**CalRecycle**

**ESJPAUpdate**

**August 2017**

1. **GENERAL PROGRAM UPDATES (NEW/UPDATED)**

**Electronic Annual Report** **(Updated)**

Annual Reports were due on 8/1/2017

When it is time to submit the Electronic Annual Report (EAR), jurisdictions file the EAR using the Local Government Information Center (LoGIC) reporting system. If the LoGIC system is new to you or if you've forgotten your web password, please visit: <http://www.calrecycle.ca.gov/lgcentral/mylogic/Register/>

Please mark your calendar, as appropriate, regarding CalRecycle reporting assistance:

**-A webinar training** about how to file the Electronic Annual Report occurred on Jun 15, 2017 at 10:00 am. NEW on the 2016 report will be [Mandatory Commercial Organics Recycling (MORe) questions](http://www.calrecycle.ca.gov/Recycle/Commercial/Organics/ARQuestions.pdf) as required by AB 1826. The training reviewed the new data fields required to be completed to submit the report, as well as additional data fields related to MCR and AB 876 (Organics Management Infrastructure Planning – for counties). Note: LAMD staff may have been able to input the outreach and education data in DPS as they do for MCR. A video of the training can be found at <https://attendee.gotowebinar.com/register/992474552928166913>. You are required to register to gain access.

Reminder regarding Mandatory Commercial Recycling (MCR) and Mandatory Commercial Organics Recycling (MORe) education, outreach, and monitoring reporting requirements:

1. Identify number of businesses subject to AB 341/1826: \_\_\_\_\_
	1. Of those businesses, how many are NOT recycling: \_\_\_\_\_
2. Identify number of multifamily dwellings subject to AB 341/1826: \_\_\_\_\_
	1. Of those multifamily dwellings, how many are NOT recycling: \_\_\_\_\_
3. For those not recycling what follow-up was done to inform them of the law and how to recycle.

Note: LAMD staff have worked toward inputting data in DPS pertaining to what jurisdictions have accomplished in terms of education, outreach and monitoring. In the future, please stay in communication with your LAMD representative regarding the inputting of notes. LAMD staff should be working closely with jurisdiction contacts to keep an open line of communication.

- The 2016 EAR due date was Monday, August 1, 2017.

**Conference Call and Site Visits (Reminder)**

CalRecycle’s Local Assistance and Market Development (LAMD) Branch staff is preparing to conduct conference calls and site visits for 2018 with all cities and counties. Expect your LAMD representative to contact you toward the end of this year. LAMD staff has been working towards having all conference calls and site visits done in the first half of the year.

**SB 1383 (Chapter 355, Statutes of 2015) Short-Lived Climate Pollutants (SLCP)**

Two workshops were held February 2017 to provide an opportunity for informal stakeholder feedback

Additional workshops were scheduled in June to discuss the SB 1383 implementation process. Topics included collection systems, solid waste facility, and food recovery requirements. Information posted on the [SLCP Organic Waste Methane Emissions Reductions](http://www.calrecycle.ca.gov/Climate/SLCP/default.htm) webpage and the [SLCP Proposed Regulations](http://www.calrecycle.ca.gov/Laws/Rulemaking/SLCP/default.htm) webpage**:** <http://www.calrecycle.ca.gov/Climate/SLCP/default.htm>

CalRecycle will hold its fourth set of SB 1383 stakeholder workshops: One occurred on [August 16, 2017](http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2158&aiid=1964) **at the CalEPA building in Sacramento** and the next one is on [August 31, 2017](http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2159&aiid=1965) **at the City Council Chambers in Riverside,** to discuss the SB 1383 implementation process. Both workshops are broadcast.

Topics include regulatory concepts related to reporting and enforcement. There will be an opportunity for stakeholder input and questions. More information about the workshops will be added to the [Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions](http://www.calrecycle.ca.gov/Climate/SLCP/) webpage when available.

Please email SLCP@calrecycle.ca.gov with any questions.

For more information go to [Short-Lived Climate Pollutants](http://www.calrecycle.ca.gov/climate/). To unsubscribe from the Short-Lived Climate Pollutants listserv, please go to <http://www.calrecycle.ca.gov/Listservs/Unsubscribe.aspx?ListID=152>.

