

The mandatory commercial organics recycling law (AB 1826) was signed in 2014 to help achieve California’s aggressive recycling and greenhouse gas emission goals. California landfills about 30 million tons of waste each year, of which more than 30% is organic, which could be composted or used to produce renewable energy. Greenhouse gas emissions resulting from the decomposition of organic waste in landfills have been identified as a significant source of emissions contributing to global climate change.

We have developed [public service announcements](#) to notify **xxAREAx** commercial property owners of the coming requirements. Please feel free to post it to your websites, social media platforms or during your broadcast to enhance your coverage.

[Click here to learn more about California's Mandatory Commercial Organics Recycling Law](#)

Exemptions for (enter city name here) businesses and multifamily complexes

Case-by-case exemptions: The law allows jurisdictions to, on a case-by-case basis, grant exemptions to businesses and multifamily complexes that meet any of the following criteria:

- The multifamily complexes or businesses lack sufficient space to provide additional organic material recycling bins.
- The business currently implements actions that result in the recycling of a significant portion of organic waste.
- The business or group of businesses does not generate at least one-half of a cubic yard of organic waste per week.
- The business or group of businesses does not generate at least one cubic yard of organic waste per week (if the local jurisdiction provides CalRecycle with information that explains the need for this higher exemption).⁴
- Limited-term exemptions may be granted for extraordinary and unforeseen events.

Resources Local Resources (enter resources here)

State Resources

1. CalRecycle Local Assistance and Market Development (LAMD) Staff contacts (www.calrecycle.ca.gov/lcentral/reports/Contacts.aspx). LAMD staff is available to assist local governments with planning and implementing Mandatory Organics Recycling programs.
2. Mandatory Organic Recycling (MORe) Home Page <http://www.calrecycle.ca.gov/Recycle/Commercial/Organics/>
3. Mandatory Organic Recycling (MORe) Frequently Asked Questions (FAQs). <http://www.calrecycle.ca.gov/Recycle/Commercial/FAQ.htm>
4. CalRecycle Food Scrap Management Home Page <http://www.calrecycle.ca.gov/organics/Food/default.htm>
5. CalRecycle tool for jurisdictions to determine how many businesses are covered by the law. <http://www.calrecycle.ca.gov/Recycle/Commercial/Organics/LocalGovt.htm>
6. California Air Resources Board (ARB) Small Business Toolkit (www.CoolCalifornia.org).

Contact Information (enter contact information here)

⁴ This exemption is subject to expiration if the state fails to meet disposal reduction targets in 2020.

California Businesses and Multifamily Complexes Will Soon Be Required to Recycle Their Organic Waste



With the passage of AB 1826, new organic recycling requirements will be phased in over several years and will help the state meet its goal to recycle 75 percent of its waste by 2020.

Businesses, including public entities, and multifamily complexes of 5 units or more are required to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week.

City of [\(enter city name here\)](#) and [\(enter hauling company here\)](#) hauling company are here to help you comply with the new state requirements. Read this brochure to learn more about organic waste collection and recycling options available to you.

DID YOU KNOW? Recyclable organic waste accounts for about 40 percent of the material Californians dispose in landfills annually.¹ Recycling organic waste can save businesses money by reducing disposal costs while supporting green jobs in our community.



¹ California Department of Resources Recycling and Recovery (CalRecycle)

Regulatory Requirements

The law requires that businesses arrange for recycling services for the following types of organic waste: food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper.² Multifamily complexes must arrange for recycling services for the same material with the exception of food waste and food-soiled paper. Most organic waste is recyclable through methods such as composting, mulching, and anaerobic digestion. Organic recycling services often accept a wide variety of different types of organic waste. Check with [\(enter agency name here\)](#) to learn how to arrange for recycling.

Businesses and multifamily complexes must start recycling organic waste by the following dates:

- April 1, 2016** – generators of 8 or more cubic yards of organic waste per week;
- January 1, 2017** – generators of 4 or more cubic yards of organic waste per week;
- January 1, 2019** – generators of 4 or more cubic yards of solid waste per week;
- *January 1, 2020** – generators of 2 or more cubic yards of solid waste per week, if statewide disposal of organic waste is not decreased by half.

Organic Recycling Services

The requirement to recycle organic waste can be met by taking one or any combination of the following actions, provided that the action is in compliance with local ordinances and requirements.³

1. **Source-separate organic waste from other waste and subscribe to an organic waste recycling service that specifically includes collection and recycling of organic waste.**
2. **Recycle organic waste on-site, or self-haul organic waste for organic recycling.**
3. **Subscribe to an organic waste recycling service that includes mixed-waste processing that specifically recycles organic waste.**
4. **Sell or donate the generated organic waste.**

[\(enter city name here\)](#) will help local businesses comply with the new law.

Prior to the deadline to start recycling its organic waste, every local jurisdiction is required to implement an organic waste recycling program to provide organic recycling options, educate businesses and multifamily complexes about their local organic recycling options, and monitor implementation.

[\(enter information here\)](#)

³ Prior to taking action to recycle organic waste, a business should check with the [\(enter city name here\)](#) recycling coordinator for more information about local requirements. See the next page for specifics on local recycling options.

COMPOSTABLES

MATERIAS ORGANICAS

有机物



GARBAGE

BASURA

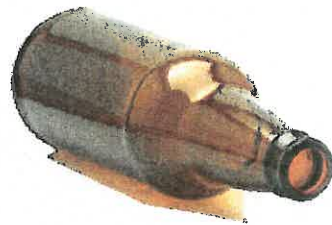
垃圾



RECYCLING

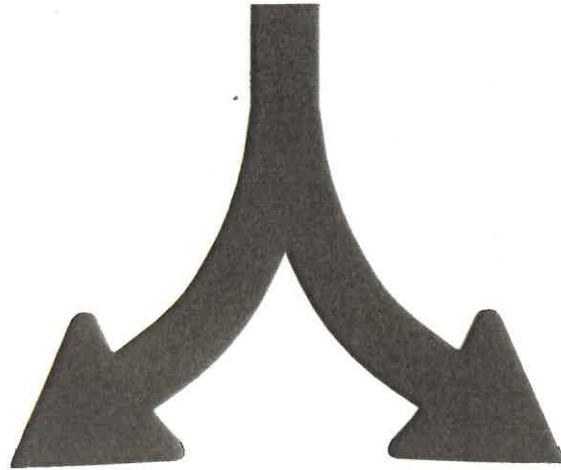
RECICLAJE

可回收物



DO NOT MERGE

SEPARATE YOUR TRASH



NOW IT'S THE LAW.



This presentation is customizable. Insert jurisdiction specific information where there is yellow text. Also, consider putting in photos that are specific to your jurisdiction.

Insert Property/Business Name/Address

Recycling & Compost Training

20XX
(Jurisdiction Name)

Mandatory Recycling and Composting for Businesses




What to Recycle

- Paper
 - White paper
 - Colored office paper
 - Envelopes
 - File folders
 - Post-It Notes & Staples are ok
- Cardboard




What to Recycle

- **Glass Bottles & Jars**
 - Food & drink containers only
 - Empty before recycling





What to Recycle

- **Almost All Plastic**
 - Water & Juice Bottles
 - Milk Jugs
 - Rigid Tubs & Lids
 - Clamshell Containers
 - Plant Containers




What to Recycle

- **Aluminum Cans, Foil & Trays**
- **Steel & Tin Cans**

What to Compost


- **Food Scraps**
- **Food-related Paper Products**
 - Paper towels, napkins, plates & paper cups
- **Waxed cardboard, milk and juice cartons**
- **Compostable Plastics (only with green label)**
 - Paper towels



Very Few Items Belong in the Trash

 PLASTIC BAGS	 HARD TO RECYCLE PACKAGING	 STYROFOAM
 WRAPPERS	 HARD TO RECYCLE PACKAGING	 PLASTIC WRAP



Central Office Collection Station



- All 3 containers placed together
- Less trash with more recycling and composting

Don't Throw These in Trash

Please ~ No Electronic Devices
Inside there are Toxic Materials

Don't Throw These in Trash

Please ~ No Batteries, Lamps
or Ink/Toner Cartridges
Inside there are Toxic Materials




Avoid Contamination

- **Clean white office paper** is made into new white office paper and high quality tissue products
- **Mixed paper** becomes cereal boxes, paper towels & tissues
- **Cardboard** becomes new boxes
- **Recycled glass bottles** are used to make new glass bottles and jars
- **Recycled plastic bottles** can be used to make new products like carpet and fleece vests and jackets
- **Food scraps** are composted and sold to farmers, wineries & gardeners



Mixed recycling is loaded onto conveyor lines which transport the material to the top of a two-story platform.



On the platform, mechanical & manual separation is used to sort the recyclables into individual commodities. Plastic bags cause significant equipment problems and shutdowns.



Workers on the platform pull cardboard, paper, plastics & glass and drop them into corresponding bins where the material is collected at the ground level.



Glass is sorted by color. Plastics are separated by type. Paper is separated by grade (mixed paper, white paper, newspaper, cardboard, etc.). Steel & Aluminum are captured by magnets and air currents.



Separated materials are compacted into bales and are ready for end markets. Manufacturers purchase the commodities and make them into other plastic, paper, glass, and metal products.



Most recyclable materials are sold to manufacturers in China & other Pacific Rim countries. While we have a good system in place, it is always best to Reduce our consumption, Reuse existing materials, then to Recycle, and finally Buy Recycled Content products.

{Insert: Facility Name Where Materials are Composted in Your Jurisdiction}





Compostable material is ground into small pieces and formed into piles.
The piles are covered with a breathable fabric that accelerates the natural cycle of decomposition with higher temperatures.



In 75 days food scraps and paper products are transformed into a nutrient rich soil amendment, COMPOST!



The finished product COMPOST is used by vineyards and in organic farming applications to grow more food and trees.



Using compost means pesticides aren't required, soil fertility is increased, water is conserved, and soil erosion is mitigated.



Be A Hero

Fight Climate Change

- For every 1 ton of mixed paper recycled, about 4.3 tons of CO₂e are avoided.

Save the Forests

- Recycling 1 ton of paper saves about 24 trees and 7,000 gallons of water.

Clean the Air and Water

- Recycling metals reduces air pollution by 85% and water pollution by 75%.

Save Energy

- You could watch more than 2½ hours of television with the energy saved from recycling just one aluminum can.

Help the Economy

- Recycling creates six times as many jobs as landfilling.



Resources

- {Insert Resources}



For More Information

- **Contact:**

Recycling – it's fun, it's easy, it saves money . . . and it's the law!

School recycling programs offer local, regional and global environmental benefits. These range from decreasing the amount of waste sent to landfills and saving energy to conserving natural resources and reducing greenhouse gas emissions that contribute to global climate change. Did you know for most schools it is also a state requirement to recycle?

Mandatory Commercial Recycling (2012):

Businesses and public entities, including schools and school districts, that generate 4 cubic yards or more of waste per week are required to recycle.

Mandatory Commercial Organics Recycling (2016):

Starting in April 2016, businesses and public entities, including schools and school districts, are required to divert their organic solid waste according to the following tiered timeline:

- **4/1/2016:** Entities that generate 8 cubic yards of organic waste per week must arrange for organic waste recycling services.
- **1/1/2017:** Entities that generate 4 cubic yards of organic waste per week must arrange for organic waste recycling services.
- **1/1/2019:** Entities that generate 4 cubic yards of solid waste per week must arrange for organic waste recycling services.


Schools and districts can take one or any combination of the following steps to recycle their organics:

- Separate organics from other waste on-site and subscribe to service through a waste hauler that includes the collection and recycling of organic waste.*
- Subscribe to an organics recycling service that may include mixed-waste processing.
- Recycle organics on site, or self-haul organics off-site for recycling, and/or donate organic material.

More information about these requirements and related assistance is available at <http://www.calrecycle.ca.gov/ReduceWaste/Schools/>. Look up CalRecycle and local jurisdiction staff by city/county that can assist in addressing school waste reduction questions at <http://www.calrecycle.ca.gov/LGCentral/Reports/Contacts.aspx>.



*If the school's waste material is collected in one container and sorted for recycling, ensure that the organic portion is being recycled rather than disposed.





Mandatory Commercial Organics Recycling

(AB 1826 and AB 1594)

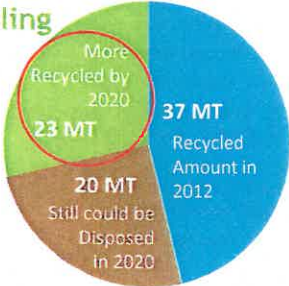



Policy Drivers


- AB 939**
 - 50% diversion requirement for jurisdictions
- AB 32**
 - ARB Scoping Plan - Waste Sector
 - Reduce GHGs to < 1990 levels
- SLCP** - divert 90% of organics by 2025, effectively eliminate organics disposal in CA landfills
- AB 341**
 - 75% reduction, recycling, composting statewide goal by 2020
 - Not transformation or disposal-related activities, etc.

Doesn't change AB 939 mandate on jurisdictions or how CalRecycle evaluates compliance

Projected 2020 tonnages Million Metric Tons (MT) to reach 75% recycling

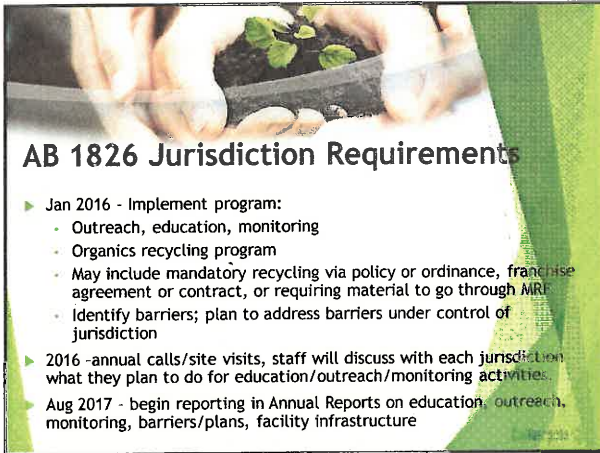


Category	Amount (MT)
Recycled Amount in 2012	37
More Recycled by 2020	23
Still could be Disposed in 2020	20




AB 1826 Business Requirements

- April 2016 - Businesses generating 8 CY organics/week required to have organic waste recycling
 - Jan 2017 - 4 CY/week of organics
 - Jan 2019 - 4 CY/week of solid waste
 - 2020 trigger: CalRecycle can reduce to 2 CY of waste if statewide organics disposal not cut in 1/2
 - Multifamily complexes not required to divert food waste



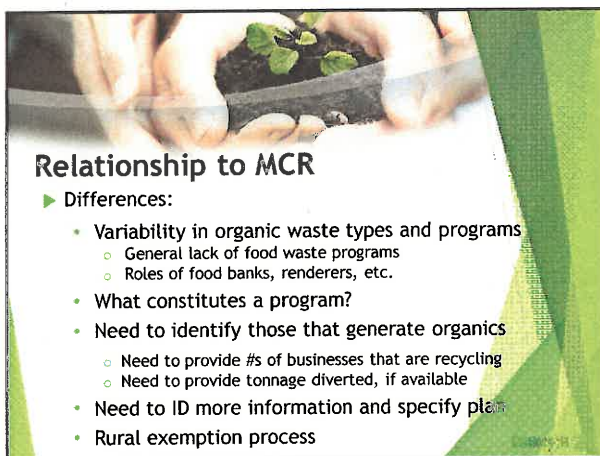
AB 1826 Jurisdiction Requirements

- ▶ Jan 2016 - Implement program:
 - Outreach, education, monitoring
 - Organics recycling program
 - May include mandatory recycling via policy or ordinance, franchise agreement or contract, or requiring material to go through MRF
 - Identify barriers; plan to address barriers under control of jurisdiction
- ▶ 2016 - annual calls/site visits, staff will discuss with each jurisdiction what they plan to do for education/outreach/monitoring activities.
- ▶ Aug 2017 - begin reporting in Annual Reports on education, outreach, monitoring, barriers/plans, facility infrastructure



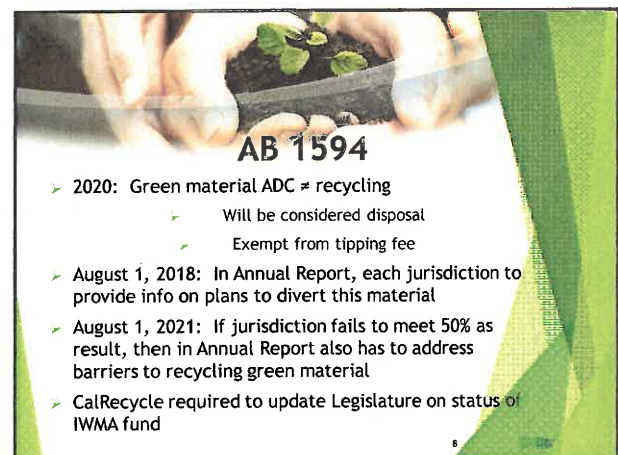
Relationship to MCR

- ▶ Some similarities to MCR but more complex
- ▶ Similarities:
 - Businesses are responsible
 - Jurisdictions must have outreach, education, monitoring
- ▶ 2016 annual calls/site visits, CalRecycle Local Assistance & Market Development staff will discuss with each individual jurisdiction what they plan to do for education/outreach/monitoring activities.



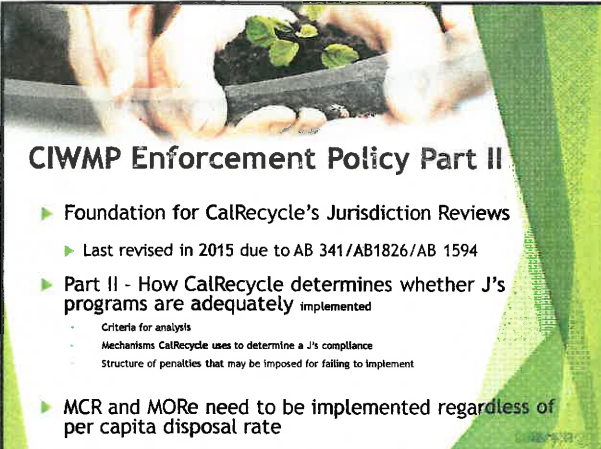
Relationship to MCR

- ▶ Differences:
 - Variability in organic waste types and programs
 - General lack of food waste programs
 - Roles of food banks, renderers, etc.
 - What constitutes a program?
 - Need to identify those that generate organics
 - Need to provide #s of businesses that are recycling
 - Need to provide tonnage diverted, if available
 - Need to ID more information and specify plans
 - Rural exemption process



AB 1594

- ▶ 2020: Green material ADC ≠ recycling
 - ▶ Will be considered disposal
 - ▶ Exempt from tipping fee
- ▶ August 1, 2018: In Annual Report, each jurisdiction to provide info on plans to divert this material
- ▶ August 1, 2021: If jurisdiction fails to meet 50% as result, then in Annual Report also has to address barriers to recycling green material
- ▶ CalRecycle required to update Legislature on status of IWMA fund



CIWMP Enforcement Policy Part II

- ▶ Foundation for CalRecycle's Jurisdiction Reviews
- ▶ Last revised in 2015 due to AB 341/AB1826/AB 1594
- ▶ Part II - How CalRecycle determines whether J's programs are adequately implemented
 - Criteria for analysis
 - Mechanisms CalRecycle uses to determine a J's compliance
 - Structure of penalties that may be imposed for failing to implement
- ▶ MCR and MORE need to be implemented regardless of per capita disposal rate



Determining Progress Achieved in Implementing Program

- ▶ What constitutes "organics waste recycling services" varies
- ▶ Did J demonstrate that programs available to regulated entities are adequate?
 - Generator ID, PNAT analysis of existing programs, etc.
- ▶ If J has not implemented appropriate program that meets needs of its businesses, has it answered questions re: markets, funding, facilities, staffing, legal issues?



Steps Toward Issuance of Compliance Order

- ▶ If CalRecycle finds J failed to adequately implement MCR and/or MORE requirements...
 - Regardless of whether it met per-capita target
 - And has not demonstrated good faith effort
- ▶ Then CalRecycle may issue Compliance Order



How Can State and Locals Work Together For Additional Diversion, Especially Organics?

- ▶ Provide financial and technical assistance to composters, Anaerobic Digestion projects, recycling manufacturers
- ▶ Project with Institute for Local Government
 - ▶ educate planners and elected officials
 - ▶ develop models/tools for planning, siting, local infrastructure development, etc.
 - ▶ <http://www.ca-ilg.org/recycling-resource-center>
- ▶ Partner with local Small Business Development Corps and Economic Development Centers
- ▶ Educate generators of organics about AB 1826 law
- ▶ Promote end use markets for compost, including using compost in local projects





Institute for Local Government Resource Center

- ▶ Recycling Road Map: How to Plan, Site, and Finance Your Recycling Facility
- ▶ True Cost of Recycling: How California Communities are Financing and Siting Recycling Infrastructure
- ▶ Model Goals, Policies, Zoning, and Development Standards for Composting and Remanufacturing Facilities
- ▶ www.ca-ilg.org/recycling-resource-center



14



Questions?

