



CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MICHAEL RANALLI, EL DORADO 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, August 17, 2017 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 June 22, 2017 – Supervisor Kobseff, ESJPA Chair (*pp 3-7*)
- B. Discussion of ESJPA 2018 meetings.

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. Legislative Update

Supplemental Packet

(This item may be heard at any time during the meeting depending upon the availability of staff) Discussion of Legislation – Paul Smith, Vice President of Government Affairs (*15 minutes*)

- A. Complete Text of Selected Bills
- B. Summary Listing of All Solid Waste Related Bills

V. Presentations

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- A. Farm and Ranch Clean Up Grant – Larry Sweetser, ESJPA Consultant (*pp 11-15; 20 minutes*)
- B. Beverage Container City/County Payment Reporting – Eloisa Hernandez, Program Manager, Beverage Container & Tire Recycling Grant, CalRecycle (*pp 17-24; 20 minutes*)

- C. Mariposa Solid Waste Operations – Todd Storti, solid Waste Manager, Mariposa County (30 minutes)
- D. Report from CalRecycle – Joe Rasmussen, Supervisor, Materials Management and Local Assistance Program, CalRecycle (10 minutes)

VI. Member County Concerns/Comments

VII. Solid Waste/Regulatory Update

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Discussion and possible action related to the following:

- A. Air Resources Board
 - Cap and Trade Program Update – Staci Heaton, RCRC Regulatory Affairs Advocate (5 minutes)
 - 2017 Climate Change Scoping Plan Update – Mary Pitto ESJPA Program Manager (pp 27-38; 5 minutes)
- B. CalRecycle
 - SB 1383 Regulations – Mary Pitto (pp 39-59; 5 minutes)
 - AB 901 Regulations – Larry Sweetser, ESJPA Consultant (5 minutes)
 - Electronic Waste Fee Determination – Larry Sweetser (pp 61-67; 5 minutes)
- C. State Water Resources Control Board (SWRCB)
 - Storm Water Industrial General Permit – Larry Sweetser (5 minutes)
 - Waste Discharge Water Quality Fee – Larry Sweetser (pp 69-70; 5 minutes)
- D. Department of Toxic Substance Control
 - Retail Waste Working Group – Larry Sweetser (5 minutes)
 - Treated Wood Waste – Larry Sweetser (pp 71-76; 5 minutes)
- E. Extended Producer Responsibility
 - CA Product Stewardship Council Update – Heidi Sanborn, Product Stewardship Council (pp 77-88; 10 minutes)
 - Carpet America Recovery Effort (CARE) Update – Lisa Mekis, CARE (pp 89-96; 5 minutes)
 - PaintCare Update – Daria Kent, Northern California Regional Coordinator (5 minutes)
 - Mattress Recycling Council Update – Liz Wagner, Program Coordinator (pp 97-111; 10 minutes)
- F. Grant Program Update – Larry Sweetser (5 minutes)
- G. Highlights of June/July/August CalRecycle Meetings – Larry Sweetser (pp 113-128; 5 minutes)
- H. Other Regulatory Announcements/Issues of Interest
 - CalRecycle E-Waste Updates (pp 129-131)
 - Cal EPA CUPA Newsletters (pp 133-141)

VIII. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday, August 17, 2017.

IX. Articles of Interest (pp 145-160)

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X. Adjournment

12:00 PM Lunch

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 the new organics management and regulatory requirements. You are invited to stay and encouraged to participate in these sessions.

- **SB 1383 Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions related to Reporting and Enforcement**
 - **Howard Levenson, Deputy Director, CalRecycle**
 - **Cara Morgan, Branch Chief, CalRecycle**
 - **Mark DeBie, Deputy Director, CalRecycle**
 - **Hank Brady, SB 1383 Manager, CalRecycle**
 - **Kyle Pogue, Section Manager, CalRecycle**

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

Thursday June 22, 2017

MEMBERS REPRESENTED

Jim McHargue, Director Solid Waste	Amador County
Lynn Morgan, Supervisor	Amador County
Eric Miller, Solid Waste Manager	Butte County
Mike Azevedo, Assistant Director	Colusa County
Gerry Hemmingsen, Supervisor	Del Norte County
Greg Stanton, Division Director	El Dorado County
Barbara Houghton, Environmental Health Manager	El Dorado County
Joe Bettencourt, Admin Services Analyst	Glenn County
Paula Wesch, Program Coordinator	Lassen County
Tom Valentino, Agency Manager	Lassen County
Ahmad Alkhayyat, Public Works Director	Madera County
Todd Storti, Solid Waste Manager	Mariposa County
David Garcia, Solid Waste Program Manager	Nevada County
John Heath, Supervising Engineer	Shasta County
Collette Streight, Community Education Specialist	Shasta County
Arthur Boyd, Recycling Coordinator	Siskiyou County
Rachel Ross, Agency Manager	Tehama County
Diane Rader, Deputy Director Solid Waste	Trinity County
Belinda Barlow, Solid Waste Manager	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.
Lisa McCargar, CFO	RCRC Staff
Julie Lunn, RCRC Office Assistant	RCRC Staff

GUEST SPEAKERS:

Sean Burchill, Call2Recycle	Laurel Warddrip SWRCB
Shirley Willd-Wagner, CalRecycle	Joe Rasmussen, CalRecycle
Heidi Sanborn, CPSC	Liz Wagner, MRC
Chris Bria, CalRecycle	Howard Levenson, CalRecycle
Cara Morgan, CalRecycle	Mark DeBie, CalRecycle
Hank Brady, CalRecycle	Kyle Pogue, CalRecycle

OTHERS IN ATTENDANCE:

Terry Brennen, CalRecycle
Carrol Mortensen, CalRecycle
Gretchen Olsen, City of Stockton
Deb Phillips, CA Conservation Corps
John Pabst, ACES Waste Services

Evan Johnson, CalRecycle
Alex Souza, CalRecycle
John Davis, Mojave Desert
Curt Fujii, Fujii Civil Engineering

MEMBERS NOT REPRESENTED

Alpine County, Calaveras County, Imperial County, Inyo County, Modoc County, Mono County, Plumas County, Sierra County.

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

TAG Chair Jim McHargue Amador County called the meeting to order at 9:09 a.m. Self-introductions were made. A Quorum was Determined at that time.

II. Business Matters

A. Approval of Minutes March 16, 2017.

TAG Chair Jim McHargue, Amador County, called for the approval of the minutes from the March 16, 2017, Board of Directors meeting. The motion to approve minutes was made by Supervisor Lynn Morgan, Amador County, and seconded by Rachel Ross, Tehama County. The motion passed unanimously.

B. Review and Approval of the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2016.

Lisa McCargar, RCRC Chief Financial Officer, gave a summary review of the financial audit. The motion to approve Auditors Report was made by Diane Rader of Trinity County, and Seconded by Arthur Boyd, Siskiyou County. The Motion Passed Unanimously.

C. Adoption of Resolution #17-01 Authorizing the Continuous Submittal of CalRecycle Used Oil Payment Program Proposals on Behalf of Member Counties.

The motion to adopt Resolution #17-01 was made by Mike Azevedo, Colusa County and Seconded by Todd Storti, Mariposa County. The Motion Passed Unanimously.

III. Public Comment None

IV. Legislative Update

Mary Pitto and Larry Sweetser provided an update on various bills of interest to the ESJPA. Key legislation mentioned includes:

- AB 1288 (Eggman) - This proposed legislation adjusts the current \$1.40 solid waste tipping fee to \$3.50. There would be \$0.60 for CalRecycle programs, \$0.50 would go to for Water Board Landfill WDR fees, and the other \$1.00 would be for organics infrastructure programs yet to be decided. An additional solid waste management fee is being proposed to be assessed to generators. There is no proposal yet for self-hauls which will be incorporated at a later date. The fee would be between \$0.10 and \$0.20 per month and collected by counties or solid waste haulers. Details are yet to be worked out even though the bill has passed to the Senate. The bill is expected to be a two-year bill. RCRC staff will continue to be involved with discussions on the bill. RCRC agreed

to support a similar bill a few years ago. After additional input from the ESJPA, a recommendation will be considered. Feedback from members was requested including how the money would be collected. John Heath indicated Shasta County would raise the landfill tip fee. It is anticipated that increased fees will result in illegal dumping. Part of the input will include timing for the increase to address local budget timing. Export of solid waste is not in the current proposal. Members requested more transparency on the agency cost allocations.

- SB 102 – This bill is part of the State Budget Package and is a short-term fix for Beverage Container Recycling center closures. The bill changes the handling fee back to the 2015 rate and an additional \$3 million set aside for rural and low-volume sites that have been closed. Reform discussion will continue with consideration for additional container types. The Legislature is very interested in a long-term fix.
- Other bills are listed in the supplemental packet.

V. Presentations

A. Battery Recycling and Product Stewardship: Opportunities for Rural Communities- Sean P Burchill, Western Account Manager, Call2Recycle

Sean Burchell indicated that Call2Recycle is increasing collection to all battery types. There are new requirements including safety protocols that all rechargeable batteries and ones with uncertain chemistries must be protected from short circuiting. Outreach and education materials are available to anyone on the Call2Recycle website and available for free downloading. Rechargeable batteries are still free for Household Hazardous Waste programs, transfer stations and retail establishments. Other locations, like police and fire stations, will be charged for rechargeable battery collection. All batteries can be placed in the same container as long as they are protected. Call2Recycle is promoting nationwide legislation for manufacturer responsibility.

B. General Industrial Storm Water Permit- Laurel Warddrip, Industrial and Construction Storm Water Unit Chief, State Water Resources Control Board

Laurel Warddrip provided an overview of the current timeline for reporting under Level 2 status. Facilities entering Level 3 status will need to utilize a QISP for the report which is submitted online in SMARTS. The report needs to include the choice of demonstration, a narrative and timeline for responses. A report is also due on 1/1/18 on why there is still exceedances and an update on the demonstration plan. If a site does not select one of the demonstrations, the site will likely be deemed to not be in compliance. There are no current plans for the Board to take action on compliance yet. Advice was provided on conducting level 2 sampling. Extensions are available for Level 2 ERA implementation. Laurel also indicated that work will be starting on the next Industrial General Permit with issuance expected in 2020. Possible topics could include storm water capture incentives, changes to the ERA process, guidance on treatment chemicals, sector specific limits, and inclusion of TMDL limits for some regions. The timing for this next version is an internal draft in summer 2017 with public comment in early 2018. Adoption is expected in fall 2018

C. Future of Electronic Waste Management in California-Shirley Willd-Wagner, Senior Environmental Scientist, CalRecycle

Shirley Willd-Wagner provided an update on the Future of Electronic Waste Management and solicited comments from ESJPA members. Shirley indicated that the current markets for CRTs were declining and thus the funding for the program is changing. CalRecycle conducted a survey of stakeholders and workshops. Programs from other states and other Counties were reviewed. As a result, CalRecycle is considering options for revising the program including product stewardship for other materials and if so what products and how to shape the program. Another concept is to develop more options for reuse and repair of products. Some counties are focusing on product redesign. Another factor for consideration is targeting products with batteries, toxicity, prevalence in waste stream, and other criteria. Shirley requested input from members on issues that are important to them. There was much support to expanding the payment program to all electronics.

D. Report from CalRecycle-Joe Rasmussen, Supervisor Materials Management and local assistance Program, CalRecycle.

Joe provided a handout with significant CalRecycle activities, which will be posted on the ESJPA website.

VI. Member County Concerns/Comments

Paula Wesch with Lassen County asked if other members have seen an increase in enforcement from the state. John Heath and Eric Miller indicated that they have been seeing more inspectors and inspections from state agencies are their landfills. Eric Miller requested as to the status of disposal of smoke alarms that are not accepted by HHW facilities. Larry Sweetser responded that there are two types of smoke alarms. The photoelectric alarms can go with e-waste provided the vendor will accept them. The ionizing type alarms are radioactive ones are not regulated as radioactive waste for disposal and can be disposed with solid waste with the batteries removed. Many jurisdictions do not want to encourage disposal as solid waste. There are some companies that will accept them at the cost of about \$250 per 5-gallon bucket which holds about 12-15 units. There are also combination detectors, ionizing and photoelectric, and carbon monoxide detectors. John Heath introduced a new employee in Shasta County, Collette Streight, who will be assuming the duties of Community Education Specialist from Jessica Diridoni who has moved on.

VII. Solid Waste Regulatory Update

Discussion and possible action related to the following:

A. Air Resources Board

- **Cap and Trade Auction Proceeds**

Mary Pitto reported that the last Cap and Trade auction proceeds increased. The packet has a letter from RCRC on preferred spending of the proceeds for Forestry and CalRecycle. No money has been allocated by the governor this year unless the Cap and Trade program is extended by a two-thirds vote past 2020.

- **Draft Short-Lived Climate Pollution Reduction Strategy**

Mary Pitto deferred to the afternoon session with CalRecycle.

B. CalRecycle

- AB 901 Regulations

Larry Sweetser reported that CalRecycle is moving to the formal rulemaking process with expected adoption in early 2018. The first reports will be due in the first quarter of 2019. The proposal has improved significantly. There are many new definitions and some still need refining. The current proposal provides exemptions from weigh scales for transfer stations which accept less than 100 tons per day for urban areas and less than 100 tons per day for rural sites. Landfills with less than or equal to 4000 tons per year (about 10 tons per day) of contract hauled waste is exempt from requiring scales. Other exemption criteria include: or "located in an area prone to inclement weather for three or more months of the year, which would not allow for the adequate operation and maintenance of scales" or "The disposal facility is so remote that the availability of an electric utility to power the scales is prohibitive." No ESJPA members have expressed concern about this limit. Exempt sites using volume to weight conversions will need to update them every three years from the current five-year interval.

- Designated Approved Collector Review

Larry Sweetser wanted to check in with members on the new procedures for designating collectors. Under the new program only local jurisdictions can issue a designation. Schools and other groups will not be allowed to issue the designations for their fundraising programs.

C. State Water Resources Control Board (SWRCB)

- Storm Water Industrial General Permit

Larry Sweetser asked members if there were any issues with the Level 2 reporting that were not discussed earlier. There were no significant issues.

- Waste Discharge Water Quality Fee

Larry Sweetser reported the staff proposal to the Water Board indicated that slight decrease in the fee is proposed for about August 2017. Bills are expected in the October to February time.

D. Department of Toxic Substance Control

- Retail Waste Working Group

Larry Sweetser reported the Retail Waste Working group meeting are complete and the final report to the legislature is being drafted.

- Treaded Wood Waste

Larry Sweetser reported that DTSC staff will be visiting sites that accept treated wood waste. Members did not indicate any issues or questions.

E. Extended Producer Responsibility

- California Product Stewardship Council Update-

Heidi Sanborn provided an update on Producer Responsibility efforts including 20 Medicine collection containers in San Joaquin County. The Carpet Bill passed out of the Senate-51%. The carpet mills have hired lobbyists to represent them. The bill proposes a -24% recycling goal by 2020. Since this is a fee bill it requires a -2/3 vote. Recycling fees will be going up. CPSC is looking for input for improving the system. DGS has authority to increase procurement for the state agencies.

- Carpet America Recovery Effort (CARE) Update-Lisa Mekis

No update was provided.

- PaintCare Update-Daria Kent

No Update was provided.

- Mattress Recycling Council Update

Liz Wagner reported meetings with Plumas County haulers facilitating arrangements for carpet collection. Siskiyou County has new sites and Glenn County is waiting for the transfer station to be completed. The Mattress Annual Report is due July 1.

F. Grant Program Update

Larry Sweetser reported that CalRecycle has notified applicants for the HHW grants if they did not get selected. If jurisdictions did not get a notification, then they can likely assume that they will be selected. OPP8 applications are due June 29th. The Tire Amnesty grant TA3 ends June 30th and all funds must be spent and the report is due. The ESJPA was approved for the next Tire Amnesty grant cycle (TA4). Fair session has started. Annual reports for the OPP program are due August 15th. There are concerns with the new report requirements that Larry will be discussing with CalRecycle.

G. Highlights of March/April/May CalRecycle

Larry Sweetser reported that there were no additional items.

H. Other Regulatory Announcements/Issues of Interest

- Worlds First Mall for Recycled Goods
- Repair Café
- Dirty Murph & The Curbside Sorters
- The Compost Story
- CalRecycle Fraud Sting
- CalRecycle E-Waste Updates
- Cal EPA CUPA Newsletters

VIII. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next

ESJPA Board Meeting Scheduled Thursday June 22, 2017- Todd Storti Mariposa County volunteered the County Presentation at the next ESJPA Meeting August 17, 2017. Topic- Farm and Ranch Grant-Legacy Pesticide-Can Marijuana waste compost?

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

X. Adjournment- was called at 12:20 PM

Respectfully submitted,
Julie Lunn, Office Assistant/Receptionist

Agenda Item V

PRESENTATIONS



Farm and Ranch Solid Waste Cleanup and Abatement Grant Program

What is the Farm and Ranch Grant Program?

The Farm and Ranch Solid Waste Cleanup and Abatement Grant Program provides funding from the California Department of Resources Recycling and Recovery (CalRecycle) for the cleanup of illegal solid waste sites on farm or ranch property.

Grants are limited to \$50,000 per cleanup or abatement project, with a limit of \$200,000 per year for each eligible applicant.

What is Farm or Ranch Property?

Farm or ranch property is property that is used for rangeland or agricultural activities such as, but not limited to, commercial livestock and crop production, horticulture, aquaculture, silviculture, floriculture, vermiculture, and viticulture. Farm or ranch property can be publicly or privately owned and need not have active sales or production, but must be appropriately zoned or otherwise authorized for agricultural activities.

Who Is Eligible to Apply for the Grant?

Only cities, counties, resource conservation districts, and federally recognized Native American tribes may apply. Property owners who desire grant funding to clean up their



Illegal disposal site in Stanislaus County.

property must work with one of the entities listed above. See the "Need More Information?" section for contact information.

What Sites Are Eligible for Grants?

Sites may be eligible for grant funding if the property meets all of the following criteria:

- Unauthorized solid waste disposal has occurred on a farm or ranch parcel(s).
- Property is in need of cleanup to abate a nuisance or public health and safety threat and/or a threat to the environment.
- The owner is not responsible for the illegally disposed waste.
- Property is zoned or otherwise authorized for agricultural activities.

What Cleanup Activities May This Grant Money be Used For?

Eligible expenses include, but are not limited to:

- Waste removal and disposal
- Recycling
- Personnel to administer the grant
- Drainage control and grading improvement
- Slope and foundation stabilization
- Equipment rental
- Excavation
- Revegetation
- Site security
- Public education
- Removal of chlorofluorocarbons (CFC)
- Administrative costs up to 7 percent of the cleanup costs expended

Can a Property Owner Get Reimbursed for a Previous Cleanup?

Yes. Reimbursement of costs previously incurred by a farm or ranch property owner for cleanup or abatement of an illegal solid waste site is allowed. However, verification and

documentation must be provided to clearly show that:

- Eligibility criteria have been met (see "What sites are eligible for grants?").
- Costs incurred were used specifically for the cleanup or abatement work.

Whenever possible, property owners should coordinate with one of the eligible grant recipients prior to cleanup.

How do I get a Grant Application?

The Application is now online in CalRecycle's web-based Grants Management System (GMS). There are three grant cycles each year.

Need More Information?

To locate a Resource Conservation District office that may be able to apply for a grant on your behalf, contact:

California Association of Resource Conservation Districts

Phone: (916) 457-7904, Ext.10

Fax: (916) 457-7934

www.carcd.org

To locate a city or county office that may be able to apply for a grant on your behalf, or for more information about the Farm and Ranch Grant Program, contact:

Carla Repucci, Farm and Ranch Grant Program Manager

Phone: (916) 341-6316

Email: Carla.Repucci@CalRecycle.ca.gov

General information and the online application package are available at

<http://www.calrecycle.ca.gov/LEA/GrantsLoans/FarmRanch/>

Other CalRecycle Grants for Illegal Dumping

Local Government Waste Tire Cleanup Grants and Waste Tire Amnesty Grants

These are grants available to local government entities (including local enforcement agencies [LEA]), county and city departments, special districts and California Native American organizations. Grants are awarded on a competitive basis for the removal, transportation, recycling, and disposal of waste tires from illegal tire piles and areas where illegal dumping has occurred along public rights-of-way. The Tire Amnesty Grant Program funds amnesty events for the public to bring in their tires to convenient locations at no charge.

Solid Waste Disposal Site Cleanup Grants

These are competitive grants available to public entities. These grants can finance remediation projects at solid waste disposal sites where there is a threat to public health and safety or the environment, and where the responsible party is unable or unwilling to perform the timely remediation or is unidentified.

The CalRecycle website offers more information on these and other grant programs:

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

REQUEST FOR APPROVAL

To: **Howard Levenson**
Deputy Director, Materials Management and Local Assistance Division

From: **Michelle Martin**
Branch Chief, Financial Resources Management Branch

Request Date: July 5, 2017

Decision Subject: Eligibility Criteria and Evaluation Process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, Fiscal Years 2017-18 and 2018-19)

Action By: July 18, 2017

Summary of Request

Staff seeks approval of the proposed eligibility criteria and evaluation process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program) for fiscal years (FY) 2017–18 and 2018–19.

Staff proposes to use the same eligibility criteria and evaluation process utilized in FYs 2015–16 and 2016–17 and to continue offering the Pilot Program in the third cycle of each fiscal year.

Recommendation

Staff recommends approval of the proposed eligibility criteria and evaluation process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program for FYs 2017–18 and 2018–19.

Deputy Director Action

On the basis of the information and analysis in this Request for Approval and the findings set out herein, I hereby approve the eligibility criteria and evaluation process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program for FYs 2017–18 and 2018–19.

Howard Levenson
Deputy Director

Dated

Background and Analysis

Statutory Authority

Public Resources Code (PRC) section 48100 authorizes CalRecycle to award grants to cities, counties, Resource Conservation Districts and Federally recognized Native American tribes (as defined by PRC 44201(b)), for the purposes of cleaning up and abating the effects of illegally disposed waste on farm and ranch property owned by innocent parties. The Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Program) is further described in the California Code of Regulations, Title 14, Division 7, Chapter 4.5.

Program Background

Properties eligible for grants include those involving a broad range of agricultural activities (e.g., farms, ranches, horticulture activities, and silviculture activities) where the property owner is not directly responsible for the illegal disposal or dumping based on a determination by the applicant. The Program's funding is primarily used to pay for the removal and proper disposal of small nuisance illegal dump sites, including, but not limited to, non-hazardous solid waste, tires, incidental amounts of household hazardous materials, and for site security measures to prevent the recurrence of illegal disposal after the projects are completed.

The Program has been undersubscribed, with the number of submitted grant applications declining overall for several years. Currently, the Program offers three cycles each fiscal year.

In FY 2013–14 a two-year pilot project was implemented. The Pilot allowed applicants to receive grant funding for identified illegal disposal sites without having to adhere to the standard grant application process. The intent with this simplified process was to increase the number of grant project applicants and address a chronic undersubscription issue with the program by allowing the applicant additional time to gather and submit some of the required documentation (detailed budget, land use/zoning designation, property access authorization and non-responsibility affidavit, site characterization form, vicinity map and work plan). Four cycles of the pilot have been offered, with thirteen applicants in total signing up.

Proposed Process and Eligibility

Staff will conduct an initial review of all applications to confirm applicant eligibility and application completeness. Eligible applicants must be either a local agency such as a city or county, a resource conservation district, or Native American tribe.

Applicants may apply for up to \$200,000 per fiscal year and funding for each eligible site shall not exceed \$50,000. Grantees may not expend more than seven percent (7%) of the grant funds for administrative costs. PRC section 48100 specifies that annual funding for the Program shall not exceed \$1,000,000.

Staff recommends continuing the pilot program as an option for applicants, and will begin working on revising program regulations to allow flexibility in adopting the pilot process. The pilot program has proven ideal for applicants with dump sites created at illegal marijuana grow operations. Because this type of site is considered an active crime scene, the applicant is unable to access the site until they go in to assess the site with the sheriff's office. This means they are unable to apply for a standard farm and ranch grant, which requires completion of all the application documents prior to grant award. With the pilot program an

applicant can apply with very basic information, get awarded and then complete the remaining application documents on a more relaxed time schedule that coincides with law enforcement. Fifty percent of the pilot cycle applicants in FY 2016–17 were for this type of site.

Proposed Changes

Staff is not proposing any changes from the last criteria, which was updated in June 2015.

Tentative Timeline for FY 2017–18

As shown in the table below, staff will post a Notice of Funds Available on CalRecycle's website informing potential applicants of the funding, eligibility requirements, deadlines, and other important information. Notices will also be distributed through the Grants Management System database, at outreach presentations, and to current and past Program recipients. CalRecycle's Local Assistance and Market Development staff will be asked to inform their local jurisdictions of this funding opportunity.

Table 2. Tentative Timeline

FY 2017–18	Activity
July 2017	Post Notice of Funds Available, application, and related instructions and documents on the web site
August 24, 2017 November 7, 2017 February 6, 2018	Applications due
September 26, 2017 December 19, 2017 March 6, 2018	Secondary Due Date; Application evaluation/review process conducted; funding determined for eligible applicants
October 2017 January 2018 April 2018	Grant Awards presented at Public Meeting and Grant Agreements distributed and executed
March 19, 2020	Grant term ends

The FY 2018–19 timeline will be similar to the tentative FY 2017–18 timeline above.



**BEVERAGE CONTAINER RECYCLING CITY/COUNTY
PAYMENT PROGRAM**

EXPENDITURE REPORTING INSTRUCTIONS
Revised June 22, 2017

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OVERVIEW

Expenditure reporting is now a requirement for ongoing eligibility for the City/County Payment Program. Recipients must meet CalRecycle's online reporting requirements. Recipients may report expenditures once all Program funds have been spent but no later than the reporting due dates indicated below. Failure to meet the reporting due date, account for funds, and/or report ineligible expenditures, may result collection of unspent/unreported Program funds and denial of any future funding from CalRecycle.

All expenditures will be reported through CalRecycle's City/County Annual Payment and Reporting System (CAPRS). **Supporting documentation, including proof of purchase, for all expenditures is required.**

Please access City/County Annual Payment and Reporting System (CAPRS) (<https://secure.calrecycle.ca.gov/CAPRS>) and review your Funding Request for each applicable fiscal year. Reporting is based on the awarded funds for each fiscal year. Enter the expenditure budget and the supporting documentation into CAPRS.

TIMELINES AND DUE DATES

Fiscal Year (FY)	Term	Expenditure Period	Expenditure Reporting Due Date
2014-15*	July 1, 2015 – June 30, 2017	August 31, 2015 – September 1, 2017	September 1, 2017
2015-16	August 1, 2016 – June 29, 2018	September 8, 2016 – June 29, 2018	September 4, 2018
2016-17	June 1, 2017 – June 29, 2019	June 1, 2017 ⁸ – June 29, 2019	September 3, 2019

*End of Term and Expenditure Period dates differ due to FY 2014-15 implementation of new Fi\$CAL system

EXPENDITURE CHANGES

Expenditure Reports should match each fiscal year's Projected Expenditure Plan on the Funding Request Activities tab unless a CalRecycle Regional Representative (CRR) was previously notified of any budget modifications. If so, please indicate the date of the budget modification request and the CRR notified in the comments section of the Expenditure Report (on any of the applicable Budget Activities).

REGIONAL APPLICATIONS/COOPERATIVE REGIONAL EFFORTS

Cooperative regional efforts among two or more cities and counties were acceptable for FY 2014-15, but CAPRS did not allow Regional Applications until FY 2015-16. As a result, cooperative regional efforts must complete their Expenditure Reports as separate jurisdictions for the FY 2014-15 funding cycle.

For FY2015-16 and subsequent years, a Regional Lead Participant (Lead) must submit an Expenditure Report on behalf of all participating jurisdictions.

UNSPENT FUNDS

Unspent Program funds at the end of the term must be reimbursed by check to CalRecycle within 45 days from the Expenditure Reporting due date. Notify your CRR if you will be sending in a check. The check will need to be labeled as City County Payment Program Unspent Funds for FY (insert applicable fiscal year) and mailed to:

CalRecycle, Accounting Office
P.O. Box 4025
Sacramento, CA 95812-4025

If there are questions or other issues related to expenditures, please work with your CRR to resolve them. Program funds due to CalRecycle that are left unpaid may result in denial of future funding from any CalRecycle program.

INELIGIBLE EXPENDITURES

Please do not include ineligible items in your Expenditure Reporting. Ineligible items include, but are not limited to:

- SWAG (any item given away to the public, or listed on the [SWAG Clarification Letter](#))
 - See [SWAG Questions & Answers](#) for more information.
- Any activity/item that does not have a nexus to beverage container recycling to include but are not limited to:
 - Activities solely related to used oil, E-waste, household hazardous waste, organics, cardboard recycling, and waste.
 - Stand-alone compost bins
 - Stand-alone trash bins
 - Litter clean-up events not including CRV material in the waste stream
 - Recycled Content Products that do not contain CRV beverage container material (except FY2014-15)
 - CRRRA Conference for more than two staff, CRRRA membership (registration is OK), or travel that does not meet the [State guidelines](#)
 - Out of State Conferences.
 - Memberships to Associations.
 - Pet/BioBag Waste Bags.
 - Monetary/Gift Card Rewards for Recycling Activities/Challenges.
 - Items or services whose cost is covered by another CalRecycle Grant.

TRAVEL

If you have listed travel, you will need to show that it meets state requirements for reimbursement (see link above). Complete the Travel Expense Log Form (CalRecycle 246, Rev. 4/17) from CalRecycle's [Grant Forms Webpage](#) (www.calrecycle.ca.gov/Funding/Forms) and upload it to CAPRS.

PROOF OF PAYMENT

You will need to submit Proof of Payment with this report. Acceptable Proof of Payment must include at least one of each of the following.

- a) Invoices, receipts, or purchase orders must include the vendor's name and telephone number, address, description of goods or services purchased, amount due, and date. The claimed expenses should be highlighted and identified with applicable task number on each invoice.
- b) Proof of payment may include:
 - i. copy of cancelled check(s) that shows an endorsement from the banking institution
 - ii. invoice(s) showing a zero balance, or stamped "paid" with a check number, date paid, and initials
 - iii. accounting system report from local government if it contains the vendor name, date of invoice, invoice number, check number or internal ID, and date amount was paid
 - iv. bank statement(s) along with a copy of the endorsed check or invoice showing the check number
 - v. copy of an electronic funds transfer confirmation
 - vi. copy of a credit card statement(s)

When uploading supporting documentation, please provide a brief description of the documentation being uploaded and clearly delineate the items purchased using CCPP funding in all supporting documentation. You may use the comment box to provide any detail.

RECORDS RETENTION

Maintain all applicable documentation for a minimum of three years from the date of project completion. We highly recommend that each jurisdiction encumber the money in a separate account for beverage container recycling activities.

ENTERING REPORTS INTO CAPRS

INSTRUCTIONS

Sign into CAPRS (<https://secure.calrecycle.ca.gov>) using your WebPass login information.

- On the Navigation Menu, click **Expenditure**
- **Select** the applicable Jurisdiction name (for those with access to more than one jurisdiction)
- Click on the applicable **Fiscal Year** (Example: 2014–15)
 - Note: If you do not see the applicable FY, please contact your CCR
- Click on the **Expenditure Items** tab on the top of the screen
 - Click on **Add Expenditure Item** button to add expenditures. This will bring you to the Expenditure Item Detail page.

Enter the following information:

- **Group:** Use the dropdown for Group to report on the applicable budget category
- **Activity:** The Group selection will populate the Activity dropdown and will give you a listing of eligible expenditures within that category. **Note:** Once you report expenditures in an Activity, that Activity will no longer appear as a dropdown option for subsequent expenditure reporting in that Group.
- **Expended Amount:** Amount spent on Expenditure
- **Start Date:** The first date this item was purchased
- **End Date:** The last date this item was purchased (If item was only purchased once, enter the same date for both the Start Date and the End Date)
- **Activity Backup Documentation:** Proof of Payment/Invoice amounts should match the Activity expenditure amount. All expenditures for each Group/Activity should be included in this upload, even if it includes several purchases. There should be a clear audit trail for reconciling the Group/Activity amount to the uploaded supporting documentation.
 - **Document Title:** Add a document title that will easily identify purchases
 - **Document Description:** At minimum, identify which activity the document is intended for.
 - **Document Type:** Select Expenditure Reporting
 - **Document Date:** Date of upload
 - **Document Upload:** Click Browse, and choose the document to upload.
 - **Comments:** Please add comments as required (Example: The City of Sacramento expended all 2014–15 funds on beverage container recycling bins for 15 public parks and several downtown high traffic areas. Proof of purchases and invoices are attached in the documents tab to account for a total of \$5,000. A budget modification was approved by Grant Manager, Jane Doe on 10/1/2016. Email approved has been uploaded in the documents tab.)
- Click on **Add Expenditure Item** if more entries are needed to equal Expenditure Balance.
- Once all expenditures are accounted for, click on the **Summary** tab.
- Please review your Expenditure Report to ensure all information is accurate.