**Carpet Stewardship Program**

In September 2015, the Director found the 2014 Annual Report submitted by Carpet America Recovery Effort (CARE) to be non-compliant because it did not demonstrate the Program is making continuous and meaningful improvements toward achievement of its goals. The Director concluded additional improvements must be made for the Program to meet statutory requirements. CARE was directed to submit a Plan Amendment(s) and revised budget by November 30, 2015, to address CalRecycle’s key findings.

CARE submitted Addendum #2 on October 9, 2015 to establish grant and loan options for the Program. CalRecycle approved an initial grant solicitation (“Cycle 1”), for up to $3 million dollars, as a 1-year pilot with certain conditions. These conditions include (among others):

* a requirement that at least 50% of funding is for testing performed in California, or infrastructure to be installed in California;
* use of funds cannot negatively impact existing collection or processing infrastructure;
* funds are used for capital expenses and/or product testing, and not for disposal costs; and
* grantees must process California postconsumer carpet during and for at least five years after the award.

CARE submitted Addendum #3 on November 30, 2015 to address remaining issues outlined by CalRecycle in its review of the 2014 Annual Report.

At the January 26, 2016 Public Meeting, the CalRecycle Director approved Addendum #3 as submitted. This did not change the non-compliance status of CARE’s 2014 Annual Report.

2015 Annual Report: Carpet America Recovery Effort (CARE) submitted the California Carpet Stewardship Program Annual Report (Annual Report), covering the 2015 calendar year, on June 30, 2016.

The Annual Report may be downloaded from CalRecycle’s website: <http://www.calrecycle.ca.gov/Carpet/Results/default.htm>

With respect to compliance, CalRecycle refers primarily to the documents that govern the California Carpet Stewardship Program, those are [Statutes of 2010 (AB 2398)](http://www.leginfo.ca.gov/pub/09-10/bill/asm/ab_2351-2400/ab_2398_bill_20100930_chaptered.html), [Regulations (Title 14, Div 7, Chapter 11, Article 1.0. Product Stewardship for Carpets](http://www.calrecycle.ca.gov/Laws/Regulations/Title14/Chap11/default.htm)) and the [approved Carpet Stewardship Plan](http://www.calrecycle.ca.gov/carpet/Plans/default.htm).

At the September 20, 2016 Public Meeting, an item was presented related to the 2015 Annual Report. Based on the Statewide Technical and Analytical Resources (STAR) staff findings that several key components of the *2015 Annual Report,* as well as previous *Annual Reports,* are noncompliant, the Director found CARE to be noncompliant and directed the Waste Evaluation and Enforcement Branch (WEEB) to verify findings and other potential violations of the statute and regulations and, if warranted, consider action(s) including but not limited to imposition of civil penalties, a compliance schedule, or other options to achieve compliance. WEEB’s made the following recommendation at the December 20, 2016, monthly public meeting:

After looking at the facts, WEEB evaluated potential enforcement options (imposition of civil penalties, compliance schedule, or other options to achieve compliance) and believe that pursuing civil penalties (in coordination with the legal office) through an accusation for penalties on CARE is the most appropriate course of action at this time.

Carpet America Recovery Effort (CARE) submitted to CalRecycle a new Carpet Stewardship Plan (Plan) titled [“California Carpet Stewardship Plan 2017-2021”](http://www.calrecycle.ca.gov/Carpet/Plans/2017Plan.pdf)  on October 15, 2016. The following is a direct link to the proposed 2017-2021 Plan: <http://www.calrecycle.ca.gov/Carpet/Plans/2017Plan.pdf>.

The Plan was considered at the December 20, 2016 public meeting. CalRecycle’s Director disapproved CARE’s Plan on December 22, 2016 for reasons explained in CalRecycle’s [Request for Approval (RFA)](http://www.calrecycle.ca.gov/Actions/Documents/112/20162016/1788/2017%20CARE%20Carpet%20Stewardship%20Plan%20RFA%20-%20signed.pdf), dated December 20, 2016, and directed CARE to submit a revised 2017 Plan, within 60 days, that addressed the Findings contained in the RFA. CARE is allowed to continue to operate under the existing [Carpet Stewardship Plan](http://www.calrecycle.ca.gov/Carpet/Plans/default.htm) until a new Plan is approved, but no more than 120 days. If a revised Plan is not approved within 120 days, staff is directed to take enforcement action as appropriate against manufacturers of carpet sold in California that is not subject to an approved plan.