CalRecycle Webpage:
www.calrecycle.ca.gov/Recycle/Commercial/Organics/

AB 901 Regulation Development
Draft of Reporting Regulations for Disposal, Diversion & Enforcement
For Public Release 11/04/2016

Section X.1 Scope and Purpose.

- (a) This Article implements the reporting system set forth in sections 41821.5 through 41821.8 of the Public Resources Code (PRC).
- (b) Nothing in this Article shall prevent an agency, district, jurisdiction, or the Department from requiring a Reporting Entity to supply additional information on activities related to disposal, diversion, composting or recycling based upon their own authority to impose requirements.

Section X.2 Definitions.

- (a) For the purposes of this Article, the following terms have the meanings given below.
 - (1) "Alternative daily cover (ADC)" has the same meaning as in section 20690 of Title 27 of the California Code of Regulations (CCR).
 - (2) "Alternative intermediate cover (AIC)" has the same meaning as in section 20700 of Title 27 of the CCR.
 - (3) "Automobiles" means whole non-repairable motor vehicles including cars and trucks, which may be crushed. This does not include used motor vehicles which are used to provide parts for reuse.
 - (4) "Beneficial reuse" has the same meaning as in section 20686 of Title 27 of the CCR.
 - (5) "Broker" means a person who buys, arranges, or facilitates the sale, transfer, or exchange of any solid waste, organics, or recyclable and recycled materials from facilities or persons in California.
 - (6) "Carpet" has the same meaning as defined in section 42971(d) of the California PRC.
 - (7) "Chipping and grinding" facility or operation has the same meaning as in section 17852(a)(10) of Title 14 of the CCR.
 - (8) "Commercial Sector" means businesses, industries, institutions, public organizations, and multifamily residences of five or more units.
 - (9) "Compost" has the same meaning as defined in section 17896.2(a)(4) of Title 14 of the CCR. For the purposes of this regulation, compost is considered a final product after it has achieved acceptable metal concentrations, pathogen reduction, and physical contamination levels under sections 17868.2, 17868.3, and 17868.3.1 of Title 14 of the CCR.
 - (10) "Composting" has the same meaning as defined in section 40116.1 of the PRC; including but not limited to: windrow composting, in-vessel composting, aerated static piles, and in-vessel digestion.
 - (11) "Compost operation or compost facility" has the same meaning as "Compostable Material Handling Operation" or "Facility" as defined in section 17852(a)(12) of Title 14 of the CCR.
 - (12) "Construction and Demolition (C&D) Debris" has the same meaning as in section 17381(e) of Title 14 of the CCR.
 - (13) "Contact information" means name, address, phone number, and e-mail address.
 - (14) "Contract-hauled" means material hauled by any person paid to collect and transport material from a Generator, including franchised Haulers and private contract Haulers.
 - (15) "Department" means the California Department of Resources Recycling and Recovery (CalRecycle).
 - (16) "Disaster debris" has the same meaning as in section 17210.1(d) in Title 14 of the CCR.

(17) "Disposal" has the same meaning as section 40192 of the PRC.

(18) "Disposal Facility" means a facility where the disposal of solid waste occurs, including but not limited to:

- (A) Landfills
- (B) Engineered Solid Waste conversion facilities
- (C) Transformation facilities

(19) "District" means a community service district established in accordance with Government Code section 61000 et seq., which provides solid waste handling services or implements source reduction and recycling programs. "District" also includes a sanitary district or a public utility district that provides solid waste handling services or implements source reduction and recycling programs.

(20) "Diversion and Disposal Reporting System Number (DDRS number)" means the number that is assigned to a Reporting Entity upon registration with the Department's electronic reporting system.

(21) "End User" means the person who uses a product made from recycled material after a level of processing that results in that material:

- (A) Replacing or significantly resembling a virgin material (such as plastic pellets, paper pulp, metal ingots, etc.), or
- (B) Becoming a homogeneous mixture or material (such as aggregate or crushed miscellaneous base, mulch, or compost, or a material suitable for direct land application).

End User does not mean a person solely engaged in baling, washing, or size reduction for ease of transportation or processing.

(22) "Engineered solid waste conversion" or "EMSW conversion" has the same meaning as defined in section 40131.2 of the PRC.

(23) "Food" and "Food Waste" has the same meaning as "Food Material" defined in section 17852(a)(20) of Title 14 of the CCR.

(24) "Furniture" means large, bulky objects used to make a residence, business, or other space suitable for living or working, including but not limited to couches, chairs, dressers, tables, and bed frames. Furniture does not include mattresses.

(25) "Generator" means a person that is responsible for the initial creation of solid waste, organics and recyclable material.

(26) "Glass" means a hard, brittle, usually transparent nonhazardous substance commonly made from sand heated with chemicals. This includes whole or crushed materials derived from: clear or colored containers with or without California Redemption Value; flat glass; and automotive glass.

(27) "Government entity" is an entity identified in section 40145 of the PRC or an entity formed pursuant to section 40976 of the PRC.

(28) "Hauler" means a person who collects solid waste, organics, or recyclable material from a Generator and delivers it to a Reporting Entity, End User, or outside of the state. "Hauler" includes public contract Haulers, jurisdictions, districts, private companies, Self-Haulers, and local governments who perform this function. "Hauler" does not include a person who transports solid waste, organics, or recyclable material from a Reporting Entity to another person; in this case, the person would be considered a "Transporter."

(29) "Jurisdiction of origin" means the place where solid waste, organics, and recyclable materials are generated. This may include a city, county, city and county, or regional agency with responsibility for waste management, formed pursuant to sections 40970 through 40975 of the PRC. For places located in states or territories of the United States other than the State of California, jurisdiction of origin means the state, territory, or tribal lands in which the solid waste, organics, or recyclable materials were generated. For places located in a country other than the United States of

America, jurisdiction of origin means the country in which the solid waste, organics, or recyclable materials were generated.

(30) "Material" means solid waste, recyclables, organics, or products derived therefrom.

(31) "Material Recovery Facility" or "MRF" means a recycling facility which sorts and processes mixed waste materials for the purpose of recovery of organics and/or recyclable materials, by moving materials through a processing line which includes a mechanized conveyance system. Materials are separated or sorted from the line by machinery or by hand, in order to aggregate materials by type or grade, and produce materials for sale or transfer to various markets or End Users. The facility may or may not have a Solid Waste Facility Permit, and the incoming material may be commingled recyclables that have been segregated from solid waste, or solid waste that includes recyclable materials or organics.

(32) "Metal" means iron, steel, tin, aluminum, and copper, including containers, wiring, plumbing materials, and other scrap metal.

(33) "Organics" means food, green waste, landscape and pruning waste, compost, mulch, nonhazardous wood, lumber and dimensional wood, food-soiled paper or other compostable paper, and sludges.

(34) "Paper" means all types of paper products including corrugated cardboard, newspaper, office paper, magazines, catalogs and directories, and other composite paper products such as food and beverage cartons and containers.

(35) "Permitted Landfill" has the same meaning as defined in section 18720(a)(50) of Title 14 of the CCR.

(36) "Person" has the same meaning as defined in section 40170 of the PRC.

(37) "Plastic" means a synthetic material made from a wide range of carbon-containing polymers, which can be used to make rigid and flexible plastic products, such as packaging (bags, bottles, caps, clamshells, containers, cups, films, and lids), household and bulky rigid items (buckets, crates, toys, and tubs), agricultural products (drip tape, film, and greenhouse covers), and other products (electronics housing, carpet fibers, and automobile plastics).

(38) "Recycle" or "Recycling" has the same meaning as defined in section 40180 of the PRC.

Recycling does not include reuse. Recycling includes but is not limited to the processes below:

- (A) For recyclable materials such as paper, glass, metal, and plastics, this includes but is not limited to sorting, baling, shredding, pulping, crushing, cullet making, smelting, flaking, and pelletizing.
- (B) For organics not being composted, this includes but is not limited to mulching, chipping and grinding.
- (C) For construction and demolition debris, this includes but is not limited to crushing, grinding, shredding, sizing or other processing.
- (D) For other products including furniture, carpet, white goods, automobiles and textiles, this includes but is not limited to sorting, baling, crushing, cutting, shearing, deconstructing, and removing components from products.

(39) "Recycling Facility or Operation" means any facility or operation that accepts, separates, or processes materials for recycling, which does not meet the definition of a MRF.

(40) "Report" means the quarterly report submitted to the Department by a Reporting Entity.

(41) "Reporting Entity" means a person who is required to report pursuant to this Article, including but not limited to the following categories:

- (A) Haulers
- (B) Transfer Stations and Material Recovery Facilities
- (C) Recycling and Composting Facilities and Operations
- (D) Disposal Facilities

- (E) Transporters and Brokers
- (42) "Reporting Period" means the time period for which a report must be submitted to the Department. Reporting periods shall be defined as follows:
- (A) Reporting Period 1 – January 1 to March 31
 - (B) Reporting Period 2 – April 1 to June 30
 - (C) Reporting Period 3 – July 1 to September 30
 - (D) Reporting Period 4 – October 1 to December 31
- (43) "Residential Sector" means single-family residences and multi-family residences of 4 or fewer units.
- (44) "Residual" has the same meaning as defined in section 17402.5(b)(1) of Title 14 of the PRC.
- (45) "Reuse" means using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical form of the object or material.
- (46) "Self-Hauler" means a person who hauls solid waste, organics, or recyclable material they have generated to another person.
- (A) A "Food Waste Self-Hauler" is a person or entity that generates and transports, utilizing its own employees and equipment, more than one cubic yard per week of its own food waste to a location or facility that is not owned and operated by that person or entity.
- Persons who self-haul food waste but do not meet the criteria of a "Food Waste Self-Hauler" are considered Self-Haulers.
- (47) "Site" means the location of a facility or operation that has one address or assessor parcel number, or multiple adjacent addresses or parcel numbers.
- (48) "Solid Waste" or "SW" has the same meaning as defined in section 18720 (a)(40) of Title 14 of the CCR. This includes mixed residual material remaining after processing.
- (49) "Source Sector" means the source from which solid waste is generated, described as:
- (A) Contract-hauled Single-family Residential
 - (B) Contract-hauled Commercial/Multi-family Residential
 - (C) Self-hauled
 - (D) Disaster debris
- (50) "Textiles" means items made of thread, yarn, fabric, or cloth, including clothing, fabric trimmings, draperies, and all natural and synthetic cloth and fabric.
- (51) "Tire-derived rubber" means rubber from the processing of waste tires as defined in section 42807 of the PRC.
- (52) "Ton" also referred to as short ton or net ton, means 2,000 pounds (lbs.).
- (53) "Transfer Station" means both "transfer/processing facilities" and "transfer/processing operations," as defined in sections 17402(a)(30-31) of Title 14 of the CCR, which receives, temporarily stores, and transfers solid waste and/or materials for recycling, composting, or disposal.
- (54) "Transformation Facility" has the same meaning as in section 40201 of the PRC.
- (55) "Transporter" means a person who transports solid waste, organics, recyclable material, or recycled material from a Reporting Entity to another person. "Transporter" does not include a person who transports material from a Generator to another person; in this case, the person would be considered a "Hauler".
- (56) "Waste-derived material" means material sent to a facility for disposal that is separated prior to disposal for another use.
- (57) "White Goods" means discarded major appliances of any color, including but not limited to washing machines, clothes dryers, water heaters, stoves, and refrigerators.

Section X.3 Registration, Reporting and Exemptions.

- (a) End Users are not required to register or report.
- (b) Any person that sells, transfers, processes, or disposes material and meets one or more of the criteria below is a Reporting Entity and shall file a Report with the Department:
 - (1) 100 tons or more per reporting period of recyclable material, organics, and/or solid waste for recycling or disposal.
 - (A) 500 tons or more per reporting period for facilities and operations processing only concrete, asphalt, and/or asphalt shingles.
 - (B) 50 tons or more per reporting period for organics directly land applied in accordance with section 17852(a)(24.5) of Title 14 of the CCR.
 - (2) Any person that composts organics and is not excluded per section 17855 for composting operations or section 17896 for in-vessel digestion operations of Title 14 of the CCR.
 - (A) Wastewater treatment plants that accept organics delivered from non-sewage sources in excess of 100 tons per reporting period, or 10 percent of throughput per reporting period, are not excluded per section X.3(a)(2) of this Article.
 - (3) "Food Waste Self-Haulers" who haul 12 or more cubic yards of food waste per reporting period.
- (c) All reporting entities shall register with the Department and obtain a DDRS Number.
 - (1) For facilities engaged in multiple activities under the same ownership:
 - (A) Multiple disposal facilities at the same site shall register for separate DDRS numbers and file separate reports.
 - (B) Transfer Stations, MRFs, and recycling or composting activities co-located at the same site may register for a single DDRS number and file a single report.
 - (C) Each disposal facility co-located with Transfer Stations, MRFs, and recycling or composting activities shall register for a separate DDRS number and file a separate report.
- (d) Reporting entities must register at least 30 days prior to the end of a reporting period, or within 30 days after determining that they are subject to these reporting requirements.
- (e) Entities that have previously reported but do not meet the conditions in X.3(a) and (b) of this Article for the current reporting period must notify the Department that they do not meet the requirements to report during the current reporting period.
- (f) Reporting entities must notify the Department if the operation closes, becomes inactive, or will no longer meet the reporting requirements outlined in X.3(a) and (b) of this Article.
- (g) Reporting Entities engaged in any composting, recycling, or disposal activities that meet the requirements in X.3(a) and (b) of this Article must include in their report the amounts of each of the following materials or mixture of materials they process, sell, transfer, or dispose:
 - (1) Automobiles
 - (2) Carpet
 - (3) Construction and Demolition Debris
 - (4) Furniture excluding mattresses
 - (5) Glass excluding cathode ray tube glass
 - (6) Metal
 - (7) Organics
 - (8) Paper
 - (9) Plastic
 - (10) Solid waste
 - (11) Textiles

- (12) Tire-derived rubber
- (13) White Goods
- (h) A person that generates, processes, and uses a material on the same site is not required to report on that material.
- (i) Reporting entities sending compost or recycled products to End Users shall either provide contact information on individual End Users, or report End User category and region.
 - (1) End User categories include:
 - (A) Producers of finished products, including consumer products, industrial products, and packaging
 - (B) Producers of intermediate products
 - (C) Users of energy, fuel and chemicals
 - (D) Consumers
 - (E) Land application and fill
- (j) A Reporting Entity shall determine whether a receiving person is an End User. If the Reporting Entity cannot determine if the receiving person is an End User, the Reporting Entity shall not include that receiving person's material tons in the End User categories, but will provide contact information for that person in their Report and information required by sections X.4 through X.9 of this Article.
- (k) All registered reporting entities shall file a Report for each reporting period using the Department's electronic reporting system, and ensure that the information provided is accurate, complete, and entered electronically.
 - (1) Each Report shall include:
 - (A) The name, physical address, mailing address, phone number, electronic mail address, contact person name, and DDRS number of the person sending the report;
 - (B) The name, physical address, mailing address, phone number, electronic mail address, contact person name, and DDRS number, if applicable, of each Reporting Entity or out-of-state person, except End User categories, receiving solid waste, organics, or recyclable materials from the Reporting Entity;
 - (C) The information required by sections X.4-X.9 of this Article.
- (l) The Report must be submitted to the Department no later than:

Reporter	Reporting Period 1 report due	Reporting Period 2 report due	Reporting Period 3 report due	Reporting Period 4 report due
Disposal Facilities	June 30	September 30	December 31	March 31
All other reporters	May 31	August 31	November 30	February 28

- (m) The Reporting Entity shall designate a person who has signature authority, who shall submit the Report.
- (n) The Reporting Entity shall use information available at the time the Report is due. If the Reporting Entity has not received required information from another reporter, either directly or through DDRS, the Reporting Entity shall report to the Department the names of the reporters who have not fulfilled their reporting obligations.
- (o) The Department shall maintain the confidentiality of information in the Reports in accordance with the requirements of section 41821.5(b)(3) of the PRC.

Section X.4 Reporting Requirements for Haulers.

- (a) "Food Waste Self-Haulers" shall report to the Department the tons of food waste sent to each person or End User category.
- (b) A Hauler shall provide the following information to a receiving Reporting Entity for all tons delivered to it, using reasonable methods described in section X.9 of this Article, within 30 days of the end of the reporting period:
 - (1) For solid waste hauled: The tons by jurisdiction of origin and source sector for all solid waste delivered to each Reporting Entity.
 - (2) For organics and/or recyclable materials hauled: The tons by jurisdiction of origin and source sector for materials sent to a MRF or Transfer Station.
- (c) A Hauler shall provide in its Report to the Department the following information for tons hauled, using reasonable methods described in section X.9 of this Article:
 - (1) Directly from a Generator to an End User inside or outside the state:
 - (A) For compost and recycled products including organic material destined for direct land application: The tons of each material type sent to each person or End User category and region as described in section X.3(i) of this Article.
 - (2) Directly from a Generator to a person outside of the state:
 - (A) For solid waste: The total tons by jurisdiction of origin and source sector for all material sent to each facility for disposal, and the facility's contact information.
 - (B) For organics and/or recyclable material sent to recycling or composting operations: The tons of each material type sent to each person, and the person's contact information.
- (d) For the purposes of DDRS reporting, Haulers are not required to submit information on specific collection locations or customers when providing jurisdiction of origin, material type or source sector information to other reporting entities or to the Department as part of a Report.
 - (1) This does not preclude a jurisdiction from requiring this information through franchise agreements, contracts, local ordinances, etc.
 - (2) This does not preclude the Department from requesting this information if necessary.

Section X.5 Reporting Requirements for Transfer Stations and Material Recovery Facilities.

- (a) A Transfer Station or Material Recovery Facility shall provide in its Report to the Department all of the following information for all tons handled, using reasonable methods described in section X.9 of this Article:
 - (1) For material received from another Transfer Station or MRF: The tons of material received from each facility and the facility's contact information and DDRS number, if applicable.
 - (2) For material received from entities other than TS and MRFs: The total tons by jurisdiction of origin and source sector.
 - (3) For materials sent to a disposal facility, Transfer Station, MRF, Recycling or Composting facility or operation: The tons by material type sent to each facility, and the facility's contact information and DDRS number, if applicable.
 - (4) For compost or recycled material sent to an End User on- or off-site: The tons of each material type sent to each person or category of End Users and region, as described in section X.3(i) of this Article.
- (b) A MRF that generates less than 100 tons of residuals sent for disposal per reporting period shall report as a recycling or composting operation, as outlined in section X.7 of this Article.

Section X.6 Reporting Requirements for Disposal Facilities.

- (a) A disposal facility shall provide in its Report the following information for all tons handled, using reasonable methods described in section X.9 of this Article:
- (1) For solid waste received for disposal from a Transfer Station or MRF: The tons of material disposed by each Transfer Station or MRF, and their contact information and DDRS number, if applicable.
 - (2) For solid waste received for disposal from Haulers: The tons by jurisdiction of origin and source sector for all solid waste disposed at the facility.
 - (3) For Disaster Debris and Construction and Demolition Debris segregated prior to disposal: The tons and jurisdiction of origin.
 - (4) For materials generated on-site (such as ash) sent for disposal off-site to another disposal facility: The total tons sent to each facility and the facility's contact information and DDRS number, if applicable.
 - (5) For waste-derived material used on-site for beneficial reuse, the following shall be reported:
 - (A) The tons, jurisdiction of origin and material type used for:
 - (i) ADC
 - (ii) AIC
 - (iii) Other beneficial reuse
 - (B) For each of the following "Other beneficial reuse" applications, the tons of each material type shall be reported:
 - (i) Final cover foundation layer
 - (ii) Liner operations layer
 - (iii) Leachate and landfill gas collection system
 - (iv) Construction fill
 - (v) Road base
 - (vi) Wet weather operations pads and access roads
 - (vii) Soil amendments for erosion control and landscaping
 - (C) Material types to be reported for beneficial reuse include all materials approved by the Local Enforcement Agency, for example:
 - (i) Processed green material
 - (ii) Sludge and sludge-derived materials
 - (iii) Ash and cement kiln dust materials
 - (iv) Contaminated sediment, dredge spoils, foundry sands, energy resource exploration, and production wastes
 - (v) Compost materials
 - (vi) Processed construction and demolition wastes and materials
 - (vii) Treated auto shredder waste
 - (viii) And any other material type approved for beneficial use by the LEA

Section X.7 Reporting Requirements for Recycling and Composting Facilities and Operations.

- (a) A recycling or composting facility or operation shall provide in its Report the following information for all tons handled, using reasonable methods described in section X.9 of this Article:
- (1) For all solid waste and/or residuals sent for disposal inside or outside of the state: The total tons of material sent for disposal, and the receiving facility's contact information and DDRS number, if applicable.