- Once review is complete, click on **Print Expenditure Certification** tab.
- Click **Open** once the notification window is available.
- Print, Sign, and Upload Expenditure Certification using the **Documents** tab.
- For FY2014-15 Expenditure Reports, a Signature is not required.
- Once Expenditure Certification is uploaded, click on **Submit Expenditure**.
- Verify that all checklist items on the Expenditure Checklist contains a Green Checkmark.
 - All Green Checkmarks indicate your Expenditure Report has been submitted.

Please note any discrepancies on the back-up documentation (See example under the Example of Report Submission section).

When uploading documents, please ensure file names do not include any special characters such as parenthesis, number signs, etc. Documents will not upload into CAPRS if a special character is in the Document name.

EXAMPLE OF EXPENDITURE REPORT

The screenshot shows the CAPRS Expenditure Report form. It includes an 'Instructions' section with steps for adding an expenditure item and back-up documentation. The main form area has fields for Group (Beverage Container Collection Programs), Activity (Recycling Bins), Expenditure Amount (5000), Start Date (5/24/2017), and End Date (5/24/2017). There are buttons for 'Save', 'Cancel', 'Add Activity Backup Document', and 'Add Expenditure Item'. The 'Activity Backup documentation' section contains fields for Document Title (Bear Saver Recycling Bins), Description (Invoice and proof of purchase for beverage container recycling bins.), Document Type (Expenditure Reporting), Document Date (5/24/2017), and Document Upload. On the right, the 'Expenditure Balance' section shows Awarded Funds: 5,000, Actual Expenditures: 5,000, and Expenditure Balance: 0. Below that is the 'Expenditure Checklist' with checked items: Has Expenditure Entered, Print and Upload the Expenditure Certification, and Submit Expenditure. There is also an 'Export To Excel' button and a table showing the expenditure details.

Group	Activity	Amount
Beverage Container Collection Programs	Recycling Bins	5,000
Total:		5,000

Example: Jurisdiction X spent \$5,000 on beverage container recycling bins that were purchased on 5/24/2017.

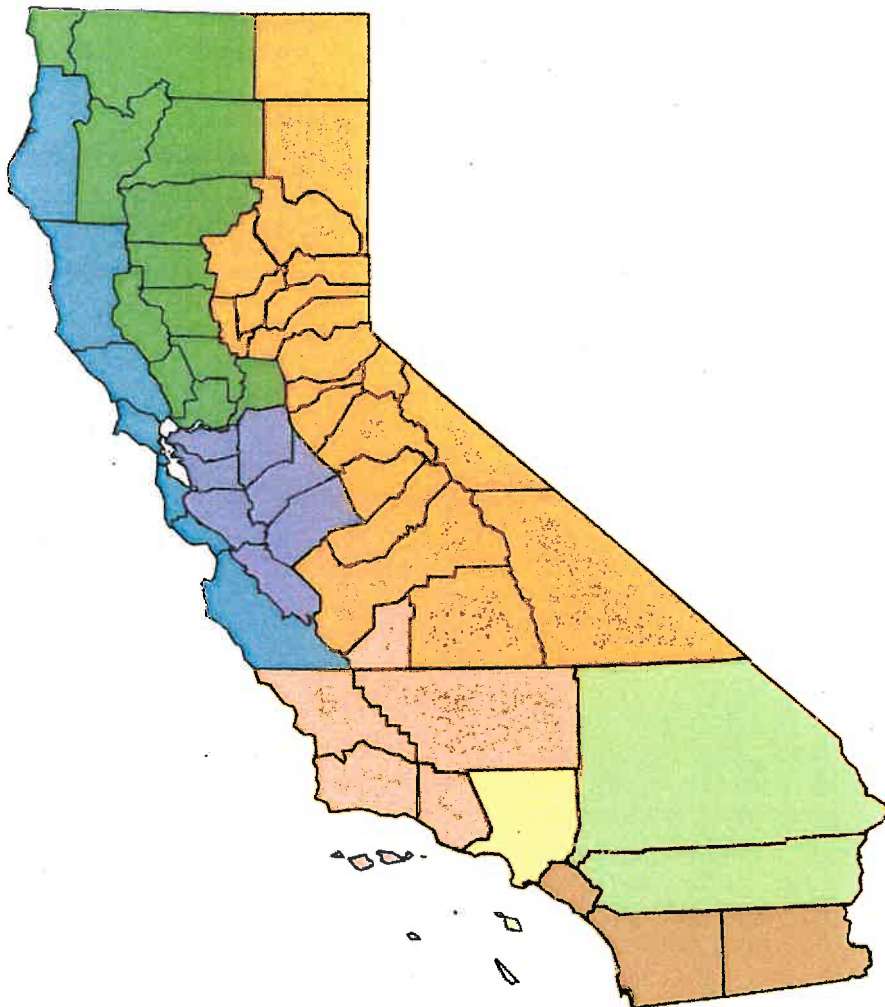
CONTACT INFORMATION

Please contact your CRR if you need any assistance. You can find your contact at <http://www.calrecycle.ca.gov/BevContainer/Grants/CityCounty/Contacts/>



Beverage Container Recycling

City/County Annual Payment and Reporting System: Regions Map



Northern 1

Primary Contact: [Rhoderick Estrada](#) (916) 322-1201
Secondary Contact: [Shamila Tooker](#) (916) 322-3069

Counties:
 Colusa Napa Solano
 Del Norte Sacramento Tehama
 Glenn Shasta Trinity
 Lake Siskiyou Yolo

Northern 2

Primary Contact: [Rhoderick Estrada](#) (916) 322-1201
Secondary Contact: [Shamila Tooker](#) (916) 322-3069

Counties:
 Alameda San Benito Santa Clara
 Contra Costa San Joaquin Stanislaus
 Merced

Sierra

Primary Contact: [Tharon Wright](#) (916) 324-1237
Secondary Contact: [Duartina Johnson](#) (916) 341-6314

Counties:
 Alpine Lassen Plumas
 Amador Madera Sierra
 Butte Mariposa Sutter
 Calaveras Modoc Tulare
 El Dorado Mono Tuolumne
 Fresno Nevada Yuba
 Inyo Placer

Coastal

Primary Contact: [Duartina Johnson](#) (916) 341-6314
Secondary Contact: [Tharon Wright](#) (916) 324-1237

Counties:
 Humboldt Monterey Santa Cruz
 Marin San Francisco Sonoma
 Mendocino San Mateo

Southern 1

Primary Contact: [Shamila Tooker](#) (916) 322-3069
Secondary Contact: [Rhoderick Estrada](#) (916) 322-1201

Counties:
 Kern San Luis Obispo Ventura
 Kings Santa Barbara

Southern 2

Primary Contact: [Duartina Johnson](#) (916) 341-6314
Secondary Contact: [Tharon Wright](#) (916) 324-1237
Counties:
Imperial Orange San Diego

Los Angeles

Primary Contact: [Shamila Tooker](#) (916) 322-3069
Secondary Contact: [Rhoderick Estrada](#) (916) 322-1201
Counties:
Los Angeles

Inland

Primary Contact: [Tharon Wright](#) (916) 324-1237
Secondary Contact: [Duartina Johnson](#) (916) 341-6314
Counties:
Riverside San Bernardino

CAPRS, <http://www.calrecycle.ca.gov/BevContainer/Grants/>
Contacts: <http://www.calrecycle.ca.gov/BevContainer/Contacts.htm>

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Agenda Item VII

SOLID WASTE REGULATORY UPDATES

Priority EJAC Recommendations and CARB Responses

Below are the priority EJAC recommendations discussed at the April 26, 2017 joint CARB Board/EJAC public meeting. At the meeting CARB staff committed to provide responses to each of the recommendations. This document describes how CARB plans to respond in the Final Proposed Plan where applicable. Following each EJAC recommendation is the CARB response. Based on CARB staff's review there is general agreement on the majority of the recommendations. However, a number of the recommendations are beyond the level of detail in the Plan, but rather concern the subsequent measure development and implementation. Where that is the case, the responses outline suggested next steps.

General Themes:

1. **Equity:** CARB has acknowledged that environmental justice communities are more heavily impacted by climate change and exposure to pollution, but has yet to acknowledge the pitfalls of current AB 32 programs in either perpetuating or not fully addressing that inequity. All policies and sectors discussed within the Scoping Plan need to have equity and environmental justice analyses to identify any inequity and give space to CARB staff to identify how the policy may be further improved to address the identified inequity. CARB also needs to include tangible metrics for each sector and policy so staff and the communities can track the implementation of the Scoping Plan and quickly address issues as they arise. In recognition of the need to consider timing and feasibility of some recommendations, staff should use a "loading order" to help prioritize actions: reduce fossil fuel use FIRST, reduce emissions through technology and innovation SECOND, and THIRD (if the other two aren't possible) prevent emissions from increasing.

CARB Response: Agree in principle and will strengthen plan: Addressing equity issues and narrowing the equity gap until there is equity is a key priority. Understanding the Proposed Plan discussion of equity issues in the public health and Environmental Justice sections (Chapter I, D.4 – D.5) does not convey a complete commitment, staff plans to strengthen the discussion by underscoring the important role that equity considerations have on the design, implementation, and monitoring of the policies presented in the Scoping Plan. Where applicable, staff will add references to equity related metrics that are anticipated to inform measures as they are developed following the completion of the scoping plan.

2. **Partnership with Environmental Justice Communities:** CARB needs to highlight the need and opportunity for community-level solutions, citizen science and monitoring of programs and impacts, as well as community involvement in Scoping Plan implementation more generally throughout the final Plan. CARB also needs to mandate equity and environmental justice trainings for all staff to promote the culture shift that is needed to effectively communicate and partner with our communities.

CARB Response: Agree partnership with EJ Communities is critical and bigger than the Scoping Plan. The appointment of an Assistant Executive Officer for Environmental Justice reporting directly to the Executive Officer is in response to a recommendation made by environmental justice organizations and will play a key role in helping to strengthen CARB's interaction with the environmental justice community. Further suggestions like training and promoting an EJ culture shift will be part of the

Assistant Executive Officer's strategic plan and implementation of that plan. This change is system wide and will not only apply to the Scoping Plan and climate change but rather our portfolio of programs including strategies to reduce criteria and toxic pollutants. In the coming months, CARB will be developing and sharing how the agency will continue to engage with environmental justice communities on its air quality and climate programs.

Agree to strengthen Scoping Plan by adding text to Chapter V: Public Outreach section; *reflecting CARB's intent to strengthen EJ community relationships through the appointment of the newly created Assistant Executive Officer for EJ and a description of the future efforts and approach to ongoing engagement with EJ communities on climate and air quality efforts.*

- 3. Coordination:** CARB has been given a mandate to create a Scoping Plan to address greenhouse gas emissions, but does not have within its authority all of the tools to take adequate action to achieve our 2030 and 2050 climate goals. We do not believe that it was the intent of AB 32 and SB 32 to limit actions to only CARB's programs and policies, thus we think that AB 32 and SB 32 require CARB to work with and coordinate actions with other state, regional, and local agencies to ensure that California can meet our ambitious climate goals.

CARB Response: Agree to strengthen coordination language *by adding text to the Scoping Plan to emphasize the need for the State to encourage and assist local jurisdictions with taking substantive actions to address climate change to the extent feasible. The Proposed Plan includes text on local coordination with air districts and communities (Chapters I and V). Table V-1 discusses agency coordination on specific policies/measures. Staff also agrees on the key role that local agencies play in advancing State's climate policies and have developed tools (e.g., carbon calculators) to assist with and promote these efforts. Staff will add language to the Scoping Plan to reflect this point as well as call out specific opportunities for further local action.*

- 4. Economic Opportunity:** CARB has acknowledged that modeling within the Scoping Plan with regard to job loss or gain is limited to the current economic activities – in other words, when our models say we can expect job loss or job gain, it is in a fossil fuel based economy that those job shifts are happening. While it is very important to understand the impact policies will have on current jobs, it is even more important to start thinking about crafting a way to build a new economy based on sustainable economic endeavors (green energy, agriculture, urban greening, etc.), and to prioritize job training and business development in our environmental justice communities – also known as Just Transition. These jobs should be intentional about hiring local first, and identify ways to hire folks with employment barriers (such as a history in the justice system). This includes prioritizing local organizations and individuals for state contracts and grant programs, not out-of-state or out-of-community organizations.

CARB Response: Agree economic opportunity for the EJ communities is crucial and is broader than the Scoping Plan. *Staff agrees with the principles outlined in the recommendation as the policies in the Proposed Plan will help to transition California to a clean energy economy and create tremendous job opportunities. Staff also agrees that preparing for these opportunities needs to be intentional and involve academic, business, government, and community based-groups. However, the recommendation goes beyond the level of detail in the Scoping Plan but is an important next step (i.e., post Plan adoption) to ensure we do not miss important opportunities as part of its implementation. As such, this recommendation has been referred to the Governor's*

Office of Business and Economic Development (GO-Biz) as well as State agencies implementing measures in the Scoping Plan.

5. **Long-Term Vision:** CARB has been given a mandate to achieve 2030 and 2050 targets, but our actions must look well beyond those timelines. We must take every action we can – and reduce emissions as much and as quickly as possible – if we are to honor the Earth we will leave to our children and grandchildren.

CARB Response: Agree - Will strengthen Scoping Plan language. *CARB Staff will strengthen the current discussion in Chapter I of the need to build on our successes in staying on the path to reach our long-term GHG reduction targets and that doing so will deliver public health, environmental, and economic benefits.*

Industry:

- The EJAC's top priority is emissions reduction in environmental justice communities per the intent of AB 197. In addition to 20-30% refinery emissions reduction measures, CARB needs to identify emissions cuts from other large stationary sources like power plants, cement plants, etc. CARB needs to specify which strategies within the Scoping Plan achieve emissions reductions in environmental justice communities. CARB should work with OEHHA to continue their studies on emissions in environmental justice communities. CARB needs to develop and expand a real-time air monitoring network to better track and address inequalities in air pollution exposure as they occur. CARB should also expand the Adaptive Management program to monitor and address changes in toxic or criteria air pollutant emissions, and implement no-trading zones for EJ communities to ensure no localized emissions increases occur.

CARB Response: Agree - Emission reduction is a priority for the EJ communities and the Scoping Plan is only one tool to achieving this goal. *Specifically in the Scoping Plan there is a suite of measures which will contribute to reducing total emissions including air pollutants and toxics. First, staff is proposing to target refineries for focused development of measures to achieve co-benefit reductions of toxic and criteria pollutants as well as GHGs. Second, the Scoping Plan identifies recommendations for cleaner fuels, cleaner transportation, and enhanced efficiency as part of the solution.*

Other CARB actions included in the Scoping Plan towards reducing emissions in the EJ communities include:

- (1) *Improving CARB monitoring data is a priority including expanding air monitoring networks to better track and address inequalities in air pollution exposure as they occur. A plan to develop and implement increased monitoring stations, particularly in disadvantaged communities, is part of CARB's AB 197 related strategies and included in our overall plans to communicate transparently and verify facility criteria and toxics emissions. This data will provide a cornerstone of science that all CARB regulatory tools will rely on, including future updates to the Scoping Plan.*
- (2) *SIP/air quality and toxic regulation are also tools used on a statewide level. It is clear that more needs to be done at the community level to reduce exposure to pollutants that adversely impact public health (e.g., diesel particulate emissions, toxic metals). Creating transparent reporting tools to inform communities of the emissions by Industry along with linking regulation to the reduction of these*

emissions to reduce community exposures is critical. Most of these sources are stationary sources and the authority to address these pollutants from stationary sources primarily rests with local air districts. In response to the EJAC recommendations, CARB is establishing an industrial source action committee with the California Air Pollution Control Officer's Association. The charge of the committee will be to work with CARB on a refinery measure(s), as a replicable model for other sectors, as well as prioritize and develop other industrial control strategies focused on reducing community exposures to pollutants that adversely impact public health. The work with CAPCOA will also consider options for enhanced community monitoring. Further, we will continue working with OEHHA as it tracks the benefits and impacts of greenhouse gas mitigation strategies on disadvantaged communities.

CARB will focus on the tools and regulatory authority along with working with local and State agencies to take additional actions that reduce impacts impacting EJ communities.

- CARB should abandon the Cap and Trade system for a non-trading system option like Carbon Tax (also referred to by staff as Cap and Tax), Cap-and-Dividend, Fee-and-Dividend, or command and control regulations. These options would eliminate free allowances and offsets, and allow CARB to set facility caps. CARB should conduct full economic analyses of these alternatives. CARB needs to fully transition to using the social cost of carbon for all scenarios, which would include broadening the definition of economy to include costs to the public and health care costs of pollution. Funds generated from carbon pricing should be used for emissions reduction programs, dividend to lower income households to alleviate energy price spikes, and a Just Transition Fund to train industrial workers and impacted communities to gain jobs in the clean energy economy.

CARB Response: Disagree. *The analyses in the Scoping Plan strongly support the important and continuing role of the cap-and-trade regulations in the package of strategies needed to achieve our near- and long-term GHG emission reduction targets. The modeling conducted for the Scoping Plan includes an incorporation of health impacts and costs using the data and tools available at this time. Per AB 197, the Scoping Plan also includes the estimated avoided damages using the social cost of carbon that are estimated to result from the measures included in the Scoping Plan Scenario. The analysis also evaluates a broad spectrum of alternatives as well as a consideration of related reports and recommends retaining cap-and-trade as an important element in California's overall strategy for achieving our GHG reduction targets.*

- Commit to reducing oil. This includes a moratorium on new or expanded fossil fuel infrastructure, limiting oil and gas exports now to close that loophole, and placing quality controls on feedstocks so as to not import extreme oil (tar sands, Bakken crude).

CARB Response: Agree. *The Governor's Executive Order B-32-15 and related State policies (e.g., the transformation of the transportation sector to zero emission vehicles) clearly support phasing out the use of petroleum-based fuels. Further, the tightening of the low carbon fuel standard as called for under the Scoping Plan will promote the use of cleaner fuels with progressively smaller carbon footprints. In response, text will be added to the Scoping Plan to further clarify this position.*

- Do not authorize CAPCOA to create a new carbon market. Delete the following sentence in the

Scoping Plan: "Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issued by a recognized and reputable accredited carbon registry."

CARB Response: Disagree. *The context for the brief discussion in the Scoping Plan is important to understand. As new projects (e.g., large residential developments) are considered, local agencies are beginning to expect GHG emissions associated with the "project" to be mitigated. The strategies generally begin with building highly energy efficient structures with installed renewable energy (e.g., photovoltaics) to minimize the on-site carbon footprint. However, even highly efficient projects can lead to increased carbon emissions (e.g., GHG emissions associated with traffic). In these cases, a resource such as the CAPCOA's Rx can provide mitigation to enable a proposed project to reduce its carbon emissions to as low as zero which historically has not been the case. The program is designed to benefit California's local communities by achieving additional in-State GHG reductions. The mitigation can be produced from projects that include investments in energy efficiency upgrades in low income communities.*

Natural and Working Lands:

- CARB must reconsider the assumption that burning biogenic carbon is "sustainable" or "renewable" because biomass can be regrown. The time scales necessary to recapture carbon are too long, and the incentives for regulated entities to burn biomass are much higher than the incentive to leave it in place.

CARB Response: Agree long term; disagree in the short term. *From a carbon cycle standpoint the burning of biogenic fuel does not increase GHG emissions providing supplemental fuels (such as petroleum) are not introduced.*

However, there is a more important principle here where there is full agreement with the EJAC. Specifically, the State needs to transition away from the combustion of fuel to meet its energy needs. We also need to reduce our waste streams and use the waste (e.g., landfill wastes, agricultural wastes, gases and sediments generated during wastewater treatment) we do produce more efficiently. Today, that means using waste streams for strategies that include composting and combustion (e.g., use of renewable natural gas to replace diesel fuel in trucks) to name a few. ARB tracks biogenic carbon emissions consistent with IPCC guidelines, the US EPA's national GHG inventory, and other nations' inventories submitted to the UNFCCC, and we will continue to work on strategies that promote alternatives to combustion.

- CARB must include a goal to increase urban tree canopy to 40% by 2030. Urban greenery projects should be used as natural barriers between housing and industrial activity.

CARB Response: Agree in principle with the importance of increasing urban tree canopy. *The Forest Carbon Plan contains a goal to increase total urban tree canopy statewide by one-third above current levels, to 20 percent coverage of urban areas by 2030. CARB, however, does not have the underlying analysis to set a quantitative urban tree canopy target. Yet, we strongly support the value of urban greening projects and have added language to the Proposed Plan (including the discussion of local action) to underscore this point. We will also refer this recommendation to the local government commission as well as CAL FIRE, the Natural Resources Agency, and the Strategic Growth Council.*

- CARB must include an annual 5 million metric tons CO₂e reduction target for this sector.

CARB Response: Agree. *As discussed at the April 26th meeting of the ARB Board and the EJAC, CARB is in agreement with the need for a quantitative target of 5 million metric tons, or possibly more, and is currently in discussions with the Natural Resources Agency to reflect this position. This will be discussed in Chapter IV of the Scoping Plan.*

- CARB should explore ways to allow and streamline the process for cultural and prescribed burning for land management and to prevent large-scale wildfires.

CARB Response: Agree in principle however this suggestion is beyond the Scoping Plan. *This is an important implementation issue that goes beyond the level of detail in the Scoping Plan. CARB has been working with air districts and federal and State land managers to develop improved tools and coordination to facilitate increased opportunities for prescribed burning to prevent large-scale wildfires. CARB plans to refer this recommendation to CAPCOA, along with federal land managers, CAL FIRE, and the Bureau of Indian Affairs for consideration.*

Waste Management:

- CARB should mandate that local jurisdictions manage the waste they create, and do not export it outside of the community. Local jurisdictions should be given clear direction that the goal is to reduce waste and redirect 100% of the waste that is recyclable or compostable, not just to divert waste; state and local jurisdictions should also adopt goals to get households and businesses to purchase more responsibly to create less waste in the first place. All jurisdictions should be mandated to have recycling and composting programs.

CARB Response: Agree in principle. *In response to legislation, the State is developing regulations that require significant reductions in the organic materials deposited in landfills. CARB is working closely with CalRecycle to develop and implement these requirements which will entail substantially expanding the infrastructure to support composting. Thus, we agree with the principles reflected in the EJAC's recommendations—the need to reduce the amount of waste diverted to landfills as well as the expansion of composting operations to better utilize such wastes. However, we believe the approach described here is more likely to be effective and withstand challenge than that recommended by the EJAC (i.e., regulations that ban the export of waste beyond the community boundaries where the waste was generated). Staff will ensure Chapter IV clarifies our shared priorities as well as the approach that is underway.*

- CARB must not consider biomass burning or biodigestors as "renewable." CARB should present a hierarchy of management options for materials from forests and agriculture, with burning as least preferable.

CARB Response: Agree in principle long term; disagree short term. *As noted above, from a carbon cycle standpoint the burning of biogenic fuel does not increase GHG emissions.*

However, there is a more important principle here where there is full agreement with the EJAC. Specifically, the State needs to transition away from the combustion of fuel to meet its energy needs. The fact is that we need to reduce our waste streams and use

the waste we do produce more efficiently. Today, that means using the wastes for strategies that include composting and combustion (e.g., use of renewable natural gas to replace diesel fuel in trucks) to name a few. We will continue to work on strategies that promote alternatives to combustion and, in fact, have established a biomass working group tasked with evaluating barriers and developing recommendations to more sustainably use the State's biomass streams. Text will be added to Chapter IV of the Scoping Plan to more completely discuss the efforts underway as well as the next steps.

Energy, Green Buildings, Water:

- Prioritize distributed generation of renewable energy and the siting of rooftop solar, community-owned solar, grid storage, microgrids, and community choice aggregation projects within EJ communities to reap the environmental and economic benefits of these energy projects. These programs should also help low income homeowners and renters access solar.

CARB Response: Agree. *In Chapter IV of the Scoping Plan, staff will add an action item for the energy sector to implement the recommendations in the California Energy Commission's barriers study that specifically speaks to solar for low income households and to expand distributed generation per AB 693 in multi-family and for low income households. The California Energy Commission's study focuses on barriers to expand the use of renewables and energy efficiency programs and includes recommendations that call for actions by the Legislature, communities, State, and local agencies.*

- CARB needs to implement the recommendations of the SB 350 studies to overcome barriers in low income community adoption of clean energy.

CARB Response: Agree. *In Chapter IV of the Scoping Plan, staff will add an action item for the energy sector to implement the recommendations in the two barriers studies that speak to clean energy and transportation access for low income households.*

- Promote the development of community-driven clean energy projects that hire from disadvantaged communities, prioritize community ownership of (and equitable access to) clean energy technologies, maximize energy bill reductions for low- and moderate-income communities within disadvantaged communities, and prioritize anti-displacement strategies.

CARB Response: Agree in principle. *EJAC's suggestions are broader than the Scoping Plan. We agree with the principle that economic growth is crucial for EJ community members along with financial certainty are two key issues for healthy communities. EJAC suggestions for the community economic growth including training and hiring individuals from disadvantaged communities, and utilizing community talents in the transition to a clean energy economy are excellent suggestions as are other suggestions increasing access as we move to the clean energy economy. EJAC's recommendations focus on implementation and go beyond the level of detail in the Scoping Plan. We have referred this recommendation to the Governor's Office of Business and Economic Development to work with businesses, communities, and academic institutions to assist in this effort.*

We are also concerned with displacement and economic certainty including the cost of energy during this transition. In response, CARB commissioned a comprehensive displacement study⁷ by researchers at UC Berkeley and UCLA, which was released earlier this year. That study informs CARB's work so that we are better positioned to

develop proposals that provide public health benefits as well as understand regulatory impacts on displacement and minimize where possible. We look forward to working with the EJ community as work on developing proposals and coordinate with a broad spectrum of stakeholders.

- Set a moratorium on new oil and gas operations (refineries, power plants, fracking wells, etc.). Include guidance for strong health-based standards, buffer zones around locations affected by emitting facilities, and capture and measurement of leaking methane.

CARB Response: Agree in principle however with a different path to accomplish the goal. *We need to reduce our consumption of petroleum-based fuels and have several policies in the Scoping Plan focused on this objective (e.g., renewable targets, zero emission vehicles, tighter low carbon fuel standard, oil and gas regulation). Thus, we agree with the critical need to phase out our use of petroleum. We also support the development of additional strategies to reduce emissions of air pollution that adversely impact communities and have initiated efforts to advance that objective. However, a moratorium such as that recommended by the EJAC is outside of the purview of the Scoping Plan and will be provided to the California Energy Commission for consideration by its Petroleum Market Advisory Committee.*

- Stop investing in dirty energy. Eliminate subsidies and financing for fossil fuels and in technologies such as corn-based biofuels, agricultural methane, biomass burning, waste-to-energy, or other unsustainable technologies that result in negative impacts on EJ communities. Use funds instead for clean energy projects in EJ communities.

CARB Response: Agree in principle however with a different path to accomplish the goal. *As described above, the policies outlined in the Scoping Plan will lead to a decline and ultimate phase out of petroleum-based fuels. However, this transition will take time. Thus, in addition to promoting zero emission sources (e.g., zero emission vehicles, renewable energy) we need to concurrently lower the carbon footprint and co-pollutants from liquid fuels which continue to be used. Policies that support the increased use of renewables such as renewable and biodiesel, renewable natural gas, and lower carbon intensity ethanol serve as an important complement to our longer term goals of fully phasing out petroleum-based fuels. We fully support expanded funding of clean energy projects in environmental justice communities.*

Transportation:

- CARB needs to identify the SB 375 targets. Specifically, since the target setting process will not conclude until Fall 2017, CARB needs to identify the amount of emissions reduction SB 375 related implementation need to achieve for the state to reach the 2030 and 2050 targets in the Scoping Plan, directing staff to ensure that the SB 375 targets are conducive to meeting those goals. Implementation and tracking of these targets should focus on reducing vehicle miles traveled to promote secondary goals of reducing sprawl, focusing on housing affordability and job access, as well as encouraging alternative modes of travel.

CARB Response: Agree. *The Scoping Plan to will be updated to reflect the contribution that the updated SB 375 targets have in achieving our GHG reduction targets. This will be described in Chapter IV of the Scoping Plan.*

- CARB needs to implement the recommendations of the SB 350 studies.

CARB Response: Agree - EJAC's suggestions are broader than the Scoping Plan. As described above there are actually two low income barrier reports produced in response to SB 350: one produced by the California Energy Commission focusing on barriers to expand the use of renewables and energy efficiency programs, as mentioned above, and the other produced by CARB focusing on barriers to clean transportation and mobility options. Both reports include a series of recommendations that call for actions by the Legislature, communities, State, and local agencies. Further, the Governor's Office is convening a Task Force comprised of State agencies to ensure that the recommendations in both reports are implemented. The Scoping Plan will be revised to reflect how the SB 350 process is moving with implementation.

- CARB needs to examine transportation regionally, as each region in our state faces unique barriers to reducing emissions from transportation. The Scoping Plan should identify specific language about how the various regions in the state can address mobility issues specific to their communities. This includes an analysis of how to increase infrastructure for bikes, electric vehicles, and other low emission vehicles. This also includes restricting truck routes and limiting new trucking operations to reduce the impact that industry has on disadvantaged communities.

CARB Response: Agree in principle - EJAC's suggestions are broader than the Scoping Plan. This type of analysis is critical for the development and implementation of regional plans (e.g., sustainable community strategies) on which CARB is currently working with the State's Metropolitan Planning Organizations (MPOs) as part of SB 375, as well as regional State Implementation Plans for meeting federal air quality standards. However, this recommendation is more effectively directed at the implementation of the Scoping Plan. In response, CARB will continue to work with MPOs to quantify the region-specific benefits of various mobility strategies, as well as with local air districts on targeted efforts to reduce diesel PM and criteria pollutants in disadvantaged communities. The final Scoping Plan will also identify what share of GHG reductions from VMT would be attributed to SB 375.

- CARB needs to include off-road sources, such as construction and agricultural equipment, in the emissions inventory for transportation.

CARB Response: Agree - Existing GHG emissions inventory includes these emissions sources. This information is included in our emissions inventory, which is published each year, and these are key categories CARB is addressing in its mission to achieve healthy air quality as well as reduce greenhouse gases. The inventory information can be found at: <https://www.arb.ca.gov/ei/ei.htm>. CARB has an ongoing program to periodically update inventory sectors to reflect new data and methodologies, including most recently those for locomotives and ocean going vessels and will also continue to review and update the agricultural equipment inventory.

- CARB should consider the development of green transportation hubs that integrate urban greening with transportation options, and provide refuge as our state's temperatures continue to rise.

CARB Response: Agree in principle - Adding language to Scoping Plan and working with local and sister agencies.

- (1) We plan to add text to the Scoping Plan that more clearly recognizes the role of urban greening in transportation planning and project development in our continued work with these agencies.
- (2) We also plan to provide the recommendation to the key transportation planning agencies including Caltrans and the Strategic Growth Council.
- (3) CARB works with the State's MPOs that are responsible for transportation planning, as well as other State and local agencies that provide funding to help implement specific transportation infrastructure projects through our SB 375, California Climate Investments, and CoolCalifornia programs.

- Under "Local Action," CARB needs to delete the following sentence that describes a new local carbon market proposed by CAPCOA: "Where further project design or regional investments are infeasible or not proven to be effective, it may be appropriate and feasible to mitigate project emissions through purchasing and retiring carbon credits issues by a recognized and reputable accredited carbon registry."

CARB Response: Disagree. As described above, the context for the brief discussion in the Scoping Plan is important to understand. As new projects (e.g., large residential developments) are considered, local agencies are beginning to expect GHG emissions associated with the "project" to be mitigated. The strategies generally begin with building highly energy efficient structures with installed renewable energy (e.g., photovoltaics) to minimize the on-site carbon footprint. However, even highly efficient projects that promote walkable communities and public transportation can lead to increased carbon emissions (e.g., GHG emissions associated with traffic). In these cases, a resource such as the CAPCOA's Rx can provide mitigation to enable a proposed project to reduce its carbon emissions to as low as zero which historically has not been the case. The mitigation can be produced from projects that include investments in energy efficiency upgrades in low income communities.

California Climate Investments:

- The EJAC wants to be clear that several alternatives to Cap and Trade detailed in our Industry recommendations will generate revenue for the Greenhouse Gas Reduction Fund. We do not see our recommendation to eliminate Cap and Trade as contradictory to our recommendations for investments into our communities.

CARB Response: Agree. The evaluation of the alternatives states that other options, beyond cap-and-trade could potentially generate State proceeds. Further, in response to EJAC comments, the modeling for the carbon tax and cap-and-tax alternatives generate monies that are returned directly to residents in the form of a climate dividend.