**Updated** CARE submitted a [revised California Carpet Stewardship Plan 2017-2021](http://www.calrecycle.ca.gov/Carpet/Plans/2017Revised.pdf) in February 2017, which CalRecycle disapproved following the April 18, 2017 Public Meeting. CalRecycle’s Director instructed staff in the Request for Approval to develop a draft Enforcement Plan, which was presented at CalRecycle’s May 2017 Public Meeting. While CARE’s previous California Carpet Stewardship Plan (2016 CARE Plan) expired on December 31, 2016, CalRecycle allowed manufacturers to continue operating consistent with the 2016 CARE Plan until June 21, 2017, without being subject to penalties for selling carpet in California.

After CalRecycle presents a final Enforcement Plan on June 20, 2017, manufacturers must do the following to avoid being subject to penalties: (1) Continue to operate under the 2016 CARE Plan; (2) Choose one of the compliance options described in the final Enforcement Plan; and (3) Undertake the additional activities described in the final Enforcement Plan, including the submission of a carpet stewardship plan for CalRecycle’s review and approval by October 19, 2017.

***Draft Enforcement Plan Provides Information to Manufacturers***

Consistent with an April 21, 2017 decision to develop an Enforcement Plan, CalRecycle has developed a draft Enforcement Plan that outlines the steps manufacturers must take to comply with California law. This draft Enforcement Plan also describes how CalRecycle is initiating a process to notify and educate manufacturers about statutory requirements and potential liabilities. CalRecycle presented a final Enforcement Plan at the June 20, 2017, Monthly Public Meeting.

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

**AB 901**

AB 901 requires recyclers, composters, brokers, transporters and exporters of recycling material or organics to report the tons of materials they sell or transfer, as well as changing the reporting requirements for disposal facilities, transfer stations and MRFs.

Draft Regulations are posted on the AB 901 website: <http://www.calrecycle.ca.gov/Laws/Rulemaking/Reporting/default.htm>

**Updated** At the May 16, 2017, Public Meeting, Staff requested approval to begin the formal rulemaking process and formally notice the Proposed Diversion and Disposal Reporting System Regulations. Staff recommended approval of the Proposed Regulations for Diversion and Disposal Reporting System so that the regulations may be submitted to the Office of Administrative Law (OAL) to initiate the formal rulemaking process under the California Administrative Procedures Act.

**NEW 2018 Waste Characterization Study**

CalRecycle plans to conduct a comprehensive statewide waste characterization study during the 2018 calendar year, focused on materials destined for landfill disposal.  A draft scope of work for the study contract is available on CalRecycle’s June Public Meeting Notice page: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2125&aiid=1937>.

Comments were solicited due July 7th on the draft scope, or on material types to include in the study. For a list of our material types see Appendix B of the 2014 Waste Characterization study: <http://www.calrecycle.ca.gov/Publications/Documents/1546/20151546.pdf> (pg. 125).

**2014 study**

<http://www.calrecycle.ca.gov/Publications/Detail.aspx?PublicationID=1546>

There are two reports posted online associated with the 2014 Waste Characterization Study, a facility-based report and a generator-based report: <https://www2.calrecycle.ca.gov/WasteCharacterization/Study>.

Both present comprehensive information on materials disposed in California’s landfills, including waste quantity and composition estimates for the commercial, residential, and self-hauled waste streams. Contact 75percent@calrecycle.ca.gov **for more detailed information.**

**2) GRANT, PAYMENT, AND LOANS**

“Grant Updates” and “Open Applications” are announced at the top of the Grant, Payment, and Loan Programs webpage, [www.calrecycle.ca.gov/Funding](http://www.calrecycle.ca.gov/Funding).

Also check the Cool California Funding Wizard for opportunities,

[www.coolcalifornia.org/funding-wizard-home](http://www.coolcalifornia.org/funding-wizard-home), or directly at <https://fundwiz.ice.ucdavis.edu/>.