- (2) For all organics and/or recyclable material sent for recycling or composting inside or outside of the state: The tons of each material type sent to each person and the person's contact information and DDRS number, if applicable.
 - (3) For compost and recycled material sent to an End User on- or off-site: The tons of each material type sent to each person or End User category and region as described in section X.3(i) of this Article.
- (b) A recycling or composting facility or operation that generates more than 100 tons of residuals sent for disposal per reporting period shall report as a Transfer Station or Material Recovery Facility as outlined in section X.5 of this Article.

Section X.8 Reporting Requirements for Transporters and Brokers.

- (a) If a transporter or broker takes physical or legal possession of solid waste, organics, recyclable material, or compost and recycled products, the transporter or broker shall provide in their Report all of the following information for all tons handled, using reasonable methods described in section X.9 of this Article:
- (1) For materials sent for disposal to a person inside or outside of the state: The total tons by jurisdiction of origin and source sector, for all material sent to each person, and the person's DDRS number, if applicable.
 - (2) For material sent for recycling or composting: The tons of each material type and person's name, contact information and DDRS number, if applicable.
 - (3) For compost and recycled products sent to an End User: The tons of each material type sent to each person or End User category and region, as described in section X.3(i) of this Article.
- (b) A Transporter or Broker who transports material from one Reporting Entity to another Reporting Entity, who does not take physical or legal possession of the material, shall not report that material.

Section X.9 Reasonable Methods.

- (a) Reporting Entities shall use scales to determine tons for all flows for which tons are to be reported, except as allowed in X.9(e) of this Article.
- (b) Recyclable materials, organics, and finished products shall be reported at the level of segregation of the material at the time it was sold or transferred.
- (1) Homogeneous material or individual grade of material shall be reported as that individual material type (for example, HDPE, aluminum, concrete, mulch, etc.).
 - (2) Combinations of various materials within a single material category shall be reported based on industry standards (for example, mixed glass, mixed paper, rigid plastics, etc.).
 - (3) Mixed materials from several categories or solid waste shall be reported as mixed materials or solid waste.
- (c) For determining jurisdiction of origin:
- (1) All facilities shall ask all incoming loads for the jurisdiction of origin, unless they receive that information via periodic reports from Haulers.
 - (2) Reporting Entities may use the any of the following methods:
 - (A) Company dispatcher records of hauling routes and Generator locations
 - (B) Billing records
 - (C) Number and size of bins emptied from each jurisdiction
 - (D) Total volume of bins emptied from each jurisdiction
 - (E) Actual tons collected from each jurisdiction

- (3) If the receiving facility allows material to be unloaded while no attendant is available, they may use billing or property records to determine jurisdiction of origin for that material.
- (4) If jurisdiction of origin cannot be established by the methods above, the facility or operation shall submit to the Department a request for an alternative method for consideration and approval.
- (d) For determining source sector:
 - (1) All facilities shall ask all incoming loads for the source sector, or assess source sector based on observations of truck type, unless they receive that information via periodic reports from Haulers.
 - (2) Reporting Entities may use any of the following methods:
 - (A) Company dispatcher records of hauling routes
 - (B) Billing records
 - (C) Number and size of bins emptied from each source sector
 - (D) Total volume of bins emptied from each source sector
 - (E) Actual tons collected from each source sector
 - (F) Truck type
 - (3) If the receiving facility allows material to be unloaded while no attendant is available, they may use billing or property records to determine source sector for that material.
 - (4) If source sector cannot be established by the methods above, the facility or operation shall submit to the Department a request for an alternative method for consideration and approval.
 - (5) If an approved method in section X.9(d) of this Article is used, then inaccuracies or errors in source sector reporting shall not be subject to penalties pursuant to section X.10 of this Article.
- (e) If the reporting facility does not have access to scales and does not handle more than 1,000 tons of material per reporting period, the facility may use volume to weight conversion factors provided by the Department, or other reasonable conversion factors to estimate the weight of solid waste or recycling materials. The facility shall retain documentation on the basis and usage of the conversion factors and update the factors annually.
 - (1) If, after review, the Department determines that volumetric conversion factors are not satisfactory, it may require the Reporting Entity to revise the factors and reports.
- (f) Reporting entities shall use the information provided by the Haulers or other reporting entities sending materials to them as the basis for determining the jurisdiction of origin and source sector for material sent for disposal.
 - (1) Transfer Stations and MRFs may adjust data provided by the Haulers or other Reporting Entities. They shall notify the Department in their Report if they have made these adjustments, which shall be based on:
 - (A) Tracking and sorting individual loads
 - (B) Segregating the flows from different jurisdictions or sectors
 - (C) Other relevant information on the composition and recoverability of the materials from each jurisdiction or source sector
- (g) Reporting entities shall notify the Department in their Report which methods they used, and update these methods annually.

Section X.10 Procedure for Imposing Civil Liabilities.

- (a) The Department shall impose administrative civil penalties authorized by sections 41821.5 through 41821.8 of the PRC in accordance with the procedures set forth in this section.
- (b) The Department will issue a written notice of violation prior to the issuance of an accusation imposing administrative civil penalties.

- (1) The notice of violation will include a description and dates of the alleged violation(s) and a compliance deadline to remedy the violation(s).
 - (2) The Department will notice the Reporting Entity of the potential penalties for failure to comply prior to the compliance deadline.
- (c) Civil penalties may be imposed administratively in accordance with Penalty Table I and the following:
- (1) Determination of the description of violation(s).
 - (2) Determination of the number of violations and number of offenses that have occurred.
 - (3) Total potential penalties will be calculated for each violation and multiplied by the number of days the business was in violation. For first offenses, the number of days the violation occurred will begin one day after the Notice of Violation compliance deadline.

Penalty Table I

Authority	Description of Violation	1 st Offense	2 nd Offense	3 rd and subsequent Offense
PRC 41821.5 (d)	Any person who fails to submit information as required by this Article on time.	\$500	\$1,000	\$5,000
PRC 41821.5 (d)	Any person who refuses to submit information required by this Article.	\$1,000 – \$5,000	\$1,000 - \$5,000	\$5,000
PRC 41821.5 (e)	Any person who knowingly or willfully files a false report or any person who alters, cancels, or obliterates entries in the records for the purpose of falsifying the records as required by this Article.	\$500 - \$10,000	\$2,500 - \$10,000	\$5,000- \$10,000
PRC 41821.5 (e)	Any person who refuses to allow the Department or any of its representatives to inspect or examine records as required by this Article.	\$500- \$2,500	\$2,500- \$5,000	\$5,000
PRC 41821.5 (e)	Any person who fails to keep any records for inspection as required by this Article.	\$500	\$500 - \$2500	\$1,000 - \$5,000

- (d) Once a potential penalty amount is determined, the Department may take the following factors into consideration in determining the penalty amount to be requested in the accusations:
- (1) Whether the violations or conditions giving rise to the violation were intentional.
 - (2) Whether the violations demonstrate a chronic pattern of noncompliance with the regulations adopted in this Article.
 - (3) Whether the violations or conditions giving rise to the violation were due to circumstances beyond the reasonable control of the violator or were unavoidable under the circumstances.
 - (4) Whether the violator acted in good faith to comply, including correcting the violations in a timely fashion.
 - (5) Whether the violations were voluntarily and promptly reported to appropriate authorities prior to the commencement of an investigation by the enforcement agency.

- (6) The circumstances, extent, and gravity of any violation or any condition giving rise to the violation and the various remedies and penalties that are appropriate in the given circumstances.
- (e) The accusation and all accompanying documents may be served on the respondent by the following means:
 - (1) Personal service.
 - (2) Substitute service by using the same service procedures as described in section 415.20 of the Code of Civil Procedure.
 - (3) Certified Mail: For respondents who are registered with the department's electronic DDRS system, the mailing address(es) provided at the time of registration will be used. Proof of service of the accusation shall be the certified mail receipts or registered mail receipts proving the accusation and accompanying materials were sent to respondent by certified mail or registered mail. For other respondents that have not provided addresses to the department, certified mail or registered mail pursuant to the procedures indicated in the Administrative Procedure Act at section 11505(c) of the Government Code applies.
- (f) In any case in which it is determined that more than one Reporting Entity is responsible and liable for a violation, each such Reporting Entity may be held jointly and severally liable for an administrative civil penalty.
- (g) Reports regarding jurisdiction of origin shall be based on the information provided to or made available to a Reporting Entity at the time the Report is due. Reporting entities may not be held liable for incomplete or inaccurate reports regarding jurisdiction of origin information provided by a Hauler if the Reporting Entity, at the time it submits its report
 - a. Provides a reasonable explanation for absent or incorrect data, and
 - b. Identifies to the Department the Haulers that did not provide data or provided incorrect data, as required by section X.3(n) of this Article.

Section X.11 Record Retention Requirements for a Reporting Entity.

- (a) A Reporting Entity shall retain a copy of all reports it submits at its place of business for five (5) years.
- (b) Records to be retained include, but are not limited to:
 - (1) The specific Generator locations of a load of solid waste to verify the jurisdiction of origin for disposed waste.
 - (2) Bills of lading, receipts, and monthly billing statements to any person transferring material, and contact information for those entities.
 - (3) Daily log entries prepared by the Reporting Entity detailing the acceptance, transport, or delivery of material, the associated amounts, sources, material types, jurisdictions of origin, and the associated dates.
 - (4) Weight tags for individual Haulers, transfer or other loads that identify the Hauler, vehicle, vehicle type, quantity, date, type, and jurisdiction of origin of material delivered, transported, or received.
 - (5) All base data, methods and calculations used to derive information in a Report.
- (c) A Reporting Entity shall maintain the documentation described in this section in a usable format, such as on electronic media (computer files) or paper copies.

Section X.12 Record Review Requirements for a Reporting Entity.

- (a) A Reporting Entity shall provide access to the records required by this Article to any authorized representative of the Department upon request.
- (b) If the Department requests copies of specific records either prior to, in lieu of, or after inspection, a Reporting Entity shall provide the copies within ten business days, unless additional time is necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the Department.
- (c) A Reporting Entity shall provide records to the Department electronically if possible, and in a format that will allow effective review, such as portable document format (PDF), spreadsheet, or other searchable format.
- (d) A Reporting Entity may redact the records before inspection or submittal, to exclude confidential pricing information contained in the records, such as contract terms and conditions (including information on pricing, credit terms, volume discounts, and other proprietary business terms), if the redacted information is not information that is otherwise required to be reported to the Department.
- (e) Pursuant to section 41821.5(g)(1) of the PRC, the records maintained by a Reporting Entity to support a Report shall be confidential and shall not be subject to disclosure by the Department under the California Public Records Act (Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code).
- (f) The records maintained by a Reporting Entity and provided to the Department in accordance with this section may be exempt from disclosure as provided in PRC section 40062 and implementing regulations.
- (g) In order to ensure that records required pursuant to this Article are accurate and properly maintained, in addition to inspecting all relevant records, the Department may conduct audits, perform site inspections, observe facility operations, and otherwise investigate the recordkeeping and reporting of persons subject to the requirements of this Article. Any records, reports, notes, studies, drawings, schematics, photographs, or trade secrets, as defined in section 3426.1 of the Civil Code, obtained, produced, or created by the Department in connection with or arising from such audits, inspections, or observations are confidential and shall not be subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code).
- (h) Government entity requests for inspections or records shall be subject to the provisions of PRC section 41821.5(g) and shall not be subject to the Department's compliance procedures outlined in X.10, X.11 and X.12 of this Article.

Section X.13 Complaints Regarding Non-Compliance.

- (a) Using an electronic reporting process established by the Department, reporting entities shall inform the Department of specific allegations of non-compliance by another Reporting Entity who fails to provide it with the information required by this Article.
- (b) The Department shall establish an electronic process so that affected or involved parties may report specific allegations of non-compliance by a Reporting Entity. The party reporting the alleged non-compliance shall provide sufficient documentation so the Department may investigate appropriately.

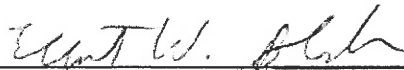
NOTE: FACILITY AND OPERATIONS STATE MINIMUM STANDARDS FOR RECORD KEEPING WILL NEED TO BE UP DATED TO INCLUDE NEW REPORTING AND RECORDING REQUIREMENTS. EXAMPLES OF SUCH SECTIONS NEEDING ADDITIONAL LANGUAGE WILL INCLUDE BUT ARE NOT LIMITED TO: • 27 CCR SECTION 18810 DISPOSAL REPORTING REQUIREMENTS FOR A LANDFILL • 27 CCR SECTION 18809. DISPOSAL REPORTING REQUIREMENTS FOR A STATION • 27 CCR SECTION 20510 (g) CIWMB-DISPOSAL SITE RECORDS • 27 CCR SECTION 20686 BENEFICIAL REUSE (d) • 27 CCR SECTION 20690 CIWMB-ALTERNATIVE DAILY COVER • 14 CCR SECTION 17869 GENERAL RECORD KEEPING REQUIREMENTS (a) (d) • 14 CCR SECTION 17414 RECORD KEEPING REQUIREMENTS(a) (b) (c) (h) • 14 CCR SECTION 17379.0 GENERAL RECORD KEEPING REQUIREMENTS (e) • 14 CCR SECTION 17383.3 C&D WOOD DEBRIS CHIPPING AND GRINDING OPERATIONS AT FACILITIES(k) • 14 CCR SECTION 17383.4 SMALL VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING FACILITIES(i) • 14 CCR SECTION 17383.5 MEDIUM VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING FACILITIES (l) • 14 CCR SECTION 17383.6 LARGE VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING FACILITIES (j) • 14 CCR SECTION 17383.7 INERT DEBRIS TYPE A PROCESSING OPERATIONS (j) • 14 CCR SECTION 17383.8 INERT DEBRIS TYPE A AND TYPE B RPROCESSING FACILITIES(i).

UPDATED LANGUAGE WILL LOOK SIMILAR TO: EACH SITE SHALL MAINTAIN RECORDS FOR THE DDRS IN ACCORDANCE WITH TITLE XXXX, CALIFORNIA CODE OF REGULATIONS, SECTION 18801 et. seq. THE RECORDS SHALL BE AVILABLE FOR INSPECTION BY AUTHORIZED REPRESENTATIVES OF THE EA, THE LOCAL HEALTH AGENCY, AND THE CIWMB/CALRECYCLE DURING NORMAL BUSINESS HOURS AND RETAINED IN THE OPERATING RECORD NEAR THE SITE OR IN AN ALTERNATIVE LOCATION APPROVED BY THE EA.

MEMORANDUM

To: Office of Administrative Law

Date: September 26, 2016

From: 
Elliot Block, Chief Counsel
**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
(CALRECYCLE)**

Subject: **FINDING OF EMERGENCY FOR GLASS PROCESSING EMERGENCY
REGULATIONS**

The attached regulations, approved by Director Scott Smithline on September 26, 2016, are being submitted as emergency regulations pursuant to Government Code section 11346.1.

The Director has found that an emergency exists which requires immediate action to avert a crisis-level statewide interruption in glass recycling and which cannot be addressed in sufficient time through nonemergency regulations, for the following reasons:

Background:

The Department of Resources Recycling and Recovery (CalRecycle) is responsible for implementing the California Integrated Waste Management Act of 1989 (Act) commencing with section 40000 of the Public Resources Code (PRC), as amended.

Certain types of solid waste facilities are exempt from the requirement to obtain a solid waste facility permit, but only if they meet certain defined requirements. PRC section 40200(b)(2) provides that a facility, whose principal function is to receive, store, convert, or otherwise process wastes that have already been separated for reuse and are not intended for disposal, is not a solid waste operation or facility and consequently is not subject to the Department's current regulatory requirements.

CalRecycle has promulgated regulations to specify how the exception in section 40200(b)(2) is implemented in California Code of Regulations (CCR), Title 14, section 17402.5(c). That regulation established what is commonly known as the three-part-test for determining whether or not a particular operation fell within the CalRecycle's regulatory authority as a recycling center or solid waste facility. This was necessary because there were many operations that claimed to be handling only recyclable material and not be subject to regulation, but which were in fact handling a significant enough amount of residual waste that they did not fit the exception. The three-part-test set some specific thresholds to distinguish between recycling centers and solid waste activities. Other Department regulations set forth regulatory tiers for different types of solid waste activities specifying whether a full permit or a lesser permitting document is required to operate and specifying the applicable minimum standards.

The proposed regulations are being submitted as emergency regulations pursuant to Government Code section 11346.1 to set forth minimum standards for Glass Container Processing Operations and place them within the Enforcement Agency Notification Tier (less than a full permit). Recent information received by the Department has indicated that Glass container processors may be receiving enough solid waste mixed in with the glass they are receiving which might mean that they would not meet the

definition of recycling centers. If they did not, they would be subject to regulatory requirements. Since no regulations regarding these types of facilities currently exist, if this information is true, these processors would be deemed a solid waste facility (transfer or processing stations) and thus, they would be operating without solid waste facility permit. Pursuant to PRC section 44002(b), these facilities would have to cease all activities immediately until they obtained a permit.

The emergency regulations place glass container processors within the regulatory tiers in such a way as to appropriately regulate them but also allow them to continue to operate without a lengthy (years long) process to obtain a solid waste facility permit (or at least up to a year before non-emergency regulations could be promulgated).

Need for Emergency Regulations:

As noted above, CalRecycle has recently received some preliminary information that glass processors may be receiving enough waste mixed in with the glass they receive from Material Recovery Facilities that they may not meet the exemption from being regulated by CalRecycle. Preliminary information indicates that this issue may be true for up to 90 percent of the state's glass processing infrastructure. If this is in fact the case, in the absence of specific regulations providing otherwise, these facilities would have to cease activities immediately as solid waste facilities (transfer or processing stations) operating without a required solid waste facility permit.

Existing regulations do not recognize a streamlined permit tier that would accommodate glass processors. Therefore, a full solid waste facility permit would be required absent an immediate regulatory change. The timeline for obtaining a full solid waste permit, including compliance with environmental review requirements under the California Environmental Quality Act (CEQA), would require glass processors to shut down under a mandatory cease and desist order, and these processors would be out of operation for a significant period of time. At minimum, the absolute best-case scenario for obtaining a full solid waste permit would be 6 months. A more common timeline would be at least a year. In some instances when there are complications with CEQA review or subsequent litigation, a worst-case scenario would involve a multi-year permit process. Given the number of potentially affected processors, the timeline for obtaining full solid waste facility permits under existing regulation would mean a crippling interruption in the state's ability to divert a major recyclable waste stream from landfill disposal, resulting in as much as 901,612 tons of glass being disposed of in landfills and threatening the continuing viability of California glass businesses necessary to accommodate the state's recycling needs (this is the most recent yearly glass processing tonnage available).

To address this potential problem, the emergency regulations would place glass processors within the regulatory tiers in such a way as to appropriately regulate them but also allow them to continue to operate without a lengthy (years-long) process to obtain a solid waste facility permit (or at least up to a year before nonemergency regulations could be promulgated). These glass processors have been in operation for many years and the Department has no information to indicate that any of them have been the subject of complaints from nearby residents regarding their operations.

This fiscal analysis is based on CalRecycle's estimation that these proposed emergency regulations would impact six existing glass processor facilities that handle 90% of the processing in the state. These regulations would increase the level of regulatory oversight beyond what is currently provided through local government requirements. Nothing in the proposed emergency regulations would allow any glass processor to expand their operations.



Final Regulation Text

Changes are denoted by the following:

~~Strikethrough~~ = deletions of existing text
Underline = additions to existing text

Chapter 1. Minimum Standards for Solid Waste Handling and Disposal

Article 6.0. Transfer/Processing Operations and Facilities Regulatory Requirements

§ 17402. Definitions.

(a) For the purposes of these Articles:

...
(6.5) "Glass Container Processing Operation" means a person or business entity whose primary purpose is to receive source separated or separated for reuse glass container materials, either whole or fragments, for processing that may also contain a residual amount of solid waste and that does not qualify as a recycling center as set forth in section 17402.5(d).
 ...

Note: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 40053, 43020, and 43021, Public Resource Code.

§ 17403.0. Regulatory Tiers Requirements for Transfer/Processing Operations and Facilities.