- CARB must prioritize funding to those more directly impacted by regulated industry. Regulated entities should not be eligible for any funding from the Greenhouse Gas Reduction Fund.

CARB Response: Outside of CARB's authority. We agree with the principle of directing a significant share of State proceeds to disadvantaged communities. The recommendation is appropriately directed to the Legislature who is tasked with appropriating funds to each of the administering State agencies. Further, the Legislature has passed and the Governor has signed several bills (e.g. SB 535 and AB 1550) that provide direction on where State cap-and-trade proceeds are to be directed, with a minimum share of 35 percent required to be expended in disadvantaged and low income communities and households.

- CARB must prioritize projects identified by communities. To that end, there should always be technical assistance, translation, and a transparent process to allocate funding. Environmental justice communities should work with funders to define what “benefit” looks like to them, and to select projects that are of best service to the community. Any project selected should focus on local job creation, or hiring local organizations to conduct the work. No project should rely on free or volunteer labor from environmental justice communities, but should pay those participants for their time.

CARB Response: Agree in principle within the established budget processes. *CARB agrees that the use of GGRF funds should be targeted to the needs of EJ communities. The use of GGRF funds is subject to Legislative priorities/Legislative appropriation. Further, projects are subject to publicly posted solicitations and program guidelines developed and administered by the State agencies which receive Legislative appropriations. Collectively, the State agencies administering the GGRF programs are interested in continuing to improve how they address EJ concerns within their respective programs. CARB will commit to convening a dialogue with the administering agencies and EJ advocates to discuss how to better address EJ needs.*

- CARB should explore other sources of revenue to support the goals of AB 32 and SB 32.

CARB Response: Agree. *The Proposed Plan includes a discussion of incentive programs, including financial incentives and direct funding, as critical components of the comprehensive approach to support climate action.*

- CARB should explore ways to increase funding for urban forestry, sustainable transportation infrastructure, and clean drinking water.

CARB Response: Agree in principle however outside of CARB’s authority. *We agree with the need for further funding for these efforts, but the decision on the appropriation of State funds is made by the Legislature rather than CARB. This recommendation will be forwarded to the Legislative leadership.*

- CARB should explore ways to promote the use of recycled water for funding projects.

CARB Response: Agree in principle: (1) authority outside of CARB’s however (2) will strengthen Scoping Plan language in Chapter IV.

(1) For the Scoping Plan, we agree that water conservation and management strategies (e.g. the use of recycled water) are important for California, but as indicated Chapter IV of the Scoping Plan, the interaction between water and energy is complex and efforts to replace fresh water with recycled water do not automatically translate into GHG reductions due to the nature of the water supply system. In response, we will add language to the Scoping Plan to clarify support for recycled water projects for many reasons while qualifying the extent to which there are GHG benefits depends upon the specific circumstances.

(2) This is a recommendation that should be pursued by the agencies/organizations that have direct influence over the use of recycled water including local water agencies as well as the Department of Water Resources and State Water Resources Control Board. We will pass on this recommendation to the appropriate agencies.

- CARB should ensure all applicants have policies to protect against displacement or gentrification.

CARB Response: Outside of CARB's authority. *CARB shares EJAC members' concerns about land use planning and the impact it can have on displacement and gentrification and it is an important concern that needs to be addressed. CARB is committed to participate in the discussion, work with our State and local partners and do our part however CARB does not have the authority ensure against or protect communities from displacement or gentrification.*

CARB has commissioned a major study on displacement, "Developing a New Methodology for Analyzing Potential Displacement," which was released in March.ⁱ The study found, among other things, that transit-oriented development has a significant impact on neighborhood stability, especially in downtown areas. The study also identifies anti-displacement strategies and develops an off-model tool for examining gentrification and displacement around TODs. We are still evaluating the results of the study, but it could be helpful to applicants seeking climate investment funding. However, allocation of cap and trade proceeds is subject to Legislative direction and appropriation. This recommendation is beyond the level of detail in the Proposed Plan. In response, we plan to provide the recommendation to the Strategic Growth Council as well as the Department of Finance to consider as part of the triennial investment plan it submits to the Legislature.

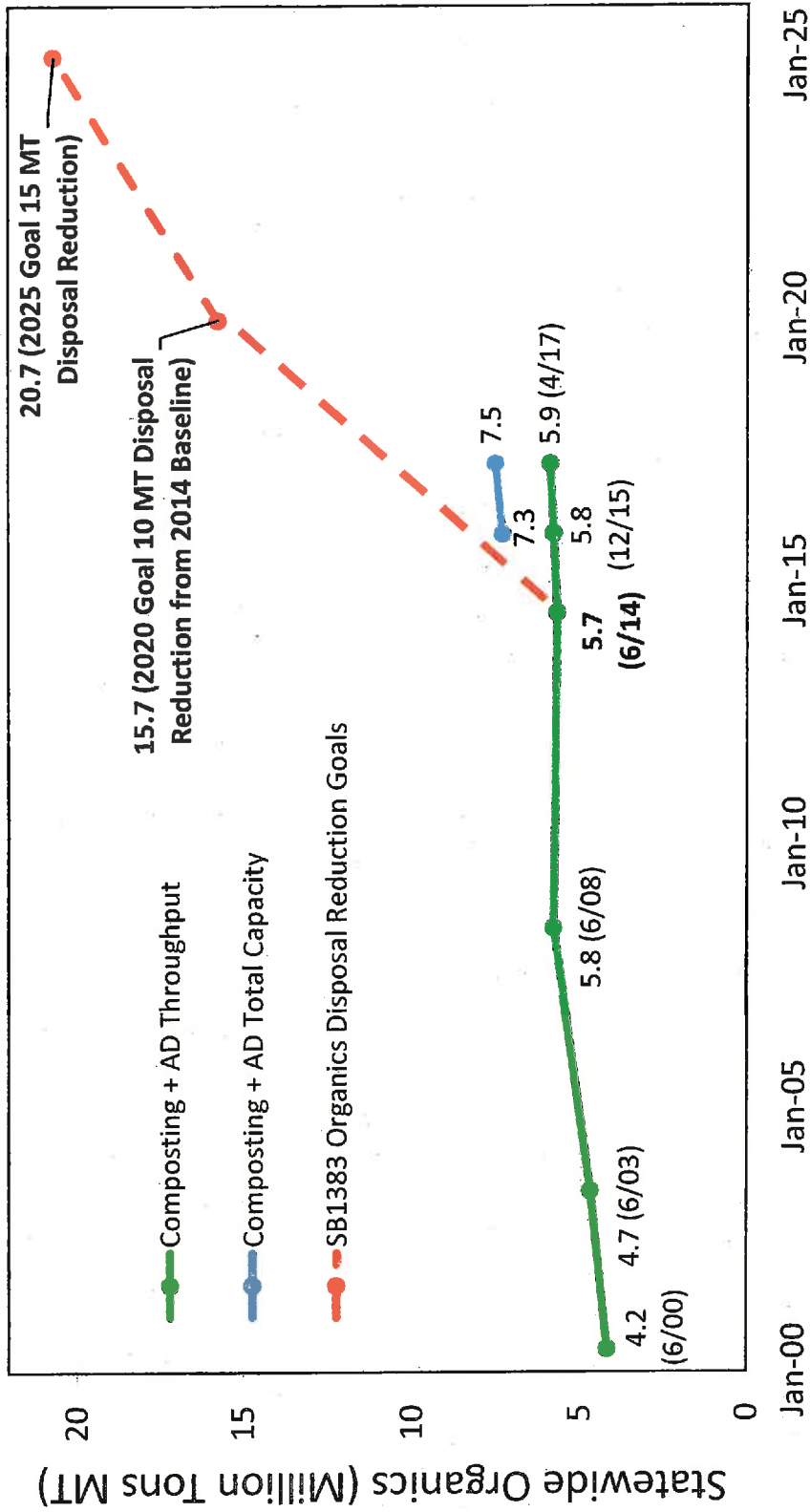
ⁱ "Developing a New Methodology for Analyzing Potential Displacement," <https://www.arb.ca.gov/research/apr/past/13-310.pdf>

ⁱⁱ *Id.*

Organics Legislation and Timeline

	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2030	
AB 541 (Effective 2016) COLLECTION	Starting in 2012, commercial generators with 4 cyd/week of MSW must have mandatory recycling program - with a focus on fiber and dry recyclables.											
AB 1826 (Effective 2014) COLLECTION	Commercial generators w/ 8 cubic yards of organic waste per week.	Commercial generators w/ 4 cubic yards of organic waste per week.	Commercial generators w/ 4 cubic yards of MSW per week.	Commercial generators w/ 2 cubic yards of MSW per week, if 50% of all organics are not diverted by 2020. CalRecycle to conduct waste characterization study in 2018 with a 2019 determination.								
AB 1554 (Effective 2015) ADC	No diversion credit for green waste ADC.											
AB 876 (Effective 2015) CAPACITY		County submits 15 year organics processing capacity each year.	Jurisdictions submit green waste ADC plans.		Annual report update on capacity and AB 1826.					Annual report update on capacity.		Identify 15 years of capacity to 2030.
SB 498 (Liam) AB 901 (Assembly) AB 1103 (Senate) REPORTING	SB 498: Wood chips to bioenergy are reported.	AB 901: CalRecycle to adopt regulations on diversion reporting system.	AB 1103: Food waste, compost and wood commodities are reported each year.									
SB 1383 (Effective 2016) METHANE MITIGATION		CalRecycle to develop regulations in 2017.	CalRecycle to adopt regulations in 2018.	Assessment of the compost infrastructure, 60% reduction of all organics disposal (from 2014 base year.)	Regulations become effective.	Statewide penalties for non-compliance.		75% reduction of all organics disposal (from 2014 base year.)				
AB 1045 (Effective 2016) INFRA-STRUCTURE	CAL-EPA to promote compost use, assess progress and coordinate regulations. Quarterly state meetings, annual public meeting, and annual CAL-EPA update of recommendations.											

Composting/AD Infrastructure and SB1383 Organics Goals



Notes:

1. Organics Disposal Reduction Goals of 10 MT 2020 and 15 MT 2015 from Feb 2017 CalRecycle SB 1383 Workshop. Reflects actual tons disposed and population growth. Disposal reduction includes source reduction, reuse, recycling, and composting or anaerobic digestion (AD).

2. Throughput and Total Capacity references: 2014 (CalRecycle Waste Charact. Study); 12/15 to present (CalRecycle FacIT Database; 2015-16 "State of Recycling Reports"); and 2000-08 (CalRecycle 3rd Assess. Composting/Mulch Infrastructure www.calrecycle.ca.gov/publications/). Annual estimates are plotted in June.

Informal Rulemaking Schedule

- ▶ February - Initial overview of broad concepts
 - ▶ May - Local panels and draft of disposal and recycling activities
-
- ▶ June— Collection Systems, Solid Waste Facility and Food Recovery Requirements
 - ▶ August/September— Reporting, Enforcement, Planning, and Market Development
 - ▶ October/November - Draft regulatory language
 - ▶ Subsequent steps to be determined



Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions

- [General Information](#)
- [Implementation Dates and Thresholds](#)
- [2017 Stakeholder Workshops](#)
- [Past Workshops](#)
- [Related Resources](#)
- [Rulemaking Information](#)
- [SLCP Listserv](#)

General Information

In September 2016, Governor Brown signed [SB 1383 \(Lara, Chapter 395, Statutes of 2016\)](#), establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants (SLCP) in various sectors of California's economy. The bill codifies the California Air Resources Board's [Short-Lived Climate Pollutant Reduction Strategy](#), established pursuant to [SB 605 \(Lara, Chapter 523, Statutes of 2014\)](#), in order to achieve reductions in the statewide emissions of short-lived climate pollutants. Actions to reduce short-lived climate pollutants are essential to address the many impacts of climate change on human health, especially in California's most at-risk communities, and on the environment.

As it pertains to CalRecycle, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Methane emissions resulting from the decomposition of organic waste in landfills are a significant source of greenhouse gas (GHG) emissions contributing to global climate change. Organic materials--including waste that can be readily prevented, recycled, or composted--account for a significant portion of California's overall waste stream. Food waste alone accounts for approximately 17-18 percent of total landfill disposal. Increasing food waste prevention, encouraging edible food rescue, and expanding the composting and in-vessel digestion of organic waste throughout the state will help reduce methane emissions from organic waste disposed in California's landfills. In addition, compost has numerous benefits including water conservation, improved soil health, and carbon sequestration. Anaerobic digestion produces biogas that can be used to create electricity or renewable transportation fuels. Food rescue has the added benefit of assisting Californians who are unable to secure adequate, healthy food by diverting edible food to food banks and pantries.

SB 1383 builds upon California's leading commitments to reduce greenhouse gas emissions and air pollution statewide. Governor Brown identified reductions of short-lived climate pollutant emissions, including methane emissions, as one of [five key climate change strategy pillars](#) necessary to meet California's target to reduce greenhouse gas emissions 40 percent below 1990 levels by 2030 as established in [SB 32 \(Pavley, Chapter 249, Statutes of 2016\)](#). SB 1383 will further support California's efforts to achieve the statewide [75 percent recycling goal](#) by

Program News...

- CalRecycle is holding the fourth in a series of informal stakeholder workshops for feedback on the development of regulations related to SB 1383 implementation on:

- [August 16, 2017](#) in Sacramento, CA; and
- [August 31, 2017](#) in Riverside, CA.

For submitting comments after the June 21st and 26th workshops: Please use the [SLCP online comment form](#). Stakeholders may submit multiple comment forms. We are prioritizing comments received by Friday, July 21, 2017.

2020 established in AB 341 (Chesbro, Chapter 476, Statutes of 2011) and strengthen the implementation of mandatory commercial organics recycling established in AB 1826 (Chesbro, Chapter 727, Statutes of 2014).

Implementation Dates and Thresholds

- ➔ **2017-2019:** CalRecycle will conduct informal workshops in 2017, initiate the formal rulemaking in late 2017 or early 2018, and adopt the regulations in late 2018 or early 2019. Although the regulations will not take effect until 2022, adopting them in 2019 allows regulated entities approximately three years to plan and implement necessary budgetary, contractual, and other programmatic changes. Jurisdictions, haulers, and generators should consider taking actions to implement programs to be in compliance with the regulations on January 1, 2022.
- ➔ **2019:** CalRecycle will be networking, providing technical assistance, and developing tools, model ordinances, contracts, and case studies to support efforts at the local level to meet the organic waste reduction targets and comply with the regulatory requirements.
- ➔ **January 1, 2020:** No later than this date, the state must achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level.
- ➔ **July 1, 2020:** By this date, CalRecycle, in consultation with the Air Resources Board, must analyze the progress that the waste sector, state government, and local governments have made in meeting the organic waste reduction targets for 2020 and 2025. If the Department determines that significant progress has not been made in meeting the targets, CalRecycle may include incentives or additional requirements in the regulations to facilitate progress toward achieving the organic disposal reduction targets. The Department may also recommend to the Legislature revisions to the targets.
- ➔ **January 1, 2022:** CalRecycle's regulations to meet the organic waste reduction targets for 2020 and 2025 take effect and are enforceable on this date.
- ➔ **January 1, 2024:** Effective on this date, the regulations may require local jurisdictions to impose penalties for noncompliance on generators within their jurisdiction.
- ➔ **January 1, 2025:** By this date, the state must achieve a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level. In addition, not less than 20 percent of currently disposed edible food must be recovered for human consumption.

2017 Stakeholder Workshops

In its fourth in a series of stakeholder workshops in August to discuss the SB 1383 implementation process, CalRecycle will introduce regulatory concepts related to reporting and enforcement. There will be an opportunity for stakeholder input and questions.

- ➔ August 16, 2017 at the CalEPA building, Byron Sher Auditorium, 2nd floor, in Sacramento, California; and
- ➔ August 31, 2017 at the City Council Chambers in Riverside, California.

Please direct questions to SLCP.Organics@calrecycle.ca.gov.

Past Workshops

CalRecycle held the third in a series of stakeholder workshops in June to discuss the SB 1383 implementation process, on the dates below. Topics included regulatory concepts related to local organic waste collection systems, solid waste facilities, and edible food recovery.

- ➔ June 21, 2017 in Sacramento California (public notice, including documents) | [Recorded Webcast](#)
- ➔ June 26, 2017 in Lakewood, California (public notice, including documents) | [Recorded Webcast](#)

For submitting comments after the June 21st and 26th workshops: Please use the [SLCP online comment form](#). Stakeholders may submit multiple comment forms. We are prioritizing comments received by Friday, July 21, 2017.

In its second in a series of workshops in May, CalRecycle provided an opportunity for informal stakeholder feedback on the development of regulations related to the implementation of SB 1383. Topics included definitions and methane emission calculations, and there were two panels with speakers experienced with local organics recycling programs and edible food recovery programs.

- [May 17, 2017](#) in Sacramento, California (public notice, including documents) | [Recorded Webcast](#)
- [May 25, 2017](#) in Oceanside, California (public notice, including documents) | [Recorded Webcast](#)

CalRecycle held the first in a series of workshops in February to provide an overview of the law, topics for which regulations are needed, and preliminary questions for consideration and comment, and to collect public comment.

- [February 14, 2017](#) in Sacramento, California (public notice, including documents) | [Recorded Webcast](#) | [Transcript](#); and
- [February 16, 2017](#) in Diamond Bar, California (public notice, including documents) | [Recorded Webcast](#) | [Transcript](#)

Related Resources

- [State of Recycling Report Updated 2016](#). CalRecycle report that summarizes the current state of recycling in California.
- [State of Disposal Report Updated 2016](#). CalRecycle report that discusses the disposal of solid waste in California.
- [Reducing Short-Lived Climate Pollutants in California](#). The California Air Resources Board provides information on short-lived climate pollutants and the Proposed Revised Short-Lived Climate Pollutant Reduction Strategy.
- [California's Healthy Soils Initiative](#). California's Healthy Soils Initiative is a collaboration of state agencies and departments, led by the California Department of Food and Agriculture (CDFA), to promote the development of healthy soils on California's farm and ranchlands.

Last updated: July 21, 2017
Short-Lived Climate Pollutants, <http://www.calrecycle.ca.gov/SLCP/>
Contact: SLCP.Organics@calrecycle.ca.gov

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SB 1383 Local Organic Waste Collection Concepts

The waste sector aspects of SB 1383 ultimately require the state to reduce the disposal of organic waste by 75 percent, and to recover 20 percent of edible food currently disposed, by 2025. The concepts in this paper and the other concept papers CalRecycle is sharing for the June informal rulemaking workshop are focused on: 1) local organic waste collection, 2) processing of organic waste at solid waste facilities, and, 3) edible food recovery. These concepts are a subset of the concepts CalRecycle, in consultation with ARB, is considering including in the regulations to implement SB 1383. Future workshops are planned for later this summer to discuss corresponding reporting and enforcement concepts, as well as market development and capacity planning concepts. CalRecycle appreciates the robust feedback received thus far on information presented at previous workshops. CalRecycle is soliciting feedback on the more detailed concepts presented below to help develop and refine what may be included in the regulations

I. Draft Definitions

- A. Organic Waste:** "Organic Waste" means solid wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green waste, landscape and pruning waste, applicable textiles and carpets, wood, lumber, fiber, manure, biosolids, digestate and sludges.
- B. Generator:** "Generator" means a person that is responsible for the initial creation of solid waste, organics and recyclable material.
- Examples of generators: residential/commercial entities; local, state, federal agencies (governmental entities); special events, such as farmers' market, sporting events, etc.
 - Threshold—no threshold limit on amount of organics generated
- C. Mandatory Organic Waste Recycling Service:** "Mandatory Organic Waste Recycling Service" means a collection service that recycles organic waste and is automatically provided to all generators of organic waste, with opt out provisions for generators that are already recycling.
- Frequency of service should meet the needs of the generators. Examples of frequency include but are not limited to:
 - At least weekly for organics for residential and commercial, and may be more frequent, depending on volume and type of materials, for some commercial entities.
 - Variable for intermittent generation, such as special events, large clearings (i.e., utility right of way clearings, public landscaping), etc.

II. Draft Organic Waste Recycling Collection Program Concepts

A. Jurisdictions

1. Mandatory Organics Recycling Services Provided to Generators

By January 1, 2022, jurisdictions should:¹

- a.** Provide mandatory organics recycling services to all generators of organic waste. These services should be designed to meet the needs of the generator.

Potential Implementation Methods

- i.** Source-Separated Recycling Program
1. Services include source separated recycling for organic waste.

¹Note that jurisdiction programs should also include reporting, planning, and enforcement components. These components of the regulations will be discussed at a subsequent workshop.

SB 1383 Local Organic Waste Collection Concepts

2. Services include non-putrescible organics (i.e., paper, cardboard, cartons) in curbside services (sometimes referred to as “blue bin services.”²
 3. Source-separated organics bins collected weekly (at least), other bins such as refuse and curbside recycling bins may be collected every other week.
- ii. Mixed-Waste Recycling Program
 1. A jurisdiction can provide mixed waste service for organics recycling, provided that the mixed waste is sent to a facility that recovers a specified percent of organic waste from the mixed waste stream.e.g., no less than 50 percent by 2020 and no less than 75 percent by 2025.
- b. Conduct education and outreach to promote organics waste prevention and recycling.

Potential Implementation Methods

- i. Education/outreach should include a minimum level of effort such as annual: electronic, print, and direct contact
 1. Provide bi-lingual education/outreach if a certain percent of households are linguistically isolated.
 2. Tailor annual education/outreach to all generators, e.g., education may need to be different for a business versus resident.
- ii. To address contamination, education/outreach should inform generators about placing organic materials in the proper bins.
- iii. Include metrics for evaluating effectiveness of education and outreach program.

2. Other Programmatic Elements for Jurisdictions:

- a. Meet or exceed 2016 California Building Standards Commission’s CalGreen requirements (or subsequently adopted CalGreen standard) for residential and non-residential construction, relative to organic waste.

Potential Implementation Methods

- i. Include the following standards in a local ordinance or program
 1. Provide adequate space for organics recycling. *CALGreen* (5.410.1 & 4.410.2)
 - 1) Residential and nonresidential construction and additions of a specified size to include “*readily accessible areas*” for recycling of specific wastes including organic waste.
 2. Construction and demolition waste recycling *CALGreen* (Sections 5.408 and 4.408)
 - 1) Recycle and/or salvage for reuse >65% of waste from construction and demolition projects (this material often includes organic materials such as lumber).

- b. Ensure organic recycling is available in public locations

Potential Implementation Methods

- i. Place organics recycling bins wherever refuse bins are located in public places.

² Certain organics, such as paper, cardboard and other organics are typically not putrescible and collected in existing curbside recycling services (sometimes referred to as “blue-bin services”).

SB 1383 Local Organic Waste Collection Concepts

- c. Develop programs and/or participate in existing programs to reduce disposal of other organics such as textiles, composite paper, and other organic materials.

B. Generators (residential and commercial)

1. Mandatory Organics Recycling (No threshold limit on amount of organics generated).

- a. Participate in organics recycling services

Potential Implementation Methods³

- i. Source reduce/prevent organic waste, and/or
- ii. Comply with their local jurisdiction's mandatory organics waste recycling services, including placing material in proper bins, and/or
- iii. Recycle organics onsite, and/or
- iv. Backhaul/self-haul organics to an organics recycling facility, and/or

- b. Landlords/property owners should not prevent lessees from recycling organic waste.

C. Haulers

1. Mandatory Organics Recycling Services

- a. Recycle organic waste collected from all served generators

Potential Implementation Methods

- i. Provide (rather than simply offer as a part of service options) mandatory organics recycling services to all served generators of organic waste.
- ii. Haul source separated organic waste to a facility that processes and/or recycles organic waste.
- iii. Haul mixed waste to a facility that recovers a specified percent of organic waste from the mixed waste stream.

- b. Generators can still recycle onsite, self-haul, back-haul, or donate food to edible food recovery organizations.

- c. Have a jurisdiction approved program that minimizes contamination

Potential Implementation Methods

- i. Monitor for contamination of collected material and take action to reduce contamination such as providing incentives, service fees, education and outreach
- ii. Report to jurisdiction on contamination issues
- iii. Include metrics to evaluate effectiveness

³ Note: For generators that are not subject to a local jurisdiction's waste services, such as state agencies, schools, etc., they would need to recycle their organic waste, but are not required to participate in the program provided by the jurisdiction.

SB 1383 Solid Waste Facility Concepts

The waste sector aspects of SB 1383 ultimately require the state to reduce the disposal of organic waste by 75 percent, and to recover 20 percent of edible food currently disposed, by 2025. The concepts in this paper and the other concept papers CalRecycle is sharing for the June informal rulemaking workshop are focused on: 1) local organic waste collection, 2) processing of organic waste at solid waste facilities, and, 3) edible food recovery. These concepts are a subset of the concepts CalRecycle, in consultation with ARB, is considering including in the regulations to implement SB 1383. Future workshops are planned for later this summer to discuss corresponding reporting and enforcement concepts, as well as market development and capacity planning concepts. CalRecycle appreciates the robust feedback received thus far on information presented at previous workshops. CalRecycle is soliciting feedback on the more detailed concepts presented below to help develop and refine what may be included in the regulations

I. Concepts Related to Operations at Solid Waste Facilities Receiving, Processing, and/or Recycling Organic Waste

A. Measure recovery of organic material at transfer/processing facilities and operations that receive mixed waste organics and/or source separated organics (SSO)

1. Keep mixed waste stream processing separate from SSO processing.
2. For SSO processing, perform a back-end measurement of residual/contaminates to determine efficiency.
3. For mixed waste organics processing, perform a back-end measurement of organics/residual material to determine efficiency.
4. Processed organics should be suitable to be accepted and processed at a receiving facility e.g. a compost or in-vessel digestion facility.

Potential Implementation Methods

- i. Revise recordkeeping requirement to include a record of:
 1. Organics in mixed waste organics post processing.
 2. Contaminates in SSO post processing.
 3. Measurements based on recovery could be based on an average, e.g. a monthly average, to account for fluctuations in feedstock.

B. Measure contamination at transfer/processing facilities and organics recycling facilities that receive source separated organic waste or organic waste that was separated for reuse at a prior facility.

1. Create a load-checking program
 - a. Load-checking for the level of contaminants/organics in feedstock to identify haulers/source that contribute to the majority of contaminants.
 - b. Reports on the level of contaminants should be available for review and provided to CalRecycle, jurisdictions and haulers supplying organics to the transfer station.

Potential Implementation Methods

- i. Visual screening of incoming loads.
- ii. Revise recordkeeping requirement to include a record of the measurement of contaminants in received organics.
- iii. Haulers should have access to reporting on their loads only.
- iv. Contamination may trigger additional education and outreach.

SB 1383 Solid Waste Facility Concepts

C. Transfer/Processing facilities and operations to send source-separated organics and organics removed from mixed-waste stream to a facility or operation that recycles organic waste.

1. Transfer/Processing facilities and operations that recycle organics include compost and in-vessel digestion activities.
2. Organics may be sent to composting/in-vessel digestion activities co-located at landfills.

Potential Implementation Methods

- i. Tracking system to ensure that loads end up at a composting or in-vessel digestion activity especially if they are co-located at a landfill.

II. Concepts Related to New and Expanded Solid Waste Facilities

A. New or expanded landfills should include a form of organics pre-processing

1. Pre-processing could include but not be limited to, separate collection area, size reduction, slurring, etc
2. Material that has been processed at a transfer/processing facility or operation that sufficiently removed organics for recovery would not need to be re-pre-processed at a landfill.

Potential Implementation Methods

- i. Include identification system for loads delivered from specific transfer/processing facilities and operations.
- ii. Established through regulation or as part of the permit process.

B. New or expanded solid waste facilities demonstrate consultation with disadvantaged communities.

1. Add additional consultation for operators and/or for LEAs if a proposed or expanding site is within a disadvantaged community.
2. LEA, if a CEQA Responsible Agency, should consult with the surrounding communities early in the CEQA process to get their input to inform their comments.

Potential Implementation Methods

- i. Amend solid waste permit process (internal business practices or revision to regulations).
- ii. LEA, if CEQA Responsible Agency, fold consultation into their comments on the CEQA documents.
- iii. Use EnviroScreen to identify disadvantaged communities.

III. Concepts Related to Closure and Post-closure Financial Assurance Planning

A. Landfills incorporate SB 1383 reductions in financial assurance planning.

1. Landfills to evaluate operations, design, closure and post closure based on the assumption that they will have a 75% reduction of organics by 2025.
2. Landfills would update their financial assurance costs if the evaluation predicts higher closure and post closure costs resulting from less organics being disposed.

Potential Implementation Methods

- i. Revisions would be made to 27 CCR.

SB 1383 Solid Waste Facility Concepts

- ii. Addenda to the Preliminary Closure and Post Closure Maintenance Plans can be developed for review and approval that addresses: site life, closure date, landfill closure design, landfill gas monitoring, and the costs associated with closure/post closure.
- iii. Specify a particular date of when a facility needs to comply with the financial assurances.

SB 1383 Edible Food Recovery Concepts

The waste sector aspects of SB 1383 ultimately require the state to reduce the disposal of organic waste by 75 percent, and to recover 20 percent of edible food currently disposed, by 2025. The concepts in this paper and the other concept papers CalRecycle is sharing for the June informal rulemaking workshop are focused on: 1) local organic waste collection, 2) processing of organic waste at solid waste facilities, and, 3) edible food recovery. These concepts are a subset of the concepts CalRecycle, in consultation with ARB, is considering including in the regulations to implement SB 1383. Future workshops are planned for later this summer to discuss corresponding reporting and enforcement concepts, as well as market development and capacity planning concepts. CalRecycle appreciates the robust feedback received thus far on information presented at previous workshops. CalRecycle is soliciting feedback on the more detailed concepts presented below to help develop and refine what may be included in the regulations

I. Draft Definitions:

- A. **Edible Food: “Edible Food”** means all food intended and usable for human consumption. In order for this edible food to be recovered, it must meet relevant public health and food safety standards and must be able to meet food recovery organizations’ standards and requirements for acceptance related to nutrition or quality when recovered by those organizations. Nothing in this definition shall preclude such organizations from developing more stringent standards. For the purposes of these regulations, edible food is not solid waste.
- B. **Edible Food Generator:** A generator of edible food is an entity that generates or sells a specified amount of food per month. *CalRecycle is seeking stakeholder feedback on appropriate thresholds to define edible food generator for the purposes of the regulations.*

II. Draft Edible Food Recovery Concepts

A. Local Jurisdiction Concepts:

- 1. Adopt an ordinance **and/or** implement program provisions to increase edible food recovery.
Potential Implementation Methods
 - i. Include provisions that edible food generators should prioritize food recovery first.
 - ii. Include provisions that edible food generators should estimate the amount of edible food recovered.
 - iii. Include provisions that prohibit intentionally spoiling or disposing of edible food by edible food generators.
- 2. Conduct targeted education and outreach to promote local food recovery.
Potential Implementation Methods
 - i. County health inspectors should promote and educate edible food generators regarding edible food recovery outlets.
 - ii. Local jurisdictions should collaborate with edible food recovery organizations to maintain approved lists of organizations that generators can work with to ensure compliance.
 - iii. Incorporate Food Assistance/Service into jurisdiction-wide database such as CA 211 with a map of recovery organizations.
- 3. Improve edible food recovery at public facilities.
Potential Implementation Methods
 - i. Local agencies should develop edible food recovery plans for city/county owned facilities. Plans should be designed to improve edible food recovery at all applicable facilities.

SB 1383 Edible Food Recovery Concepts

4. Local governments should ensure edible food recovery services are provided at venues and events (e.g. farmers markets, stadiums, festivals).

Potential Implementation Methods

- i. Include edible food recovery services in permitting or licenses for venues and events of a specified size.

B. Edible Food Generator Concepts:

1. Edible food generators should take steps to reduce disposal of edible food.

Potential Implementation Methods

- i. Edible food generators should:
 1. Comply with a jurisdiction ordinance and/or program provisions to recover unsold or excess edible food.
 2. Participate in local food recovery programs by offering unsold or excess edible food to those programs.
 3. Ensure food donations are consistent with food recovery organizations' ability to accept that food.
 4. *Not* deliberately make their unsold foodstuffs unsuitable for consumption or any other form of recovery unless this conflicts with other regulatory agency requirements (e.g., CDFA with bad meat, lye and rendering).
- ii. State agencies and school districts should develop and implement edible food donation plans. Plans should be designed to improve edible food recovery at all applicable facilities.