**Table 1
 Transfer/Processing Operations and Facilities Placement into the Regulatory Tiers**

Not Subject to Articles 6.0, 6.1, 6.2, 6.3 and 6.35	Excluded Tier	Enforcement Agency Notification Tier	Registration Permit Tier	Full Solid Waste Facility Permit
Auto Dismantler Section 17402.5(c)(1)	Locations where <15 cubic yards of combined container volume is provided to serve as multi-residence receptacles for residential refuse at the place of generation. Section 17403.1(a)(1)	Emergency Transfer/Processing Operations Section 17403.5	Medium Volume Transfer/Processing Facility Section 17403.6	Large Volume Transfer/Processing Facility Section 17403.7
Auto Shredder Operations Section 17402.5(c)(2)		<u>Glass Container Processing Operations Section 17403.3.1</u>	Direct Transfer Facility Section 17403.4	
Buy Back Centers Section 17402.5(c)(3)	Locations where <15 cubic yards of combined container volume is handled for recycling. Section 17403.1(a)(2)	Sealed Container Transfer Operations Section 17403.2S		
Drop-off Centers Section 17402.5(c)(4)				
Manufacturers Section 17402.5(c)(5)	Storage receptacle at the place of generation for waste from multi-residential buildings or for commercial solid	Limited Volume Transfer Operations Section 17403.3		
Recycling Centers Section 17402.5(d)				

wastes. Section
17403.1(a)(3)

Rendering Plants
Section
17402.5(c)(6)
Reuse Salvage
Operations (includes
furniture and
mattress
dismantlers and
demanufacturers)
Section
17402.5(c)(7)

Containers used
to store
construction or
demolition wastes
at the place of
generation.
Section
17403(a)(4)

Scrap Metal
Recyclers and
Dealers Section
17402.5(c)(8)
Wire Choppers
Section
17402.5(c)(9)
Wood, Paper, or
Wood Product
Manufacturer
Section
17402.5(c)(10)

Containers used
to store salvaged
materials.
Section
17403.1(a)(5)
Waste Hauling
Yard Operations.
Section
17403.1(a)(6)
Storage of Other
Wastes. Section
17403(1)(a)(7)

Note: There are no operations or facilities placed within the Standardized tier.

§ 17403.3.1. Glass Container Processing Operations.

(a) All Glass Container Processing Operations subject to this Article shall comply with the Enforcement Agency Notification requirements set forth in Title 14, Division 7, Chapter 5.0, Article 3.0 of the California Code of Regulations (commencing with section 18100).

(1) These operations shall be inspected within 30 days of the effective date of this regulation. Thereafter, these operations shall be inspected by the EA at least once quarterly to verify compliance with minimum standards, unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment, but in no case shall the frequency be less than once per calendar year. [Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of request for reducing the frequency of inspections.]

(2) In calculating the amount of residual material generated by the operation to determine the applicability of this Chapter, the following material shall not be included: any residual materials transferred back to the operation that originally provided the material.

(3) The operator shall specify the operation's boundary area in the operating record.

Note: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections 40053, 43020, and 43021, Public Resource Code.

§ 17405.0. Applicability of State Minimum Standards.

(a) Articles 6.0, 6.1, 6.2, and 6.3 of this Chapter set forth the minimum standards that apply to all transfer/processing operations and facilities, direct transfer facilities, sealed container operations, limited volume transfer operations, glass container processing operations, and emergency transfer/processing operations, except as noted in section 17400(a).

(b) Article 6.35 of this Chapter sets forth additional minimum standards that will apply only to transfer/processing facilities.

(c) Approvals, determinations and other requirements that the EA is authorized to make in Articles 6.0, 6.2, 6.3, and 6.35 shall be provided in writing by the EA to the operator. The operator shall place

1 a copy of these approvals in addition to those records identified in sections 17414 and 17414.1 in the
2 operating record.
3 (d) Some of the standards contained in Articles 6.0, 6.1, 6.2, 6.3, and 6.35 of this Chapter allow the
4 EA to approve an alternative method of compliance with the standard. These provisions are not
5 intended to allow the EA to change the particular standard, but are intended to allow the EA flexibility
6 to approve, in advance, an alternative method of meeting the existing standard. For facilities that
7 require a full solid waste facility permit, the EA may choose to include the approved method as a term
8 and condition of the solid waste facility permit, rather than in the manner authorized by subdivision
9 (c) of this section. If the method is included in the solid waste facility permit, a change to the method
10 may require a revision to the solid waste facility permit in accordance with the procedures set forth in
11 Title 27, Division 2, Subdivision 1, Chapter 4, Subchapter 3, Articles 2, 3, and 3.1 (commencing with
12 section 21570).

13
14 Note: Authority cited: Sections 40502, 43020, and 43021, Public Resources Code. Reference: Sections
15 40053, 43020, and 43021, Public Resource Code.
16
17

Subject: Retail Waste Steering Committee Meeting - November 17, 2016
Date: 11/16/2016 4:40:30 P.M. Pacific Standard Time
From: Retail@dtsc.ca.gov

To: Jay.Cross@dtsc.ca.gov, aventura@cleanwater.org, angela.levin@troutmansanders.com, amanetti@calretailers.com,
Bob.Fujii@CalRecycle.ca.gov, Megan.Cambridge@dtsc.ca.gov, cgutierrez@cpha.org, david.irey@yolocounty.org, Ed.Ochoa@doj.ca.gov,
edward.moreno@sierraclub.org, Mathew.Evans@dtsc.ca.gov, gpendleton@costco.com, gregory.blount@troutmansanders.com,
Tannerh@saccounty.net, Heidi@calpsc.org, hcf@platinumadvisors.com, benton@calstrat.com, Schofield.John@epa.gov,
Keith.Kihara@dtsc.ca.gov, Keith.Kihara@dtsc.ca.gov, kristin.alstad@inmar.com, Fitzgerald.Kristin@epa.gov, kpower@cspa.org,
Valetti.Lang@dtsc.ca.gov, lsweetser@rsrcnet.org, Margarita.Padilla@doj.ca.gov, woodinm@saccounty.net, msteel@mofa.com,
mhenry@sjcehd.com, Monica.Wagoner@cdph.ca.gov, myron.eng@walmart.com, quinonez@rnmlobby.com,
nicole.wilkinson@cvshealth.com, paige.brokaw@asm.ca.gov, rachel.wagoner@sen.ca.gov, Rick.Brausch@dtsc.ca.gov,
Lausch.Robert@epa.gov, Ronald.Pilorin@cdph.ca.gov, Neena.Sahasrabudhe@dtsc.ca.gov, scott.reisch@hoganlovells.com,
thomas@thomadv.com, Thomas.Asoo@cdph.ca.gov, wbrant@walmart.com

Greetings,

The discussion topic for tomorrow's steering committee will focus on the "point of generation." In preparation for the meeting, we'd like you to come prepared to discuss the following questions (as well as identify other topics/questions that may be relevant):

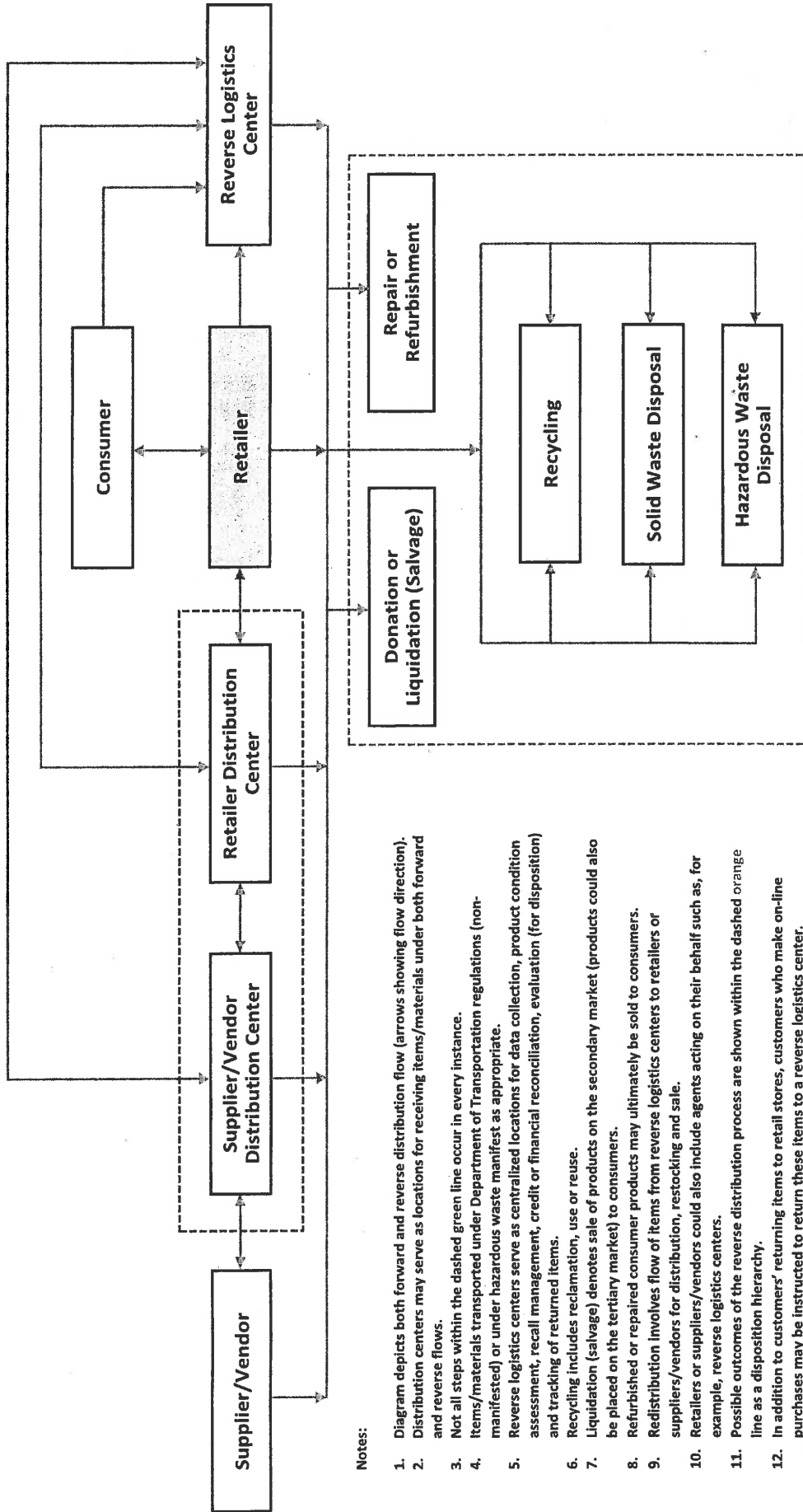
- What are the various reasons that products aren't sold as intended?
- What role do expiration or "sell by" dates play?
- What are the possible dispositions for unsold products?
 - Sale (primary markets)
 - Sale (secondary/tertiary markets)
 - Donation
 - Recycling
 - Reformulation (manufacturer/retrograde)
 - Manufacturer Credit
 - Recall (controlled, and other)
 - Discard
- How much unsold product are managed under each of these dispositions (data)?
- Of the dispositions, which ones might be regulated as waste (solid, medical, hazardous)?
- What are the consequences of identification/classification of some of the dispositions as waste?
- Are there any differences in the above with any particular product types?
- What terms need to be defined?

We look forward to a productive meeting.

Thank you,

DTSC Retail Team

Retail System Players and Relationships Conceptual Framework for Flow of Retail Items (Consumer Goods) and Wastes August 23, 2016



Notes:

1. Diagram depicts both forward and reverse distribution flow (arrows showing flow direction).
2. Distribution centers may serve as locations for receiving items/materials under both forward and reverse flows.
3. Not all steps within the dashed green line occur in every instance.
4. Items/materials transported under Department of Transportation regulations (non-manifested) or under hazardous waste manifest as appropriate.
5. Reverse logistics centers serve as centralized locations for data collection, product condition assessment, recall management, credit or financial reconciliation, evaluation (for disposition) and tracking of returned items.
6. Recycling includes reclamation, use or reuse.
7. Liquidation (salvage) denotes sale of products on the secondary market (products could also be placed on the tertiary market) to consumers.
8. Refurbished or repaired consumer products may ultimately be sold to consumers.
9. Redistribution involves flow of items from reverse logistics centers to retailers or suppliers/vendors for distribution, restocking and sale.
10. Retailers or suppliers/vendors could also include agents acting on their behalf such as, for example, reverse logistics centers.
11. Possible outcomes of the reverse distribution process are shown within the dashed orange line as a disposition hierarchy.
12. In addition to customers' returning items to retail stores, customers who make on-line purchases may be instructed to return these items to a reverse logistics center.

Although this diagram depicts EPA's current understanding of how unsalable consumer goods and wastes are managed in the retail sector, changes to these processes may occur in the future if/when additional information becomes available.

Mary Pitto

From: California Carpet Stewardship Program [info@carpetrecovery.ccsend.com] on behalf of California Carpet Stewardship Program [bjensen@carpetrecovery.org]
Sent: Wednesday, October 12, 2016 9:12 AM
To: Mary Pitto
Subject: October News: Carpet Assessment to Increase as of Jan. 1, 2017

Having trouble viewing this email? [Click here](#)



California Carpet Stewardship Program October 2016 Update



**California Carpet
Stewardship Program**
An initiative of CARE: Carpet America Recovery Effort

California Carpet Stewardship Assessment to Increase on January 1, 2017

CARE has announced an updated assessment fee of 25 cents per square yard on all carpet sold or shipped in California, effective January 1, 2017. The rate is an increase from the previous assessment of 20 cents per square yard. The assessment is collected by the retailer from the consumer, and is then remitted to CARE by way of the carpet manufacturers.

"We are pleased that the California program is seeing a steady increase in recycled pounds this year and expects dramatic growth in incentive payouts beginning in 2017," notes CARE Executive Director Bob Peoples. "To meet financial obligations to make these payouts, it is necessary to collect additional funds through the assessment." CARE was authorized to implement this increase if deemed necessary, as approved by [CalRecycle](#) on January 26, 2016.

CARE is in the process of alerting mills and retailers of this change. Read more [here](#).

Subsidy Offerings Under Review

CARE is currently conducting a review of all California subsidy offerings for CSEs, Processors and Manufacturers. Effective Q4 2017 (12 months from the close of Q3 2016), CARE may enact adjustments to subsidy program offerings resulting in reductions, eliminations or other changes to specific subsidy per pound payout amounts.

CARE retains the ability to adjust subsidies upward at any time, subject to other requirements

or limitations within the currently approved Plan.

The full notice of subsidy updates can be found [here](#).

Procurement Grant Deadline Extended

To enable more California government agencies and their contractors to apply, CARE has extended the Recycled Carpet Content Product Procurement grant application deadline. Applications will be accepted through December 31, 2016. Applications will be reviewed on a rolling basis and grants will be awarded contingent upon available funds. Grants of up to \$50,000 are available for the purchase of approved carpet and non-carpet products containing post-consumer recycled carpet content.

Learn more [here](#).

SPC/SFOC to Approve Next 5-Year Plan for Submission to CalRecycle

After months of gathering data and stakeholder input, including from the [California Council for Carpet Recycling](#), the California Carpet Stewardship Program is readying the 2017-21 Five-Year Plan for submission to CalRecycle. The Plan must be approved by members of the Sustainable Plan Committee (SPC), which oversees the California Program, and by the Sustainable Funding Oversight Committee (SFOC), which holds ultimate decision making responsibility for the Program. Learn more about these committees [here](#).

The 2017-21 California Carpet Stewardship Plan is expected to be submitted to CalRecycle by October 15.

Carpet America Recovery Effort
| 100 S. Hamilton St. | Dalton | GA | 30720

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Carpet America recovery Effort, 730 College Drive, Dalton, GA 30720

[SafeUnsubscribe™ mpitto@rcrcnet.org](#)

[Forward this email](#) | [Update Profile](#) | [About our service provider](#)

Sent by [bjensen@carpetrecovery.org](#)

Mary Pitto

From: CalRecycle Paint Product Stewardship Listserv [paint@calrecycle.ca.gov]
Sent: Thursday, November 03, 2016 7:34 AM
To: Mary Pitto
Subject: PaintCare's 2016 Annual Report

The California Paint Stewardship Program Year 4 Annual Report was submitted by PaintCare to CalRecycle on November 2, 2016. CalRecycle will determine if the annual report is complete no later than December 2, 2016 and will make a subsequent determination regarding compliance within 90 days.

CalRecycle is requesting written stakeholder comments on the performance of the paint stewardship program to be submitted to the CalRecycle Paint Team at paint@calrecycle.ca.gov by December 19, 2016.

An electronic copy of PaintCare's Annual Report can be found on CalRecycle's Paint Stewardship Program Annual Reporting webpage at www.calrecycle.ca.gov/Paint/AnnualReport/. The report is also posted on PaintCare's website at www.paintcare.org/paintcare-states/california/#/official-docs.

To subscribe to or unsubscribe from the Paint Product Stewardship Listserv, please go to <http://www.calrecycle.ca.gov/Listserv>



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027

P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

November 22, 2016

Sent via e-mail

Jeremy Jones
West Coast Program Manager, PaintCare
1500 Rhode Island Avenue, NW
Washington, DC 20005

Re: CalRecycle Determination of Completeness and Compliance of PaintCare's 2016 California Paint Stewardship Program Annual Report

Dear Jeremy,

The Department of Resources Recycling and Recovery (CalRecycle) received PaintCare's 2016 California Paint Stewardship Program Annual Report ("report") on November 2, 2016. California Code of Regulations Title 14, Division 7, Chapter 11, Article 2, §18952(c)(2) requires CalRecycle to determine if the report is complete and notify PaintCare within 30 days.

Staff has reviewed the report for completeness within the context of the requirements in statute (Public Resources Code §48700-48706) and the California Code of Regulations (CCR), and found PaintCare's Annual Report to be complete.

CalRecycle acknowledges that PaintCare did not provide a GIS analysis regarding progress toward reaching its density goal for drop-off sites in this report, but committed to providing additional information in a revised report by December 1, 2016. CalRecycle intends to review all additional information submitted as part of its compliance review.

With respect to its compliance review, CalRecycle has 90 days (until January 31, 2017) in which to review the report and overall program for compliance with Public Resources Code §48700-48706 and CCR Title 13, Division 7, Chapter 11, Article 2, §18950-18957 and adopt a finding of compliance, non-compliance, or conditional approval. Staff will present an analysis and recommendation regarding program compliance at CalRecycle's January Public Meeting for the Director's consideration.

The following topics will be of particular focus during CalRecycle's compliance review:

- Program convenience
- Paint disposition
- Program costs/ surplus
- Investment of program funds
- Transition to Limited Liability Corporation



Mary Pitto

From: Mattress Recycling Council [ispa@sleepproducts.ccsend.com] on behalf of Mattress Recycling Council [info@mattressrecyclingcouncil.org]
Sent: Monday, October 31, 2016 8:14 AM
To: Mary Pitto
Subject: October Program Update

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You are receiving this email because you signed up to receive MRC Program Updates, are a registered participant on MRCreporting.org or serve as or expressed interest in becoming a collection site.

You may [unsubscribe](#) if you no longer wish to receive our emails.

MRC Program Update



Mattress Recycling Council

Oct. 31, 2016

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[* CA: Last Chance for Reimbursement Claims](#)
[* CA: Free Retail Drop-off Sites](#)
[* Customer Materials Survey](#)

For Collection Sites:
[* Verify Your Locator Listing](#)

IN THE COMMUNITY: America Recycles Day

Join America Recycles Day by Hosting a Collection Event
Keep America Beautiful's America Recycles Day is right around the corner on November 15 and MRC can provide you a turn-key mattress recycling collection event just in time for your community to take part in this great initiative.

MRC provides the container, labor to screen and handle mattresses, transportation of the collected mattresses to the recycling - all at no cost to you! We can even assist with the event promotion and signage. All you must do is contact MRC and we handle the rest.

Get Your No-Cost Collection Event Started
I want to host a [California Collection Event](#)
I want to host a [Connecticut or Rhode Island Collection Event](#)

Make Your Event Part of the America Recycles Day Activities
Register your event with Keep America Beautiful [here](#). In addition to MRC's event assistance, you may also want to use Keep America Beautiful's [resources](#) to help you plan and promote your event.

#BeRecycled Pledge
Once you've organized your event, challenge your community to take the #BeRecycled Pledge, which is a promise to actively

* [CA Illegal Dumping Program](#)

In Every Issue

Customer Education
Reporting & Payment
Deadlines
Publicity Toolkits
Recyclers in Your Area

FOR RETAILERS

Customer Education Materials

[Online Order Form](#)

Samples:
[Information Card](#)
[Customer Q & A](#)
[Customer Q & A](#)
[Spanish](#)

[Request artwork or logos](#)

Reporting & Payment Deadlines

<u>Collection Period</u>	<u>Due</u>
Sept. 1-30	Oct. 30
Oct. 1-31	Nov. 30
Nov. 1-30	Dec. 30
Dec. 1-31	Jan. 30

Submit Reports &
Payments via
MRCreporting.org

PUBLICITY TOOLKITS

Collection Site Hosts:

choose to live a recycled lifestyle by committing to "Reduce. Reuse. Recycle." Help your community think out of the bin by raising awareness that even bulky waste like mattresses can be recycled.

OFFICIAL NEWS: Connecticut Annual Report Released; 150,000 Mattresses Diverted

Last week MRC presented its inaugural Annual Report of the Connecticut Bye Bye Mattress Program to Connecticut municipal leaders and state regulators. The report summarized the Program's performance from its inception in May 2015 through the end of the state's 2016 fiscal year (June 30).

The Program has already exceeded, met or is on pace to achieve nearly all benchmarks set in its plan, which was approved by the state in 2014. Highlights of the Program's initial success in Connecticut include:

- **Recycled 150,000 mattresses.** If these mattresses were laid end to end, they would span the state of Connecticut - that's more than 100 miles!
- **Recovered more than 2,800 tons** of steel, foam and other materials that will be made into new useful products. That's equivalent to 400 elephants.
- **Expanded the collection network to 101 free drop-off sites.** More than 2.3 million residents across Connecticut have access to the Bye Bye mattress collection site network.

Click [here](#) to read the full Annual Report.

RETAILERS: California Fee to Remain at \$11

California's mattress recycling law requires the industry to submit a budget and propose a per unit mattress recycling fee to the state on an annual basis. The Mattress Recycling Council (MRC) recently proposed that the state's fee remain at its current level of \$11.00 per unit. CalRecycle, the state agency charged with oversight of the MRC mattress recycling program, has approved MRC's budget and the fee to remain at \$11.00.

RETAILERS: California Bedding License Fee Increase

California enacted a new law in 2015 to increase the fees that companies must pay to register to sell mattresses in California under the state's bedding law. The Bureau of Electronic and

Find press releases,
flyers, site signage and
more!

[Site Host Toolkit](#)

Event Hosts:

Media alerts, flyers,
posters, signage and
more!

[Event Host Toolkit](#)

Recyclers in Your Area

CALIFORNIA:

*Businesses need to make
arrangements directly
with recyclers.*

[Blue Marble-Commerce](#)

[Blue Marble - Fresno](#)

[Blue Marble-San Diego](#)

[Blue Marble-San](#)

[Leandro](#)

[Cleaner Earth Company](#)

[Continental](#)

[Environmental](#)

[Cristal Materials](#)

[DR3 Oakland](#)

[DR3 Woodland](#)

[Goodwill of Silicon](#)

[Valley](#)

[R5 Recycling](#)

CONNECTICUT & RHODE ISLAND

*Businesses should contact our
Northeast Program
Coordinator Justine Fallon for
arrangements.*

[Park City Green-CT](#)

[Ace Mattress Recycling-
RI](#)

[Express Mattress
Recyclers-RI](#)

Get SleepSavvy Today!

Sleep
Savvy is
the go-to,
hands-
on resource



Appliance Repair, Home Furnishings, and Thermal Insulation, has now finalized regulations that implement that fee hike. The new fees increase 15-16%, with the bedding manufacturer fee rising from \$650 to \$750. The new fees take effect December 1, 2016.

COLLECTION LOCATIONS:

Is Your Listing Accurate in Our New Locator?

Recycling Locator

Find the nearest MRC recycling site or recycling facility.

How to Use:

1. Enter your location.

2. Click on the map.

3. Click on the location.

4. Click on the location.

5. Click on the location.

6. Click on the location.

7. Click on the location.

8. Click on the location.

9. Click on the location.

10. Click on the location.

11. Click on the location.

12. Click on the location.

13. Click on the location.

14. Click on the location.

15. Click on the location.

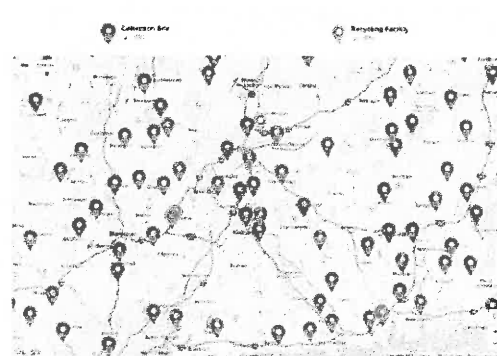
16. Click on the location.

17. Click on the location.

18. Click on the location.

19. Click on the location.

20. Click on the location.



Our new locator has added additional fields of information to listings such as unit limits and gate fees. To ensure we have the latest details about your location, please [complete this form](#).

RETAILERS: Customer Education Materials Survey

Are the information cards helpful? Are the cards and posters making the fee easy to explain? Are the materials understood by your customers and staff? We want to hear from you!

A Customer Education Materials Survey is currently available at the link below. MRC is looking forward to hearing from retailers in an effort to better improve our education materials. Your feedback is very important to us!



Tell Us
What You
Think

for mattress retailers who want to sell more and better bedding. With features, tips and ideas, it's designed to make your business grow.

Check out the November issue at sleepsavvymagazine.com

Subscriptions are FREE!

RETAILERS: Last Chance For California Retailer Implementation Reimbursement Program

We have extended the deadline for the California Used Mattress Recovery & Recycling Act Retailer Implementation Reimbursement Program to **October 31, 2016**. The California Law required a one-time reimbursement program be developed to enable retailers to recover any administrative costs associated with implementing and collecting the recycling fee. The maximum reimbursement for any claim is \$1,500.

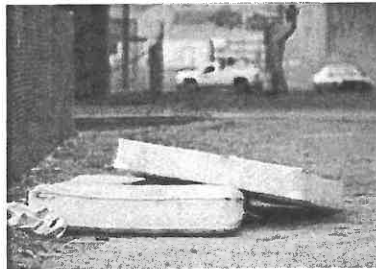
To be eligible, an MRC registered retailer must:

- Have reported and remitted payments for three consecutive months
- Complete the registration form
- Provide proof of expenses (receipts, invoice, etc.)
- Submit these items no later than October 31, 2016

[Click Here for Reimbursement Form](#)

If you would like any additional information about the program email, reimbursements@mattressrecyclingcouncil.org or call, 1-855-229-1691.

COLLECTION LOCATIONS: Join Long Beach in the California Illegal Dumping Payment Program



Long Beach is the seventh largest city in California with a population of over 400,000 residents. It is known as one of the most beautiful cities on the West Coast with great weather overlooking the Pacific Ocean. However, like many urban areas,

illegal dumping is seen often throughout Long Beach. This prompted Leigh Behrens, Recycling Specialist with the City of Long Beach's Public Works Department's Environmental Services Bureau, to reach out to MRC's Southern Program Coordinator Mark Patti, who introduced her to the Illegal Dumping Payment Program.

"It's easy for cities large and small to participate in this and be compensated for keeping mattresses out of the public right of way," said Patti. "It's a simple registration process, and then the participant has a few pieces of data to report to MRC each month regarding the units that were collected."

Behrens and her team began reporting the number of units

collected from streets, alleys and sidewalks in April, and mentioned how easy and helpful the tracking and reporting system is.

"It's a valuable and positive program," said Behrens. "It recognizes that cities have to deal with illegally dumped mattresses and considers all the aspects that go into disposing of a mattress. So, the opportunity to receive compensation to deal with this a nice thing and very important to us."

Behrens is right - this Program was created to help mitigate costs of collecting illegally dumped mattresses in your community. So why wait? MRC allocated \$750,000 to this Program in 2016 and your city or town is missing out if it doesn't opt-in to participate. To register for the Illegal Mattress Dumping Payment Program or learn more, click [here](#).

IN THE COMMUNITY: MRC In the News

Recently the Wayne Norman Show on Connecticut's WILL-AM featured Tom Metzner and Lee Sawyer of Connecticut's Department of Energy & Environmental Protection. In speaking about the state's goal to divert 60 percent of materials from disposal by 2024, they mentioned the important role that industry-led recycling programs play in the Connecticut Materials Management Strategy. MRC's Bye Bye Mattress program was highlighted. Listen to the full interview [here](#).

Upcoming Events



Liz Wagner was a panelist for the presentation "CalRecycle Program Opportunities for Tribes" on October 26, 2016 at the Region 9 Tribal EPA Conference.

Used Oil & Household Hazardous Waste Training & Conference

November 1-4
Sacramento Convention Center
Sacramento, CA
Event website

We are a silver sponsor and also exhibiting.

Southern California Waste Management Forum
November 9
Pomona, Calif.
Event website

This year's conference is exploring Recycling, Reuse & Regulations. Visit MRC's booth to learn more about California's Program.

Connecticut Conference of Municipalities
November 14-15
Foxwoods Resort Casino
Event Website

Learn about Connecticut's Program progress and visit us in booth 527.

America Recycles Day
November 15
Nationwide
Event Website

We look forward to Keep America Beautiful's event each year. If you'd like MRC to assist with a mattress collection event or want Bye Bye Mattress to have a presence at your America Recycles Day activities, please contact us.

Free Training - Best Practices for Bed Bug Management of Used Mattresses
November 22
Mansfield Town Hall, Council Chamber
4 South Eagleville Rd
Storrs, Connecticut
RSVP to Gale Ridge

This workshop is designed for reuse, resale, rental and recycling industries of Connecticut. Come learn about self protection, identification, and appropriate management of bed bugs in industry settings. You will even receive a certificate upon completion.

RETAILERS: Free Retail Collection Points in CA

While we have worked hard to contract with various recyclers throughout the state to be free drop-off sites for retailers, there are portions of the state that lack access to a recycling facility. To fill this need, we've been scouting other organizations and businesses as possible free collection sites.

Only California retailers that are complying with the law and registered with MRC can use these free collection points. We've established free retail collection sites in the following areas:

- Sonora
- Yreka

Because these sites are not accepting from the general public and require making an appointment for drop-off, their details are not disclosed on the locator. **Please contact MRC's Customer Service for the site's contact information.**

INTERESTED IN BECOMING A RETAIL-ONLY COLLECTION SITE?

If you have space to host a container or know of a non-profit or other community organization to approach, contact MRC's Customer Service and we will connect you with a member of the California Program team.

Welcome: New Collection Sites

We are always adding new sites to the program. Visit the recycling locator at ByeByeMattress.com for the latest details. If you would like to become a collection site, please contact MRC today.

Here are some recent additions to our locator directory:

California

Gold Coast Recycling & Transfer

Ventura, CA 93003

**And surrounding areas*

Grass Valley Scrap

Grass Valley, CA 95945

HSS Recycling Center

Santa Maria, CA 93455

Lompoc Landfill

Lompoc, CA 93436

Mattress Recycling Council (MRC) is a non-profit organization formed by the industry to operate recycling programs in states which have enacted mattress recycling laws. Connecticut's program launched on May 1, 2015, California launched December 30, 2015 and Rhode Island began May 1, 2016. Each state's program is funded by a recycling fee that is collected when a mattress or box spring is sold. The fees pay for the transportation and recycling of the mattresses.

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Mattress Recycling Council, 501 Wythe Street, Alexandria, VA 22314

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Mattress Recycling Program: Rural County Update, October 2016

County	Contracted?	Notes
Alpine	Yes	Collection event with Alpine County Community Development: Oct. 15; not enough room for permanent site
Amador	No	Contract under review with ACES - 2 TS's
Butte	Yes	Neal Rd Recycling & Waste Facility collecting Recology Butte-Colusa - reviewing contract Looking for retail location in Chico
Calaveras	Yes	Calaveras County - Rock Creek Landfill
Colusa	No	Recology Butte-Colusa - reviewing contract
Del Norte	Yes	Del Norte TS - Collection events (3 held to date) Retail-only location in Crescent City Yurok Tribe collection event in Klamath Sept 2016 Working to establish permanent public location
El Dorado	Yes	El Dorado Disposal (SWF) collecting Affordable Furniture (Retailer) - consumer & business mattresses
Glenn	Yes	Collection event with Glenn County Nov 19 Waiting to establish permanent site (transitioning landfill to TS)
Imperial	Yes	Imperial Landfill collecting CR&R El Centro collecting
Inyo	Yes	Bishop-Sunland Landfill collecting Working to bring on 2 other TS's Working to partner with retailer in Bishop
Lassen	No	Reviewing contract with C&S Waste Discussing logistics of coordination with County
Madera	Yes	Fairmead Landfill collecting Working to partner with City of Madera at Public Works Yard Discussing program with Emadco
Mariposa	Yes	Mariposa TS collecting
Modoc	No	Working with County to change rates, loop in TS's Reviewing details & Contract with local recycler
Mono	Yes	Mammoth Disposal collecting
Nevada	Yes	Grass Valley Scrap Iron & Metal -business & consumer mattresses
Plumas	No	Working with County to change rates Reviewing contracts with Inter Mountain Disposal & Waste Management
Shasta	Yes	Redding Transfer Station & West Central Landfill collecting BedMart (retailer) - business & consumer mattresses
Sierra	Yes	Loyalton Landfill & 4 TS's collecting
Siskiyou	Yes	Collection event with City of Dunsmuir, Oct 1 Collection event with City of Weed, Sept 10 Retail-only location in Yreka Discussing logistics with Happy Camp TS Discussing logistics with Opportunity Center in Shasta

Tehama	Yes	Red Bluff Landfill collecting Working to establish retail partner
Trinity	No	County concerned about staff and space for permanent site Discussing possible collection event
Tuolumne	Yes	Finalizing ammendments to launch program at Groveland TS Retail-only collection location in Sonora

From: Mattress Recycling Council [ispa@sleepproducts.ccsend.com] on behalf of Mattress Recycling Council [info@mattressrecyclingcouncil.org]
Sent: Tuesday, November 22, 2016 1:03 PM
To: Mary Pitto
Subject: November Program Update

Having trouble viewing this email? [Click here](#)

You are receiving this email because you signed up to receive MRC Program Updates, are a registered participant on MRCreporting.org or serve as or expressed interest in becoming a collection site.

You may [unsubscribe](#) if you no longer wish to receive our emails.

MRC Program Update



Mattress Recycling Council

Nov. 22, 2016

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[ACT] 

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- * [MRC In the News](#)
- * [New Collection Sites](#)

For Retailers:

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- * [Customer Materials Survey](#)

For Collection Sites:

- * [Verify Your Locator Listing](#)
- * [CA: Illegal Dumping Program](#)

Announcements:

- * [MRC Holiday Hours](#)

In Every Issue

Customer Education

IN THE COMMUNITY: Winter Las Vegas Market

We will be at the Winter Las Vegas Market January 22-25 in the Home Furnishing Association's Retailer Resource Center in Building B. If you are attending, we would love to meet you!

Make sure you plan to stay for our brief information session and 1 Millionth Mattress Milestone celebration on Tuesday afternoon.

We will cover program highlights and answer any questions you have about mattress recycling or the law's requirements. Please join us!

Tuesday, Jan. 24
Surya Seminar Room
Building C, C174
4:30-6:00 pm



Look for Paris Gholston, MRC's Customer Relations Specialist & Retailer Liaison!

Reporting & Payment
Deadlines
Publicity Toolkits
Recyclers in Your Area

Desserts and light refreshments available

Let us know how we can help you by making complying with the law and recycling easier. We hope to see you there!

FOR RETAILERS

Customer Education Materials

[Online Order Form](#)

Samples:
[Information Card](#)
[Customer Q & A](#)
[Customer Q & A](#)
[Spanish](#)

[Request artwork or
logos](#)

Reporting & Payment Deadlines

<u>Collection Period</u>	<u>Due</u>
Oct. 1-31	Nov. 30
Nov. 1-30	Dec. 30
Dec. 1-31	Jan. 30
Jan. 1-31	Mar. 1

Submit Reports &
Payments via
MRCreporting.org

IN THE COMMUNITY: MRC in the News



Sleep Savvy featured MRC on its November cover. The in-depth feature story discusses the success of the Bye Bye Mattress Program in California, Connecticut and Rhode Island. Read the full article - [Mattress Recycling: A Success Story](#) - and other news to help you build your business in this month's issue.

MRC recently shared annual report data with Connecticut city leaders and state regulators. News of the Bye Bye Mattress Program's success in Connecticut made headlines in the [Hartford Business Journal](#), [Fairfield & Westchester County Business Journals](#), [Recycling Today](#) and [Journal Inquirer](#). In addition, MRC's Northeast Program Coordinator Justine Fallon spoke with Patrick Skahill from NPR to give her insight on the Program's growth. Meanwhile, Amanda Wall, MRC's Marketing and Communications Coordinator, was a featured guest on the Connecticut radio show For The People.



COLLECTION LOCATIONS: Is Your Listing Accurate in Our New Locator?

Recycling Locator

Find the nearest Mattress Recycling Center or recycling facility.

Search by location

Search by ZIP

Search by address

Search by phone number

Search by business name

Search by business type

Search by business hours

Search by business status

Search by business rating

Search by business category

Search by business address

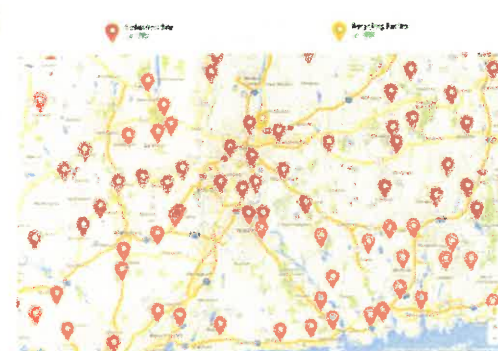
Search by business phone number

Search by business website

Search by business email address

Search by business social media profiles

Search by business keywords



PUBLICITY TOOLKITS

Collection Site Hosts:
Find press releases,
flyers, site signage and
more!
[Site Host Toolkit](#)

Event Hosts:
Media alerts, flyers,

posters, signage and more!
[Event Host Toolkit](#)

Recyclers in Your Area

CALIFORNIA:

Businesses need to make arrangements directly with recyclers.

[Blue Marble-Commerce](#)
[Blue Marble - Fresno](#)
[Blue Marble-San Diego](#)
[Blue Marble-San Leandro](#)
[Cleaner Earth Company](#)
[Cristal Materials](#)
[DR3 Oakland](#)
[DR3 Woodland](#)
[Goodwill of Silicon Valley](#)
[R5 Recycling](#)

CONNECTICUT & RHODE ISLAND

Businesses should contact our Northeast Program Coordinator [Justine Fallon](#) for arrangements.

[Park City Green-CT](#)

[Ace Mattress Recycling-RI](#)
[Express Mattress Recyclers-RI](#)

Our new locator has added additional fields of information to listings such as unit limits and gate fees. To ensure we have the latest details about your location, please [complete this form](#).

RETAILERS: Customer Education Materials Survey

Are the information cards helpful? Are the cards and posters making the fee easy to explain? Are the materials understood by your customers and staff? We want to hear from you!

A Customer Education Materials Survey is currently available at the link below. MRC is looking forward to hearing from retailers in an effort to better improve our education materials. Your feedback is very important to us!



[Tell Us What You Think](#)

COLLECTION LOCATIONS: Join the California Illegal Dumping Payment Program



More than 70 California sites have joined MRC's Illegal Mattress Dumping Payment Program. This program allows agencies responsible for collection of illegally dumped mattresses from the public right-of-way (including

California local governments, certain permitted solid waste facilities, and authorized solid waste operations) to receive payment from MRC for the collection of illegally dumped mattresses. MRC has allotted \$750,000 to fund this effort for 2016. Eligible entities that wish to receive reimbursement must register and begin tracking the number of illegally dumped mattresses collected.

Get SleepSavvy Today!

Sleep Savvy is the go-to, hands-on resource for mattress

retailers who want to sell more and better bedding. With features, tips and ideas, it's designed to make your business grow.



Check out the
November issue at
sleepsavvymagazine.com

Subscriptions are FREE!

If interested in participating in the program or looking for more information and eligibility requirements, check out <https://connect.re-trac.com/registration/mrc-idp> or contact [Mark Patti](#).

MRC ANNOUNCEMENTS: Holiday Hours

Happy Holidays! With upcoming closures for Thanksgiving, Christmas and New Years, it's highly encouraged to submit reports and payments early. If you experience an issue with your report or payment during the holiday closures, we will address it promptly on the next business day.

Customer Service will be closed on the following days:

November 24-25

December 26 & 30

January 2

Technical Support will be unavailable December 26 - January 2.

Upcoming Events

IMM Cologne - The International Interiors Show

January 16-22

Cologne, Germany

[Event Website](#)

Ryan Trainer, President of MRC and ISPA, will lead a panel discussion with various mattress recycling leaders from around the world.

Las Vegas Market - Winter 2017

January 22-26

World Market Center

Las Vegas, Nevada

[Event Website](#)

Find us in the Home Furnishing Association's Retailer Resource Center (Building B) throughout the market and don't miss our Tuesday afternoon information session and 1 Millionth Mattress celebration (Building C).

ISPA Industry Conference

March 8-9

St. Petersburg, Florida

[Event Website](#)

Registration is now open! Join us and learn from expert conference speakers, network at social events, and see the latest industry products and services. Click [here](#) to register!

RETAILERS: Free Retail Collection Points in CA

While we have worked hard to contract with various recyclers throughout the state to be free drop-off sites for retailers, there are portions of the state that lack access to a recycling facility. To fill this need, we've been scouting other organizations and businesses as possible free collection sites.