C. Additional Issues to Consider:

- **Defining "Edible Food Generators."** CalRecycle is seeking stakeholder feedback on appropriate thresholds (e.g. sales figures, facility type, amount of food purchased and/or sold) to define edible food generator for the purposes of the regulations.
- **Appropriate Roles for Edible Food Recovery Organizations.** CalRecycle is seeking stakeholder feedback regarding appropriate regulatory roles and obligations for food recovery organizations.
 - **Establishing a Verification/Certification System for Food Recovery organizations.** CalRecycle is weighing the advantages of establishing, or using and existing local certification systems, for food recovery organizations in order to provide edible food generators and jurisdictions certainty that donations are made in compliance with the regulations.
- **Avoiding "Donation Dumping."** CalRecycle, is seeking input on developing regulatory concepts to discourage donations of unusable food to recovery organization as it can create a financial burden on the organizations.
- **Food Donation Software.** CalRecycle is seeking feedback on whether a connectivity role can be incorporated in regulations to encourage use of apps/software platforms that connect edible food generators with edible food recovery organizations.

California Anaerobic Digestion Projects (a partial list, August 2016)

Project Name	City or County	Feedstocks	Digestion Type	Status	Project Website
East Bay Municipal Utilities District	Oakland	Food, Biosolids, & fats, oils, and grease	Wet	Operational	http://www.ebmud.com/wastewater/recycling-water-and-energy/
Inland Empire Utilities Agency - Environ	Chino	Food waste & Biosolids	Wet	Operational	http://www.ieua.org/facilities/rp-5-shf/
Monterey Zero Waste Energy	Marina	Green and Food waste	Dry	Operational	http://zerowasteenergy.com/what-we-do/our-projects/monterey-regional-waste-management-district/
Clean World - American River Packaging (research facility)	Sacramento	Food Waste, cardboard & other	High Solids	Operational	http://www.cairecycle.ca.gov/SVFacilities/Directory/34-AA-0230/Detail/
Kroger/Ralphs - Compton Distribution Center	Compton	Food Waste	Wet	Operational	http://feedresource.com/
Central Marin Food to Energy	San Rafael	Food waste & Biosolids	Wet	Operational	http://www.cmsa.us/services/food
Clean World - Sacramento Digester	Sacramento	Green and Food waste	High Solids	Operational	http://www.cleanworld.com/wp-content/uploads/2012/04/SacProjectProfilewebversion.pdf
Zero Waste Energy Development	San Jose	Green and Food waste	Dry	Operational	http://zweeds.com/
North State Rendering	Oroville	Agricultural, food waste and grease	Wet	Operational	http://www.northeastrendering.com/gov-green-with-us/
Los Angeles Sanitation Districts AD Pilot	Carson	Food waste & Biosolids	Wet	Operational	http://www.cairecycle.ca.gov/Lists/Archives/Messages/Detail.aspx?ListPostingID=8200
UC Davis Renewable Energy Anaerobic Digester	Davis	Green and Food waste & manure	High Solids	Operational	http://www.cleanworld.com/wp-content/uploads/2012/04/ucdprofilewebversion.pdf
Blue Line Zero Waste Energy	South San Francisco	Green and Food waste	Dry	Operational	http://zerowasteenergy.com/what-we-do/our-projects/south-san-francisco-scavengers-blue-line/
CR&R Material Recovery Facility	Perris	Green and Food waste; and MRT Residuals	High Solids Plug-flow	Operational	http://dockertopublicenergy.ca.gov/PublicDocuments/15-MISC-04/TN2062136-20150916T144244_Anaerobic_Digestion_Facility_CRR_Inf.pdf
Hill Canyon Wastewater Treatment Plant	Camarillo	Food waste & Biosolids	Wet	Operational	http://www.toaks.org/departments/public-works/operations/hill-canyon-treatment-plant
Victor Valley Wastewater Reclamation Authority	Victorville	Food waste & Biosolids	Wet	Operational	http://www.vvra.com/
Colony Energy Partners	Tulare	Waste Organics - TBD	Wet	Permitting	http://www.colonyenergypartners.com/tulare-bio-gas/
Agronim Zero-Waste Energy	Oxnard	Green and Food waste	Dry	Permitting	http://zerowasteenergy.com/wp-content/uploads/2013/11/ZWE-SmartfarmOxnardRiver.pdf
Tajiguas Resource Recovery Project	Santa Barbara County	Green and Food waste	Dry	Permitting	http://conversiontechnology.com/pages/downloads/environmental-documents.php
City of Napa Materials Recovery Facility	American Canyon	Green and Food waste	Dry	Permitting	http://zerowasteenergy.com/what-we-do/our-projects/city-of-napa-and-napa-recycling-waste/
Anaergia - Republic Material Recovery Facility	Anaheim	Green and Food waste	Wet	Permitting	http://anaheimustainabilitycenter.com/pdfs/Community_Meeting_Notice.pdf
Scholl Canyon Landfill AD Project	Glendale	Green and Food waste	Dry	Permitting	http://www.latimes.com/social/landfill-news-press/news/tn-gnb-ms-landfill-20160720-story.html
Encina Waste Water Plant	Carlsbad	Food, Biosolids, & fats, oils, and grease	Wet	Permitting	http://www.encinainba.com/resource-recovery/renewable-energy
San Luis Obispo Kompozgas AD Facility	San Luis Obispo County	Green and Food Waste	Dry	Permitting	http://ivrma.com/admin/board/2015/May15/5-13-15_Board_Minutes.pdf



For corrections and additions please contact Tim Hall at timothy.hall@calrecycle.ca.gov

Mary Pitto

From: CalRecycle Organic Materials Management Listserv <organicsinfo@calrecycle.ca.gov>
Sent: Friday, August 04, 2017 5:02 PM
To: Mary Pitto
Subject: CalRecycle releases two Requests for Proposals

The Department of Resources Recycling and Recovery (CalRecycle) has released two Requests for Proposals (RFPs) for contracts to collect data and information required to help analyze the progress that the waste sector, state government, and local governments have made in achieving the organic waste reduction goals established by SB 1383 (Lara, Chapter 395, Statutes of 2016).

The first contract – SB 1383 Infrastructure & Market Analysis (DRR17010) – will involve collecting, compiling, analyzing, and reporting data and information related to California’s organics recycling and diversion infrastructure, barriers to the development of that infrastructure, and the status of markets for products generated by recycling and diverting organic materials from landfills. The revised due date for submittals is August 29, 2017.

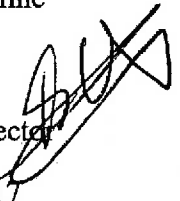
The second contract – SB 1383 SB 1383 Local Service Rates Analysis (DRR17009) – will involve collecting, compiling, analyzing, and reporting regional data and information related to California’s local rate structures for solid waste and recycling services and other local policies that encourage and support organic waste recycling infrastructure expansion. The due date for submittals is August 31, 2017.

For a list of all CalRecycle contracts currently being advertised or awarded, visit <http://www.calrecycle.ca.gov/Contracts/Data/Current.aspx>.

To subscribe to or unsubscribe from the Organics listserv or other listservs, please go to <http://www.calrecycle.ca.gov/listservs/>. For information on Organic Materials Management efforts go to <http://www.calrecycle.ca.gov/Organics/>.

REQUEST FOR APPROVAL

To: Scott Smithline
Director

From: Tom Estes
Deputy Director 

Request Date: July 18, 2017

Decision Subject: Consideration of the Electronic Waste Recycling Fee

Action By: July 20, 2017

Summary of Request: The Electronic Waste Recycling Act of 2003 (Public Resources Code 42460, et seq.) establishes a financing mechanism intended to develop an infrastructure to provide convenient recycling opportunities and reduce the inappropriate disposal of certain electronic products discarded in California. This financing mechanism is funded by a covered electronic waste recycling fee that is assessed on consumers at the time of retail purchase of a new covered electronic device.

Pursuant to Public Resource Code 42464(f), no more frequently than annually, and no less frequently than biennially, CalRecycle has the responsibility to assess the adequacy of the covered electronic waste recycling fee to generate sufficient revenues to fund the operation and administration of the covered electronic waste (CEW) recycling program and all other provisions of the Act. CalRecycle must determine on or before the statutory date of August 1 if any fee adjustments are necessary. Adjustments to the fee that are made on or before August 1 shall apply to the calendar year beginning the following January 1.

Recommendation: Based on its analysis, staff recommends that the covered electronic waste recycling fee remain unchanged, and that the following fee amounts be re-adopted:

- **Five dollars (\$5)** for each covered electronic device with a screen size greater than 4 inches but less than 15 inches measured diagonally.
- **Six dollars (\$6)** for each covered electronic device with a screen size greater than or equal to 15 inches but less than 35 inches measured diagonally.
- **Seven dollars (\$7)** for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.

The existing regulations set forth in Title 14 of the California Code of Regulations (CCR), section 18660.40 will expire on September 24, 2018, thereby creating a regulatory lapse from September 25, 2018 through December 31, 2018. Therefore, staff further recommends that Title 14 CCR section 18660.40 be re-adopted to ensure that there is no regulatory gap between the existing electronic waste recycling fee levels and future levels.

The recommendation to maintain existing fee levels is based on an analysis of the following:

- The CEW recovery and recycling trends to estimate possible payment obligations
- The covered electronic device sales trends to project revenue potential
- Program-related operational costs
- Available fund reserves

Upon approval of this recommendation, staff will work with the CalRecycle Legal Office to promulgate emergency regulations, as authorized by PRC 42475.2.

Director Action: On the basis of the information, analysis, and findings in this Request for Approval, I hereby approve the staff recommendation outlined above that the electronic waste recycling fee levels be maintained and, in doing so, fulfill CalRecycle's obligations pursuant to PRC 42464(f) to review the fee as necessary to ensure operational solvency and maintain prudent reserves. Furthermore I direct program to work with the Legal Office to file for re-adoption of Title 14 CCR 18660.40 with the Office of Administrative Law so as to avoid any future regulatory lapse.

Dated:

Scott Smithline
Director

Date Signed

Attachments:

1. Background and Summary of Program Costs and Revenue Need Considerations
2. Historical CEW Recycling Claim Volumes
3. Fee Model and Analysis
4. Proposed Revised Regulatory Language to Maintain the Electronic Waste Recycling Fee
5. Office of Administrative Law Notice of Approval of Emergency Regulatory Action, dated September 22, 2016

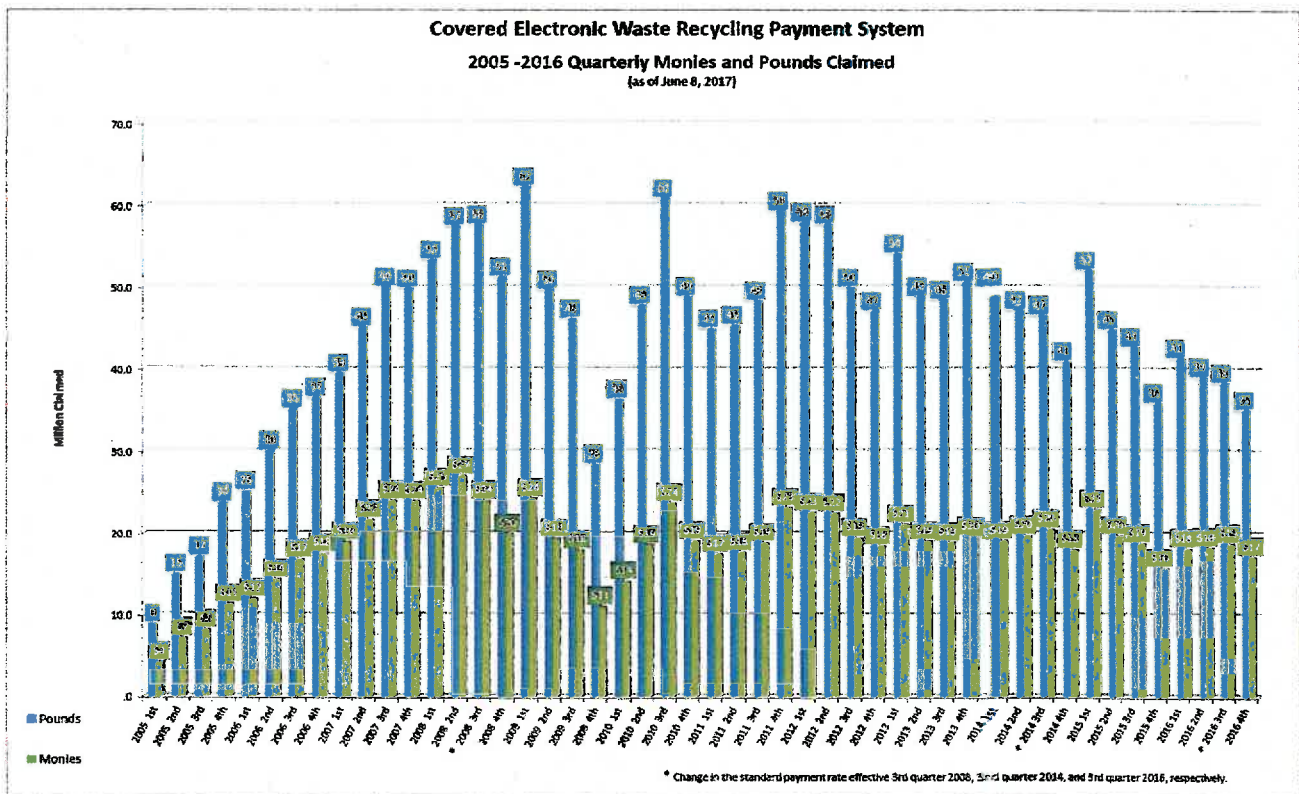
Covered Electronic Waste Recycling Program - Historical CEW Recycling Claim Volumes

CalRecycle tracks the volume of covered electronic waste (CEW) recovered and recycled within the program through data submitted along with recycling payment claims. The depiction of claim volumes in the chart below reflects the general growth trends of the program since its inception in January 2005 on a quarterly basis. Factors affecting the fluctuating volumes have potentially included the lowered payment rate (effective July 2008), economic uncertainty, the digital television broadcast transition in first half of 2009, and the fundamental availability of recycling opportunities over the past ten years that has recovered much of the legacy stockpile.

Most notably, in October 2009, cathode ray tube (CRT) glass market disruptions involving Mexican processors significantly affected the volume of claims submitted in and immediately after 4th quarter 2009. (A condition of submitting a payment claim is that all CRT glass derived from recycling CEW is shipped to an authorized destination.) However, participating collectors and recyclers continued overall CEW recovery and recycling activities and the volume of processed and claimed CEW rebounded.

In recent years, the amount of recovered and recycled CRT devices has continued to decline, as the amount of non-CRT devices increases. Changes in the make-up of CEW entering the recovery and recycling program due to evolving video technologies may affect the future weights claimed, as heavy CRT devices give way to lighter flat panels. Conversely, the costs of processing non-CRT devices likely has challenges for dismantling, and in many cases, these devices also have lower commodity value. The net cost of processing such varied devices has yet to be clearly determined. CalRecycle is currently conducting analysis in preparation of future recycling payment rate considerations.

Graphic depicts amounts of CEW claimed from the beginning of 2005 to the end of 2016.



**State of California
Office of Administrative Law**

In re:
Department of Resources Recycling and Recovery

Regulatory Action:

Title 14, California Code of Regulations

Adopt sections:

Amend sections: 18660.40

Repeal sections:

NOTICE OF APPROVAL OF EMERGENCY REGULATORY ACTION

Government Code Sections 11346.1 and 11349.6

OAL Matter Number: 2016-0913-01


OAL Matter Type: Emergency Readopt (EE)

This emergency filing by the Department of Resources Recycling and Recovery ("CalRecycle") amends 14 CCR § 18660.40, which lists the Electronic Waste Recycling Fees for certain electronic devices. Specifically, this emergency rulemaking action is a biennial adjustment of the recycling and recovery fees paid by consumers on purchases of electronic devices containing video screens. CalRecycle reviews and adjusts the amounts of these fees for the purpose of maintaining the appropriate revenue levels in the Electronic Waste Recovery and Recycling Account to fund the statewide Electronic Waste Recycling Program. This rulemaking action increases the current fees established during CalRecycle's 2014 emergency rulemaking effort and effective January 1, 2017.

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 9/23/2016 and will expire on 9/24/2018. The Certificate of Compliance for this action is due no later than 9/23/2018.

Date: September 22, 2016



Peggy J. Gibson
Senior Attorney

For: Debra M. Cornez
Director

Original: Scott Smithline
Copy: Meagan Wilson

EMERGENCY

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBER Z-	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER 2016-0913-01EE
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For use by Office of Administrative Law (OAL) only

ENDORSED - FILED
 In the office of the Secretary of State
 of the State of California

SEP 22 2016
 1:59 PM

2016 SEP 13 A 9 49
 OFFICE OF
 ADMINISTRATIVE LAW

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY Department of Resources Recycling and Recovery (CalRecycle)	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY			

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Electronic Waste Recycling Fees	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2014-0912-02E per agency request
--	---

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if codes related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND Section 18660.40
TITLE(S) 14	REPEAL

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input checked="" type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn non-emergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) September 23, 2016

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)			

7. CONTACT PERSON Meagan Wilson	TELEPHONE NUMBER 916-341-6077	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) meagan.wilson@calrecycle.ca.gov
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B. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Elliot W. Block</i>	DATE 9/12/16
TYPED NAME AND TITLE OF SIGNATORY Elliot Block, Chief Counsel	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

SEP 22 2016

Office of Administrative Law

**California Code of Regulations - Title 14 Natural Resources
Division 7 Department of Resources Recycling and Recovery (CalRecycle)
Chapter 8.2 Electronic Waste Recovery and Recycling**

Article 2.6. Covered Electronic Waste Recycling Fee

§ 18660.40. Fee Amounts

The covered electronic waste recycling fee paid by a consumer upon the purchase of a new or refurbished covered electronic device pursuant to Section 42464 of the Public Resources Code shall be the following amounts:

- (a) On or after January 1, ~~2013~~2017, ~~three~~ five dollars (\$~~3~~5), for each covered electronic device with a screen size of less than 15 inches measured diagonally.
- (b) On or after January 1, ~~2013~~2017, ~~four~~ six dollars (\$~~4~~6), for each covered electronic device with a screen size greater than or equal to 15 inches but less than 35 inches measured diagonally.
- (c) On or after January 1, ~~2013~~2017, ~~five~~ seven dollars (\$~~5~~7), for each covered electronic device with a screen size greater than or equal to 35 inches measured diagonally.

Note:

Authority cited: Sections 40502 and 42475.2, Public Resources Code.

Reference: Sections 42464, 42464.2 and 42464.4, Public Resources Code.



Water Quality Fees Stakeholder Meeting

DATE:	Thursday, August 3, 2017
TIME:	9:00-11:30 am
LOCATION:	CalEPA Headquarters Building Coastal Hearing Room, 2 nd Floor 1001 I Street Sacramento, CA 95814
WEBCAST LINK:	https://video.calepa.ca.gov/
QUESTIONS:	FeeBranch@waterboards.ca.gov – Questions received prior to and during the meeting will be addressed during the meeting unless otherwise requested.

AGENDA

1. Welcome and Introductions
2. Waste Discharge Permit Fund Budget Cost Drivers (Attachment 1)
3. Program Fee Updates for FY 2017-18
 - a. NPDES
 - b. Waste Discharge Requirements: Non-15 and Oil & Gas
 - c. Storm Water
 - d. Land Disposal
 - e. Water Quality Certification (formerly 401 Certification)
 - f. Agricultural Lands (formerly Irrigated Lands Regulatory Program)
 - g. Confined Animal Facilities
 - h. Cannabis Cultivation
4. Open Discussion

**WDPF Budget Cost Drivers
FY 2017-18 (\$000)**

A	B	C	D	E	F	G	H	I
	FY 16-17 Fee Budget ¹	BCP Changes	Staff Cost & Program Adjustments ²	FY 17-18 Allocation Budget (B+C+D)	FY 17-18 Revenue Forecast	Forecasted Revenue Increase / (Decrease)	FY 17-18 Total Revenue (F+G)	Average Program Percent Change
NPDES	\$31,165		(\$1,122)	\$30,043	\$28,118	\$1,926	\$30,043	6.8%
WDR	\$30,102		\$51	\$30,152	\$27,371	\$2,781	\$30,152	10.2%
Storm Water	\$30,086	(\$381)	(\$1,744)	\$27,961	\$34,918	(\$6,957)	\$27,961	-19.9%
Land Disposal	\$14,214		(\$1,998)	\$12,216	\$13,978	(\$1,762)	\$12,216	-12.6%
WQC (401 Cert)	\$10,272		\$261	\$10,533	\$8,623	\$1,909	\$10,533	22.1%
Ag Land (ILRP)	\$5,878	\$1,000	\$744	\$7,622	\$6,233	\$1,389	\$7,622	22.3%
CAF	\$4,187		\$651	\$4,839	\$4,406	\$433	\$4,839	9.8%
Cannabis	\$790	\$6,300	\$3,505	\$10,594	\$10,594		\$10,594	
TOTAL	\$126,693	\$6,919	\$348	\$133,960	\$134,241	(\$281)	\$133,960	

Footnotes:

- ¹ Includes redirected expenditures for programs like Basin Planning, TMDL, monitoring and enforcement.
- ² Includes resource reallocation for employee compensation, retirement, health care costs and pro rata.



Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806

Edmund G. Brown Jr.
Governor

TREATED WOOD WASTE INSPECTION CHECKLIST

DTSC oversees the regulation and management of treated wood waste (TWW) in California. The regulations for TWW management in California can be found in the California Code of Regulations, Title 22, Chapter 34, and are commonly referred to as the Alternative Management Standards (AMS).

Inspection Date: _____

Facility Name: _____

TWW Facility Type:

Generator Site: Disposal Facility: Transfer Station/Load-Check:

EPA ID # or State HW ID #: _____

Site Address: _____

Owner/Operator Name: _____

Facility Telephone Number: _____

Inspector Name: _____ Title: _____

Inspector Name: _____ Title: _____

Other Facility Representative(s) Present: _____

CONSENT TO INSPECT: Inspections may involve obtaining photographs, reviewing and copying records, sampling, and interviewing employees.

Consent Granted By: _____ Title: _____

Date(s): _____ Time In: _____ Time Out: _____

DISCLAIMER

This checklist is intended to provide guidance only. This checklist does not replace or supersede relevant statutes and regulations. The information contained in this checklist is based upon the statutes and regulations in effect as of the date the checklist was signed. Interested parties are advised to keep apprised of subsequent changes to relevant statutes and regulations. Additional violations may be cited upon further review of documentation in the course of this inspection.

TREATED WOOD WASTE INSPECTION OBSERVATIONS

	Y	N	N/A	HAZARDOUS WASTE REQUIREMENTS FOR TWW
Labeling				
1				Each unit and/or area of TWW is clearly marked and visible for inspection [California Code of Regulations, Title 22 [CCR] 67386.5(a)]
2				Each area designated for accumulation of TWW is used solely for the accumulation of TWW [CCR 67386.5(a)]
3				TWW is labeled or marked with the following: "Treated Wood Waste—Do not burn or scavenge" TWW Handler Name and Address _____ Accumulation Date _____ [CCR 67386.5(b)]
4				No label or mark that identifies the wood as TWW shall be intentionally removed or defaced prior to disposal. [CCR 67386.3(b)]
Accumulation				
5				Facility can demonstrate the length of time that the TWW has been accumulated from the date it is received or generated [CCR 67386.6(d)]
6				Unauthorized access is prevented by visual controls or a physical barrier when not under the direct control of the person responsible for the TWW [CCR 67386.6(a)(1)]
TWW shall be accumulated in a manner that is protected from run-on and run-off, and placed on a surface sufficiently impervious to prevent, to the extent practical, contact with and leaching to soil or water, which may be accomplished by one of the following [CCR 67386.6.(a)(2)]				
Block and Tarp				
7				TWW is elevated to prevent contact with the soil and run-on [CCR 67386.6(a)(2)(A)1]
8				TWW is covered to protect from precipitation [CCR 67386.6(a)(2)(A)2]
9				TWW is accumulated no longer than 90 days from the date generated or received from another handler [CCR 67386.6(a)(2)(A)3]
Containerized Storage				
10				The container is designed, constructed, maintained, and closed to prevent releases [CCR 67386.6(a)(2)(B)1]
11				The container is water resistant if exposed to precipitation, run-on, and/or run-off [CCR 67386.6(a)(2)(B)2]
12				The container is transported to a TWW facility within 90 days of being filled to capacity [CCR 67386.6(a)(2)(B)3]
13				TWW is accumulated in containers no longer than one year from the date that it is generated or received from another handler [CCR 67386.6(a)(2)(B)]
Containment Pad				
14				TWW is not in contact with soil [CCR 67386.6(a)(2)(D)1]
15				TWW is protected from run-on and precipitation [CCR 67386.6(a)(2)(D)2 and 67386.6(a)(2)(D)3]
16				TWW is accumulated no longer than 180 days from the date the TWW is generated or received from another handler [CCR 67386.6(a)(2)(D)]

Y = Compliance; N = Not in Compliance; N/A = Not Applicable

TREATED WOOD WASTE INSPECTION OBSERVATIONS

	Y	N	N/A	HAZARDOUS WASTE REQUIREMENTS FOR TWW
Storage Building				
17				Storage building is structurally sound [CCR 67386.6(a)(2)(C)]
18				Storage building has a water-resistant floor designed to prevent the movement of water into or out of the building [CCR 67386.6(a)(2)(C)]
19				TWW is accumulated in containers no longer than one year from the date the it is generated or received from another handler [CCR 67386.6(a)(2)(C)]
Other				
20				TWW is protected from run-on and run-off [CCR 67386.6(a)(2)(E)]
21				TWW is placed on impervious surface to prevent contact with and leaching to soil or water [CCR 67386.6(a)(2)(E)]
22				TWW is accumulated no longer than 90 days from the date generated or received from another handler [CCR 67386.6(a)(2)(E)]
<p>A handler may accumulate TWW for longer than one year from the date the TWW is generated or received from another handler, if the accumulation is solely for the purpose of accumulation of quantities of TWW necessary to facilitate disposal pursuant to section 67386.11. However, the handler bears the burden of proving that the accumulation was solely for the purpose of accumulation of quantities of TWW necessary to facilitate proper disposal. [CCR 67386.6(c)]</p> <p>TWW generated which is incidental to the operation of a business and accumulated at the site of generation for a period not to exceed 30 days is exempt from the accumulation requirements of Section 67386.6 so long as the TWW is not physically altered, except as provided in section 67386.10, and the business accumulates no more than 1,000 pounds of TWW [CCR 67386.6(f)]</p>				
Disposal				
23				TWW is being disposed in either a Class I hazardous waste landfill or in an approved composite-lined portion of a solid waste landfill [CCR 67386.11(a)]
24				A solid waste landfill that accepts TWW shall monitor the composite-lined portion of the landfill unit where the TWW is disposed [CCR 67386.11(b)(3)]
25				If a release is verified at a solid waste landfill that accepts TWW, the department is notified that TWW is no longer being discharged to that landfill unit and notified again when corrective action results in cessation of the release [CCR 67386.11(b)(3)]
26				A solid waste landfill that accepts TWW shall handle TWW pursuant to Cal OSHA requirements relating to hazardous waste [CCR 67386.11(b)(4)]
Treatment				
27				TWW treatment is prohibited except for resizing (to facilitate transport or reuse), sorting, and segregating [CCR 67386.10(a)]
28				Resizing, sorting, and segregating TWW is conducted in a manner that prevents releases to the environment [CCR 67386.10(b)(1) and 67386.10(c)]
29				Any sawdust, particles, or other materials less than one cubic inch are being captured and managed as TWW [CCR 67386.10(b)(2)]
Prohibited Activities				
30				TWW shall not be burned [CCR 67386.3(a)(1)]
31				TWW shall not be scavenged [CCR 67386.3(a)(2)]
32				TWW shall not be commingled with other waste prior to disposal, if previously segregated [CCR 67386.3(a)(3)]

Y = Compliance; N = Not in Compliance; N/A = Not Applicable

TREATED WOOD WASTE INSPECTION OBSERVATIONS

	Y	N	N/A	HAZARDOUS WASTE REQUIREMENTS FOR TWW
33				TWW shall not be stored in contact with the ground [CCR 67386.3(a)(4)]
34				TWW shall not be recycled, with or without treatment, except for reuse onsite in accordance with CCR 67386.3(c) [CCR 67386.3(a)(5)]
Receipt of Shipments				
35				Record Retention: TWW handlers and facilities shall retain the records of all shipments and receipts for three years [CCR 67386.8(e)(2)]
36				Records of TWW received at the facility contain the name and address of the originating TWW generator [CCR 67386.8(b)(1)]
37				Records of TWW sent to the facility contain the name and address of the TWW facility to which the TWW was sent [CCR 67386.8(a)(1)]
38				Records contain the weight of TWW or the estimated weight if scale is unavailable [CCR 67386.8(b)(2)] or [CCR 67386.8(a)(2)]
39				Records contain the date of receipt of the shipments [CCR 67386.8(b)(3)] or [CCR 67386.8(a)(3)]
Reporting Receipt of Shipments				
40				The facility submits semi-annual reports to DTSC for the periods ending June 30 and December 31 of each year [CCR 67386.8(c)]
41				The reports are submitted in an electronic format within 30 days of the end of each reporting period [CCR 67386.8(c)]
42				The reports include the facility name, location address, contact person's name, phone number, and identification number. [CCR 67386.8(c)(1)1 and 67386.8(c)(1)2]
43				If the shipment is received from a generator of TWW the report includes the generator's ID number, dates of shipments, and the weight of the TWW per shipment. If generator does not have an ID number the name, address, contact person's name, mailing address, and phone number for the generator is included [CCR 67386.8(c)(2)]
44				If the shipment is received from another TWW facility the report includes the facility's ID number, dates of shipments, and the weight of the TWW per shipment. If facility does not have an ID number the name, address, contact person's name, mailing address, and phone number for the facility is included [CCR 67386.8(c)(5)]
45				The report includes the weight summary of all TWW generated by households [CCR 67386.8(c)(3)]
46				The report includes weight summary of all TWW found in load checks [CCR 67386.8(c)(4)]
Offsite Shipments				
47				Handler only ships TWW to TWW facility, TWW approved landfill or to a consolidation site (if TWW is generated at remote site) [CCR 67386.7(a)]
48				TWW is transported in a manner that prevents unauthorized access, exposure to precipitation, and releases [CCR 67386.7(d)]
Satellite Accumulation				
49				The TWW is being transported by the generator, employees of the generator or by the generator's agent if the TWW is generated at a remote site [CCR 67386.7(c)(1)]

Y = Compliance; N = Not in Compliance; N/A = Not Applicable

TREATED WOOD WASTE INSPECTION OBSERVATIONS

	Y	N	N/A	HAZARDOUS WASTE REQUIREMENTS FOR TWW
50				A shipping document accompanies the TWW while in transport to the consolidation site [CCR 67386.7(c)(2)]
The shipping document contains all of the following:				
51				The quantity, by weight or volume, of TWW being transported. [CCR 67386.7(c)(2)(A)]
52				The location of the remote site where the TWW was initially collected [CCR 67386.7(c)(2)(B)]
53				The date that the generator first began to accumulate the TWW at the remote site, the date that the shipment leaves the remote site, and the date that the shipment arrives at the consolidation site [CCR 67386.7(c)(2)(C)]
54				The name, address, and telephone number of the generator, and, if different, the address and telephone number of the consolidation site to which the TWW is being transported [CCR 67386.7(c)(2)(D)]
55				The name of the individual or individuals who transport the TWW from the remote site to the consolidation site [CCR 67386.7(c)(2)(E)]
Notification				
56				In any calendar year that a TWW handler generates more than 10,000 pounds of TWW, the handler shall obtain or maintain an Identification Number within 30 days of exceeding the weight threshold [CCR 67386.9 (a)]
57				In any calendar year that a TWW handler generates more than 10,000 pounds of TWW, the handler shall send written notification to the Department within 30 days of exceeding the 10,000 pound limit [CCR 67386.9 (b)]
The notification shall include:				
58				TWW handler's name and mailing address [CCR 67386.9 (c)(1)]
59				generator's Identification Number [CCR 67386.9 (c)(2)]
60				name and business telephone number of the person at the TWW handler's site who should be contacted regarding TWW management activities [CCR 67386.9 (c)(3)]
61				address or physical location of the TWW management activities [CCR 67386.9 (c)(4)]
62				date the TWW handler exceeded the 10,000 pound limit [CCR 67386.9 (c)(5)]
63				a statement indicating that the handler is generating more than 10,000 pounds of TWW per calendar year [CCR 67386.9 (c)(6)]
Training				
64				All employees that handle and/or treat TWW or may come into contact with TWW receive training [CCR 67386.12(a) and 67386.10(d)]
The training shall include the following:				
65				All applicable requirements of Cal-OSHA rules, regulations and orders relating to hazardous waste [CCR 67386.12(a)(1) and 67386.10(d)(1)]
66				Procedures for identifying and segregating TWW [CCR 67386.12(a)(2) and 67386.10(d)(2)]
67				Safe handling practices [CCR 67386.12(a)(2) and 67386.10(d)(3)]
68				Requirements of the alternative management standards [CCR 67386.12(a)(2) and 67386.10(d)(4)]
69				Proper disposal methods [67386.12(a)(2) and 67386.10(d)(5)]

Y = Compliance; N = Not in Compliance; N/A = Not Applicable

Mary Pitto

From: cpsc-partners-listserv@googlegroups.com on behalf of Jordan <Jordan@calpsc.org>
Sent: Tuesday, July 25, 2017 3:28 PM
To: Jordan
Cc: Heidi Sanborn
Subject: FW: Have you started ReFueling Your Fun this summer?
Importance: High

July 25, 2017



Have you started ReFueling Your Fun this summer?