Only California retailers that are complying with the law and registered with MRC can use these free collection points. We've established free retail collection sites in the following areas:

- Sonora
- Yreka

Because these sites are not accepting from the general public and require making an appointment for drop-off, their details are not disclosed on the locator. Please contact [MRC's Customer Service](#) for the site's contact information.

INTERESTED IN BECOMING A RETAIL-ONLY COLLECTION SITE?

If you have space to host a container or know of a non-profit or other community organization to approach, contact [MRC's Customer Service](#) and we will connect you with a member of the California Program team.

Welcome: New Collection Sites

We are always adding new sites to the program. Visit the recycling locator at [ByeByeMattress.com](#) for the latest details. If you would like to become a collection site, please contact [MRC](#) today.

Here are some recent additions to our locator directory:

California

Amazing Finds
Red Bluff, CA 96080
Redding, CA 96002
Free drop-off for businesses & public

Humboldt Waste Management Authority

Connecticut

East Hartford Transfer Station
East Hartford, CT 06108

Town of Bethlehem
Bethlehem, CT 06751

Eureka, CA 95501

Willits Transfer Station

Willits, CA 95490

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Monthly Public Meeting

CalRecycle

10:00 A.M., November 15, 2016

Cal/EPA Building – Byron Sher Auditorium

A. DIRECTOR'S REPORT

Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates, public affairs or 75% initiative/legislative report.

B. PUBLIC COMMENT*

People may speak on any matter concerning CalRecycle with the exception of items appearing elsewhere on this agenda or items related to pending adjudicative (certification or enforcement) proceedings.

*Please note that while CalRecycle affords members of the public the opportunity to participate by Webcast, CalRecycle strongly encourages public comments to be made in person.

C. PROGRAM AND ISSUE UPDATES

Action Items

No actions at this time

Information Items

1. Waste Characterization Database –New Features of the Web Tool
Department Staff Contact: Nancy.Carr@CalRecycle.ca.gov

D. BEVERAGE CONTAINER RECYCLING PROGRAM

Possible decisions or announcements regarding BCRP matters including fund condition, rates, approval of new/renewed certifications, or enforcement actions.

Action Items

No actions at this time

Information Items

Nothing to report at this time

E. ELECTRONIC WASTE RECYCLING PROGRAM

Possible decisions or overview regarding the reuse, recycling, and handling of covered electronic devices; including matters related to fees, recyclers, enforcement, claim reviews and adjustments.

Action Items

No actions at this time

Information Items

Nothing to report at this time

F. LOCAL ASSISTANCE

Possible approval or discussion of locally adopted planning documents, bi-annual reviews, compliance and enforcement actions, or other program-related proceedings.

Action Items

Information Items

Nothing to report at this time

G. GRANT AND LOAN PROGRAMS

Possible decisions or overview regarding matters related to the used oil and household hazardous waste programs.

Action Items

Information Items

Nothing to report at this time

H. SOLID WASTE AND TIRE FACILITIES

Possible decisions or reconsiderations to petitions for a facility or landfill permit or modification; and, possible determinations of enforcement actions, clean-up requirements; or LEA training.

Action Items

1. Loyalton Landfill – Sierra County, Revised Solid Waste Facilities Permit, Action Needed December 2, 2016
Department Staff Contact: John.Loane@CalRecycle.ca.gov
[Public Notice](#)
2. Johnson Canyon Landfill - Monterey County, Revised Solid Waste Facilities Permit, Action Needed December 10, 2016
Department Staff Contact: Eric.Kiruja@CalRecycle.ca.gov
[Public Notice](#)
3. CR&R South County Materials Recovery Facility – Orange County, Modified Solid Waste Facilities Permit, Action Needed December 23, 2016
Department Staff Contact: Jeffery.Esquivel@CalRecycle.ca.gov
[Public Notice](#)
4. City of Napa Materials Diversion Facility – Napa County, Modified Solid Waste Facilities Permit, Action Needed December 26, 2016
Department Staff Contact: Marcus.Santillano@CalRecycle.ca.gov
[Public Notice](#)
5. Rubber Recovery, Inc. – San Bernardino County, Major Waste Tire Facility Permit, Action Needed January 16, 2017
Department Staff Contact: Dianne.Ohiosumua@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Grant Awards for the Solid Waste Disposal and Codisposal Site Cleanup Program (Solid Waste Disposal Trust Fund, Cycle 1, Fiscal Year 2016/17)
Department Staff Contact: Stephanie.Young@CalRecycle.ca.gov

2. Approval of the Bureau of Land Management Agreement to Perform Joint Projects Under the Solid Waste Disposal and Codisposal Site Cleanup Program [Purchase Order L16PX011254 (Agreement No. DRR16053)]
Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov

I. POLICY MANDATES/WORKSHOPS/RULEMAKING PROCEEDINGS

Possible decisions or discussions by department staff regarding any order instituting a rulemaking proceeding to develop and adopt regulations and/or policy guidelines specifying the procedures to implement or revise program guidelines or requirements such as Product Stewardship, Commercial Recycling, Organics Roadmap or the 75% initiative.

Action Items

Information Items

1. Informative Workshop on Glass Container Processing Regulations
December 20, 2016
Department Staff Contact: Martin.Perez@CalRecycle.ca.gov

J. OTHER

Possible decisions or discussions regarding the development or implementation of a new or an amendment to policies and procedures for grants, loans and contracts. Please note that grants, loans, or scopes of work will be agendized specific to program area unless otherwise noted here.

Action Items

No actions at this time

Information Items

No Actions at the Time

K. COMPLIANCE AND ENFORCEMENT HEARINGS

Hearings for Compliance and Enforcement matters and Administrative Appeals which are required to have a public hearing prior to the Department taking action

Action Items

No actions at this time

Information Items

Nothing to report at this time

We want to assure all of our stakeholders that transparency and stakeholder involvement remains a high priority for CalRecycle. In keeping with a history of providing stakeholders with information about programs, activities, and departmental decisions, CalRecycle has a public noticing site. To review Final CalRecycle Decisions and other department activities, please go to: <http://www.calrecycle.ca.gov/Actions/> or <http://www.calrecycle.ca.gov/BevContainer/Notices>. For meeting participation, listserv, and feedback information, please go to: <http://www.calrecycle.ca.gov/PublicMeeting/>.



For Immediate Release
October 12, 2016
Release #19

For more information contact:
[Lance Klug](#)

Eleven Arrested in Summer Recycling Fraud Stings: Agents shut down two Reno-to-Sacramento smuggling pipelines

SACRAMENTO—The California Department of Justice has released the findings from two recycling fraud investigations resulting in 11 arrests in the summer of 2016. Each case involved the collection, illegal transport, and fraudulent redemption of out-of-state used beverage containers through the California Redemption Value program.

“One by one, CalRecycle and its enforcement partners are targeting and dismantling these recycling fraud organizations,” CalRecycle Director Scott Smithline said. “CalRecycle will not tolerate these smuggling operations to defraud the CRV program of deposits that rightfully belong to California consumers.”

Wife, Husband, and Family Arrested for Recycling Fraud

Who: Rocio Zamora, 45, Rio Linda; Santiago Zamora, 53, Rio Linda; Margarita Medrano, 36, Rio Linda; Idelfonso Salas, 36, Rio Linda; Ulises Adame, 28, Rio Linda

What: Arrested on charges of conspiracy, grand theft, and felony recycling fraud

When: Aug. 18, 2016 (investigation launched in December 2015)



California Department of Justice photos of evidence obtained during Aug. 19, 2016, search of Yuba City Self Storage locker.



On Dec. 15, 2015, agents with CDOJ's Recycling Fraud Team were conducting an investigation at a recycling center in Reno, Nev., when they observed Rocio and Santiago Zamora loading used beverage containers into a rental truck. Agents followed the truck into California on a route designed to avoid a required stop at the California Department of Food and Agriculture border checkpoint in Truckee. Agents continued their surveillance to the couple's residence on 32nd Avenue in Rio Linda and then to a nearby storage facility. The couple was later seen redeeming the plastic and aluminum at recycling centers in Rio Linda and Sacramento.

Subsequent surveillance operations revealed similar activity and additional storage lockers in Yuba City and Rio Linda. Agents also observed frequent redemptions at nearby recycling centers in the area. The investigation led to the identification of three additional family members, believed to be conspiring to defraud the California Redemption Value program by illegally importing and redeeming out-of-state used beverage containers.

On Aug. 18, 2016, CDOJ agents served search warrants at the Zamoras' residence and Yuba City Self Storage on Steward Road. Agents arrested five suspects and seized an assault rifle, two handguns, and a semi-automatic .22-caliber rifle. The Zamoras' storage locker was found to contain 1,520 pounds of aluminum and 840 pounds of plastic used beverage containers with a potential California Redemption Value of \$3,386.

Tip Brings Down Recycling Fraud Scheme

Who: Marco Rodriguez-Montano, 38, Carson City, Nev.; Jose Martinez-Lozano, 49, Fernley, Nev.; Francisco Limon, 61, Reno, Nev.; Juan Valdez, 40, Reno, Nev.; Herlindo Samayoa, 46, Sacramento; Erendida Ramirez, 58, Sacramento.

What: Arrested on charges of Conspiracy, Grand Theft and Felony Recycling Fraud

When: June 1 and 2, 2016 (Investigation launched in May 2015)



California Department of Justice photos of evidence obtained during June 1, 2016, search in Sacramento.



On May 29, 2015, agents with CDOJ's Recycling Fraud Team launched an investigation after receiving a tip regarding used beverage containers from Nevada recycling centers being transported into California without legally required documentation. Information led agents to facilities in Reno and Fernley, Nev., where they identified Marco Rodriguez-Montano as a primary suspect. Herlindo Samayoa and four other people were identified as co-conspirators in a scheme to defraud the California Redemption Value Fund.

During the course of the investigation, agents observed multiple loads of used beverage containers being loaded into rented moving trucks in Reno, Nev. The suspects took the material across state lines using routes designed to avoid required stops at the CDFA border checkpoint in Truckee. The used beverage containers were taken to a storage facility on Weyand Drive in Sacramento before winding up at a nearby recycling center.

On June 1, 2016, CDOJ agents served search warrants at two locations in Sacramento —8585 Weyand Drive and 4226 Barbara St.—and one in Carson City, Nev., at 3250 Banjo Circle. Juan Valdez, Francisco Limon, and Herlindo Samayoa were arrested at the Weyand location, while Marco Rodriguez-Montano was arrested in Carson City. Agents seized 3,580 pounds of aluminum and 2,340 pounds of plastic used beverage containers from the truck and the Weyand storage facility. The material had a potential California Redemption Value of \$8,452.

The following day, agents served a search warrant at the Tepeyac Market on West Main Street in Fernley, Nev., and arrested Jose Martinez-Lozano. A sixth suspect, Erendida Ramirez, was arrested on Sept. 19, 2016.

California's Beverage Container Recycling and Litter Reduction Act incentivizes recycling through a California Redemption Value (CRV) fee paid by California consumers at the time of purchase and refunded upon return of the empty beverage containers to CalRecycle-certified recycling centers. Because the fee is not paid on beverages purchased outside the state, those containers are not eligible for CRV redemption.

The California Department of Justice investigates and prosecutes criminal cases on behalf of CalRecycle, which has administrative authority over the state's beverage container recycling program. In addition to CalRecycle's interagency agreements with CDOJ and CDFA, CalRecycle aggressively combats fraud and illicit payments through enhanced [precertification training](#) of recycling center owners; probationary reviews of recycling centers; oversight of certified processors; monitoring and tracking of [imported materials](#); risk assessment of daily claims for reimbursement; [daily load limits](#); application of prepayment controls; and post-payment reviews and investigations.

Connect With Us: 

###

CalRecycle is the state's leading authority on recycling, waste reduction, and product reuse. CalRecycle plays an important role in the stewardship of California's vast resources and promotes innovation in technology to encourage economic and environmental sustainability. For more information, visit www.calrecycle.ca.gov.

News Room <http://www.calrecycle.ca.gov/NewsRoom/>
Public Affairs Office: opa@calrecycle.ca.gov (916) 341-6300

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Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

UNIFIED PROGRAM NEWSLETTER FOR NOVEMBER 2016

IN THIS ISSUE:

Cal Fire- Office of the State Fire Marshal
Code Interpretation on Aboveground Petroleum Tanks
New APSA CERS FAQ
Tank Facility Statement
SPCC Plans and CERS
California Fire Code

State Water Resources Control Board
Updated CERS FAQs Posted
Amended UST Regulations Requiring Electronic Reporting Effective January 1, 2017

Cal Fire- Office of the State Fire Marshal

Code Interpretation on Aboveground Petroleum Tanks

A fire code interpretation on aboveground petroleum storage tanks has been issued (Interpretation #16-003). The code interpretation may be viewed at OSFM's website on current code interpretations: http://osfm.fire.ca.gov/codeinterpretation/pdf/2016/16-003_CUPA.pdf. This code interpretation answers certain questions about aboveground storage tanks at farms.

New APSA CERS FAQ

A new APSA CERS FAQ document ("Is My Facility Regulated Under APSA?") has been posted for tank facility owners and operators at: <https://cersbusiness.calepa.ca.gov/Help>. This new FAQ document assists tank facility owners and operators in the following:

- To determine whether or not they are regulated under APSA;
- To identify the different types of tanks, containers and equipment that are regulated under APSA;
- To calculate the tank facility's storage capacity.

Tank Facility Statement

A Tank Facility Statement has been developed and is now available on the OSFM APSA website at: <http://osfm.fire.ca.gov/cupa/apsa>. Additionally, a link to the Tank Facility Statement will be provided in the instructions for the APSA upload documentation site in CERS.

SPCC Plans and CERS

Spill Prevention, Control, and Countermeasure (SPCC) Plans are not required to be submitted in CERS and, therefore, should not be submitted to CERS. For more information, you may read the FAQ document "Should I file an SPCC Plan in CERS?" at: <https://cersbusiness.calepa.ca.gov/Help>.

California Fire Code

The 2016 California Fire Code, which is based on the 2015 International Fire Code with California amendments, has been adopted and will become effective January 1, 2017. There are no changes to the hazardous materials management plan and inventory statement requirements.

To view the 2016 California Fire Code online, you may visit International Code Council's website at: <http://codes.iccsafe.org/California.html#all>. Click on Part 9 to view the fire code.

State Water Resources Control Board

Updated CERS FAQs Posted

The existing California Environmental Reporting System (CERS) frequently asked question (FAQ) "Which UST Forms Must Be Uploaded" has been revised to reflect the acceptable methods for submitting required information to the Unified Program Agencies (UPAs). As a reminder, if CERS does not have discreet data fields or a specifically named document location for the required information then the submittals may be made by hand delivery, mail, facsimile or other electronic method unless otherwise directed by the agency that will receive the submittal. The submittal may also be made, but not required, through CERS using the Miscellaneous State Required Documents PDF document location.

The link to the FAQs can be found on the CERS website at: <https://cersregulator.calepa.ca.gov/Help> and the State Water Board's website at: <http://waterboards.ca.gov/ust/cers/faqs.shtml>.

For more information, please contact Dan Firth at Daniel.Firth@calepa.ca.gov or (916) 445-5049.

Amended UST Regulations Requiring Electronic Reporting Effective January 1, 2017

The proposed electronic reporting amendments to the underground storage tank (UST) regulations have completed the rulemaking process and become effective January 1, 2017. The purpose of the amended regulation is to clarify or make specific existing reporting requirements under the UST program by stating the method by which UST owners or operators and UPAs must submit specified information and documents to the State Water Board, Regional Water Boards, or the applicable UPA. The proposed amendments address electronic reporting requirements and define which documents and information must be submitted electronically. In several cases, the regulations have been changed to omit the reference of an obsolete paper form in favor of its electronic counterpart in CERS. These provisions do not include any new reporting requirements.

The State Water Board will issue more resources for the next few months to highlight the changes to the regulations that have occurred. In the meantime, an underline and strikeout copy of the amended sections of the UST regulation and other useful resources related to the rulemaking process are available on the webpage below.

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/elect_rpt_regs/

A direct link to the amended text is here:

http://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/elect_rpt_regs/docs/elect_rpt_adopted_and_filed_regs_10122016_us.pdf

For more information, please contact Cory Hootman at Cory.Hootman@waterboards.ca.gov or (916) 341-5668.



(/)

(<http://news.walgreens.com/press-releases/rss.xml>)

Walgreens Collects more than 10 Tons of Unused Medications as it Reaches Goal of Installing Safe Medication Disposal Kiosks in 500 Pharmacies Throughout the U.S.

18 October 2016

Company also combating drug abuse by making lifesaving opioid antidote naloxone available without a prescription in 3,800 pharmacies in 20 states

DEERFIELD, Ill., October 18, 2016 - Walgreens today announced it has reached its goal of installing more than 500 safe medication disposal kiosks this year at its pharmacies in 35 states and Washington D.C. The program, first announced in February, is the first ongoing national effort of its kind by a retailer to combat drug abuse and will expand to two additional states, Nevada and Maryland, by early November.

Since the installation began earlier this year, more than 10 tons of medication have been collected and safely disposed. The kiosks provide a year-round, safe and convenient way to dispose of unwanted, unused or expired prescriptions, including controlled substances, and over-the-counter medications at no cost.

Safe medication disposal kiosks are available during regular pharmacy hours (24 hours a day at most kiosk locations) and offer one of the best ways to ensure medications are not accidentally used or intentionally misused by someone else.

(An interactive map of stores with a safe medication disposal kiosk is available at Walgreens.com/CombatDrugAbuse (<http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fnews.walgreens.com%2Fpresskits%2Fcombating-drug-abuse.htm&sheet=51440972&newsitemid=20161018005455&lan=en-US&anchor=Walgreens.com%2FCombatDrugAbuse&index=1&md5=6d4a14d36c3bdb90f4fa57974be0d53d>))

In addition to offering a year-round solution for individuals to dispose of their medications, Walgreens continues to participate in DEA sponsored National Prescription Drug Take Back Days, serving as a collection point in communities for law enforcement to collect unwanted, unused or expired medications for safe disposal. The next DEA sponsored National Prescription Drug Take Back Day will be held on Oct. 22.

Walgreens has also made naloxone, a lifesaving opioid antidote, available without requiring a prescription in more than 3,800 pharmacies in 20 states in accordance with state pharmacy regulations. Next week, Walgreens will begin offering naloxone without a prescription at pharmacies in Colorado, Oregon and Utah and will continue to make the medication more accessible and easier to obtain in states where regulations allow.

"Walgreens has taken an important first step to reduce the misuse of medications throughout the country and curb the rise of overdose deaths," said Richard Ashworth, Walgreens president of pharmacy and retail

operations. "We are committed to being part of a comprehensive solution to reverse this epidemic and will continue our effort to make naloxone more accessible and easier to obtain."

In states where a prescription is required for naloxone, Walgreens is available and eager to work with regulators to help update rules to allow for dispensing without a prescription. When implementation of the program is complete under current state pharmacy regulations, naloxone will be available without requiring a prescription in more than 7,000 of Walgreens nearly 8,200 stores.

When naloxone is dispensed instructions are provided on how to administer the medication, which includes calling 911 as naloxone is not a substitute for medical care, and anyone who is administered the medication should seek immediate medical attention.

Drug abuse continues to be a public health and safety risk. More Americans die every day from drug overdoses than from motor vehicle crashes, according to the Office of National Drug Control Policy. According to the Substance Abuse and Mental Health Services Administration's 2015 National Survey on Drug Use and Health, nearly 19 million Americans misused a prescription drug in 2015¹. More than half of individuals who misused a prescription drug obtained it from a friend or relative.²

States where Walgreens Safe Medication Disposal Program has been implemented:

Alabama, Arkansas, Arizona, California, Colorado, District of Columbia, Florida, Idaho, Illinois, Iowa, Indiana, Kansas, Kentucky, Maine, Maryland*, Massachusetts, Michigan, Mississippi, Montana, Nebraska, New Mexico, New York, North Carolina, Nevada*, Ohio, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin

*Installation has begun and is expected to be complete in early November.

States where Walgreens offers naloxone without requiring a prescription:

Alabama, Colorado*, Idaho, Illinois, Indiana, Maryland, Massachusetts, New Hampshire, New Jersey, New Mexico, New York (including Duane Reade pharmacies), North Carolina, Ohio, Oklahoma, Oregon**, Pennsylvania, Rhode Island, Texas, Utah*, Vermont, Virginia, Washington, Wisconsin

*Will begin offering naloxone without requiring a prescription on Monday, Oct. 24.

**Will begin offering naloxone without a prescription on Wednesday, Oct. 26.

About Walgreens

Walgreens (www.walgreens.com (<http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fwww.walgreens.com&esheet=51440972&newsitemid=20161018005455&lan=en-US&anchor=www.walgreens.com&index=2&md5=8ac5b5e2452cc8c780bbabb58d4eac3>)), one of the nation's largest drugstore chains, is included in the Retail Pharmacy USA Division of Walgreens Boots Alliance, Inc. (NASDAQ: WBA), the first global pharmacy-led, health and wellbeing enterprise. More than 8 million customers interact with Walgreens each day in communities across America, using the most convenient, multichannel access to consumer goods and services and trusted, cost-effective pharmacy, health and wellness services and advice. Walgreens operates 8,173 drugstores with a presence in all 50 states, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. Walgreens omnichannel business includes [Walgreens.com](http://www.walgreens.com) and [VisionDirect.com](http://www.visiondirect.com). More than 400 Walgreens stores offer Healthcare Clinic or other provider retail clinic services.

¹ Substance Abuse and Mental Health Services Administration's 2015 National Survey on Drug Use and Health
<http://www.samhsa.gov/data/sites/default/files/NSDUH-FFR2-2015/NSDUH-FFR2-2015.htm> (<http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fwww.samhsa.gov%2Fdata%2Fsites%2Fdefault%2Ffiles%2FNSDUH-FFR2-2015%2FNSDUH-FFR2-2015.htm&esheet=51440972&newsitemid=20161018005455&lan=en-US&anchor=http%3A%2F%2Fwww.samhsa.gov%2Fdata%2Fsites%2Fdefault%2Ffiles%2FNSDUH-FFR2-2015%2FNSDUH-FFR2-2015.htm&index=3&md5=7bce184b932d26f8ad9dfdcc41e22816>)

² Substance Abuse and Mental Health Services Administration's 2015 National Survey on Drug Use and Health
<http://www.samhsa.gov/data/sites/default/files/NSDUH-FFR2-2015/NSDUH-FFR2-2015.htm> (<http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fwww.samhsa.gov%2Fdata%2Fsites%2Fdefault%2Ffiles%2FNSDUH-FFR2-2015%2FNSDUH-FFR2-2015.htm&esheet=51440972&newsitemid=20161018005455&lan=en-US&anchor=http%3A%2F%2Fwww.samhsa.gov%2Fdata%2Fsites%2Fdefault%2Ffiles%2FNSDUH-FFR2-2015%2FNSDUH-FFR2-2015.htm&index=4&md5=17c955fce9cd541b4aeee13f9972f67c>)

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Agenda Item IX

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Reconciliation ecology could end California's water wars

by Eric Miller, CVBT Correspondent

CHICO

October 25, 2016 9:01pm

- Can happen when humans collaborate
- "Small projects like this are contagious, and starting small got us success"
- A CVBT Special Report

A careful foot can step anywhere, the Chinese proverb goes, so long as the foot moves in a direction that is good. But the direction of one person or group may not be idealistic to another. Therein is the problem, a conflict of ideology.

In California and most of the West, those conflicts have boiled over into water wars that have lasted for generations. But there might be a solution. It's taking shape in the Sacramento Valley.

October 1 marked the start of California's new Water Year and the end of yet another drought year. From 2010 through 2016 California encountered only one "wet" year in a mix of below normal, dry or critically dry years. Last year we learned a new term, snow drought, where most precipitation landed in California as rain instead of snow. Reservoirs filled, but not quite enough, while groundwater basins throughout parts of the state continued to drop, draining California water users' temperament.

Ideological stances about who's conserving, who's not, or when and if new storage projects are built, exacerbate when conversations delve into discussions about the environment, sensitive species, or the economy. It's humans over fish. Urban needs over agriculture. Environment over ag or urban over environment or environment over everything.

Whether we're debating fish, birds, frogs, people, or Species A over Species B, ideological differences fill California's sandbox. Some ideological extremists argue that California's environment should return to a natural pristine state and that we should back pedal to pre-Statehood conditions, while others argue that man's needs are more important than the environment. To them the only things that matter are jobs, money, and their chosen way of life. Ideological extremism exists at the fringe in all camps, be it government, the conservation community, the agricultural community, or the public in general.

The reality is that California's sandbox isn't getting larger. Other than beachfront property that has slid into the Pacific, California's borders haven't changed much the past 166 years. From April 2010 to July 2015 the U.S. Census Bureau reports that the Golden State gained 1.6 million people, about the same population as all of Idaho. Our headcount now is estimated to be 39.1 million. We gained an Idaho without breaking a sweat and, according to the California Department of Finance, are projected to reach nearly 50 million by 2050.

So how is it conceivable to unravel human impacts on California's environment? Unless the California border closes and we all emigrate, what are we to do? We are already here and part of the land's ecology and biodiversity. It's clear that we're not going back and what we've been doing hasn't worked. New ways are starting to emerge, however, and projects are getting done to make things better.

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Industry leaders in the Sacramento Valley are willing to break a sweat to preserve the region's ecology. Their projects, relatively small in capitalistic measures, have regional benefit but set national precedents. In collaboration with forward thinking governmental agencies and conservation groups, these leaders are investing time, political clits, and resources to address environmental and socioeconomic concerns. In addition to "snow drought," add "reconciliation ecology" to the vernacular.

"The concept of reconciliation ecology is to apply benefit to all creatures," says Les Canter, "to increase biodiversity in the environment." Mr. Canter, part owner of River Garden Farms, grows rice, walnuts, oilseed, corn, and alfalfa among other crops on agricultural lands in Yolo and Colusa Counties.

By definition, reconciliation ecology studies ways to encourage biodiversity in human dominated ecosystems. Consider for example a bird house. Humans place bird houses as a substitute habitat in areas devoid of trees or brush. Motivations may vary, whether it's to propagate a species or perhaps the simple fact that people just like birds.

"For the last ten years," Mr. Canter continues, "our company has focused on sustainability. We're concerned about groundwater levels and water quality. We've installed test wells to monitor groundwater levels, drawdown and rebound. Prior to 2014 when drought impacts really became apparent, the overseeing resource agencies, as well as conservation groups and ag interests, primarily operated within their silos." The agencies Mr. Canter refers to include federal and state agencies, each having a specific and narrow focus.

"Consider the National Marine Fisheries Service (NMFS) which focuses on anadromous fish [salmon], versus the U.S. Army Corp of Engineers, which focuses on flood control and navigable waters, versus the U.S. Fish & Wildlife Service, which focuses on species management like Delta smelt. The focuses of these agencies, let alone state agencies, are often times diametrically opposed. Everyone butted heads."

Mr. Canter continues, "An example is winter run salmon. One position, or theory, was that the fish needed more water flushing through the Delta. Water volume isn't the sole answer though. Biological studies commissioned by the Northern California Water Association revealed that not one particular thing was harming the fishery but rather a multitude of things -- salinity, temperature, predation, upstream habitat, geomorphology, channelization, river flow velocity -- a whole bunch of things. In 2014, reasonable and courageous people within the Sacramento River Settlement Contractors, conservation groups, and agencies started talking and working together to solve problems."

Mr. Canter touts several projects on the Sacramento River where humans have helped to reconcile local ecology, such as the Nigiri Project near the Yolo Bypass.

The Nigiri Project seeks to optimize habitat benefits for salmon and water birds while maintaining farming on the largest floodplain in the Sacramento Valley. Named after a Japanese cuisine, Nigiri is a form of sushi with a slice of fish atop a compact wedge of rice. In Yolo County the "Nigiri Project" is the collaborative effort between farmers and researchers to help restore salmon populations by reintroducing them during winter to floodplains that are farmed with rice during summer.

The target area, recognizable to commuters along Interstate 80 between Davis and Sacramento, is the 60,000 acre Yolo Bypass. Among the Nigiri Project's goals are to create a multi-benefit revenue model to sustain agriculture in the Yolo Bypass, to maintain bypass flood control capacity, to improve seasonal floodplain habitat for fish and waterfowl, to increase bypass outflows to improve the Delta food web, and to improve adult fish passage and reduce juvenile stranding.

"Essentially, the juvenile salmon rear and hold over in flooded rice fields until they can move on," says Mr. Canter. Scientists from the University of California-Davis Center for Watershed Sciences have

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monitored the study since 2011, which involves a consortium of landowners, conservation groups, and public agencies.

Results are encouraging. For four consecutive winters, experiments conducted on rice fields at the Knaggs Ranch property on the Yolo Bypass documented the fastest growth of juvenile Chinook salmon ever recorded in the Central Valley.

“Without this type of experimentation and innovation, we [farming community] would continue to be frustrated,” explains Mr. Canter. “But when people cooperate we can achieve success. In this case, the parties used rice ground to create habitat. It’s unnatural but then again the young fish don’t care where they live, they just want to live. Some parties, mired in their ideology, just want to sue. They litigate, block, and impede progress. But groups like CalTrout, the California Rice Commission, and Ducks Unlimited exemplify what can happen if we simply talk through issues with governing agencies. What affects outcomes is when people come together with a common goal and a can-do mindset. Another good example is the Painter’s Riffle project on the Sacramento River near Redding.”

Completed in December 2014, the Painters Riffle Anadromous Fish Habitat and Enhancement Project arose from interagency relationships between the Glenn-Colusa Irrigation District, U.S. Army Corp of Engineers, NMFS, Bureau of Reclamation, Federal and State Wildlife Agencies, Northern California Water Association, City of Redding, Central Valley Flood Protection Board, Central Valley Regional Water Quality Control Board, and conservation groups. In short, the project involved the repositioning of a gravel bar located downstream of the State Highway 44/299 Bridge in Redding.

Initially constructed in 1986, Painter’s Riffle successfully produced fish nests resulting in up to 750,000 young salmon before they migrated to sea for the first time. For 25 years Painter’s Riffle helped the survival of winter-run and spring-run Chinook salmon and fall-run Chinook salmon, important to the commercial fishing industry. But in 2011 Painter’s Riffle was blocked and filled with gravel during a large storm event. The unstable gravel filled the channel and buried the Painter’s Riffle spawning habitat.

That prompted the Painters Riffle Anadromous Fish Habitat and Enhancement Project.

“The project received accolades from the Bureau of Reclamation,” says Thad Bettner, General Manager for the Glenn-Colusa Irrigation District. “The work involved a multitude of agencies but all shared a common goal to support salmon re-establishment and CVPIA operations.”

Mr. Bettner explains that it’s typically not regulators’ role to collaborate. “Regulators focus on a specific issue central to their mission whether it’s permitting, regulating, mandating, or monitoring. One of the best take-aways from the Painter’s Riffle Project is that we’re slowly breaking down uncommunicative silos. We [all parties] now expect good communication.” Built in three weeks during low water flows, the project required a six-month lead time to permit. Total project costs were approximately \$200,000.

“Small projects like this are contagious,” adds Mr. Bettner, “and starting small got us success. We [agencies] all respected each other’s roles and hierarchy but slowly built trust and delivered. We’re seeing fish use Painter’s Riffle. They’re spawning and that’s positive. And the agencies are monitoring results.” Mr. Bettner explains that no opponents protested the project. “After successes like this, we’re more confident to try larger projects.”

Slow rolling projects requiring years of involvement consume stakeholders over a hundred miles away in the Feather River Basin. A sub basin of the Sacramento River watershed, representatives from Federal and State agencies, utilities, and non-governmental organizations such as American Whitewater, have attended thousands of hours of meetings addressing the relicensing of hydroelectric projects along the Feather River, ranging from and including Lake Almanor near Lassen National Park

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downstream into the Feather River Canyon above Lake Oroville, headwaters for the State Water Project.

Dave Steindorf, California Stewardship Director for American Whitewater, has participated in the relicensing of Federal Energy Regulatory Commission (FERC) facilities within the region the past fifteen years. Facilities include powerhouses operated by Pacific Gas and Electric Company that require reliable flow regimes to spin hydropower turbines. At best, the FERC relicensing process moves at glacial speed, which eschews many stakeholders from participating due to costs, fatigue, or frustration. The Electric Consumers Protection Act of 1986 endows that American Whitewater has a seat at the negotiation table and a voice in the process. The Act puts recreation and wildlife on equal footing with power generation. With a focus on river stewardship and recreation, American Whitewater has worked with utilities and regulatory agencies throughout the United States to promote recreational uses including fishing, rafting and kayaking.

"I've been involved in negotiating more than twenty FERC licenses in California," says Mr. Steindorf. "This effort resulted in a hundred recreation flow releases in California in 2016 on river systems like the Feather, Pitt, Mokelumne, and Kern," he adds. For the Feather River, an army of scientists has tried to resolve the optimum flows for fish and frogs, specifically the Foothill yellow-legged frog. "What we've discovered," explains Mr. Steindorf, "is that river flows necessary for frogs and fish are great for recreation."

The Foothill yellow-legged frog is a riverine amphibian with habitat ranging from northern Oregon, California, and into Baja California, Mexico at elevations as high as 6,300 feet. Adults range in size from one and a half to three inches, small enough to fit in the palm of a human hand. The frogs lay eggs in a river's main stem [channel] and winter upstream within tributaries. The gestation period ranges from fourteen to twenty-one days. They generally breed from late April to July. Among the threats to the frogs are dams, diversions, water development, mining, timber harvesting, road development, and pollution.

"The frogs survive best on natural snowmelt hydrographs," continues Mr. Steindorf. "When hydropower demands alter the timing and duration of river flows, particularly precipitous drops in flow during spring, it clashes with frog breeding. For two reaches on the Feather River it became possible to manage resources that have multiple benefits. The frogs survive while recreational boaters catch a wave."

Water management within ephemeral drainages also fall within the guise of reconciliation ecology, if not for fish or frogs, but for wetlands.

Over ten years ago Butte County's sanitary landfill needed more space, not for burying garbage but to develop ancillary operations. The landfill serves a population of over 200,000 but needed a place to better manage and detain storm water generated on-site. As part of its facility footprint, the county developed a five acre seasonal wetland which was permitted through the U.S. Army Corp of Engineers. The wetland is designed in a step system where the lower area can be dredged but the upper area remains untouched. Water quality monitoring occurs downstream below the spillway if discharges result from storm events.

"The pond properly functions," says Bill Mannel, Deputy Director of Butte County's Waste Management Division. "No water comes into contact with garbage. We do not disturb the upper wetland area. The floor consists of grasses. Trees surround the pond." Canada geese, ducks and wild turkeys are observed during cooler wetter months, coming and going with the seasons. Adds Mr. Mannel, "We are very mindful of our storm water management."

All who play inside California's sandbox are responsible to negate ecological harm. Not only is it mandated, but it's the right thing to do. As California's population grows new systems must be monitored for older systems that have changed.

"How do you define the environment?" asks Mr. Canter. "I look out the window and see fields and forests. That's what we have." Mr. Canter mulls his role as a businessman and as a parent. "Parenthood has focused me on what I do and how I do it. I'm more sensitive to the younger generation. We must be collaborative and not be dragged down by people who won't get along with the program. We can't get mired in ideology. River Garden Farms is now working on a juvenile salmon rearing project in the Upper Sacramento River, a project that involves a myriad of federal, state, local agencies, and conservation groups that are eager to achieve success. My kids are interested in what I'm doing. Everything must be sustainable because when I'm gone this will be theirs."

No matter one's background, we as a populace are accountable. The concept of reconciliation ecology casts a broad net. Mr. Canter sums it best, "We're here now. Humans possess incredible problem solving capabilities. Can't we figure out how to fix this ecosystem together?"

About the writer

Eric Miller is a freelance writer based in Chico who writes about business innovation and people who make a difference. He has industry experience in waste management and water resources. Contact him at eric@etcguy.com, via LinkedIn or visit his humor blog at www.etcguy.com.

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PepsiCo sets packaging recyclability goals, reports rPET use

By Jared Paben, *Plastics Recycling Update*

October 19, 2016

PepsiCo says it will work to eliminate packaging materials that inhibit sorting or contaminate downstream recycling streams. The global food and beverage company also said it will redesign the film in its snack packaging to enable its recovery.



The pledges were included in the company's recently announced 2025 sustainability goals, which call for designing all of the company's packaging to be recoverable or recyclable within the next nine years. PepsiCo also said it will work to boost diversion rates by investing in local infrastructure and education, as well as partnering with outside groups to implement long-term solutions.

One of those outside groups mentioned in the report is the Closed Loop Fund, which provides no-interest and below-market-interest loans to boost recycling infrastructure in the U.S. PepsiCo is an investor in the fund.

"We recognize that the actual recovery rates of our food packaging are minimal, given the few recovery methods available to the consumer," the report stated. "Similarly, the current recycling rate of our beverage packaging is not as high as it could be or as high as the demand for recycled PET on the part of PepsiCo and other companies, who use this recycled material to reduce their packaging footprint."

PepsiCo increased its usage of recycled PET by 3.6 percent last year. In 2015, the company used 139 million pounds of food-grade recycled PET, an increase of 5 million pounds over the year before, according to the report.

The company also said it redesigned packages to reduce their total weight by about 100 million pounds last year.

A recently released report from the National Association for PET Container Resources (NAPCOR) and the Association of Plastic Recyclers (APR) estimated the U.S.'s PET container recycling rate is steady at about 30 percent.



See the latest stories from *Plastics Recycling Update*.

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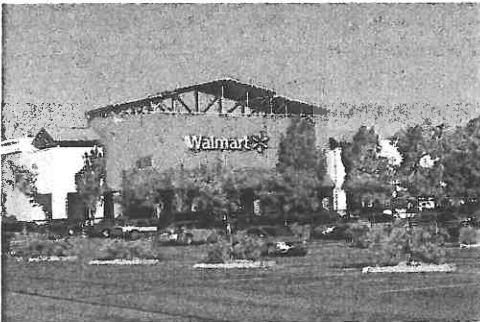
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Walmart says it's 'our job' to simplify recycling

By Dan Leif, Resource Recycling

October 25, 2016

An executive from the world's largest retailer says the company is aiming to give suppliers concrete details in its mission for more sustainable packaging – and recycling is playing a major role in that process.



"For the first time, we're being a little bit clearer on some of the aspects of sustainable packaging," Zach Freeze, Walmart's director of initiatives-sustainability, said in an interview with Resource Recycling. "Communicating recyclability is an important part."

Walmart today is holding an event called the Sustainable Packaging Summit at its corporate headquarters in Bentonville, Ark. The gathering brings together merchandising decision-makers from Walmart and Sam's Club with representatives from the brands that line the miles of shelves at Walmart-owned stores.

The event follows up the company's 2014 Sustainable Product Expo. That 2014 meeting launched the Closed Loop Fund, an effort to use corporate dollars to help lift the municipal recycling system and bolster the supply of recycled materials that Walmart's suppliers told the company they needed.

While Rob Kaplan of the Closed Loop Fund will be presenting at today's summit, much of the playbook and summit activity is geared toward connecting consumers to the recyclability of packaging they buy.

Guide for suppliers

Suppliers at the summit will be issued a copy of Walmart's recently created Sustainable Packaging Playbook, a 20-page guide to help suppliers better understand what buyers in Bentonville are looking for as they embark on the company's efforts to reduce the environmental and social impacts of packaging. According to the playbook, Walmart has three priorities in the sustainable packaging arena: optimize design, source sustainably and support recycling.

The retailer's playbook encourages suppliers to make use of labels that clearly communicate the recyclability of products, specifically recommending the How2Recycle label from the Sustainable Packaging Coalition. It also pushes suppliers to increase their use of recycled content.

Freeze made it clear that Walmart believes it can connect with today's consumers by offering products that can be easily diverted from the waste stream.

"We know customers care about recycling, and it's really our job to try and make it easier," Freeze said. "Our hope is to make it a little bit simpler through some of this messaging. Recycling is something we want to continue the drumbeat on."

'Shows us how we're doing'

The playbook also mentions on several occasions the sustainability index that Walmart has been using to help it assess the environmental impacts of different products and packaging that appear in Walmart stores. "The index tells us what's important and shows us how we're doing on this issue," said Freeze.

He noted packaging recyclability is a category that was added to the index last year. Suppliers are currently in the process of completing surveys that will be used to create updated index scores. Freeze said that results will be available in December, and at that time the company will for the first time have year-over-year figures on recyclability and recycled content.

The Walmart executive also said the retailer is set to become more vocal about specific challenges material additives are bringing to the plastics recycling space. Additives aimed at biodegradability are being used in some plastic products, and that step can disrupt the plastics recycling process.

"We're going to be very clear about eliminating biodegradable additives to petroleum-based plastics," Freeze said. "What we want to try to do is keep a consistent message to customers. We want to encourage that behavior of recycling, and we want customers to know the packaging can be recycled."



Improve
Sustainability
Index Score

Reduce
Cost of Goods



Sustainable Packaging Playbook

A guidebook for suppliers to improve packaging sustainability

Deliver sales
Prevent theft and tampering
Satisfy consumers
Conserve natural resources
Protect the product
Support human and
environmental health
Facilitate handling
Minimize
greenhouse gas emissions
Communicate
Close resource loops

Priorities

Source Sustainably

Maximize recycled and sustainably sourced renewable content
Enhance material health



Optimize Design

Protect the product
Reduce materials



Innovate



Support Recycling

Design for recycling
Communicate recyclability



Deliver Everyday Low Cost and Performance

Meet business requirements

Walmart aims to reduce environmental and social impacts of private brand and national brand packaging, while maintaining our ability to deliver quality products to customers.