**Don't wait! Start saving money, hassle & the environment
today!**

Your Outreach Helps Spark the Shift to Refillables

- **State of Washington Department of Ecology Blog:** ["ReFuel Your Fun"](#)
- [Join the Effort to Reduce Waste](#) by Janna Ryan
- **Zero Waste Washington Spring 2017 Enewsletter:** [Taking personal zero waste actions](#)
- **Connecticut Dept. of Energy & Environmental Protection:** [NEW! Refillable one-pound propane tanks are available nationwide.](#)
- **Owl Harbor Whoo News, May 2017:** [Refillable Propane Cylinders.....](#)

- **City of Thousand Oaks Sustainability Blog:** [Disposable 1 lb. Propane Cylinders Look Out -- There's a New Refillable in Town!](#)
- **Stockton Recycles Recycling Guide:** ["Ways to Reduce"](#)
- **County of Santa Cruz Summer 2017 Curbsider:** [Green Your Summer Outdoor Experience!](#)
- **Keep Truckee Green Website:** [ReFuel Your Fun: Choose Refillable Gas Cylinders](#)
- **City of Torrance Public Works Dept. Spring 2017 Newsletter:** [ReFuel Your Fun!](#)
- **Los Angeles County Inside Solidwaste, Winter 2017:** ["ReFuel Your Fun" Campaign Aims to Encourage Use of Refillable Propane Gas Cylinders](#)
- **San Luis Obispo County Recycling Guide:** [Camping Gas Cylinders](#)
- **Santa Barbara County Reduce & Reuse Website:** [Refillable One-Pound Propane Cylinders](#)
- **City of Huntington Beach Website:** [The ReFuel Your Fun Campaign](#)
- **City of San Diego:** [Refillable 1 lb. Propane Cylinders Are Finally Here & Environmental Service website](#)
- **Montgomery County, PA Website:** [Propane Tanks](#)
- **Sports Basement:** [Offering free refills for their "Basementers"](#)

NEW LOCATION!

Stanford University

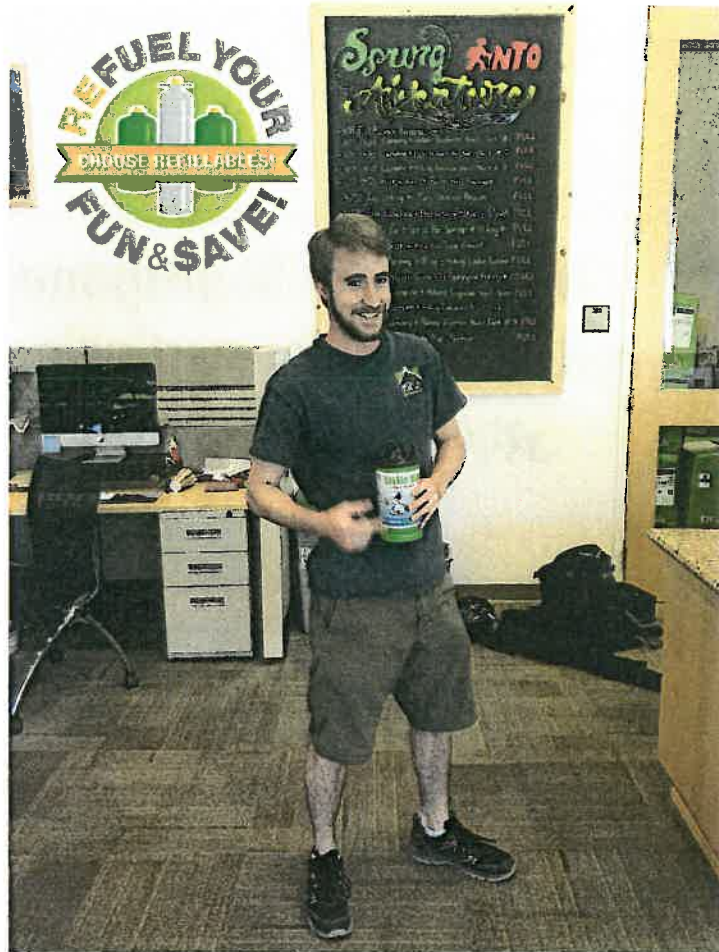
RFYF is proud to announce that Stanford is now selling & exchanging refillables at the [Arrillaga Outdoor Education & Recreation Center](#) located at:

285 Santa Teresa St,
Stanford, CA

For a map of all locations visit:

refuelyourfun.org/find-retailers-near-you/

Pictured to the right: Stanford student, Eric Barbret w/ a refillable



Upcoming Events:

[HarborFest Chula Vista](#)

- **What?** Community event with food, live music & activities
- **When?** Saturday, August 19 10 AM- 6 PM
- **Where?** [Bayside Park](#): 999 Bayside Pkwy, Chula Vista

[Yosemite Ntl. Park Facelift](#)

- **What?** Volunteer clean-up event & disposable cylinder exchange
- **When?** Saturday, Sept. 30 8 AM- 4 PM
- **Where?** In front of the [Yosemite Ntl. Park Visitor](#)



An explosion started by three disposable 1 lb. propane cylinders occurred on June 22nd at a Kent County, MI recycling facility. One employee was sent to a local medical center, but luckily there were no serious injuries. This incident occurred one year after **another explosion at the facility caused by a disposable 1 lb. propane cylinder resulted in \$90,000 in equipment damage.**

Kent County Department of Public Works Director Darwin Baas pointed out that propane tanks have been an issue for the facility in the past. **"It's almost like it's not if, it's when,"** he said.

In addition to promoting refillables, be sure to educate your community on the proper disposal of gas cylinders!

One way to avoid improper disposal is by providing separate collection receptacles for gas cylinders. Featured here is one receptacle CPSC placed at the [Tehama County Visitor Center](#) through a grant funded by [CalRecycle](#), which has filled up TWICE in just 6 weeks!



Flame King Cylinder Recall:

- Flame King, U-Haul & Kamps Propane Cylinders
- Serial #s 000001 to 020800
- U-Haul has temporarily stopped selling & refilling refillables until all recalled cylinders have been returned
- Visit www.flameking.com/recall for more info & how to get a refund/replacement

What Can You Do To Help?

1. Like & share the [RFYF social media posts](#)

2. Recognize a local participating retailer by giving them an award for their involvement
3. Tell your friends to use refillables!



CPSC
California Product
Stewardship Council



**NATIONAL
STEWARDSHIP
ACTION COUNCIL**
ADVOCATING FOR A CIRCULAR ECONOMY

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To post to this group, send email to cpsc-partners-listserv@googlegroups.com.

For more options, visit <https://groups.google.com/d/optout>.

Mary Pitto

From: cpssc-associates-listserv@googlegroups.com on behalf of Jordan <Jordan@calpsc.org>
Sent: Monday, June 19, 2017 10:49 AM
To: Jordan
Subject: CPSC Featured on NBC Nightly News!
Importance: High

June 19, 2017



CPSC
California Product
Stewardship Council SM

Heidi Sanborn featured on National News!

Heidi Sanborn and Recology's Robert Reed appeared on NBC Nightly News discussing the changing waste stream due to increased online shopping referred to as the "Amazon effect."

Please share on social media!



Share



Tweet



Forward

"We'd ask that the companies who are mail-order companies work on reducing their packaging waste [through] reduced packaging, or reusable packaging."

- Heidi Sanborn



**According to Recology's
Spokesperson,**

"It's a pretty significant change. We see these changes pretty regularly in the recycling stream. But this is a big one."

-Robert Reed.

Keep Reading



DONATE

Mary Pitto

From: cpsc-partners-listserv@googlegroups.com on behalf of Jordan <Jordan@calpsc.org>
Sent: Thursday, July 20, 2017 3:26 PM
To: Jordan
Cc: heidi@nsaction.us
Subject: Carpet America Recovery Effort (CARE) Takes California on a Not-so-Magic Carpet Ride & the Press is Taking Notice!

Importance: High

July 20, 2017



Carpet America Recovery Effort (CARE) Takes California on a Not-so-Magic Carpet Ride & the Press is Taking Notice!



[The News & Review](#) Shares How CARE has failed to reach recycling goals.
NSAC has sponsored AB 1158 so we can end this wild carpet ride!

Today's [SN&R article by Michael Mott](#) exposes CARE's efforts nationally and in California for good and not so good.

"Seven years ago, California wanted to put a dent in the massive footprint carpet waste leaves in landfills. Lawmakers crafted the first regulations in the nation for carpet manufacturers to manage their products from sale to reuse. But the carpet industry didn't lay down easily. It managed to keep the recycling goals low and

passed on the fees to its consumers. More recently, an industry organization began preventing small carpet manufacturers and recycling companies in need of financial assistance from advocating for similar programs in states other than California. The result? California's one-of-a-kind carpet recycling program is controlled by the industry and in no danger of spreading to other states."

"CalRecycle's proposed fine references the Voluntary Stewardship Program that CARE administers in other states. The program offers subsidies to recycling companies, but only if they agree not to support legislation that would create similar stewardship regulations in other states. If these cash-strapped companies do voice their support for recycling efforts, they have to return the money."

NSAC's Heidi Sanborn is quoted in the article saying, "Our goal isn't to dismiss the efforts already made to increase carpet recycling, however, it is important to note that the stewardship plans implemented have failed to achieve meaningful results."



Pictured: Piles of discarded carpets tower more than 15 feet high at the L&D Landfill in Sacramento, after Carpet Collectors in Rocklin went bankrupt, 2013 after receiving California carpet fee money from CARE

GreenBiz Article: Can Activist Investors Encourage Better Carpet Recycling?

In an article published today by As You Sow's Conrad MacKerron he states: "We intend to engage with shareholders of several large publicly traded carpet companies to improve performance in light of problems that have surfaced

recently.". MacKerron also questions, "Is it appropriate for a nonprofit organization whose main purpose is to increase carpet recycling in California to actively deter producer-pays recycling laws from being passed in other states?"

What's CARE up to now?

\$. CARE has submitted a **letter** to CalRecycle requesting approval to launch a second cycle of its market development grants by August 15, 2017.

NSAC continues to support more funding of market development efforts.

NSAC is sponsoring **AB 1158 (Chu & Stone)**: California Carpet Stewardship Act to fix this broken program. It passed the Assembly Floor and Senate Environmental Quality Committee, and will be heard next in the **Senate Appropriations Committee** on August 21st. Please send letters of support before the 21st to narisha.bonakdar@sen.ca.gov, or **sign on to this joint letter of support** by emailing jordan@calpsc.org

Do you want to help California recycle more carpet? Then maybe this job is for you!

CARE Job Notice: [California Program Director](#)

Salary: \$120 - \$140K

Applications due August 31, 2017



DONATE
NSAC

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Our mailing address is:
National Stewardship Action Council
1822 21st Street, Suite 200
Sacramento, CA 95811

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Mary Pitto

From: CARE <info@carpetrecovery.ccsend.com> on behalf of CARE <acline@carpetrecovery.org>
Sent: Thursday, July 06, 2017 12:07 PM
To: Mary Pitto
Subject: Carpet Industry Donates Carpet Tiles to Local Charities



**CARPET INDUSTRY DONATES CARPET TILES FROM
TheMART CHICAGO SHOWROOMS TO LOCAL CHARITIES**

-- Since 2010, more than 21,000 square yards of carpet tile generated from renovations for NeoCon have been donated to non-profits --

Chicago, IL - June 29, 2017 - Over the last few weeks, nearly 11,000 pounds of carpet were discarded from showrooms at TheMART Chicago as the commercial design industry prepared for NeoCon 2017. Instead of taking the used carpet to landfills, carpet manufacturers and local non-profit organizations collaborated to repurpose the carpet for social good. For example, the non-profit Designs for Dignity will use the carpet to renovate the workspaces of other Illinois non-profits.

Since 2010, more than 21,000 square yards of carpet tile from showrooms at TheMART Chicago have been donated to non-profits.

"I applaud the carpet industry for developing innovative ways to divert used carpet from landfills, while also providing a valuable service to non-profits that support the people of Illinois," said Senator Melinda Bush (D-Grayslake).

The partnership between the carpet industry and Designs for Dignity is a win-win-win:

- **Environment:** Carpet tile is diverted from landfills to beneficial reuse.
- **Social:** Nonprofit organizations gain effective workspaces to nurture growth and success of their missions.
- **Economic:** Renovation cost is minimized by utilizing in-kind donations and volunteer design and construction support, allowing nonprofit organizations to direct more resources to achieving their mission.

"The carpet industry continually seeks solutions to keep carpet out of landfills," said Dr. Robert Peoples, Executive Director of the Carpet America Recovery Effort (CARE). "Repurposing used carpet generated from renovations for NeoCon is just one example of the carpet industry's commitment to sustainability."

Participating carpet manufacturers include Atlas Carpet Mills, Bentley Mills, Interface, J+J Flooring Group, Milliken & Company, Mohawk Group, Shaw Industries Group and Tandus Centiva.

"Designs for Dignity is proud to be part of a solution to redeploy showroom and manufacturer carpet assets to further enhance and transform nonprofit spaces into environments that empower lives," said Jennifer Sobecki, CEO of Designs for Dignity. "Sustainability is one of our core values and we applaud CARE for its efforts nationwide and are looking forward to future collaborations."

About Carpet America Recovery Effort (CARE)

CARE develops market-based solutions for the recycling and reuse of post-consumer carpet. Since CARE's inception in 2002, over 3.6 billion pounds of carpet have been diverted from our nation's landfills due to the hard work of its members.

Photos below. (For high res copies, please contact Stephanie Libby at Stephanie@hlstrategy.com.)

Carpet industry and non-profit leaders are diverting carpet generated from renovations for NeoCon 2017 from landfill and repurposing it for social good. The non-profit Designs for Dignity will use the carpet to renovate the workspaces of other Illinois non-profits. Since 2010, more than 21,000 square yards of carpet tile from NeoCon showrooms have been donated to non-profits.



(L to R): David Turkes (Bentley Mills), Rami Vagal (Mohawk Group), Pete Lemcke (Designs for Dignity), Kate Bukowski (Shaw Industries), Bob Peoples (CARE), Philip Ivey (Milliken), Eric Nelson (Interface). Not pictured: J+J Flooring Group. Photo credit: Russ Delozier of J+J Flooring Group.



Back row (L to R): David Turkes (Bentley Mills), Eric Nelson (Interface), Bob Peoples (CARE), Pete Lemcke (Designs for Dignity), Philip Ivey (Milliken). Front row (L to R): Rami Vagal (Mohawk Group) and Kate Bukowski (Shaw Industries). Not pictured: J+J Flooring Group. Photo credit: Russ Delozier of J+J Flooring Group.

###

100 South Hamilton St.
Dalton, GA 30720

See what's happening on our social sites



Carpet America Recovery Effort, 100 South Hamilton St., Dalton, GA 30720

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

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

Sent by acline@carpetrecovery.org

Mary Pitto

From: California Carpet Stewardship Program <info@carpetrecovery.ccsend.com> on behalf of California Carpet Stewardship Program <bjensen@carpetrecovery.org>
Sent: Tuesday, July 25, 2017 9:05 AM
To: Mary Pitto
Subject: July News: Grant Comments Requested; Enforcement Plan Approved

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



California Carpet Stewardship Program July 2017 Update



California Carpet Stewardship Program

An Initiative of CARE: Carpet America Recovery Effort

Comments Requested to Support New Grants Cycle

CARE submitted [a letter](#) to CalRecycle on July 11, requesting approval to launch a second cycle of its Grant Program by August 15, 2017. Cycle 1A/B grants brought [excellent results](#) and demonstrated the power of grant funding to directly and significantly improve processing capacity and volume of recycled carpet output.

CalRecycle is accepting comments regarding CARE's request; please email carpet@calrecycle.ca.gov by July 28, 2017.

CalRecycle Approves Enforcement Plan, Requires Manufacturers' Decision

Following its disapproval of CARE's 2017-21 Stewardship Plan, CalRecycle has approved an enforcement plan that instructs carpet manufacturers on how to come into compliance and avoid penalties. All manufacturers were sent notice of the enforcement plan in June. CalRecycle requires each manufacturer to indicate by August 15 whether they want CARE to continue acting on their behalf, whether they want to join a different stewardship group (none exist today), or whether they will file their own plan. October 19 is the deadline to submit new plans. For details, see the [CalRecycle website](#).

CARE is fully engaged in creating a revised Stewardship Plan by the October 19 deadline that it believes will be approved. Several meetings with the [California Council on Carpet Recycling](#) and regular discussions with CalRecycle staff are informing the revised Plan.

Installer Outreach: New Video, On-Site Visits and Workshop

CARE has created a [new video](#) to inform carpet installers about the need to recycle carpet and how to prepare carpet properly for recycling. The video will be promoted via on-site visits to installer supply houses and retailers as well as modest online promotion in selected markets. The goal of the video is to raise awareness about drop-off sites that accept carpet for recycling, while emphasizing the need for proper preparation of the carpet. See [the video here](#).



Installer-focused video

In June-July, CARE's outreach team conducted on-site visits to supply houses in Van Nuys, Glendale and Sacramento to let installers and retailers know about carpet recycling opportunities in their area.

The previously announced [Carpet Seaming Workshop for Installers](#) in Carson, CA has been postponed to Friday, August 31. Recycling information will be included as part of the workshop. CARE is partnering with trade association [International Certified Floorcovering Installers](#) to include instruction on carpet recycling in their California trainings this year. California-based installers receive a \$50 discount, provided by CARE, when they [register here](#).

New Drop-Off Site in Ventura County Recognized

CARE added one new drop-off site in June:

Del Norte Regional Recycling and Transfer Station, Oxnard, Ventura County

The Ventura County Recycling Market Development Zone (RMDZ) worked with CARE and the recycling center to establish the State's newest carpet recycling drop-off site. The recycling center now accepts rolled carpet from residents at no charge, as long as the material is clean and debris-free. CARE Senior Associate Jared Zitron accepted the City's gold recycling pin award on behalf of CARE for his work in setting up the drop-off site.

CARE supports drop-off sites by providing:

- A container for collection
- Third party hauling to bring carpet material to recyclers
- Promotional materials for local government and the hosting facility
- Technical assistance from CARE staff.



The City of Oxnard tweeted about the new carpet recycling site.

To see if there is a CARE sponsored drop-off site in your county, visit the [drop-off site map here](#). If you would like to set up a carpet recycling drop-off site, please contact CA@carpetrecovery.org.

New Study Shows How Carpet Assessment Affects Sales

The [Carpet and Rug Institute](#) has commissioned [a study](#) that shows the negative impact of the California carpet assessment on sales of carpet in the state. View the report here (LINK). CalRecycle is accepting comments on the report until July 28, 2017; email carpet@calrecycle.ca.gov.

CARE Issues 2016 Annual Report

The California Carpet Stewardship Program has released its [2016 Annual Report](#) after submitting it to CalRecycle. Highlights from the fifth year of the Program include modest improvements in gross collection and net diversion of post-consumer carpet from landfill. Recycled output, a barometer of market demand for products made with post consumer carpet, increased by 8.6%, from 35 million pounds in 2015 to 38 million pounds in 2016. This increase resulted in an 11% recycling rate, up 1% over 2015.

Additional Statistics include:

- An average of 25% of all post-consumer carpet discards were net diverted from California landfills in 2016, up from 23% of discards in 2015.
- Diversion via energy recovery (sum of CAAF, Kiln, and WTE) decreased by 29% in 2016, falling to 21.02 million pounds from 29.73 million pounds in 2015.
- Gross collection of post-consumer carpet increased by 4%, from 103 million pounds in 2015 to 107.2 million pounds in 2016.
- Recycled output increased by 8.6% in 2016, up from 35 million pounds in 2015 to 38 million pounds in 2016. This increase contributed to a Program recycling rate of 11% in 2016 (recycled output as a percentage of total discards), up 1% from 2015, although it fell short of the 16% 2016 goal.



[Read more and download the Report here.](#)


CARE on the Road

On July 17, Market Development Consultant Mike Tinney, in partnership with Jennifer Caldwell of CalRecycle, made a product presentation to the Department of Public Works staff of the city of Walnut Creek. The presentation featured the emerging line of Double Green™ products containing post-consumer carpet material plus another post-consumer recycled material from the California waste stream.

Tinney is available to make product presentations to any entity interested in learning about products produced from recycled carpet. [Email Mike](#) with any questions.

CARE will be exhibiting at the [California Resource Recovery Association \(CRRA\) Conference](#), August 21-23 in San Diego. We hope that local government representatives and other attendees will stop by.

STAY CONNECTED:

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Carpet America Recovery Effort, 100 S. Hamilton Dr., Dalton, GA 30720

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

Proposed State Mattress Recycling Baseline & Goals

August 15, 2017 Workshop

Summary

On or before January 1, 2018, CalRecycle is required to establish, in consultation with the mattress recycling organization, the state mattress recycling baseline amount and state mattress recycling goals. CalRecycle may review and update the state mattress recycling baseline and goals, as necessary, beginning July 1, 2020. The purpose of this workshop is to gather public comments and input on the draft staff proposal for the development of the state baseline amount and recycling goals to be effective January 1, 2018 ("2018 baseline and goals").

Proposed 2018 State Mattress Baseline & Goals

Staff propose that the 2018 recycling goals focus on year-over-year increases in the number of units recycled and ensuring that the number of units renovated is maintained and not adversely impacted by the program. Staff anticipate that additional goals such as illegal dumping, source reduction, and a recycling rate will be evaluated as part of the 2020 baseline and goal-setting process.

CalRecycle's ability to establish a recycling rate based on a denominator of total used mattresses that are available for reuse/recycling/renovation currently is significantly limited by data gaps and data quality challenges from the 2016 used mattress renovator¹, recycler², and solid waste facility³ annual reporting year (see "Data Collection to Support Development of Baseline and Goals"). 2016 was the first reporting year for mattress renovators, recyclers, and solid waste facilities, and staff are continuing a number of education and outreach activities to reduce data gaps and improve data quality in subsequent reporting periods. Therefore, staff do not propose utilizing the first-year actual reported data as the baseline to set a recycling rate. Staff also recommend waiting until 2020 to consider goals for items such as illegal dumping and source reduction.

The table below presents CalRecycle staff's draft proposed 2018 mattress recycling goals and corresponding baselines, defined as follows (See Appendix 1 for additional definitions):

2018 State mattress recycling baseline – The number of units recycled through the program in 2016, as reported in MRC's first annual report.

2018 State mattress recycling goals – Year-over-year percentage increases documenting progress towards meeting the established goals.

Staff note that in preparation for the subsequent baseline and goal-setting opportunity in 2020, the Department will review and update the recycling baseline amount and goals discussed herein, which

¹ "Mattress renovator" is defined in statute as, "a person who renovates used mattresses for the purpose of sale, or offering for sale, in this state"

² "Recycler" is defined in statute as, "a person that engages in the manual or mechanical separation of mattresses to substantially recover components and commodities contained in mattresses for the purpose of reuse or recycling"

³ "Solid waste facility" is defined in statute as, "a solid waste facility as defined in Section 40194 that accepts, under its normal operating conditions, used mattresses from the public for collection, storing, and handling, whether for recycling or disposal."

may include but are not limited to: defining “recycling rate” based on a denominator of total used mattresses available for reuse/recycling/renovation, as well as considering goals for illegal dumping reduction and source reduction.

2018 Proposed State Mattress Recycling Baseline & Goals

	Baseline	Estimated Total by Goal Year			
	2016	2017	2018	2019	2020
Renovation					
Renovation goal ¹ (# of units)	150,000	150,000	150,000	150,000	150,000
Recycling					
Increase year-over-year recycling by 20% (# of units)	955,059	1,146,000	1,375,000	1,650,000	1,980,000
Contracted recyclers’ recycling rate by weight	63.61%	66%	69%	72%	75%
2020 Recycling Rate	n/a	n/a	n/a	n/a	TBD in 2020
Convenience					
Increase in the number of counties with no-cost drop-off locations statewide	43/58	49/58	58/58	58/58	58/58

¹ CalRecycle staff’s intent is to ensure the Program does not undermine existing refurbishing and reuse operations in California. More data is necessary to adequately track how the Program is impacting renovation.

For 2018, CalRecycle is seeking feedback from stakeholders, including but not limited to the following:

- Are there other goals the Department should consider for 2018? If so, what are they?
- Are there goals listed that the Department should *not* consider for 2018? If not, why?
- Are the year-over-year percentage increases reasonable and appropriate?
- Should renovation have a year-over-year percentage increase goal or a different type of goal? If percentage increase, what percentage is appropriate? If a different type of goal, what metric is appropriate? Note: “When calculating the state mattress recycling goals, the Department shall include renovated mattresses” per PRC 42987.5(a)(B)(2).
- Is the convenience goal reasonable? Should it include an increase in the total number of sites per county based on population or another metric?
- Should there be a goal for education and outreach? What are reasonable metrics from which such a goal could be measured?
- Should reducing illegal dumping be included in the 2018 baseline and goals setting? If so, what data source should be used?
- Should a market development goal specifically be set to incentivize secondary markets?
- What limitations do the proposed goals pose that the Department should be aware of?

For 2020, CalRecycle is seeking feedback from stakeholders, including but not limited to the following:

- How should the total used mattresses available for reuse/recycling/renovation be calculated? Should the calculation include a sales based formula?
- What goals should the Department consider for 2020? What additional data sources would be needed?

Statutory Background

The California Used Mattress Recovery and Recycling Act (Act) (Chapter 388, Statutes of 2013, [Hancock, SB 254]) was enacted to reduce illegal dumping, increase recycling, and substantially reduce public agency costs for the end-of-life management of used mattresses. The Act follows producer responsibility principles that require mattress manufacturers to develop, implement, and administer a mattress recycling program.

CalRecycle is required to establish, in consultation with the mattress recycling organization, the state mattress recycling baseline amount and state mattress recycling goals using methodology contained in the plan and information contained in the first annual report in accordance with the Act. Public Resources Code (PRC) §42987.5 states:

(a)(1) On or before January 1, 2018, based on methodology contained in the plan and information contained in the first annual report, the department, in consultation with the organization, and after taking into consideration relevant economic and practical considerations and other information, shall establish and make public the following:

(A) The state mattress recycling baseline amount.

(B) The state mattress recycling goals.

(2) When calculating the state mattress recycling goals, the department shall include renovated mattresses.

(b) Beginning July 1, 2019, and annually thereafter, the annual report required pursuant to Section 42990.1 shall demonstrate the mattress recycling organization's good faith effort to comply with the state mattress recycling goals established pursuant to this section.

(c) On or before July 1, 2020, and every four years thereafter, the department shall review, including reviewing for consistency with Section 41780.01, and update as necessary, the baseline amount and goals to ensure that the program advances the statewide recycling goal.

Data Collection to Support Development of Baseline and Goals

CalRecycle developed the Mattress Recovery and Recycling Program (MRRP) database to collect data that mattress renovators, recyclers, and solid waste facilities are required to submit pursuant to PRC §42991 and 14 CCR 18965-18967. Mattress recyclers and renovators are required to report the number of units (mattresses or foundations) received and identify from where they came, the quantities and weights of constituent parts recycled, and the number of units renovated and sold in California. Solid waste facilities must report the number of units received and the number of units landfilled or sent away to be recycled or renovated. CalRecycle provided this data to the Mattress Recycling Council (MRC) on June 8, 2017, to be incorporated into its first annual report. Staff developed the annual

reporting questions based on statute and in consultation with the MRC and stakeholders by sharing the questions with the reporting entities in advance of MRRP production.

During the development of the MRRP, staff identified 13 mattresses recyclers, 56 mattress renovators, and 509 solid waste facilities as potential reporting entities. These entities accept, under their normal operating conditions, used mattresses from the public, as defined in Public Resource Code (PRC) § 42986, regardless of whether or not they contract with the Mattress Recycling Council (MRC). The following details CalRecycle's outreach efforts to reach the reporting community:

- CalRecycle mattress staff coordinated with CalRecycle training and local assistance staff who distributed emails directly to Local Enforcement Agencies (LEAs) and all solid waste facility operators in the Solid Waste Information System (SWIS) database.
- CalRecycle staff conducted follow-up calls and emails after conducting extensive research to locate contact information.
- Notifications and reminder messages were distributed through the MRRP and the mattress listserv.
- CalRecycle presented on the new regulations/program and annual reporting requirements at: Enforcement Advisory Council meetings, LEA Roundtables, Environmental Services Joint Powers Authority (ESJPA), and an LEA Technical Training.
- Frequently Asked Questions were posted to CalRecycle's website to assist reporting entities.
- The California Refuse Recycling Council and the MRC sent informational messages to their members at CalRecycle's request.
- CalRecycle's Deputy Director of Materials Management and Local Assistance Division provided an update at the May 2017 CalRecycle Public Meeting reminding stakeholders of the annual report due date, requesting that the reports be submitted as soon as possible, and reminding stakeholders that the data will be used for baseline and goals setting.

To date, 11 recyclers, 6 renovators, and 332 solid waste facilities have submitted annual reports. A summary of the data collected can be seen in Appendix 2. Below is a summary of CalRecycle staff's confidence level that all of the entities that should be reporting per the law are doing so:

	Potential # Entities Required to Report	# Entities that Reported for 2016	Staff Confidence that all Entities Required to Report are Doing So
Recyclers	13	11	Low: There are only a few in the database that are not currently contracted with MRC. Staff believe there are more potential mattress recyclers in operation, such as recycling occurring at solid waste facilities.
Renovators	56	6	Low. Many renovators do not have websites and are difficult to find. Staff also believe there are more potential renovators in California for which we do not have information or data.
Solid Waste Facilities	509	332	Medium. Staff started out with a very large list of potential facilities and determined a large number were actually excluded. Staff believe there are still some solid waste facilities that accept mattresses which CalRecycle has not identified and some "non-reporters" that may be excluded (e.g., do not accept from the public).

In addition to the relatively low level of reporting and low confidence level that all of the entities that should be reporting per the law are doing so, other challenges associated with first year data collection and reporting are as follows:

- Entities reporting zeros due to not tracking for calendar year 2016
- Undeveloped conversion factors
- Inaccuracies from using estimates
- Potential double counting from transfer stations and landfills
- Confusion over reporting question/requirements

In order to ensure future data is more complete and accurate, CalRecycle staff will assist reporting entities in the following ways:

- Staff are preparing a questionnaire requesting entities to identify where they faced challenges during this reporting cycle.
- After responses from the above questionnaire are received, staff plan to record a MRRP/Annual Reporting training webinar to address the challenges identified.
- Staff will perform additional outreach and education to a wider group of solid waste facilities to determine if more are required to report, but are still unaware of this requirement.
- Staff are currently working with CalRecycle's Information Technology branch to put together a list of possible additional entities who were not originally identified during the MRRP

development process (e.g., expanding the search criteria to include additional waste types including construction and demolition, inert materials, etc.)

- The Department is in the process of notifying the entities that have not reported of the requirements and associated penalties for non-compliance.

With these efforts, staff believe that future reporting will improve as more entities become familiar with their reporting obligations/requirements and consistent tracking methods are developed.

Appendix 1 Mattress Baseline and Goals Proposed Definitions

2020 Recycling Rate - the number of units reused/recycled/renovated divided by the total used mattresses available for reuse/recycling/renovation.

Baseline – 2016 data as reported in MRC's Year 1 Annual Report.

Contracted Recyclers' Recycling Rate by Weight Goal - 75% by weight recycling target for each of MRC's contracted recyclers consistent with MRC's Plan.

Recycling Goal – increase the number of units recycled through the program each year.

Renovation Recycling Goal – ensures the number of units renovated is maintained and not adversely impacted by the program.