This playbook provides an overview of sustainable packaging best practices for suppliers interested in improving and innovating packaging. While the focus is on consumer-facing packaging, practices may impact or also be applied across the entire packaging system.

This playbook is not meant to replace business requirements. Rather, sustainable packaging best practices may be used to complement business needs.

The Sustainable Packaging Coalition and the Association of Plastic Recyclers provided expert input for this guide and we greatly appreciate their support and assistance.

Protect the Product

Does the packaging protect the product?

Best Practice Design packaging that meets product protection [International Safe Transit Authority \(ISTA\)](#) standards while using the minimum amount of packaging.

Tip Review the damage history of your products with your buyer and address any issues.



When eggs were moved to reusable plastic containers (RPCs) from cardboard containers, damage rates decreased, preventing 37 million eggs from being thrown out in the first year through this easy drop in display solution which folds flat when not in use

Reduce Materials

Do you need all the materials used?

Best Practice Source reduce by eliminating packaging components or layers, “right sizing” packaging, and shifting to reusable containers.

Tip Consider product changes to reduce materials used in packaging (e.g., concentrating or dimension changes).

■ ■ ■ Improve your Sustainability Index score by determining the reduction in environmental impact from packaging changes*.



An outer bag holding three product pouches was removed and replaced by a pair of labels, for a 7.2g packaging material reduction

* Many, but not all, categories have questions about packaging materials in the Sustainability Index.

Maximize Recycled and Sustainably Sourced Renewable Content

Are materials sourced in a way that is environmentally and socially responsible?

Best Practice Increase the use of recycled and sustainably sourced renewable content.

Tip

Certify new/virgin tree fiber to ensure it aligns with Walmart's commitment to zero net deforestation. The Forest Stewardship Council (FSC) certification program is preferred.



Tip Improve your Sustainability Index score by adding more post-consumer recycled content or renewable material that is sustainably sourced*.



100% recycled paperboard, including
10% post-consumer content



Mix paper
FSC

* Many, but not all, categories have questions about packaging materials and deforestation in the Sustainability Index.

Enhance Material Health

Have priority chemicals been removed, reduced, or restricted?

Best Practice Identify if you have priority chemicals in packaging.

Tip Begin by asking your suppliers if there are priority chemicals in your packaging.

A **priority chemical** meets the criteria for classification as a:

- carcinogen
- mutagen
- reproductive toxicant
- persistent, bio-accumulative, and toxic
- any chemical for which there is scientific evidence of probable serious effects to human health or the environment which give rise to an equivalent level of concern

Source: Registration, Evaluation, Authorization and Restriction of Chemicals (REACH) Title VII, Chapter 1, Article 57 EACH Title VII, Chapter 1, Article 57

Design for Recycling

Is the package made with materials and in a form that can be recycled?

Best Practice Work with the [Sustainable Packaging Coalition](#) and the [Association of Plastic Recyclers](#) to design for recycling.

Tip Avoid [polyvinyl chloride \(PVC\)](#) or [biodegradable additives in petroleum-based plastics](#).

 Improve your [Sustainability Index](#) score by increasing the amount of packaging that can be recycled*.

About 30% of [polyethylene terephthalate \(PET\)](#) packaging collected for recycling in the U.S. is not recycled, in part due to issues with labels and adhesives. See the [Association of Plastic Recyclers](#) for solutions. (Source: [Resource Recycling](#))



PET containers with new pressure sensitive labels compatible with recycling

* Many, but not all, categories have questions about packaging materials in the Sustainability Index. Food or food service products expected to be handled in compost waste streams could be more suited for certified compostable packaging than recyclable packaging. See the [Sustainable Packaging Coalition](#) for more information.

Communicate Recyclability

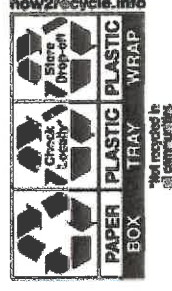
Are you clearly communicating what consumers should do with the used packaging?

Best Practice Use [consumer-friendly recycling labels](#) that meet [U.S. Federal Trade Commission \(FTC\) Green Guides](#), such as the [How2Recycle](#) label.

Tip Use market data to determine the appropriate message about recycling; ensuring that the package can be collected, recovered, and used again—the [Sustainable Packaging Coalition](#) and the [Association of Plastic Recyclers](#) can help.



Add the How2Recycle label to show off the recyclability of the package



Walmart Sustainable Packaging Position Statement




We expect National and Private Brand suppliers to be in compliance with local, state and federal laws, and we encourage:

Optimize Design	Source Sustainably	Support Recycling
<ul style="list-style-type: none"> Eliminate unnecessary packaging, such as extra boxes, ties, or layers of packaging “Right size” packages—designing appropriately for contents and merchandising requirements to prevent damage to the product 	<ul style="list-style-type: none"> Increase use of recycled and renewable content Credibly certify products sourced in accordance with our corporate commitment to zero net deforestation—FSC (preferred) Remove/reduce/restrict use of materials that may present human health & environmental toxicity risks Eliminate use of biodegradable additives in petroleum-based plastics in compliance with state laws* Certify that packaging and packaging components in compliance with state toxics in packaging laws 	<ul style="list-style-type: none"> Increase use of recyclable content Ensure all recyclable/compostable/marine-degradable claims are supported with appropriate substantiation, including testing where appropriate, and meet all applicable federal, state and local requirements Use consumer-friendly recycling label—SPC’s How2Recycle Label preferred Work to improve infrastructure for hard-to-recycle packaging and products

Commitment to Every Day Low Cost (EDLC) and Performance

*Walmart U.S. and Sam’s Club U.S. support elimination of the use of biodegradable additives in petroleum-based plastics for all its products and packaging

Additional Resources

<p>Walmart Resources Walmart Sustainability Hub Walmart Retail-Ready Information</p>			
<p>Measurement and Tracking The Sustainability Consortium Sustainable Packaging Coalition COMPASS tool</p>	<p>Protect the Product International Safe Transit Authority</p> <p>Reduce Materials Sustainablepackdesign.com Sustainable Packaging Coalition</p>	<p>Increase Sustainable Content Consumer Goods Forum FTC Green Guides Sustainablepackdesign.com Sustainable Packaging Coalition</p> <p>Enhance Material Health Chemical Footprint Program GreenScreen List Translator Material IQ National Academy of Sciences</p>	<p>Design for Recycling Association of Plastic Recyclers How2Recycle FTC Green Guides Sustainable Packaging Coalition</p> <p>Communicate Recyclability Association of Plastic Recyclers How2Recycle FTC Green Guides Sustainable Packaging Coalition</p>

Meet Business Requirements

Communicate with your buyer

Understand the buyer's priorities and meet business requirements (e.g., pack-and-a-half). Explore packaging changes with your buyer before implementing them.

- **Retail-ready solutions:** Using distribution packaging that also serves as a display has the potential to reduce total packaging material use across the packaging system and provide additional benefits. For more information, look at the [Walmart PDQ Resources](#).
- **Labeling compliance:** Refer to the Labeling and Packaging Guidelines on Retail Link.
- **Sam's Club guidance:** Refer to the packaging standards on Retail Link.



A shift to retail-ready reusable plastic containers in produce improved customer perception, with 60% saying the product looks fresher, and reduces environmental impacts (e.g., 85% lower solid waste, 31% lower GHG emissions)

For More Information:
[Walmart Sustainability Hub](#)

Measure Performance

Ensure that packaging changes are more sustainable, while considering potential trade-offs. Measuring performance is critical.

Suppliers should evaluate key metrics and attributes across the system. These include:

- **Cost and performance**
- **Sustainable Packaging Coalition Metrics and Attributes** (use the COMPASS tool or life cycle assessment to evaluate), especially:
 - Water use
 - Greenhouse gas emissions
 - Material health
- **The Sustainability Consortium Key Performance Indicators**, especially:
 - Recyclable content
 - Post-consumer recycled content
 - Renewable content
 - Fiber from certified responsibly managed forests

For More Information:
COMPASS
The Sustainability Consortium
Sustainable Packaging Coalition

Improve Your Sustainability Index Score



Consider

resource conservation, material and process efficiency, and weight or volume optimization as part of the packaging-product system design.



Establish

goals to address the above factors and publicly report progress.



Demonstrate

quantified environmental impact reduction.

Source: The Sustainability Consortium

Consider the Entire Packaging System

Packaging is a "system," beyond the product package on the shelf. One packaging change may impact other parts of the system: material sourcing, manufacturing, distribution, use/end-of-life. Be sure to [measure performance](#) and consider potential consequences across the packaging system to make informed decisions.



When developers used recycled content in cartonboard, thickness had to increase to retain integrity and quality and avoid product damages



Reducing the materials in a wine bottle also reduced the space needed on the truck for distribution

The Packaging System



Material Sourcing

Recycled
Fossil Fuels
Renewable



Manufacturing



Distribution and Retail



Consumer Use



Recycling and End-of Life

Recycling
Reuse
Compost
Waste

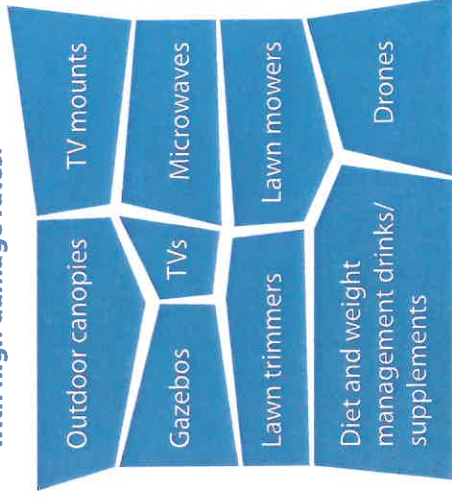
For More Information:
[Sustainable Packaging Coalition](#)

Protect the Product

[International Safe Transit Authority \(ISTA\)](#) establishes standards used to ensure that packaging provides adequate protection during transport. Key ISTA tests for Walmart and Sam's club include, but are not limited to:

- **ISTA 2A:** non-conveyable cases
- **ISTA 3A:** conveyable cases moving through the Walmart Regional Distribution Centers
- **ISTA 3E:** unitized loads of same product
- **ISTA 6:** Sam's Club

Product types commonly with high damage rates:



Source Reduce Packaging

Source reduction is reducing the amount of materials entering the waste stream by redesigning packaging or the product. This approach to using packaging materials more efficiently is a fundamental strategy of sustainable packaging.

Source reduction packaging considerations

- Can the product be changed to reduce overall packaging needs (e.g., concentrating, dimension changes)?
- Are there extra layers or components that are unnecessary?
- Can the size, weight, or thickness of the package be reduced?
- Is the case count optimized?
- Are there unnecessary empty spaces within the package?
- Can reusable packaging be used?
- Has the transport packaging been considered?
- For larger packages, is there a way to include a handle so a bag doesn't need to be used to carry it home by the customer?

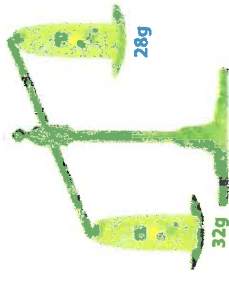
Reducing extra space in packaging across the system

Take a look inside the package to see if there is extra space. If so, talk to your buyer about testing a smaller package design or see if the product can be compressed to remove excess air voids.

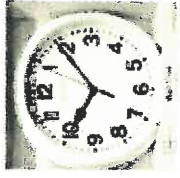
Minimize transportation of unneeded air by considering how the packages fit during distribution, aiming to remove extra space on the pallet and in the truck. The primary objective is to increase cube utilization (since distribution is in squared shapes).

For More Information:

Sustainablepackdesign.com
[Sustainable Packaging Coalition](http://SustainablePackagingCoalition)



Reduced amount of PET by 10% with redesign and included 30-50% post-consumer content



Clock package without the typical plastic window



The package was "right sized" with a one inch smaller width, reducing 6% of material and weight



Packaging shape was changed, improving efficiency in transportation packaging and reducing plastic use on average 3% across the category

Recycled Content

Use and label recycled content

Recycled materials that have been recovered or diverted from the waste stream, either during the manufacturing process (pre-consumer) or after consumer use (post-consumer) can offset the need for new, or virgin, resources. This may also reduce energy requirements for the production of packaging materials and reduce waste.

Post-consumer recycled (PCR) content is preferred, and includes material that has served its intended purpose and is diverted from the landfill. This may come from households or commercial facilities (e.g., returns of materials from the distribution chain).

Label recycled content by clearly identifying the percentage of total recycled content and, specifically, PCR content.

1 ton
of recycled fiber saves

7,000
gallons of water

3.3 cubic yards
of landfill space

1 MT
CO₂e emissions

Source: [EPA](#)

For More Information:

- [Consumer Goods Forum](#)
- [FTC Green Guides](#)
- [Sustainablepackdesign.com](#)
- [Sustainable Packaging Coalition](#)

Index Results: Some suppliers include 100% post-consumer recycled content in packaging for:

- Infant consumables
- Toys
- Closet and organization
- Grocery dry goods
- Produce
- Grocery direct store delivery (DSD)
- Seafood

100% PCR may be an option for many products, but the industry averages are much lower, so there is opportunity to improve. (Source: [Sustainablepackdesign.com](#))

Materials	Average PCR
PET	13%
HDPE	2%
Tree Fiber	41%

Sustainably Sourced Renewable Content

Use and label fiber from certified responsibly managed forests

Trees are the most common renewable source used in packaging. There are environmental concerns with harvesting trees. To address environmental concerns with deforestation, use fiber from sources recognized for their use of responsible management practices—certified sources. This strategy ensures that the productivity of natural systems is maintained and best practices are used to minimize unwanted impacts to soil, air, and water. Certification options for tree fiber include:

- [Forest Stewardship Council \(FSC\)](#) is preferred.
- [Programme for the Endorsement of Forest Certification \(PEFC\)](#)
- [Sustainable Forestry Initiative \(SFI\)](#)

Tree fiber should be either recycled content or from certified responsibly managed forests, or a combination. The right balance depends on the product and package.

Innovation: New renewable materials, e.g., biobased plastics, are encouraged when there is an end market for the material.



Index Results: Some suppliers include 100% sustainably sourced renewable content in packaging for:

- Household paper goods
- Household chemicals
- Infant consumables
- Pets
- Toys
- Closet and organization
- Grocery dry goods
- Produce
- Grocery direct store delivery (DSD)
- Bread
- Seafood

For More Information:
[Consumer Goods Forum](#)
[FTC Green Guides](#)
[Sustainablepackdesign.com](#)
[Sustainable Packaging Coalition](#)

Priority Chemicals

Continuous improvement is a hallmark of sustainability. We encourage suppliers to remove/reduce/restrict the use of materials that may present human health and environmental toxicity risks. Our customers expect that the products they buy are safe, affordable, and sustainable, and we're striving to meet and exceed those expectations.

Priority chemicals are substances with certain hazardous properties that can affect human health, and/or the environment. A priority chemical is defined as a chemical that meets the criteria for classification as a:

- Carcinogen
- Mutagen
- Reproductive toxicant
- Persistent, bioaccumulative, and toxic
- or any chemical for which there is scientific evidence of probable serious effects to human health or the environment which give rise to an equivalent level of concern

(Source: [Registration, Evaluation, Authorization and Restriction of Chemicals \(REACH\) Title VII, Chapter 1, Article 57](#))

For More Information:

[Chemical Footprint Program](#)

[GreenScreen List Translator](#)

[Material IQ](#)

[National Academy of Sciences](#)

Once you know the chemicals in packaging, consider using tools to determine if they are priority chemicals, such as [GreenScreen List Translator](#) (and associated tools, e.g., Toxnot, Pharos), or having a third-party conduct the assessment, such as [Material IQ](#).

See the [National Academy of Sciences](#) for more information on assessing chemicals.

Design for Recycling

Recyclable packaging can be collected, separated, or otherwise recovered from the waste stream through an established recycling program (available to at least 60% of consumers or communities where the item is sold) for reuse or use in manufacturing or assembling another item (i.e., an end market), preventing it from becoming waste. See [FTC Green Guides](#) for more information.

Preferred materials have high value end markets:

- Plastic: [PET](#), high density polyethylene (HDPE), polypropylene (PP), and recycled resins (ensure color is appropriate for recycling that specific plastic)
- Fibers: Paper/cardboard from certified responsibly managed forests or with high percentage of recycled content
- Metals: Aluminum and steel

Avoid:

- [Biodegradable additives in petroleum-based plastics](#)
- [PVC](#)
- Attachments, or make sure they can be easily separated
- Closures that are not the same material as parent package, or make sure they can easily be separated
- Inks that bleed in recovery stream wash water
- Adhesives that are not water soluble, or use as little as possible
- Paper labels on plastic packaging
- Black plastic

(Source: [Registration, Evaluation, Authorization and Restriction of Chemicals \(REACH\) Title VII, Chapter 1, Article 57](#))

For More Information:

- [Association of Plastic Recyclers](#)
- [How2Recycle](#)
- [FTC Green Guides](#)
- [Sustainable Packaging Coalition](#)



Index Results: Every category has at least one supplier using 100% recyclable packaging



PVC was replaced with PET so the package is made from preferred materials for recycling

If your package does not have an end market, work to establish it or change your package to one that does

Plastic packaging should meet [Association of Plastic Recyclers'](#) tests for recycling compatibility

Consumer-Friendly Recycling Label

Most recyclable packaging ends up in the landfill; approximately one-third of PET bottles and jars are recycled in the U.S. (Source: [EPA](#)). A key way to address this is to clearly communicate the recyclability of the package. The [How2Recycle](#) label is recommended in the U.S.

Do's and Don'ts to creating a recycling label:

- Do ensure there is evidence to support recycling communication on the package (not just the material used for the package), considering:
 - Collection for recycling
 - Separating and reprocessing ability
 - End market
- Do communicate how each package component should be handled
- Do have a credible third party entity validate the label
- Do use clear, prominent, and consistent messaging to consumers
- Do meet FTC guidelines, using any necessary qualifying language

- Do not convey the recyclability of only part of your packaging
- Do not rely on the [Resin Identification Code](#) and chasing arrows
- Do not only use language saying "please recycle" or "recyclable"
- Do not confuse recyclable and recycled

The U. S. Federal Trade Commission (FTC) provides guidance for appropriate claims, including recyclable, recycled content, and others. The FTC states that "A product or package should not be marketed as recyclable unless it can be collected, separated, or otherwise recovered from the waste stream through an established recycling program." 16 CFR260 § 260.12. See the [FTC Guides for the Use of Environmental Marketing Claims](#), aka the "Green Guides".



(Source: [EPA](#))

For More Information:

- [Association of Plastic Recyclers](#)
- [How2Recycle](#)
- [FTC Green Guides](#)
- [Sustainable Packaging Coalition](#)

Glossary

Biodegradable additives in petroleum-based plastics do not offer any sustainability advantage and they may result in more environmental harm (See the Sustainable Packaging Coalition [position on these materials](#) for more information).

Polyethylene terephthalate (PET) a plastic that is commonly accepted for recycling.

Polyvinyl chloride (PVC) should not be used as a packaging material type, label, or used for closures or attachments since they may increase the contamination of other plastic recycling streams.

Priority chemicals are substances with certain hazardous properties that can affect human health, and/or the environment. A priority chemical is defined as a chemical that meets the criteria for classification as a carcinogen, mutagen, reproductive toxicant, or is persistent, bioaccumulative, and toxic; or any chemical for which there is

“scientific evidence of probable serious effects to human health or the environment which give rise to an equivalent level of concern.” (Source: [Registration, Evaluation, Authorization and Restriction of Chemicals \(REACH\) Title VII, Chapter 1, Article 57](#) (See the [National Academy of Sciences](#) for more information on assessing chemicals).

Recyclable packaging can be collected, separated, or otherwise recovered from the waste stream through an established recycling program for reuse or use in manufacturing or assembling another item instead of becoming waste (See the [ETC Green Guides](#)

and [Sustainable Packaging Coalition](#) for more information, including the [Centralized Availability of Recycling Study](#). Preferred materials, those that have high value end markets:

- Plastic: PET, high-density polyethylene (HDPE), polypropylene (PP), and recycled resins (ensure color is appropriate for recycling that specific plastic)

- Fibers: 100% paper/cardboard from certified responsibly managed forests and/or with high percentage of recycled content

- Metals: Aluminum and steel

Recycled materials have been recovered or diverted from the waste stream, either during the manufacturing process (pre-consumer) or after consumer use (post-consumer).

Source reduction refers to reducing the amount of materials entering the waste stream by redesigning packaging (e.g., lightweighting) or patterns of production or consumption (e.g., using returnable beverage containers).

Sustainability Index tracks progress against Walmart’s goal to sell products that sustain people and the environment through questionnaires that are based on Key Performance Indicators (KPIs) developed by [The Sustainability Consortium](#).

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