Appendix 2 - Mattress Annual Reporting Data Summary

Mattress Recyclers	Totals
Number of units received from CA sources	1,073,803
Number of units received from non CA sources	-
Number of units recycled	967,840
Quantity of foam in pounds	3,614,072
Quantity of wood in pounds	3,623,581
Quantity of metal in pounds	15,297,288
Quantity of fabric in pounds	4,663,603
Residuals disposed in pounds	16,893,067
Number of units rejected	22,833
# of units recycled + # of units rejected	990,673
Difference between # of units received vs. # units recycled & rejected	83,130

Mattress Recycler Notes
Quantities of materials reported are amounts recycled/reused
Number of units received is higher than the total number recycled and rejected

Mattress Renovators	Totals
Number of units received from CA sources	166,197
Number of units received from non CA sources	-
Quantity of fabric removed in pounds	650,640
Number of units rejected	16,073
Number of used mattresses from CA sources sent out of CA (for renovation or other method of disposition)	-
Sum of units renovated	150,124

Mattress Renovators Notes
Data excludes proprietary information reported

Solid Waste Facilities	Totals
Number of units received from CA sources	736,782
Number of units received from non CA sources	1,131
Number of units landfilled	302,722
Number of units sent to recyclers	410,288
Number of units sent to renovators	2,158
Number of units recycled on site	12,474
Number of units renovated on site	-
Total Units Received (CA + Non CA)	737,913
Total units landfilled, recycled, renovated	715,168
Difference between # of units received vs # units landfilled, recycled, renovated	22,745

Solid Waste Facilities Notes
Potential double counting due to transfer station and landfill both reporting. This number may be artificially low due to approx 180 reports not submitted.
This may be incorrect/inaccurate. All reporting entities that reported units sent to renovator included the same number going to recyclers.
Number of units received is higher than the total landfilled, recycled, and renovated, possibly due to using estimates, conversion factors, invoices, etc.

Mary Pitto


From: Mattress Recycling Council <ispa@sleepproducts.ccsend.com> on behalf of Mattress Recycling Council <info@mattressrecyclingcouncil.org>
Sent: Monday, July 31, 2017 9:27 AM
To: Mary Pitto
Subject: July 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.

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MRC Program Update



Mattress Recycling Council

July 31, 2017

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[Better Sleep Council's Survey Results](#)

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MRC NEWS: California Annual Report Submitted; CalRecycle Reviewing for Compliance

On June 30, MRC submitted the annual report for California's Program to the California Department of Resources Recycling and Recovery (CalRecycle). CalRecycle staff reviewed the annual report for completeness per the requirements in the Public Resources Code Sections 429865-42994 and California Code of Regulations Sections 18959-18971 and found MRC's annual report to be complete.

CalRecycle will now review the report for compliance and plans to issue it's decision at the department's monthly public meeting on August 15.

You may read the complete California Annual Report [here](#).

MATTRESS INDUSTRY: Survey Closes August 11



MRC has launched an industry survey for mattress retailers and manufacturers. Your feedback is important for improving our customer service and communications. The survey is short and will only take a few minutes.

Here's how you can access the survey:

[Interactive Booth Tour Nears Completion](#)

[Upcoming Events](#)

[New Collection Sites](#)

COLLECTION SITES:

[Verify Your Locator Listing](#)

[California Illegally Dumped Mattress Collection Initiative](#)

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

Visit us at Summer Las Vegas Market July 30-Aug. 3 in the the HFA Retailer Resource Center. By participating in the survey at Market, you will be entered to win a \$100 gift card. So be sure to stop by! Winners will be selected at Noon on Monday and Wednesday.

This is also a great opportunity to have your questions answered by our Customer Service Liaison, Paris Gholston.

Or go online [here](#).

We are collecting responses through August 11.

IN THE COMMUNITY: MRC's PSA is Now Airing

Our latest PSA is now airing and it builds awareness of our Bye Bye Mattress Program. In our TV and Radio spots, Sandman is informing the public about how they can find their nearest recycling location.

Help spread the word, ask your local media to use our PSA. This will drive volume to collection sites and collection events keeping mattresses out of landfills and helping to combat illegal dumping.

MRC diverted 1 million mattresses from landfills in California, Connecticut and Rhode Island last year, let's recycle 1 million more!

Check out the :60 TV PSA [here](#).



MATTRESS INDUSTRY: Check Your MRCreporting.org Account Info

Connecticut's and Rhode Island's reports will be sent to state authorities in October. While the state laws vary, MRC is asked to disclose the following as separate lists in its reports:

- Legal company names of retailers, manufacturers and renovators

<u>Collection Period</u>	<u>Due</u>
Jun. 1-30	July 30
July 1-31	Aug. 30
Aug. 1-31	Sep. 30
Sep. 1-30	Nov. 30

Submit Reports & Payments via MRCreporting.org

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 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.

- Alternative names your company does business as
- Brands/Uniform Registry Numbers of the products you sell

Please log-in to your MRCreporting.org account to make sure your company name and brand/URNs (if applicable) are accurate and complete.

Click the MY ACCOUNT tab to make any changes. You may also reference [MRCreporting.org User Guidelines](#) or contact MRC for further assistance.

IN THE COMMUNITY: Interactive Booth Tour Nears Completion

Since the launch of our interactive booth tour we've been traveling throughout California to further reach and educate consumers about the Bye Bye Mattress Program and benefits of recycling. The tour has been successful and we've received great feedback. We've enjoyed the opportunity to connect with audiences of all ages through interactive games, our recycling pledge and photo opportunity - all while educating them about the Program. As we prepare to hit the final stops of our tour, we are already excited to start planning for 2018.

The remaining stops include:

- * August 5: OC Fair
- * August 25-27: Anaheim Home & Garden Show

If you know of a large community festival, home show or another event in your area that you would like us to consider for our 2018 tour, please let us know. Email [MRC's Marketing & Communications Department](#).



[Park City Green-CT](#)

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

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 latest issue at sleepsavvymagazine.com

Subscriptions are FREE!

MRC NEWS: Northeast Coordinator and Program/Logistics Planner Position Available

Northeast Coordinator

The Mattress Recycling Council (MRC) seeks a qualified candidate to serve as an in-state staff member to assist in the on-going implementation of statewide mattress recycling programs in Connecticut and Rhode Island. This position will perform varied tasks required to maintain successful mattress recycling programs. For more information or to apply, click [here](#).

Program/Logistics Planner

The Mattress Recycling Council (MRC) seeks qualified candidates to serve as an in-state staff member to assist in the on-going implementation of the statewide mattress recycling program. This position will perform varied tasks required to develop, implement and maintain a successful mattress recycling program throughout California with a focus on working directly with large volume generators of old mattresses for disposal including mattress retailers, hotels, educational facilities and solid waste facilities. The ideal candidate will reside in Southern California. For more information or to apply, click [here](#).

MATTRESS INDUSTRY: New State Role Category Available, Institutional Seller

MRC has included a new state role category, **Institutional Seller**. You may want to consider this category as a better suit for you if you sell only to institutions and have concerns about being labeled a "retailer" when we provide registration list to state authorities. This change allows manufacturers and renovators of mattresses and box springs who sell only to institutions (and therefore have to remit recycling fees), to be differentiated from retailers who sell to individuals. It is easy to make this change and can be done at any time through your account settings (My Account tab). It is **completely optional**. For information on how to make changes to your account and profile, please review the [Registration and Reporting Guidelines](#) or contact MRC's Technical Support at 1-888-646-6815.

MATTRESS INDUSTRY: The Better Sleep Council Survey UnCOVERS Americans Still Believe Myths About Sleep

Americans have trouble separating fact from fiction about sleep, according to a [study](#) from the Better Sleep Council (BSC), the nonprofit consumer-education arm of the International Sleep Products Association (ISPA). The BSC looked at common misconceptions about sleep and whether Americans understand

what's correct - and what's the stuff of legend. Perhaps one of the most surprising misconceptions? 154 million Americans believe nothing's really happening when they doze. Yet research shows the brain recharges during sleep and stays in an active state. Of those who believe sleep is passive, adults under the age of 50 (67%) are more likely to believe this compared to those older than 50 (51%.)



COLLECTION LOCATIONS: Join the California Illegally Dumped Mattress Collection Initiative



The California Illegally Dumped Mattress Collection Initiative continues to grow. More than 90 California sites have joined the initiative, and so far 12,293 units have been collected in 2017.

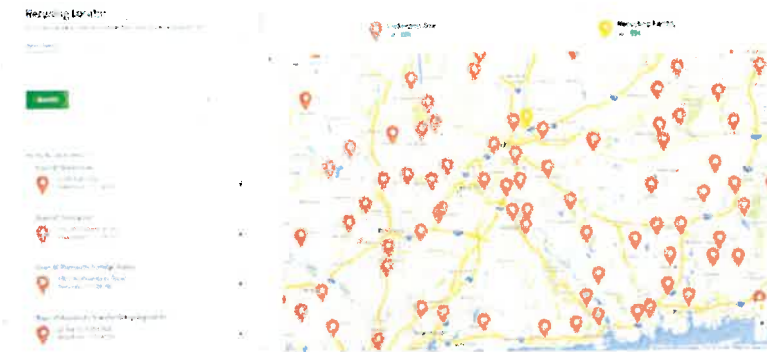
This initiative allows agencies responsible for the collection of illegally dumped mattresses from public spaces and rights-of-way to receive payment from MRC for the collection of illegally dumped mattresses. MRC has allotted \$750,000 to fund this effort for 2017.

Eligible entities that wish to receive reimbursement must register and begin tracking the number of illegally dumped mattresses collected.

The following organizations recently signed up for the program in 2017: City of Coalinga, City of Exeter, City of Lindsay, City of Madera, City of Oxnard, City of Twenty Nine Palms, and Santa Cruz County. We hope to see many more.

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](#).

COLLECTION LOCATIONS: Is Your Listing Accurate in Our Locator?



To ensure we have the latest details about your location, please [complete this form](#).

Upcoming Events

CRRA Annual Conference & Tradeshow

August 20-25

San Diego, CA

[Event website](#)

Each year, CRRA organizes one of the most comprehensive and informative conferences dedicated to recycling and sustainable materials management. On Tuesday at 3:45pm, MRC's Managing Director, Mike O'Donnell will be part of a panel discussing combating illegal dumping.

Southern California Waste Management Forum Annual Conference & Exhibit

November 8

Sheraton Fairplex Hotel and Conference Center

Pomona, CA 91768

[Event website](#)

Each year, the Forum puts on an Annual Conference at which our members meet to hear presentations about trends in the field of environmental stewardship in general, and waste management in particular. Mark Patti, MRC's Southern California Program Coordinator, will be attending and we have a booth. If you plan to attend, be sure to stop by.

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

City of Watsonville Transfer Station
Watsonville, CA 95076

Connecticut

Town of Colchester Transfer Station
Colchester, CT 06415

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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Monthly Public Meeting

CalRecycle

10:00 A.M., June 20, 2017

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.

Information Items

1. California Statewide Disposal and Recycling Rates for Calendar Year 2016 – Update on Progress
Department Staff Contact: Karen.Morrison@calrecycle.ca.gov
2. Discussion on 2016 California Exports of Recyclable Materials
Department Staff Contact: Larry.Stephens@calrecycle.ca.gov

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. 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

1. Re-adoption of Emergency Regulations Governing Residual CRT Glass Disposition
Department Staff Contact: Meagan.Wilson@CalRecycle.ca.gov
[Public Notice](#)
2. Re-adoption of Emergency Regulations Implementing Civil Liabilities
Department Staff Contact: Meagan.Wilson@CalRecycle.ca.gov
[Public Notice](#)

Information Items

Nothing to report at this time

D. 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

1. Approve the Designation Application for El Dorado County Recycling Marketing Development Zone (RMDZ)
Department Staff Contact: Frank.Severson@Calrecycle.ca.gov
[Public Notice](#)
2. Five-Year Review Report For The Countywide Integrated Waste Management Plan For The County of San Francisco
Department Staff Contact: Rhonda.Andrade@Calrecycle.ca.gov
[Public Notice](#)

E. GRANT AND LOAN PROGRAMS

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

Action Items

1. Eligibility Criteria and Evaluation Process for the Tire-Derived Aggregate Grant Program (Tire Recycling Management Fund, FYs 2017–18 and 2018–19)
Department Staff Contact: Loreto.Tamondong@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Awards for the Local Government Waste Tire Amnesty Grant Program (Tire Recycling Management Fund, Fiscal Year 2017–18)
Department Staff Contact: Carla.Repucci@CalRecycle.ca.gov
[Public Notice](#)
2. Awards for the Local Enforcement Agency Grant Program (Integrated Waste Management Account, FY 2017–18)
Department Staff Contact: Dan.Wong@CalRecycle.ca.gov
[Public Notice](#)
3. Awards for the Beverage Container Recycling City/County Payment Program (Beverage Container Recycling Fund, FY 2016-17)
Department Staff Contact: Shamila.Tooker@CalRecycle.ca.gov
[Public Notice](#)
4. Awards for the Tire Incentive Program (Tire Recycling Management Fund, FY 2016–17)
Department Staff Contact: Melissa.Sanford@CalRecycle.ca.gov
[Public Notice](#)
5. Awards for the Tire-Derived Product Grant Program (Tire Recycling Management Fund, FY 2017–18)
Department Staff Contact: Noel.Davis@CalRecycle.ca.gov
[Public Notice](#)

6. Recycling Market Development Zone Loan for Pinnpack Packaging LLC (Recycling Market Development Revolving Loan Subaccount, FY 2016–17)
Department Staff Contact: Bruce.Quigley@CalRecycle.ca.gov
[Public Notice](#)
7. Recycling Market Development Zone Loan for rPlanet Earth Los Angeles, LLC (Recycling Market Development Revolving Loan Subaccount, FY 2016–17)
Department Staff Contact: Tim.Brannan@CalRecycle.ca.gov
[Public Notice](#)

F. 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. Otay Landfill – San Diego County, Revised Solid Waste facilities Permit, Action Needed June 27, 2017
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
2. Bishop Sunland Solid Waste Site – Inyo County, Revised Solid Waste Facilities Permit, Action Needed July 10, 2017
Department Staff Contact: Margaret.Comotto@CalRecycle.ca.gov
[Public Notice](#)
3. Altamont Landfill and Resource Recovery Facility, Compostable Materials Handling Facility – Alameda County, New Solid Waste Facilities Permit, Action Needed July 10, 2017
Department Staff Contact: Jeffery.Esquivel@CalRecycle.ca.gov
[Public Notice](#)
4. Sycamore Landfill – City of San Diego, Modified Solid Waste Facilities Permit, Action Needed July 11, 2017
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
5. San Francisco Solid Waste Transfer and Recycling Center (SFSWTRC) – San Francisco County, Modified Solid Waste Facilities Permit, Action Needed July 13, 2017
Department Staff Contact: Reinhard.Hohlwein@CalRecycle.ca.gov
[Public Notice](#)
6. Pacific Recycling Solutions- Material Recovery Facility (MRF) & Mixed Waste Transfer Station - Mendocino County – New Solid Waste Facilities Permit
Action Needed July 24, 2017
Department Staff Contact: Christine.Karl@CalRecycle.ca.gov
[Public Notice](#)
7. Globarket Tire Recycling, LLC - San Diego County, Minor Waste Tire Facility Permit, Action Needed November 6, 2017
Department Staff Contact: Diane.Vlach@CalRecycle.ca.gov
[Public Notice](#)

G. 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 Workshop on SB 1383 (Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions)
June 21, 2017 ([Sacramento](#)) Cal/EPA Building
June 26, 2017 ([Lakewood](#)) City Council Chambers
Department Staff Contact: Christopher.Bria@CalRecycle.ca.gov
Department Staff Contact: Marshall.Graham@CalRecycle.ca.gov
- 2 Workshop: Future of Electronic Waste Management in California - Part 3
June 20, 2017 1:30 – 4:30PM (Cal/EPA Building - Sacramento)
Department Staff Contact: Shirley.Willd-Wagner@CalRecycle.ca.gov
[Public Notice](#)

H. 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

Information Items

1. Final Carpet Stewardship Program Enforcement Plan - Informational Item
Department Staff Contact: Krysty.Emery@CalRecycle.ca.gov
[Public Notice](#)

I. PROGRAM AND ISSUE UPDATES

Action Items

Information Items

J. 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

Information Items

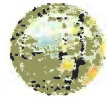
K. OTHER

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

Information Item

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/>.



Monthly Public Meeting

CalRecycle

10:00 A.M., July 18, 2017

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. 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

Nothing to report at this time

Information Items

1. The Beverage Container Recycling Fund Quarterly Status Report: Quarter 2 of Fiscal Year 2016-17
Department Staff Contact: James.Nachbaur@CalRecycle.ca.gov
2. Recycling Program Certification & Registration Report
Quarterly Report on Branch workload metrics and key data.
Department Staff Contact: George.Donkor@CalRecycle.ca.gov
3. Recycling Program Enforcement Report
Quarterly Report on the Branch activities, including Probationary Reviews, Inspections, Investigations completed, and accusations filed. Updates will also be provided on Department of Justice/Office of the Attorney General interagency activities.
Department Staff Contact: Alejandro.Hernandez@CalRecycle.ca.gov
4. Recycling Program Operations Report
Quarterly Report on the Branch activities will include a summary of Rate Determination Studies statistics, Market Information and Statistics.
Department Staff Contact: Mike.Miller@CalRecycle.ca.gov

D. 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

1. Consideration of the Electronic Waste Recycling Fee
Department Staff Contact: Jeff.Hunts@CalRecycle.ca.gov
[Public Notice](#)

Information Items

Nothing to report at this time

E. 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

1. Five-Year Review Report For The Countywide Integrated Waste Management Plan For The County of San Joaquin
Department Staff Contact: Alan.LLusorio@CalRecycle.ca.gov
[Public Notice](#)

Information Items

Nothing to report at this time

F. GRANT AND LOAN PROGRAMS

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

Action Items

1. Eligibility Criteria and Evaluation Process for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, Fiscal Years 2017-18 and 2018-19)
Department Staff Contact: Carla.Repucci@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Awards for the Household Hazardous Waste Grant Program (Integrated Waste Management Account, Fiscal Year 2017-18)
Department Staff Contact: Annabel.Farrall@CalRecycle.ca.gov
[Public Notice](#)
2. Awards for the Local Conservation Corps Grant Program (California Beverage Container Recycling Fund, Electronic Waste Recovery and Recycling Account, California Tire Recycling Management Fund, and California Used Oil Recycling Fund, FY 2017-18)
Department Staff Contact: Dan.Wong@CalRecycle.ca.gov
[Public Notice](#)

Information Items

Nothing to report at this time

G. 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. Altamont Landfill and Resource Recovery Facility Compostable Materials Handling Facility – Alameda County, New Solid Waste Materials Permit,
Department Staff Contact: Jeffery.Esquivel@CalRecycle.ca.gov
[Public Notice](#)
2. Pacific Recycling Solutions – Material Recovery Facility (MRF) & Mixed Waste Transfer Station – Mendocino County, Action Needed July 24, 2017
Department Staff Contact: Christine.Karl@CalRecycle.ca.gov
[Public Notice](#)
3. Sycamore Landfill – City of San Diego, Action Needed August 7, 2017
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
4. City of Napa Materials Diversion Facility – Napa County, Modified Solid Waste Facilities Permit, Action Needed August 8, 2017
Department Staff Contact: Marcus.Santillano@CalRecycle.ca.gov
[Public Notice](#)
5. Davis Street Transfer Station – Alameda County, Action Needed August 11, 2017
Department Staff Contact: Jeffrey.Esquivel@CalRecycle.ca.gov
[Public Notice](#)
6. Otay Landfill – San Diego County, Action Needed August 12, 2017
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
7. Globarket Tire Recycling, LLC - San Diego County, Minor Waste Tire Facility Permit, Action Needed November 6, 2017
Department Staff Contact: Diane.Vlach@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Waste Tire Enforcement Report
Department Staff Contact: Bill.Albert@CalRecycle.ca.gov

H. 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

Nothing to report at this time

Information Items

1. CalRecycle Proposed State Mattress Recycling Baseline & Goals Workshop
 August 15, 2017 1:00PM – 4:00PM (Sacramento)
 Department Staff Contact: Heather.Beckner@CalRecycle.ca.gov
[Public Notice](#)

2. Workshop on the Flow of Used and Waste Tires in California-Mexico Border Region
 August 28, 2017 9:00AM – 2:00PM (Sacramento)
 Department Staff Contact: Sally.French@CalRecycle.ca.gov
[Public Notice](#)

3. CalRecycle Packaging Reform Workshop
 September 19, 2017 1:00PM - 4:30PM (Sacramento)
 Department Staff Contact: Cynthia.Dunn@CalRecycle.ca.gov
[Public Notice](#)

I. PROGRAM AND ISSUE UPDATES

Action Items

Nothing to report at this time

Information Items

Nothing to report at this time

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

Nothing to report at this time

Information Items

Nothing to report at this 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

Nothing to report at this time

Information Items

Nothing to report at this time

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CalRecycle

10:00 A.M., August 15, 2017

Cal/EPA Building – Byron Sher Auditorium

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

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C. PROGRAM AND ISSUE UPDATES

Action Items

Nothing to report at this time

Information Items

Nothing to report at this time

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

Nothing to report 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

Nothing to report 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

Nothing to report at this time

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

1. Awards for the Organics Grant Program (Greenhouse Gas Reduction Fund, FY 2016-17)
Department Staff Contact: Michelle.Martin@CalRecycle.ca.gov
[Public Notice](#)

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. Sycamore Landfill – City of San Diego, Modified Solid Waste Facilities Permit, Action Needed September 4, 2017
Department Staff Contact: Patrick.Snider@CalRecycle.ca.gov
[Public Notice](#)
2. Davis Street Transfer Station – Alameda County, Revised Solid Waste Facilities Permit, Action Needed September 19, 2017
Department Staff Contact: Jeffrey.Esquivel@CalRecycle.ca.gov
[Public Notice](#)
3. Universal Waste Systems 24th Street transfer Station – City of Los Angeles, New Solid Waste Facilities Permit, Action Needed September 19, 2017
Department Staff Contact: Megan.Emslander@CalRecycle.ca.gov
[Public Notice](#)
4. West Sonoma County Disposal – Sonoma County, New Solid Waste Facilities Permit, Action Needed September 25, 2017
Department Staff Contact: Marcus.Santillano@CalRecycle.ca.gov
[Public Notice](#)
5. Yolo County Central Landfill – Yolo County, Revised Solid Waste Facilities Permit, Action Needed September 26, 2017
Department Staff Contract: Marcus.Santillano@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Solid Waste and Tire Cleanup Program Update and Accomplishments, 2015 to 2017
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 Item

1. Consideration of the Mattress Recycling Council 2016 Annual Report
Department Staff Contact: Nicole.Castagneto@CalRecycle.Ca.Gov
[Public Notice](#)

Information Items

1. CalRecycle Proposed State Mattress Recycling Baseline & Goals Workshop
August 15, 2017 1:00PM – 4:00PM (Sacramento)
Department Staff Contact: Heather.Beckner@CalRecycle.ca.gov
[Public Notice](#)
2. Workshop on Informal Rulemaking Stakeholder Workshop for SB 1383 Short-Lived Climate Pollutants (SLCP)
August 16, 2017 10:00AM – 3:00PM ([Sacramento](#)) Cal/EPA Building
August 31, 2017 10:00AM – 3:00PM ([Riverside](#)) City Council Chambers
Department Staff Contact: Christopher.Bria@CalRecycle.ca.gov
Department Staff Contact: Marshalle.Graham@CalRecycle.ca.gov
3. Workshop on the Flow of Used and Waste Tires in California-Mexico Border Region
August 28, 2017 9:00AM – 2:00PM (Sacramento)
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[Public Notice](#)
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[Public Notice](#)

J. OTHER

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Action Items

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Information Items

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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

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Information Items

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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/>.

Mary Pitto

From: CalRecycle Electronic Waste Management ListServ <EWaste@calrecycle.ca.gov>
Sent: Friday, July 28, 2017 2:12 PM
To: Mary Pitto
Subject: California E-Waste Updates: Implementing the Electronic Waste Recycling Act

July 28, 2017

Dear Electronic Waste Stakeholder:

This electronic newsletter is an update on the implementation of California's Electronic Waste Recycling Act of 2003 (Act) and other electronic waste (e-waste) management developments in California.

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In this issue:

DESIGNATED APPROVED COLLECTOR RULES, TRANSITIONS, AND TIMEFRAMES

**SAVE THE DATE – NEXT FUTURE OF ELECTRONIC WASTE MANAGEMENT IN CALIFORNIA
STAKEHOLDER MEETING**

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Designated Approved Collector Rules, Transitions, and Timeframes

This message serves as an urgent reminder that important rules and dates associated with the Designated Approved Collector (DAC) provision within the covered electronic waste (CEW) recovery and recycling program are fast approaching. All California Local Governments and approved collectors potentially impacted by this should take notice. Due to the importance of this matter, you may receive similar messages via other communication pathways.

The Department of Resources Recycling and Recovery (CalRecycle) adopted emergency rules effective March 16, 2017, affecting the use of the DAC provision within the CEW program. Timelines were provided within regulation to allow for a smooth transition between former rules and new rules. While existing Designations under former rules could continue to be used for a limited time, all Designations issued after the effective date should have complied with the new rules.

A valid Designation issued prior to the effective date of the new regulation (March 16) may remain effective pursuant to the scope of that Designation for no more than 180 days after the effective date of this regulation. Prior Designations and associated Proof of Designation (POD) documents issued under the former regulations will no longer be compliant after September 12, 2017, for the purposes CEW recovery. Furthermore, Local Governments seeking to continue use of an existing Designation must transmit to CalRecycle a copy of a new compliant POD prior to August 13, 2017, which allows time for the required 30-day notification requirement.

Local Governments, whether familiar or new to the use of Designations, are urged to review the regulations applicable to the revised DAC rule provision to ensure that CEW recovery interests are properly managed. CalRecycle also reminds existing and prospective DACs that the new Designation rules require Local Government to take the lead role in establishing the CEW recovery service relationship.

Further Designation guidance can be found at:
<http://www.calrecycle.ca.gov/Electronics/Locals/Designations/default.htm>

Form 184 is available at the CalRecycle website that can be used by Local Government as a Proof of Designation when establishing, scoping, and specifying a Designation.
<http://www.calrecycle.ca.gov/Electronics/Recovery/Application/default.htm>

Applicable regulations can be found at Title 14 of the California Code of Regulations, Division 7, Chapter 8.2, Article 7.
<http://www.calrecycle.ca.gov/Laws/Regulations/Title14/Chap08pt2/Article7.htm>

Save the Date – Next Future of Electronic Waste Management in California Stakeholder Meeting

CalRecycle will be holding another workshop in relation to the ongoing “Future of Electronic Waste Management in California” project. This event is scheduled from 1:00PM – 4:00PM on October 11, 2017, in the Coastal Hearing Room at the CalEPA Headquarters Building, 1001 I Street, Sacramento, CA. An agenda and supporting documents will be available on the CalRecycle Public Notice website far in advance of this event.

In the meantime, general information about the “Future of Electronic Waste Management in California” project, including links to past workshops and activities, can be found here:

<http://www.calrecycle.ca.gov/Electronics/Future/Default.htm>

Other Resources

Covered Electronic Waste (CEW) Recycling Program Information:
<http://www.calrecycle.ca.gov/Electronics/Act2003/>

CEW Recycling Payment System Regulations:
<http://www.calrecycle.ca.gov/Laws/Regulations/Title14/Chap08pt2/default.htm>

DTSC Universal Waste Electronics Handler and Recycler Information:
<http://www.dtsc.ca.gov/HazardousWaste/EWaste/>

California Statutes and Bills, including Public Resources Code (PRC) and Health and Safety Code (HSC):
<http://leginfo.legislature.ca.gov/>

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Please note that e-mail correspondence with the Department of Resources Recycling and Recovery (CalRecycle) related to e-waste management in general, and implementation of the Electronic Waste Recycling Act in particular, should be directed to ewaste@calrecycle.ca.gov

Also note that an archive of past distributions of this newsletter is available at:

2004 to Present:
<http://www.calrecycle.ca.gov/listservs/archive/?ListID=10>

Pre-2004:

<http://www.calrecycle.ca.gov/Electronics/Act2003/Stakeholder/Updates/>

Thank you for your interest in shaping California's e-waste management future.

To subscribe to or unsubscribe from the E-Waste listserv or other listservs, please go to <http://www.calrecycle.ca.gov/Listservs/>. For information on California's Electronic Waste Recycling Act of 2003 (SB 20) implementation efforts, as well as other relevant developments go to <http://www.calrecycle.ca.gov/Electronics/>.

To subscribe to or unsubscribe from the E-Waste listserv or other listservs, please go to <http://www.calrecycle.ca.gov/Listservs/>. For information on California's Electronic Waste Recycling Act of 2003 (SB 20) implementation efforts, as well as other relevant developments go to <http://www.calrecycle.ca.gov/Electronics/>.



Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

UNIFIED PROGRAM NEWSLETTER - JULY 2017

IN THIS ISSUE:

CalEPA- California Environmental Protection Agency

CalEPA Welcomes New Evaluators

Evaluation Manual Completed and Available For Reference

Deficiency Library Completed and Available For Reference

Unified Program Guidance Letter 12-01 Amended June 27, 2017: Federal Facility Payment

Disputes of General Oversight Charges

TRAINING: Western States Project- Introduction to Environmental Crimes Enforcement

September 5-8, 2017, San Diego, CA

Tips and Tricks

DTSC- Department of Toxic Substances Control

Hazardous Waste Inspection Frequency (Assembly Bill 1179)

DTSC Letter to Clean Harbors on Chlordane in Used Motor Oil

Revised Used Oil Filter Advisory

State Water Board- State Water Resources Control Board

Contractor License Requirements for Work Associated with Underground Storage Tanks

State Water Resources Control Board Certified Unified Program Agency Evaluations

CalEPA- California Environmental Protection Agency

CalEPA Welcomes New Evaluators

On July 3, 2017 Marc Lorentzen and Christopher Moon joined CalEPA as new Unified Program evaluation team leads. Marc and Chris were previously environmental scientists at the California Department of Public Health Medical Waste Management Program where each performed legislative analysis and facility inspections and were also responsible for stakeholder outreach, training and reporting.

- Marc is a graduate from CSU Sacramento where he obtained a degree in Geography. He was previously a substitute teacher for grades kindergarten through 12th grade and worked at Trader Joe's company.
- Chris is a graduate from UC Berkeley where he studied Earth System Science (Geography) and Forestry. He has gained valuable experiences from his previous employment in various fields.

Welcome to the Unified Program Marc and Chris!

Evaluation Manual Completed and Available For Reference

The CalEPA Unified Program, in coordination with its affiliate Boards, Departments and Offices have developed an Evaluation Manual that provides comprehensive details regarding the process used to assess and evaluate the performance standards of Certified Unified Program Agencies (CUPAs). The Evaluation Manual is intended to be used as a living reference and will be revised to reflect any amendments to Unified Program regulations, standards, checklists or forms.

CalEPA would like to thank the staff of CalEPA and its affiliate Boards, Departments and Offices for the continued input and assistance in providing content information and working with the local government

agencies and on various workgroups and committees to develop the Evaluation Manual. The Evaluation Manual is available on the Unified Program Publications and Forms webpage (<https://calepa.ca.gov/cupa/publications>), as a PDF (<https://calepa.ca.gov/wp-content/uploads/sites/34/2017/07/CalEPAUnifiedProgramEvaluationManual1.0.pdf>).

Deficiency Library Completed and Available For Reference

The California Health and Safety Code Section 25404.4 requires that the Secretary for Environmental Protection (CalEPA) periodically conduct a performance evaluation of each CUPA to determine whether the CUPA is effectively implementing the Unified Program. Inadequacies identified during the evaluation that determine a CUPA is not meeting Unified Program implementation requirements, as outlined in statutes and regulations, are documented as deficiencies in the summary of findings report issued to the CUPA upon conclusion of the evaluation. Each deficiency must cite the governing statute or regulation and the corrective action to be taken by the CUPA to return to compliance.

The CalEPA Unified Program, in coordination with its affiliate Boards, Departments and Offices have developed a library of the most common deficiencies observed by state evaluators during triennial CUPA performance evaluations. This Deficiency Library was created to assist state evaluators with including consistent language on the preliminary summary of findings report upon conclusion of the evaluation, and to provide CUPAs an example of deficiencies, associated relevant laws and regulations, and appropriate corrective actions. Though many examples of deficiencies and associated corrective actions are included in the Deficiency Library, it is not practical for this living reference document to include each possible deficiency or corrective action arising from unique evaluation findings. Revisions can and will be made to the Deficiency Library as necessary.

CalEPA would like to thank the staff of CalEPA and its affiliate Boards, Departments and Offices for the continued input and assistance in providing content information and working with the local government agencies and on various workgroups and committees to develop the Deficiency Library. The Deficiency Library is available on the Unified Program Publications and Forms webpage (<https://calepa.ca.gov/cupa/publications>), as a PDF (<https://calepa.ca.gov/wp-content/uploads/sites/34/2017/07/CalEPADeficiencyLibrary1.0.pdf>).

Unified Program Guidance Letter 12-01. Amended June 27, 2017: Federal Facility Payment Disputes of General Oversight Charges

Unified Program Guidance Letter 12-01 dated June 27, 2017 (<https://calepa.ca.gov/wp-content/uploads/sites/34/2017/07/UP-12-01-Amended-June-27-2017.pdf>) supersedes Guidance Letter 12-01 dated October 13, 2013. Unified Program Bulletin 0910-01, titled "Federal Facility Payment Disputes of General Oversight Surcharge" remains rescinded

CUPAs are required to assess and collect the Unified Program Single Fee, which encompasses several program surcharges, from regulated facilities including those owned by the federal government. Guidance Letter 12-01 dated June 27, 2017 added the Aboveground Petroleum Storage Tank Act surcharge, in addition to the existing surcharges [Underground Storage Tank Program, California Accidental Release Prevention Program and General Oversight (Hazardous Waste Management, Fire Code and Business Plan Programs)] that Congress has identified and waived sovereign immunity, therefore directing federal government agencies to pay the applicable fees.

Because portions of the General Oversight surcharge support state oversight of the Fire Code and Business Plan programs, some federal agencies have asserted there is no clear waiver in federal law and payment of the Fire Code and Business Plan Program portions of the General Oversight surcharge have in some cases, been disputed by federal facilities. Effective July 1, 2017, the annual General Oversight surcharge was set at \$49.00 per regulated business. Of that amount, a total of \$8.82 supports the Fire Code and Business Plan Programs. The amount of the applicable Hazardous Waste Management portion of the General Oversight surcharge is \$40.18.

CUPAs must continue to enforce all programs under the Unified Program at federal facilities and take appropriate action to collect surcharge fees in non-disputed programs (Aboveground Petroleum Storage Tank Act, Underground Storage Tank Program, California Accidental Release Prevention Program and the Hazardous Waste Management portion of General Oversight). Due to the federal facility dispute regarding payment of the Fire Code and Business Plan Program portions of the General Oversight surcharge, CalEPA will not find a CUPA deficient in program implementation for failure to collect these surcharges from federal facilities. However, federal refusal to pay must be reported by the CUPA to CalEPA pursuant to Unified Program Bulletin 0809-1: Department of Defense Facility Fee Payment Guide (https://calepa.ca.gov/wp-content/uploads/sites/34/2016/10/CUPA-Bulletins-2009yr-0809_01.pdf).

Please direct all questions regarding this policy to John Paine, Unified Program Manager at (916) 327-5092 or john.paine@calepa.ca.gov.

**TRAINING: Western States Project- Introduction to Environmental Crimes Enforcement
September 5-8, 2017, San Diego, CA**

This basic environmental investigation course is designed to give participants a basic understanding and working knowledge of the process and requirements for successful environmental crimes investigations. This course will focus on the process of enforcement within the regulatory system and will introduce environmental crimes enforcement as an effective tool, supplementing administrative and civil enforcement. Criminal investigators and regulatory personnel who may be paired as a team, working together in support of criminal environmental cases and attorneys new to environmental enforcement should attend. Registration must be received by the Western States Project no later than August 1, 2017. Please visit <https://content.govdelivery.com/accounts/AZDEQ/bulletins/1a4e565> or contact Eunice Sepulveda-Martinez at (602) 542-8511 or Sepulveda-Martinez.Eunice@azdeq.gov for more information regarding this training course.

Tips and Tricks

CERS Tips and Tricks includes helpful explanations and resolutions regarding current issues recently received by the CERS Technical Support Team. If you have questions or concerns please email the CERS Technical Support Team at cers@calepa.ca.gov.

Regulator Notifications:

As a regulator, if you enter a CERS ID and the 'Notifications' tab has zero information, or, if you want to view "all notifications" for your jurisdiction, try this:

- From the Regulator HOME page, scroll to the bottom text box titled "Regulator Notifications."
- Select the "View All Notifications" link to view all notifications for your jurisdiction. The "View All Notifications" link captures information for all facilities in CERS and the transaction/notification information per CERS ID.

Regulator Home
Home

Instructions/Help

Welcome to the CERS Regulator Portal. Review the Dashboard and Action Required Panels below for submittals and requests requiring attention by your agency. Select the links across the top of the page to access other CERS data. New users may wish to review the [Regulator Portal Questions and Answers Page](#).

I would like to...

- [View Search My Agency's Submittals](#)
- [View All Actions Needed](#)
- [Search Inspections \(New Inspection\)](#)
- [Search Enforcement \(New Enforcement\)](#)

Other Tasks

- [All CERS Regulator Reports](#)
- [Request with another Regulator](#)
- [CERS Establishment Listing](#)

You have 2 access request(s) pending approval by the lead user(s) of your business/organization.

Regulator	Requested On	Approved(s)
New business Newcastle CA	Dec 1, 2014	View
Big Dog Newcastle CA	May 23, 2016	View

Dashboard

Activity	Total	New (<10 days)	Older (>30 days)
Unreviewed Submittal Elements Awaiting Review ("Submitted")	11,146	71	10,849
Submittal Elements with status "Under Review"	103	0	103

My Regulator Action Required Item(s)

Search Options

Keyword OR Phrase:

Regulator:

Action Type:

CER# ID: Occurred In: Priority:

Message	Occurred On
Regulator Lead User for Alhambra Fire Department must act upon access request from linda haddad.	Jan 18, 2016
Regulator Lead User for Alhambra Fire Department must act upon access request from GIN FU LEE.	Sep 27, 2013
Regulator Lead User for Alhambra Fire Department must act upon access request from chui kim.	Sep 26, 2013

Page 1 of 1 10 items per page 1 - 3 of 3 items

Regulator Notifications

The short list of most recent Regulator Notifications has been removed to improve the speed of the Regulator Home Page. You can view [All Notifications](#), or select a facility, business, or regulator and select the Notifications link on the left to see Notifications specific to that entity.

DTSC- Department of Toxic Substances Control

Hazardous Waste Inspection Frequency (Assembly Bill 1179)

Assembly Bill 1179 would require the Department of Toxic Substances Control to adopt regulations establishing inspection frequencies for permitted hazardous waste treatment, storage, and disposal facilities, hazardous waste generators, and hazardous waste transporters, as specified. The bill would require the inspection frequency for a hazardous waste land disposal facility to be no less than two times per calendar year and, for any other permitted hazardous waste treatment, storage, or disposal facility, no less than once per calendar year. The latest version of Assembly Bill 1179 can be viewed at: <https://legiscan.com/CA/bill/AB1179/2017>

DTSC Letter to Clean Harbors Regarding Chlordane in Used Motor Oil

The DTSC has agreed with Clean Harbors that used oil contaminated with chlordane collected from household and non-household collection centers may be managed as hazardous waste not regulated under the federal Resource Conservation and Recovery Act (RCRA), and can be sent to an out of state used oil recycler so long as Clean Harbors can ensure the source of the contaminated motor oil is not regulated under RCRA.

For contaminated used oil collected from a household hazardous waste collection facility, Clean Harbors needs to demonstrate that the load came entirely from such a facility. This is because household hazardous waste collection facilities are only authorized to accept used oil from RCRA exempt sources (households and conditionally exempt small quantity generators).

For contaminated used oil collected from a non-household hazardous waste collection facility, Clean Harbors will need to provide more extensive documentation, such as collection logs and manifests to demonstrate that the used oil obtained came entirely from RCRA exempt sources. This is because non-household hazardous waste collection facilities may accept used oil from RCRA exempt sources (households and conditionally exempt small quantity generators) and sources not exempt from RCRA (small quantity generators and large quantity generators).

Though the contaminated used oil is exempt from RCRA, it is still regulated as hazardous waste in California. Contaminated used oil cannot be managed under the reduced requirements applicable to used oil unless it meets the requirements of subdivision (b)(1) or subdivision (b)(2) of Health and Safety Code section 25250.1.

Please refer to the attached correspondence sent to Clean Harbors from DTSC.

Revised Used Oil Filter Advisory

DTSC has released an advisory explaining regulations governing the management of used oil filters and highlighting the draining techniques that DTSC has found to be most effective at removing residual oil from the filters. Improperly drained used oil filters must be managed as hazardous waste under California's Hazardous Waste Control Law. Generators who do not wish to manage used oil filters as hazardous waste must satisfy California Code of Regulations, Title 22, section 66266.130. For additional information regarding requirements for generators and transporters relative to draining oil filters, please refer to the DTSC Advisory titled "Draining of Used Oil Filters," available at: <http://www.dtsc.ca.gov/HazardousWaste/Documents/upload/AdvisoryUsedOilFiltersMarch2017Final.pdf>.

For more information, contact the DTSC Regulatory Assistance Office at (800) 72-TOXIC or (800) 728-6942.

State Water Board- State Water Resources Control Board

Contractor License Requirements for Work Associated with Underground Storage Tanks

The State Water Resources Control Board (State Water Board) has become aware of inconsistencies between the underground storage tank (UST) statutes and regulations with those of the Contractor State License Board (CSLB). The State Water Board notified all stakeholders of this in a letter dated June 20, 2016. The State Water Board intends to correct this discrepancy in future regulations.

The State Water Board does not have authority to dictate CSLB license requirements or qualifications for UST Installer or Service Technicians. The CSLB statutes and regulations supersede UST regulations regarding the contractor license classifications, qualifications and descriptions. Contractors must ensure the work they are performing on USTs meets the classification of the license as described by the CSLB.

Additionally, individuals with a current Tank Tester License have the authority to perform UST work; however, these provisions do not supersede the CSLB license requirement or for work greater than \$500 in value. Work performed by individuals with a Tank Tester License may also require a CSLB license if the work exceeds \$500 in an attempt to meet the \$500 exemption.

The State Water Board requests owners and operators verify that all contractors working on their facilities are properly licensed as required by the CSLB. Unified Program Agencies must not approve permit requests or approve work performed by individuals that do not hold the required license(s). In addition, individuals that perform work for which they are not properly licensed must be reported to the CSLB Enforcement Division.

For additional clarification regarding contractor licensing requirements, please visit the CSLB website at www.cslb.ca.gov or contact CSLB at (800) 321-2752 or classifications@cslb.ca.gov.

State Water Resources Control Board Certified Unified Program Agency Evaluations

The State Water Board continues progress with Certified Unified Program Agency (CUPA) evaluations using the new remote evaluation model. As of the end of June 2017, thirty-five (35) remote evaluations have been completed. The initial reports are available for review on CalEPA's Unified Program Regulator Directory at <http://cersapps.calepa.ca.gov/Public/Directory/CUPAEvaluationDocuments>.

The remote evaluation model allows State Water Board evaluators, as well as evaluators from other Unified Program state agencies, to perform evaluations remotely through focused meetings with the CUPA via web and telephone conference. The State Water Board continues oversight visits with CUPAs as part of the evaluation and offers hands-on training using CERS to identify missing, inaccurate or incomplete information in CERS.

For more information regarding State Water Board CUPA evaluations, please contact Mr. Sean Farrow at (916) 324-7493 or sean.farrow@waterboards.ca.gov or Ms. Lisa Jensen at (916) 319-0742 or lisa.jensen@waterboards.ca.gov.



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Barbara A. Lee, Director
1001 "I" Street
P.O. Box 806
Sacramento, California 95812-0806



Edmund G. Brown Jr.
Governor

April 25, 2017

Mr. Phillip Retallick
Senior Vice President
Compliance & Regulatory Affairs
Clean Harbors
128 B Frontage Road
Lexington, South Carolina 29073

CHLORDANE IN USED MOTOR OIL

Dear Mr. Retallick,

On March 1, 2017, Director Barbara Lee, Orchid Kwei, Assistant Chief Counsel, and I met with you and other representatives of Clean Harbors to discuss Clean Harbors' stated desire to classify used oil contaminated with chlordane as hazardous waste that is not regulated under the federal Resource Conservation and Recovery Act (RCRA). The Clean Harbors representatives explained that this would allow the company to ship the contaminated used oil to an out-of-state used oil recycling facility as non-RCRA hazardous waste. At the close of the meeting, Director Lee agreed to consult with staff to determine what documentation Clean Harbors must provide to adequately demonstrate that the contaminated used oil is a non-RCRA hazardous waste.

Clean Harbors has represented that its contaminated used oil is non-RCRA hazardous waste because it comes entirely from households and conditionally exempt small quantity generators. Clean Harbors also represented that the United States Environmental Protection Agency is satisfied that the contaminated used oil is not regulated as hazardous waste under RCRA.

The Department of Toxic Substances Control (DTSC) understands that the contaminated used oil in question was collected at used oil collection centers, some of which are household hazardous waste collection facilities and some of which are not. This is significant because household hazardous waste collection facilities are authorized to accept used oil only from households and conditionally exempt small quantity generators, i.e. sources that are exempt from RCRA. Other used oil collection centers are not so limited. They may accept used oil not only from exempt sources, but also from Small Quantity Generators and Large Quantity Generators, which do not qualify for the RCRA exemption. Used oil collected from these non-household

hazardous waste collection facilities that is determined to be contaminated could be a RCRA-regulated hazardous waste. Therefore, to manage the contaminated used oil as non-RCRA hazardous waste, Clean Harbors must be able to demonstrate that the used oil – even the used oil that comes from collection centers that are not household hazardous waste collection facilities – comes entirely from household sources or conditionally exempt small quantity generators.

For contaminated used oil collected from a household hazardous waste collection facility, Clean Harbors will merely be required to show that the load came entirely from such a facility. However, shipments from a used oil collection center that is not a household hazardous waste collection facility (e.g., Auto Zone) will require more extensive documentation because such collection centers are authorized to accept used oil from non-exempt sources.

At a minimum, the following documentation is necessary for Clean Harbors to demonstrate that the contaminated used oil is non-RCRA hazardous waste:

For a household hazardous waste collection facility:

- The Uniform or Consolidated Hazardous Waste Manifests for each used oil shipment, with the accompanying receipts for the used oil, if applicable, showing all contaminated used oil is from a household hazardous waste collection facility.

For a non- household hazardous waste collection facility (e.g., Auto Zone):


- Collection logs that identify the source of the contaminated used oil (e.g., a declaration from the generator that it is a household or conditionally exempt small quantity generator) and sufficient information to permit DTSC to trace the contaminated used oil to a particular container or tank, i.e. the date the used oil was accepted, collected, accumulated and stored; and
- Uniform or Consolidated Hazardous Waste Manifests, with the accompanying receipts, if applicable.

Please be aware that even if the contaminated used oil is not regulated under RCRA, it is still regulated as hazardous waste in California. In addition, contaminated used oil cannot be managed under the reduced requirements applicable to used oil unless it meets the requirements of subdivision (b)(1) or subdivision (b)(2) of Health and Safety Code section 25250.1.

Mr. Phillip Retallick
April 25, 2017
Page 3

If you have any question, please contact Mr. Kevin Sanchez, Senior Environmental Scientist, at (916) 322-8677 or via Kevin.Sanchez@dtsc.ca.gov.

Sincerely,



Antonette B. Cordero
Deputy Director
Hazardous Waste Management Program

cc: Ms. Barbara A. Lee, Director
Department of Toxic Substances Control
1001 I Street, 25th Floor
P.O. Box 806
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Ms.Orchid Kwei
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Sacramento, California 95812-0806

Agenda Item IX

ARTICLES OF INTEREST



Photo: Getty Images/iStockphoto

Emerging Issues in Recycling

An examination of the recycling market including details on specific materials BY MARC J. ROGOFF

There have been ebbs and flows in the recycling market over the past 35 years. Price volatility in recycling markets is almost a universal truth across the globe. Being able to manage the ever-fluctuating changes in market prices can either produce success or break the community recycling program. Most recycling industry observers have agreed that prices for most, if not all, recycled materials tend to follow expansions and contractions in the overall world or national economy such as major economic recessions and market crashes. This article will briefly discuss some of the recent changes in 2017 to recycling markets in the United States.

Recycling Markets

The paragraphs that follow briefly describe and discuss the current pricing information

and data for national recycling markets, and markets in the United States, where available. Clearly, 2016 was a difficult one for these markets. The data show a slight upturn of the markets so far in 2017.

Aluminum Cans. Conditions in the various aluminum scrap markets appear to be improving to many authoritative sources in the scrap market due to an increase in consumer demand. This has increased the prices received by recyclers across the United States. For example, at the time of this writing aluminum cans in March received an average national price of \$0.66 per pound increasing from a low of \$0.61 per pound in January, an almost 8% increase.

Ferrous. Domestic steel production statistics point to a slight increase in the domestic steelmaking sector. Recent pricing data show an upward trend so far in 2017

from an average high of \$144 per ton in January to a high of \$170 per ton in March, an almost 18% increase.

High Density Polyethylene (HDPE).

There are two types of HDPE bottle grade material: the homopolymer and copolymer. The homopolymer has a stiffer molecular structure and is typically used for dairy, water, and juice bottles. The copolymer HDPE is produced by injecting molding and is more chemically resistant to contents such as detergents and household cleaners. These two types of HDPE are incompatible and cannot be mixed together for best pricing.

In January, there was a marked increase in price paid (\$0.11 per pound), followed a significant increase in price over the fall. March has seen a significant uptick in price (\$0.13 per pound), primarily due to the changes in the global market of

oil and natural gas.

Glass Bottles. Glass, which has been in use for thousands of years, is a transparent substance, made primarily from sand, soda ash, and limestone. Glass containers are produced in three colors: clear (flint), brown (amber), and green. The primary markets for glass containers are the 75 glass container manufacturing plants in the United States. Due to the increase of single stream recycling systems, glass bottles tend to be crushed, which lowers its quality and marketability.

A review of the recycling database generated by Recycling Markets. Net indicates that the current market price for recycled glass is -\$20 per ton (March 2017), which has further declined from -\$10 per ton over the past two years. In other words, most recyclers in the US have had to pay available markets to dispose of recovered glass bottles.

Polyethylene Terephthalate (PET). Plastic resins are synthetic materials made from oil and gas that are combined in a polymerizing process. PET is a clear plastic resin used to make beverage bottles and food containers. To the surprise of hardly anyone, the prime determinant of the price of recycled plastic is the current and expected price of crude oil or natural gas. Along with increasing volatility in global oil equity prices and exchange rates, crude oil price volatility increased significantly during 2015, reflecting uncertainty about potential lower economic and oil demand growth in emerging market countries. According to reports prepared by the Energy Information Administration of the US Department of Energy, continuing increases in global liquids inventories have put significant downward pressure on oil and natural gas market prices.

PET markets have seen a slight increase so far in 2017 with an average high of \$0.13 per pound in March increasing from \$0.105 in January. Overseas markets for all recovered plastics are still considered poor by most recyclers, due to materials being held up at Chinese ports for quality concerns. As a consequence, recyclers are looking for domestic markets for these materials.

Mixed Paper. Waste paper, a significant portion of the solid waste stream, is bought and sold on the basis of grade, and prices vary accordingly. Paper grades are generally defined as specified by the Paper Stock Institute of America, which lists specific guidelines that define different grades of paper based on type and preparation. Mixed paper

is the comingling of various paper grades in typical residential recycling programs, such as old mail, paperboard packaging, magazines, copy and computer paper, egg cartons, etc., for recycling.

Up until this current year, much of this material would have gone to the Asian export market. Given the downturn of the Chinese economy and devaluation of its currency, the Yuan, demand from China has been quite slow, as reported by a number of reputable paper market information sources. As such domestic mills are full of these materials. The current 2017 trend so far in mixed paper prices has ranged from a low \$84 per ton in January increasing to \$96 per ton in March.

Old Corrugated Cardboard (OCC). Old corrugated containers, referred to as OCC, represents the largest single category of waste paper (40 to 60%) collected for recycling. With the increase of online package delivery services (Amazon, Staples, Target, and Wal-Mart) over the past few years, OCC has greatly increased in recent years. China, Korea, and Japan are among the largest importers of US OCC supplies, which they use to make containers to ship TVs, stereos,

VCRs, etc., back to the United States. The comments made in the previous section on worldwide economic conditions, as well as a rising US dollar, certainly apply to OCC.

The current 2017 trend in mixed paper prices shows another uptick as well from an average high of \$114 per ton in January to a high of \$160 per ton in March, an increase of over 40% so far this year.

Renegotiation of Processing Agreements

The Solid Waste Association of North America (SWANA) and the National Waste and Recycling Association (NWRA) have recently issued a joint advisory regarding contracting for processing of municipal recyclables. While the Advisory is for general guidance only, it provides illustrative components, which should be included in contracts for these facilities. These include the following:

- A well-drafted contract contains definitions of key terms: Pay particular attention to the words and phrases "Applicable Law," "Recyclables," "Maximum Non-Recyclables Level" (sometimes called contamination rate), "Non-Recyclables," "Residue," and "Uncontrollable Circum-



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stances” (sometimes called Force Majeure or acts of God).

- Contract term/length, including mutual extension rights/obligations, or a contractor bonus that can be earned through performance
- Specify obligations that survive the term (such as indemnifications, certain reporting requirements, etc.).
- Termination rights, such as cure periods for defaults, no-fault termination for lack of funding, or convenience
- Local agency’s responsibilities and rights, e.g., (dis)approval rights with respect to key personnel and contract delegation and assignment (including sales, mergers, bankruptcy, transfer of ownership, etc.)
- Contractor’s responsibilities and rights
- Performance specifications and standards (e.g., receiving hours, vehicle tipping/turn-around times, weighing protocols including scale house operation, fee collection/security); throughput capacity requirements, identification of acceptable materials; hazardous waste load checking protocol (including responsibility/protocol for handling and paying for hazardous wastes and processing residue); and load rejection rights
- When the contract is for a municipally owned facility: utility consumption guaranties (if local agency pays utility charges), routine and extraordinary maintenance and repair, and replacement of publicly owned equipment and facility
- Other specifications may include waste composition preconditions and reject limits, recovery guarantees and residue management/disposal, allowable levels of non-recyclables and moisture, marketability guarantees, product specifications, materials marketing obligations (including market risk allocation), performance/recovery incentive(s), recovered materials revenue sharing options, and rebate requirements for materials delivered by haulers to the facility
- Public education and outreach program
- Contract administration tools with feedback loops: Record keeping, reporting (performance, operations, and financial), responsiveness standards, access to facility and inspection protocols, and performance (dis)incentives should be reviewed together on a routine schedule

- Compensation/payment structure
Note: if compensation will include the marketing of the recyclables, material valuations should be taken into account, and they should include:
 - Agreed upon value for materials sold, actual value or recognized indices
 - What the material is worth at the processing facility—i.e., make allowance for transportation
 - Negative values of marketed materials and disposal costs
 - Tip fees where applicable
 - Consideration of who assumes responsibility for disposal costs, recognizing that inbound material quality and processing efficiencies affect these costs
 - Adjustments over time to the percentages

- Compensation adjustment methodologies for any increase or decrease in services or other obligations required of the Contractor due to changes in contract conditions and at time of any contract extensions, such as increases in cost due to mandated wage increases and/or changes in fuel costs
- Flexibility for the contractor to dispose of recyclables when no reasonable commercial market exists (mutually agreed upon by local agency and contractor pursuant to predetermined standards)
- Defaults, cure periods, and remedies
- Representations and continuing warranties
- Dispute resolution and enforcement options
- Performance assurance (e.g., bonds, letter of credit) where the ability to perform may be in doubt



Contamination

In recent months, practically all of the major industry MRF providers (Republic, ReCommunity, Waste Management, etc.) have issued policy papers and press releases and presented

at national professional conferences that suggest that the recycling industry is under economic pressure resulting from the following events:

- of each recyclable and non-recyclable component set at the inception of the contract. Adjustments through jointly agreed upon protocols for audits should be done at regular intervals.
- Allowances for changes in the contract over time, due to such circumstances as acts of God, changes in market conditions (including—but not limited to—lack of commercially reasonable market availability for processed recyclables; changes in market specifications affecting the salability of recyclables; changes in law (e.g., bottle bills) affecting the recyclability of materials; and changes in the quantity, quality, or composition of the inbound recyclables). Note: quantities could be affected by the removal of more valuable commodities from the mix or allowance of scavenging, and these issues should be addressed. Any other change, which prevents, precludes, or substantially affects the benefit(s) bargained for under the agreement (mutually agreed upon by local agency and contractor)
- Recyclables stream composition changes: shifts in consumer preferences (reduced paper and newsprint due to online consumption of news), increasing levels on non-recyclables in the bin (non-recyclable bio-based packaging (PLA) and composite plastic packaging, and industry-driven product light weighting (beverage containers becoming thinner and lighter).
- Rising labor costs: legislative actions continue to increase minimum wage rates (\$0.50 an hour can increase labor costs by as much as \$3 per ton).
- Increasing maintenance and downtime: non-recyclables in stream causing increased downtime (“wishful recycling”, wire, propane tanks, needles, higher maintenance costs and safety issues)
- Processing costs: China “Green Fence” requirements driving up costs; CPI

adjustments not keeping up with increased costs

- Depressed commodity prices: global prices in prolonged freefall. Forecasts vary on how long oil prices will stay low. Some industry analysts predict pricing will not return to higher rates until 2020.
- Establish a MRF processing fee and a method for the parties to receive a tiered revenue share that increases when revenues exceed a certain level.
- Calculate revenue share based on actual revenues rather than industry indices.
- Ensure that composition audits reflect actual commodity mixes and are done at appropriate intervals.
- Improve public education efforts to help improve inbound quality.
- Pass through of labor increases caused by new laws (minimum wage increases)
- Enable the MRF operator to reject loads with a high percentage of non-recyclables.
- Annual CPI with a minimum
- Increased recyclable quality controls by the use of greater sorting equipment efficiency to maintain low residual levels

Glass

And, there's glass. Glass has been a commodity that has been included in all recycling programs since the advent of most private and public collection programs. It is heavy and contributes mightily to community diversion goals. However, more than a third of the glass oftentimes breaks during collection, jams up conveyors, and melts at MRF facilities, and, as a result, contaminates baled material. Lastly, glass is made from a common and cheap material—sand. So, the price for recovered glass is usually marginal. Some in our industry have argued for restricting or eliminating glass for these reasons alone.

In many parts of the country, glass is increasingly becoming too expensive to handle in curbside recycling programs. For example, cities like Harrisburg, PA, and Charleston, WV, have instructed their residents to place glass containers in the normal trash rather than in a recycling bin because it is more cost effective for these cities.

Closing Thoughts

Recycling markets appear to be on the

upswing as of this writing. However, as much of these commodities are tied with the price of oil on the world markets it unknown whether or not this trend will continue. What is known is the ever-increasing concern about contaminants reaching MRFs and markets in Asia. China has instituted a system of X-raying bales of materials entering their ports as a means to improve product quality. Contamination is a concern for MRF operators in the US, resulting in many processing contracts being negotiated and requirements for contamination audits

of incoming recyclables streams.

Resources


RecycleMarkets.net March 2017.
SWANA, "Best Contracting Practices for Local Residential Recycling Programs."
<https://swana.org/News/SWANAandN-WRAJointAdvisory.aspx>. **MSW**

Marc J. Rogoff, Ph.D., is the Southeast Manager of Sustainable Materials Management for SCS Engineers and a member of MSW Management's Editorial Advisory Board.

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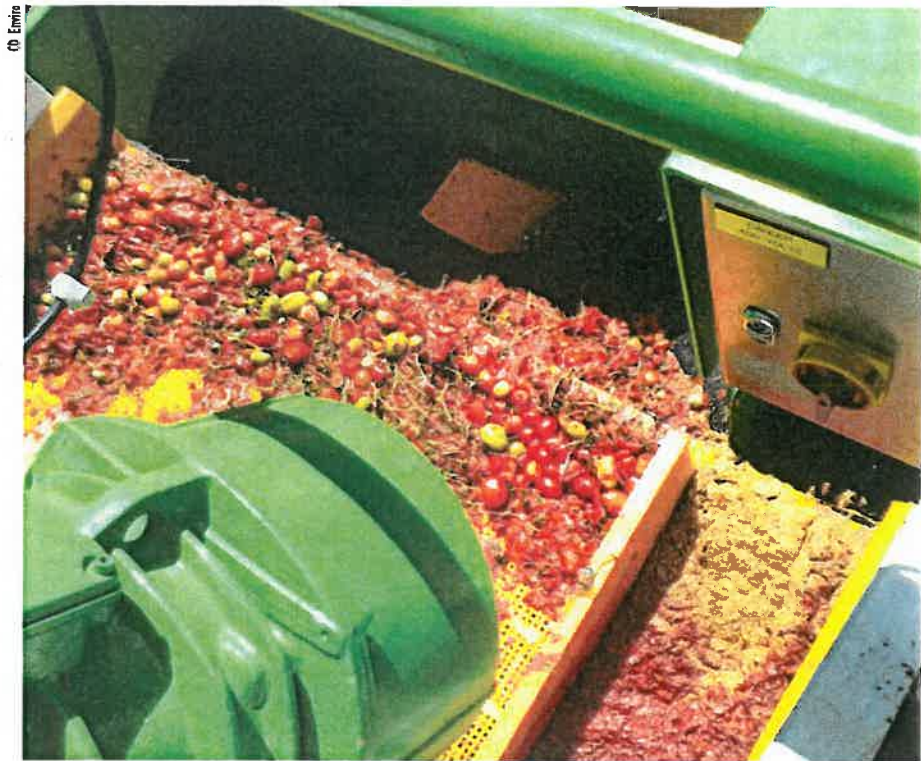
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New Converts to Compost and Kilowatts

Methods to handling organic waste BY BARBARA HESSELGRAVE

In 1915, a tragic farm accident reported in *The Fruit Grower and Farmer* was a mere footnote of local news. Patients from the State Hospital in Athens, OH, whose job was “to tramp down the silage comprised of corn stalks and leaves” were found asphyxiated in a tower silo. The report says “. . . the silage was a little green and had settled about three feet the previous night,” and went on to describe the young men killed by a heavier-than-air gas that so efficiently depletes oxygen that “a lighted lantern lowered in its presence will almost instantly extinguish the flame.”

There was no mention of nitrogen dioxide, or carbon dioxide, both lethal byproducts of decaying silage.

A century ago, tower silos were a rela-

tively new structure on the farm landscape. The threat of exposure to this gas from fermenting organic material was an accepted occupational farm hazard. Certainly there was no prediction that this decay of organic matter “anaerobic digesting,” would be a booming business that a century later this process would be induced to *purposefully* generate biogas as a source of energy to light homes, run tractors, and create heat.

Anaerobic Digestion Overview

The silos that create killer gas are just one example of natural anaerobic digestion (AD)—the consequence of moist plant or manure products decaying in the presence of bacteria to give off a lethal gas product.

In the European Union (EU) anaerobic

digesters creating methane gas have long been in operation to comply with EU policies on emission and nutrient management bringing positive environmental and human health results: decreased runoff, less chemical and nutrient deposition from landfills, and reduction of unhealthy incineration emission byproducts.

But AD has flexibility in its technology and depending on the source material, there are two potential outputs—biogas and plant rich residue called digestate.

Ernie Ruckert, an upstate New York-based solid waste consulting specialist with “a professional career in garage,” explains an overview of the process.

“There are two general types of digesters—wet and dry. The ‘wet’ technology is employed at many wastewater treatment plants, where one of the steps in the wastewater treatment process may be an anaerobic treatment tank [Anaerobic Digester] to degrade the organics in the wastewater. Processed organic waste slurry [‘wet’] is treated in these types of anaerobic digester tanks.

“Then we have the ‘dry’ technology which is widely used in Europe where organic waste, such as food scraps, yard waste, poultry manure or other biomass is loaded into an enclosed, oxygen free chamber that has is then inoculated with the microbes necessary to perform the organic breakdown.”

Ruckert says that in the “dry” digesters you can monitor temperature, oxygen, moisture, and pH to control all the processes so it truly approaches a concept of zero waste. In other words biogas is produced, digestate is produced that can be composted, and some liquid would require treatment.

As example, Ruckert describes what happens with the organic waste from an industrial food processor. “All the peels, other food preparation scraps that cannot be delivered to a food bank, and unusable product is collected in a truck, transported, and then offloaded into the enclosed chamber. The liquids are removed and collected and the remaining solids are exposed to a heat source. As the solids and organic liquids are decomposed, the microbes generate methane gas, which can be collected and can be used in a combined heat and power [CHP] system whereby electricity can be generated.

“Then this CHP product could fuel the processing plant so it can minimize the reliance on outside energy dependence. And if heat is needed for an offsite drying or industrial process, then that heat from the biogas combustion can be diverted to that location.”

Ruckert says typically, private contractors pick up the organic waste and these collection trucks drive it to the organics processor. The waste is unloaded in an environmentally enclosed building and is conveyed to equipment that separates the organic from non-degradable items.

"You wouldn't think of it but organic waste is not just steak bones and peels. Depending on the source, it has its fair share of plastic bags, silverware, and grit, which has to be separated out. With this separation equipment process, an organic slurry is produced."

At this point, the separated slurry—sometimes this is referred to as a "puree"—can go to a dedicated digester, or it can be pumped to a wastewater digesting operation to be mixed with domestic wastewater or, "it could go to a digester on a farm operation and be mixed with manure."

The biogas produced "is an asset to any municipality" and Ruckert says collecting organic waste is another step in the recycling process to capture the potential of what we throw out.

"We have the technology to make everything repurposed and eventually, who knows, there may come a day when landfills are a thing of the past."

Bigger Chicken, Drier Air

Sometimes the unintended consequences of one policy reap benefits totally unexpected. The eastern shore of Maryland, for example, is home to a huge poultry production of more 7.5 billion chickens. But this produces 1.2 million tons of manure that after decades of spreading as fertilizer has created a soil that literally "can't take it anymore."

One option to handling manure is AD. The process of treating manure before use as a fertilizer is generally considered positive, since the resulting digestate product has higher proportions of mineralized plant-available nutrients than the untreated poultry manure, and there is significant odor reduction.

But beyond compost/fertilizing are a host of new technologies to repurpose manures that offer multiple benefits to production, industry, and the environment.

Enter the Maryland Animal Waste Technology Fund (AWTF), authorized in 1998 as part of the Water Quality Improvement Act that was under the State Department of Budget and Economic Improvement. With new mandates for nutrient management for the Chesapeake Bay, the program later

became part of the Maryland Department of Agriculture (MDA) administered through its Office of Resource Conservation (ORC).

Louise Lawrence, who heads up ORC, says the ATWF is now part of a suite of grant programs that assist farmers to manage nutrients and use best management practices—from manure management to cover crops and more.

She explains that the poultry manure is a huge organic waste output and has tremendous potential beyond spreading in fields, but that new technologies that are "economically sound and would benefit the environment are needed to repurpose this manure."

One option to handling manure is AD. The process of treating manure before use as a fertilizer is generally considered positive, since the resulting digestate product has higher proportions of mineralized plant-available nutrients than the untreated poultry manure, and there is significant odor reduction.

But beyond compost/fertilizing are a host of new technologies to repurpose manures that offer multiple benefits to production, industry, and the environment. "Our objective is to make sure that technologies answer business and conservation needs by aligning the economies that make sense for different farmers with different farm situations. But the technologies have to be reasonable, so that farmers who invest can realistically pay them off. This means that the developers must not only be creative, but demonstrate their commitment to efficient operation and maintenance as well."

In the UK and the European Union (EU), making sense of organic waste has been an ongoing process for much longer and in a more widespread business arena than in the US, says Declan O'Connor, co-founder and innovator of BHSL Energy Centre from Limerick, Ireland. He describes how his technology was successful in demonstrating to the MDA the many requisite parameters of commitment, efficiency, and economy, which won his company, and a local Maryland poultry producer, a million dollar grant to prove the process. O'Connor explains the evolution of his technology.

"More than a decade ago, our family poultry farm was threatened with closure due to the strict regulations on ground water pollution. My brother, Jack O'Connor went to work to solve the problem and developed a fluidized-bed technology that answers the manure disposal issue through a unique patented combustion process. This creates



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enough energy to not only heat the chicken houses but allows excess to be sold as electricity back to the power grid.”

Fluidized bed technology is not new and is commonly used in coal-fired power generation.

O'Connor adds that after perfecting the process and attending an organic waste conference where he met US poultry producers, he invited several Maryland state Senators to visit Ireland and learn first hand what this could do to address multiple production and environmental issues.

After their visit he recalls how the policymakers said, “We’ve seen the future, and we need this.” BHSL was then connected to the AWTF and to a local poultry farmer, Bob Murphy, whose farm was awarded a technology grant to test the process, with the additional commitment of another 3 million by BHSL.

Don't Fight It, Burn It

Bob Murphy talks about the success and positive impact the BHSL Energy Centre is having on his 160,000-bird farm that now makes a new use for the more than 3,600 tons of litter created each year.

“I was looking down the road at what we were going to have to do. We can't apply this to the land anymore; the soil is already oversaturated with phosphorous.

When the MDA connected me with the BHSL people they said ‘We’ve got a plan. We’re going to generate electricity, heat the chicken houses, and burn this poultry litter efficiently, and you’ll have some leftover to sell on the grid.’”

“Prior to that we were trucking this to other farms and industries who could use this, but I knew we couldn't do this forever and we had to find new options,” says Murphy.

He says birds get graded on efficiency, a good feed conversion and good heat conversion and so far he is very pleased at the outcomes.

With this process, the fluidized bed technology takes the manure collected in a separate shed and delivers it by conveyer belts to the BHSL unit. It passes into a chamber with superheated sand where it burns and creates the energy used to either heat water for the poultry houses, or to be sold on the grid. And the small percentage of leftover ash is useful fertilizer additive.

“The system is similar to a radiator system,” says Murphy. “There are heated pipes in each chicken house that have fans that blow on them to deliver dry heat. Immediately we noticed a difference in humidity and odor, which means no ammonia. And the benefit of a lowered ammonia from the litter in each house from the dry heat helps increase production so we have larger, more healthy birds for market.”

The BHSL has put an end to the farm using costly propane, creates a smaller carbon footprint, and has made Murphy an evangelist to the process with his local producers. “I tell them don't fight this manure issue. We are only going to see more restrictive measures on

how we dispose of this organic waste. I tell them you need to get on board with this, this is the ticket.”

Murphy adds he applauds how the system is also helping them to keep the Chesapeake Bay clean.

Not Every Wastestream Is the Same

Maximizing their customer's energy potential of organic waste is all in a day's work, says Aaron Zahn, CEO of Florida-based BCR Environmental Corporation and NuTerra Management, LLC.

“The company goals are to develop technologies that convert organic waste into environmentally responsible products. Our public-private partnerships in Florida alone have completed \$180+ million in organic waste recycling facilities. Plus, BCR is the only company in the 30-year history of the US Environmental protection Agency [EPA] to develop and obtain national regulatory approval for new technologies that convert human waste to recycled usable materials. All other options are based on legacy technologies invented in the early 1900s or before.”

Contemplating how and where human waste, or what is known as “biosolids,” will be used might suggest a bit of “do you really want to really see how the sausage is made?” for the more squeamish, but

Zahn emphasizes that their processes “totally transforms the waste to a product indecipherable from fertilizers purchased in home improvement stores.”

According to the Composting Council about 96% of food scraps are sent to landfills with only 4% being recovered for AD or recycling. While there are techniques to limit the amount of methane from the waste decomposition it is not the exact science that exists in an AD. The Council also reports that each person produces 60–80 pounds of biosolids each year which is treated by wastewater plants and half of this goes either to grow food or crops and the rest is incinerated or goes to landfills



Irish agri-tech company BHSL welcomed Governor of Maryland Larry Hogan to the launch of a \$3m pilot project that is demonstrating the powerful role BHSL's technology can play in addressing the environmental challenges the State faces from its large poultry industry. Pictured are Governor Larry Hogan, poultry farmer Bob Murphy and Denis Brosnan, Chairman, BHSL (both on the Governor's immediate right).

which adds greenhouse gases of carbon dioxide or nitrous oxide to our atmosphere. They cite nitrous oxide as being 298 times more warming to the atmosphere than carbon dioxide.

“Every town has a wastewater treatment plant and whether you are a small 5,000 person rural town or a city of multi-millions, we've perfected our processes to be economically viable solutions to harvesting and using these biosolids for beneficial purpose that is environmentally responsible,” says Zahn.

He explains that energy, how much you use, and how much you can harvest to make it a worthwhile investment is key to using biosolids. He says that their system uses 90% less energy to process biosolids than traditional wastewater systems.

“Wastewater plants consume 3 to 4% of all energy produced in the US, incredibly, they use 40% of the entire municipal budget, and are the single largest consuming group of energy.

“Our technology helps municipalities save a huge portion of their wastewater treatment budget by reducing their operating costs,

Brothers Jack O'Connor (Left—founder and chief technology officer) and Declan O'Connor (Right—chief executive officer) stand in front of the BHSL Energy Centre prior to it being shipped to Maryland. Irish agri-tech business BHSL has agreed a \$3 million pilot project with the State of Maryland to trial its pioneering manure-to-energy technology, which is aimed at transforming the environmental impact of the global poultry industry. BHSL employs 28 people at its headquarters in Ballagh, County Limerick.



energy consumption, and improving the local community environmentally with less noise, dust, and odor that are all inherent to the transportation of waste through neighborhoods.”

Zahn adds that at the end of the process “The municipality benefits financially from the output as the wastewater solids can be recycled into high value biosolids. For any municipality facing nutrient runoff issues, erosion, and emissions issues at landfills and other disposals, we have the perfect solution as we harvest the nitrogen, phosphorous, and potassium, and essentially create a high quality, valuable ‘new dirt.’”

Municipalities whose existing wastewater treatment plant systems cost them valuable cash, time, real estate, and resources need to think about a complete change of mindset. In a world where new technologies are available that are cheaper and better rather than trying to upgrade their existing systems with outdated legacy approaches, he suggests.

“We are offering a scalable solution that all runs right on your property. Here’s how it works. After the raw sewage is separated from the water, we pick up the solids into our facility and using a basic chemistry recipe in our facility convert the waste to usable sterile fertilizer. Because the process is recipe driven it works the same every time. Our facilities are a more cost-effective, energy-efficient, simple, odor-free, and environmentally-responsible approach than the traditional aerobic digesters, anaerobic digesters, and thermal dryers that have been used over the last century.”

“Our facilities disinfect, deodorize, and reduce the mass so when it comes out you couldn’t tell that product from a load of high quality topsoil. It looks and smells just like dirt.”

By improving the carbon footprint through 90% energy reductions and capturing the valuable nutrients to reuse, the process keeps those nutrients from “going down the drain” literally, and leaching into the soil. Municipalities can sell the biosolids to agriculture, to turf grass users like golf courses or sports fields. The recycled fertilizer can also supplement sandy soils as Zahn says “they are about 50% organic matter with a beneficial chemical content of 6% Nitrogen, 2% Phosphorous, and 1% Potassium.

There are few sustainable solutions to reusing wastewater biosolids, particularly at the smaller levels, Zahn says. NuTerra’s process is the same at a large or small facility, it is only a matter of building the modular processing unit to size, using the consistent technology,

rather than trying to shoehorn one inflexible model size into diverse settings to “make it work.”

“This means we can deliver an economically viable and environmentally responsible solution anywhere in the world—a small town in the US or a provincial capital in India—it’s totally suitable in either place. And it’s like giving low cost, clean water to the market, and who doesn’t want that these days,” says Zahn.

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Feeding the Tiger

Audiences watching nature videos of a tiger making short work of prey for dinner can hardly fail to be astonished at the big cat's speed and efficiency of the job at hand. William Kish, director of business development at Ecoverse, maker of the Tiger depackager, says customers watching their unit at work are equally astounded.

"When we say there is nothing like it, truly there isn't. This is really an all-in-one unit, manufactured in Italy where it is used in Europe. Ecoverse was awarded the North American (US and Canada) contract for distribution. The Tiger takes packaged—and also unpackaged—organic waste in literally any form, and renders each component both the food and packaging, as separate commodities ready for recycling, digesting, or another repurpose."

Kish explains that with nearly 100 million tons of food that is discarded in the US, the headache to separate the organic from the packaging is overwhelming for the food waste brokers who collect everything from unsold packaged retail foods, grocery items, and restaurant organics. He explains how the food chain, literally the fate of discarded, packaged food items, works.

First, tractor-trailers collect the discards on a regular basis, "and the next step—separating the packaging like cardboard boxes that contain eggs in Styrofoam containers—is a huge challenge."

"But with the Tiger, every bit of these are reusable. It's just a matter of separating the paper, Styrofoam, and eggs into discrete collections."

Using the eggs as an example Kish describes how the Tiger makes short and efficient work of anything you put into it, at the rate of up to 30 tons an hour.

After the delivery to the Tiger site, a front end loader with a 6-yard bucket picks up a the cardboard boxes containing the styrofoam packaged eggs and dumps it into an 8-cubic-yard hopper. This is the first step.

"The augers in the hopper go to work where one auger is feeding, the other auger is reversing—this prevents the food waste from bridging," says Kish.

"This creates a backward movement so you can continually keep feeding. Cardboard boxes are pushed around, and the boxes are opened. Now it's feeding all this broken-down material into a mill that is attached to the hopper."

Kish describes the Tiger's mill as 8 feet wide and 20 feet long and spinning at 1,000 revolutions per minute (RPMs). This visual blur of motion is a speed resembling a high-end electric drill, operating at top speed. As the product from the hopper comes in at the bottom of the mill, which is outfitted with stainless steel paddles bolted onto it in a set pattern, it then forces the material from the bottom to the top.

"What happens while this mill is spinning is amazing. The bolt on paddles break open the food boxes and the food is directed by centrifugal force to spin out through the side holes. This organic material drops down below where it is collected and augured as a solid for compost or made into a slurry for AD. If the product is dry, like dog food, we can add water to turn it into a compressed cake at the final processing point.

through the mill and out into a 30-cubic-yard hopper where this can be collected for recycling purposes."

And while eggs are a soft job, Kish says the Tiger can take on the toughest challenges, like tons of stainless steel cans from vegetables. "It's a rugged unit, all solid stainless, which it has to be to withstand the low pH of soft drinks, fruits, and vegetables whose acidity would soon eat through other metals. We can take on anything except food in glass bottles as the process would incorporate glass in digestate or compost, and that would be an unwanted mix."

Kish says there is an incredible quantity of drink items that are discarded and the food value is lost in typical recycling where plastic bottles or aluminum cans of unopened water, fruit juices, or soft drinks are simply crushed.

"Think about the water that can be recycled or the sugars that can feed a digester to turn all that carbon into methane gas. And another benefit is that the spinning action of the mill is like a dryer, so when



The Ecoverse Tiger depackager

the cans are collected, at the end they are all dry, residue-free, and shiny, and can be baled up for recycling."

And the Tiger handles all kinds of messy jobs "like the 150 pound blocks of cheese, plastic containers of yogurt, desserts, and recalled frozen vegetables we've done." But the amount of discarded and in many cases perfectly good food, is a disconcerting aspect.

"We did a load of unsold sandwiches from a high-end coffee retail marketer and processed 20 tons of these sandwiches that still had their price tags of \$5.95 on them. It's good for business but nonetheless difficult to reconcile all this waste.

"If you stop to consider all of the energy to produce the food, the livestock produced but left uneaten, the labor to manufacture, then package and distribute these to retail outlets, and then it is all unsold and discarded, it's a source for concern. However, the good piece of this is that it's not going to waste in the traditional sense because it is going to organic waste processing. So all the breads and fillings and paper wrappings can be reused for positive purpose—maybe compost fertilizer, or digestate for energy," notes Kish.

He adds that the incredible amount of US food waste "when four out of ten children go to bed hungry," is discouraging and the company has talked with suppliers to consider how it might be distributed for human or animal consumption.

"We're not there yet in terms of making better use of this organic commodity that could feed people in need. But the transport and distribution process is the next big hurdle to overcome. At least we are



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"So now, the food is out and the packaging is spinning around and forced up

now reusing these unused products, and preventing them from sitting in a landfill giving off bad odor and air-polluting gases.”

Currently, the Tiger is in operation across the US and as Kish says “more to come.” The latest unit is helping the Fresh Kills AD site on Staten Island, New York to process more than 20 tons an hour of organic waste in plastic bags, delivered from the city. The facility anticipates processing 100,000 tons of organic waste a year, and creating a sustainable source of energy.

Blazing a Green Trail

At CDEnviro, “green” is more than a turn of phrase. Headquartered in Cookstown, Northern Ireland, the Emerald Isle, long known for its sparkling green landscape is the perfect backdrop to creativity, innovation, and a corporate vision founded in preserving natural resources.

John Irwin, CDEnviro Business Development Executive says they offer solutions across four markets: landfill diversion, recycling of wastewater, environmental remediation, and energy derived from waste. The goal of managing these diverse wastestreams is “to design technology and processes that can achieve zero waste.”

“For example we have developed techniques to separate components that clog sewage processing such as grit, sand, rag, and other inorganics that clog lines. And we can help recover and separate the detritus from street sweeping and storm inlet/catch basins. You may not think about it, but there’s value in the captured grit, sand, and aggregate that can be used for fill purposes, and all those plastics and papers can be recycled.”

One unique application keeps cows in comfort. “Cattle farmers, particularly the latest ‘super dairies,’ are increasingly switching to sand bedding, which is proven to be more comfortable, cleaner, and healthier for cattle over organic bedding such as straw. In these large dairies it only makes sense to reduce any potentially harmful factors that affect production, such as disease or lameness. But when manure gets mixed in with sand, it’s hard to clean out. By using a CDEnviro treatment process, we can remove manure and return and reuse 85% of the sand, and the manure can be harvested for use in compost or anaerobic digesting.”

The corporate goal as Irwin describes is pursuing multiple waste streams that harvest different wastes—sewage and wastewater, manures, road-sweepings—anything that is potentially destined for a landfill that can be collected, sorted, separated, and reused for energy, or recycled and repurposed.

He explains how organic treatment is part of that picture even before there is any organic waste byproduct.

“Even during the food production process there is an overlooked potential for recycling,” says Irwin.

He describes how the water used to clean and prepare food for processing such as potatoes, and sugar beets for example, becomes saturated with soil, grit, and sand. “This material collects in tanks, pipes, lines, and requires more fresh water to clean, and disposing of all this dirty water downstream is not a good use of resources. We can come in with our G:MAX technology that removes and recovers the grit.”

This serves multiple purposes. By pre-screening the wastewater from food cleaning the recovered grit can be reused in construction for road fill, landscaping, and pipe-bedding, and the end product wastewater is much cleaner as it goes downstream. Both processes meet their goal of reducing environmental impact.

In the UK, Irwin cites biogas production a “clean energy,” from

sewage sludge through efficient AD, and is widely used to produce heat and/or electric energy. “About 66% of the UK’s sewage sludge is treated in AD plants, and while these wastewater digesters are efficient they still need regular cleaning to optimize their performance.”

He adds that as much as 50% of AD capacity can be lost when sludge solids collect. However, the problem can be solved by using a pre-screening processing of waste from tanker waste collection such as their MSU:10.

This portable pre-screening unit “with the footprint of a parking space,” removes larger debris, sludge, and grit and provides an odor treatment of the solids. The mobile D:Max, which removes “problem causing solids like dirt, and rags from the wastestream,” helps increase waste efficiency destined for AD processing, before it has even reached the treatment plants.

“In the US, the USDA has a challenge to reduce food waste by 50% in the next 13 years to meet their 2030 goals. Urban areas, like the MidAtlantic for example where space is at a premium, will see decline in landfills that take energy to build, operate, and maintain. Anaerobic digesters are the answer since they can pretty much run on their own—bacteria is its own source of energy.

“We will work with the digester people to optimize their process. With our equipment we help ensure that no inert materials are introduced into the AD process. It’s important that all these potential sources of energy that keep waste out of landfills run as efficiently as possible, and our suite of equipment is the perfect cost-effective answer to increase capacity across several market sectors.” **MSW**

Barbara Hesselgrave is a writer specializing in environmental topics.

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Tree Mortality: California's Wood Waste Explosion

The Western slope of California's Sierra Nevada mountain range is known worldwide—famous for the 49er Gold Rush, Yosemite National Park, the world's largest trees (Giant Sequoias), and Mount Whitney, the tallest mountain in the continental United States. But it is also—perhaps less famously—home to California's fastest-growing wastestream.

No, we're not talking about C&D or residential food waste—it's wood waste. The Western Sierra's are experiencing the most severe die-off of Ponderosa Pine trees in the Golden State's history.

The US Forest Service estimated in 2016, that there were 102 million dead trees . . . up from the previous year's estimate of 26 million. Time will tell how much this year's

vegetation, several years of drought, and a bumper crop of pine beetles created a lethal chain of events that resulted in a massive die-off of Ponderosa Pine trees.

Now, many of those trees—those that pose a threat to human safety and vital infrastructure (such as roads and utility lines) are being felled (*That's a logger's term that means "cut down"*). This has created perhaps the biggest spike in waste generation that California has ever seen.

Historically, the State's landfills have processed something around 5 million tons per year of urban, commercial, and forest wood. But many more million tons of tree mortality wood is entering the wastestream . . . as we speak. No, we won't be removing 102 million trees. Most of them are in the forest where

they pose little threat (other than wildfire). But there are hundreds of thousands of trees that will be felled to protect tens of thousands of miles of roads and utility lines. Currently, many of those trees are being chipped and transported down the hill as biomass fuel. Some are also being cut into lumber or sent to shaving plants to create livestock bedding material.

Anecdotally, it's easy for an arm chair quarterback to say simply, "Ah let's just cut the trees and

haul them off." Such a statement sounds so incredibly simple and practical that it defies argument. What could be easier than cutting the trees and hauling them off? But unfortunately, it misses the tremendous complexity and hidden costs associated with such an approach.

The best approach is always one that is based on a realistic application of basic process improvement tools. In order to show how an experienced, practical assessment can help us see what we are getting into when we decide to simply *cut the trees and haul them off*, we will take a closer look at what this really means.

One of the more popular options cur-



Sierra Nevada mountain range

Photos: Neal Bolton

rent is to chip the trees and transport the chips to a biomass facility where they can be burned to generate electricity. While appearing initially to be the most economical and environmentally friendly option, our initial assessment shows that it's actually the most expensive option . . . and the one that will produce the greatest amount of CO₂.

To give a perspective, an individual tree may be touched a dozen times before it finally arrives at a biomass plant, and every time it's touched, there is a cost.

Of course the economics will depend on where the trees are located in relation to a potential end use, but for many communities, the options truly are limited by available funding.

These processes are very much in line with goals of finding the highest and best use. But the future is uncertain. If the die-off rate continues, the sheer volume of dead trees could eclipse the capacity of what can be processed—at least in some localized regions. Many local communities are also finding that achieving the highest and best use often comes at the highest price.



Chipper operations

drought-busting rains will slow the rate of die-off . . . if at all.

This tree mortality disaster is a perfect storm where trees—weakened by several years of drought—have become especially susceptible to an exploding population of pine beetles. But the story really began many decades before the current drought.

For more than half a century, Smokey Bear has been telling us that wildfire is bad . . . and, "Only you can prevent wildfires." And so we did—very effectively. And as a result, millions of acres of forestland have become overgrown with brush that would normally have been removed every few years by the natural process of wildfire. Excessive

Chip for Biomass Plant

- 1 Arborist or Forester Marks Tree
- 2 Faller and Spotter Fall Tree
- 3 Top, Limb, Lap and Scatter
- 4 Cut to Log Length
- 5 Skidder Hauls Log to Landing
- 6 Trees Stacked at Landing
- 7 Trees Loaded onto Truck
- 8 Tree Transported to Processing Deck
- 9 Trees Unloaded from Truck
- 10 Trees Moved to Grinder/Chipper
- 11 Trees Chipped - Chips Conveyed to Chip Trucks
- 12 Chips Transported to Bio-mass Plant

So in some cases—due to budget and/or processing limitations, trees are being felled . . . and left on the ground. This is certainly the least cost option in situations where the downed logs will not block a road or create some other safety hazard.

In other cases, they may be transported a relatively short distance and processed by what's known as an Air Curtain Burner. These units—imagine a fireplace the size of a 30-yard roll-off bin—offer a disposal alternative that requires much less processing time and money than the biomass option.

Because of the very nature of wood processing operations, they offer tremendous potential in regard to streamlining the process and reducing overall cost.

Process Improvement: Leverage Operational Efficiencies

The cost of removing these trees—if not astronomical—is certainly approaching a low orbit. The average cost of getting a single tree to a Biomass plant is around

\$1,200. That's \$1,200 per tree! Multiply that by a few hundred thousand trees that will be processed—and you begin to get a feel for the magnitude of this disaster.

Yes, even with dead trees, the ideals of

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Resource Conservation Districts	Landowner Grants/Technical Support
Landowner	Private Property

recycling must be balanced against the cost. This is a common story in the waste and wood waste industry: where some-times the cost of recycling exceeds the economic benefit. And as we look at this project, it clearly is much more than just a tree mortality issue, it is in fact, a Massive Wood Waste Management Project. It is so massive in fact, that California's Governor issued an emergency

waiver to allow local Solid Waste Facilities (i.e., landfills) and Transfer Processing Operations (Transfer Stations) to accept, store, and process additional wood waste, beyond their current permit allowance.

But because tree mortality is a relatively slow moving disaster—it doesn't make headlines. And even more importantly, it appears that FEMA support (i.e., disaster funding) will not be part of the solution.

Mitigation responsibilities are shared by a number of public and private stakeholders, with each trying to determine where their obligations stop—and others begin.

Mitigating the hazards of the tree mortality disaster is a team effort, one that will likely continue for several years.

California is certainly not the first to face a widespread tree mortality issue, but for a state that has pushed very hard to make diversion work—it is certainly a new challenge. **MSW**

Consultant Neal Bolton specializes in landfill operations and management.



“Over the course of this man’s career he lifted and carried the equivalent weight of the Titanic—on his back.”

H. Lanier Hickman

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California biomass plant to restart, calls for fuel suppliers

By Anna Simet | June 26, 2017

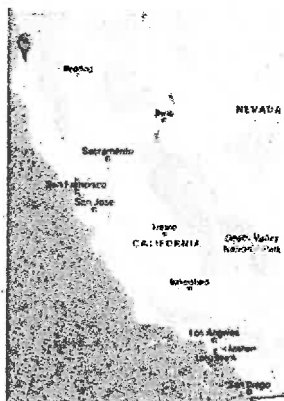
A northern California biomass plant readying to recommence operations is seeking fuel suppliers.

Blue Lake Power LLC, a 12-MW power station in Blue Lake, California, issued a call for fuel suppliers last week. The plant is permitted to burn untreated wood including sawmill hog fuel, shavings, bark, branches, tree tops, tree tops, yard waste, walnut shells and other woody agricultural waste, and woody materials from hazardous forest areas.

The facility requires approximately 175 highway loaded chip vans of fuel per week, according to Blue Lake. The call for fuels suppliers specifies interest in both short- and long-term contracts, and indicates that rail unloading is not available, but deliveries to a remote site that is being developed by Blue Lake Power may be possible. Additionally, "the price paid, for any potential fuel purchased is dependent on a number of factors and can be negotiated between the parties. Payment terms are also negotiable. The price and terms will be competitive with the existing market."

Blue Lake Power was built in 1984, and has been idled and restarted several times since. Most recently, it closed in May 2015, and since then has made court-ordered emission control upgrades. The plant plans to reopen in July.

Fuel suppliers are being directed to contact Blue Lake Power Plant Manager Mike Dedmore at 707-362-6175.



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Second California small-scale bioenergy plant nets \$4.9M grant

By Regine Miller, Camptonville Community Partnership | March 30, 2017

California's forests are facing a tree mortality crisis due to consecutive years of drought, a dramatic rise in bark beetle infestation, and warmer temperatures. Dead and dying trees are a significant problem throughout the Sierra Nevada, where the U.S. Forest Service has estimated that there are at least 102 million dead trees over 7.7 million acres. While some dead trees contribute to a healthy forest ecosystem, the record levels of tree die-off have created dangerous conditions that could fuel catastrophic wildfires. Bioenergy from forest biomass could help alleviate the threat of wildfire while providing an important source of renewable baseload energy.

The planned community-scale Camptonville, California, forest bioenergy power plant is proposed to receive \$4.9MM in funding from the California Energy Commission as part of its Electric Program Investment Charge (EPIC) grant program, Demonstrate and Evaluate Environmentally and Economically Sustainable Woody Biomass-to-Electricity Systems category. The project is one of two in the state that are proposed for funding, with the other being the Mariposa Biomass Project. Camptonville's 3-MW direct combustion boiler steam turbine generator power plant will integrate advanced emissions controls and a state-of-the-art low water use condenser using the EPIC funding and will be the first of its kind in California.



IMAGE: GOOGLE MAPS

The work to be funded by the California Energy Commission will have positive impacts throughout the state. Most notably, it will validate considerable reductions in air emissions and the amount of water consumed for biomass power generation. The project will also support utility ratepayers by increasing the availability of renewable electricity, increasing grid reliability, and reducing risk of catastrophic wildfire by utilizing dead and diseased trees and forest byproducts.

Camptonville's power plant will produce renewable electricity using forest biomass for export to Pacific Gas & Electric's grid under the State's BioMAT program, a California Public Utilities program established in 2012. It intends to serve as a replicable business model for successful biomass utilization in other Sierra Nevada communities faced with high forest fuel loads and limited economic opportunities. The operation is estimated to create up to 27 new full time jobs which will cut the unemployment rate in the rural community by more than 50 percent.

The plant is proposed to be a combined heat and power facility meaning it will produce both electricity and heat using forest biomass. The electricity produced will be sold to PG&E while the heat produced will be sold to businesses with heat requirements that are located alongside the bioenergy facility. Such businesses could include greenhouses, a firewood, pole or wood pellet manufacturing facility, a wood pallet recycling facility, a composting facility, or a brewery to name a few.

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California forest biomass project scores \$5M grant

By Anna Simet | March 28, 2017

A proposed 2-MW biomass power project in California's Mariposa County has been named recipient of a \$5 million California Energy Commission Electric Program Investment Charge grant.

The Mariposa Biomass Project, a nonprofit community group in Mariposa, California, will be located in the Mariposa Industrial Park, near the Mariposa County Solid Waste Facility and PG&E substation.

The project previously received a USDA Forest Service Wood Innovations Grant of \$244,000. The latest EPIC grant was part of a two-phase, competitive CEC solicitation to fund applied R&D and technology demonstration and deployment activities to advance bioenergy electricity generation. The solicitation was based on Gov. Jerry Brown's state of emergency declaration in October 2015 to protect communities against unprecedented tree die-off.

According to the CEC, 57 abstracts were received, 28 of which passed phase 1 screening, and 23 submitted additional proposals that all passed the next screening process. A total of nine projects have been selected for funding, totaling \$23 million.

The Mariposa project also hopes to take advantage of California's SB 1122, or BiOMAT (Biomass Market Adjusting Tariff), which supports small-scale forest biomass energy projects.

The plant will use nearby forest waste as fuel via a multi-stage gasification technology supplied by Cortus Energy. A similar biomass power plant in North Fork, California, currently being constructed by Phoenix Energy, was a previous EPIC grant recipient.

According to a recent project update, the application for Mariposa Biomass Project's conditional use permit is being filed the week of March 27, an environmental assessment of the site is underway, and engineers have been selected to complete noise and traffic studies, if required as part of the application. MBP also said an engineering firm has been engaged to complete the electrical interconnect application, and expects to file it in early April.



Mariposa County, California.

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Addressing Biomass Energy 'Alternative Facts'

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The giant Chiquita Canyon Landfill in the Santa Clarita Valley can continue to operate for up to 30 more years, potentially tripling the amount of garbage now buried there, following a unanimous vote Tuesday by the Los Angeles County Board of Supervisors.

The vote to approve a new conditional use permit came over the objections of some residents of nearby Val Verde, Castaic and Santa Clarita who complained of truck traffic, odors and dust from the dump.

Business groups and haulers supported the continued operation as helping to keep tipping prices low. They also said it would help avoid long trash truck trips to other dumps in Orange, Riverside and San Bernardino counties.

Chiquita Canyon Landfill takes in about one-fifth of the county's garbage and more than half of LA city's trash. The dump has become more important since the closure of Puente Hills Landfill in 2013.

The landfill has long been a sore spot for residents. It opened in 1972, and in 1997, the former owner signed an agreement with the Val Verde Civic Association to close the landfill in 2019, or when it reached 23 million tons of garbage. Chiquita Canyon passed that limit one year ago, but Los Angeles County officials granted it a waiver to continue operating while the current owners, Waste Connections Inc., sought a new, 30-year permit.

Supervisor Katherine Barger said that 1997 closure agreement was not binding on the county because it was not part of the landfill's operating conditions.

Five organizations, including Val Verde Civic Association and the Sierra Club, filed appeals of the county Planning Commission's April approval of the landfill's environmental impact report, the conditional use permit and a permit to remove four oak trees. Landfill owner Waste Connections, Inc., also appealed some of the operating requirements dictated by the Planning Commission in its approval.

"All of us are disappointed," said Lynne Plambeck, president of SCOPE, an environmental organization in Santa Clarita that had filed an approval. "I think people are happy with the additional air quality monitoring" that Barger had requested the landfill perform.

Barger said she intended for Tuesday's approval to represent the last Conditional Use Permit the landfill would receive from the county. That's partly because officials have set the goal of diverting a large portion of the county's solid waste away from landfills and toward recycling and reuse.

"We are all consumers and consumption leads to waste. We are all responsible for the continued need to bury our waste in landfills across the county, not just at Chiquita Canyon," Barger said.

The board unanimously approved [her motion to issue the new permit](#). It limits operating hours, and the amount of trash permitted to be tipped there each day. It also adds new requirements for air and water quality testing and improvements to nearby roads.

Barger's motion would let the landfill accept up to 2.8 million tons per year for the first seven years of the permit, and 1.8 million tons per year for the remaining 23 years, meaning the landfill could potentially take in 61 million more tons of trash.

Some of the residents who supported closure of the landfill said garbage should instead be sent to the county's [completed but dormant Mesquite Regional Landfill in Imperial County](#), about 5 miles east of Glamis. A county planning document says that is not feasible because the rail line necessary to haul the garbage there is not yet operational.

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