**GRANT/LOANS AWARDS**

**August Meeting**

Awards for the Organics Grant Program (Greenhouse Gas Reduction Fund, Fiscal Year 2016-17)

Department Staff Contact: Michelle.Martin@CalRecycle.ca.gov

Public Notice: http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2170&aiid=1978

**OPEN GRANT/PAYMENT/LOAN CYCLES**

**Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (FY 2017–18)**

The Department of Resources Recycling and Recovery administers the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, which provides up to $1 million annually in grants for the cleanup of [illegal solid waste sites](http://www.calrecycle.ca.gov/IllegalDump/default.htm) on farm or ranch property. A site may be eligible for funding if the parcel(s) is(are) zoned for agricultural use, where [unauthorized solid waste disposal](http://www.calrecycle.ca.gov/IllegalDump/default.htm) has occurred, and where the site(s) is(are) in need of cleanup in order to abate a nuisance or public health and safety threat and/or a threat to the environment. Sites are not eligible for funding if the site is located on property where the owner or local agency is responsible for the illegal disposal of solid waste.

<http://www.calrecycle.ca.gov/LEA/GrantsLoans/FarmRanch/FY201718/default.htm>

**Application Due Dates: August 24, 2017, November 7, 2017 and February 6, 2018**

**Rubberized Pavement Grant Program (FY 2017–18)**

The Department of Resources Recycling and Recovery (CalRecycle) administers a program to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping, and promote markets for recycled-content tire products. The Rubberized Pavement Grant Program is designed to promote markets for recycled-content surfacing products derived from only California-generated waste tires. It is aimed at encouraging first-time or limited users of rubberized pavement in two project types–Rubberized Asphalt Concrete Hot-Mix (Hot-Mix) and Rubberized Chip Seal (Chip Seal).

<http://www.calrecycle.ca.gov/Tires/Grants/Pavement/FY201718/default.htm>

**Application Due Date: October 5, 2017**

**Tire Incentive Program (FY 2017-18)**

The Department of Resources Recycling and Recovery (CalRecycle) administers a program to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping, and promote markets for recycled-content tire products. The Tire Incentive Program (TIP) provides a reimbursement (as an incentive payment program) to eligible businesses that use (recycled) crumb rubber in eligible products or substitute crumb rubber for virgin rubber, plastic, or other raw materials in products. The program’s goal is to increase demand for crumb rubber and promote higher value products.

<http://www.calrecycle.ca.gov/Tires/Grants/TIP/FY201718/default.htm>

**Application Due Date: October 25, 2017**

**Tire-Derived Aggregate Grant Program (FY 2017-18)**

The Department of Resources Recycling and Recovery (CalRecycle) administers a program to provide opportunities to divert waste tires from landfill disposal, prevent illegal tire dumping, and promote markets for recycled-content tire products. The Tire-Derived Aggregate (TDA) Grant Program (Program) provides assistance to civil engineers in solving a variety of engineering challenges. TDA, which is produced from shredded tires, is lightweight, free-draining, and a less expensive alternative to conventional lightweight aggregates.

<http://www.calrecycle.ca.gov/Tires/Grants/TDA/FY201718/default.htm>

**Application Due Date: November 1, 2017**

**Illegal Disposal Site Abatement Grant Program (FY 2017-18)**

Widespread illegal dumping of solid waste adversely impacts Californians in many ways. Properties on which illegal dumping occurs lose economic value; create public health and safety and environmental problems; and degrade the enjoyment and pride in the affected communities. Abandoned, idled, or underutilized properties due to unauthorized dumping impact what were once the sources of economic benefits to a community. Many such properties have been abandoned or have owners who are unable or unwilling to pay the costs of cleanup. This program provides financial assistance in the form of reimbursement grants up to $500,000 to help public entities accelerate the pace of cleanup, restore sites, and turn today's problems into tomorrow's opportunities.

<http://www.calrecycle.ca.gov/LEA/GrantsLoans/SolidWaste/LEA/FY201718/default.htm>

**Application Due Date: November 2, 2017 and February 6, 2018**

**Legacy Disposal Site Abatement Partial Grant Program (FY 2017-18)**

Public entities bear a financial responsibility for maintaining public landfill sites in compliance with state regulations and standards. The program provides financial assistance in the form of reimbursement grants up to $750,000 in matching funds for eligible costs to assist public entities requiring financial assistance, and committed to accelerating the pace of cleanup, restoring sites, and protecting public health and safety and the environment.

<http://www.calrecycle.ca.gov/LEA/GrantsLoans/SolidWaste/LocalGrants/FY201718/default.htm>

**Application Due Dates: November 2, 2017 and February 6, 2018**

Greenhouse Gas (GHG) Reduction Loan Program

The purpose of this non-competitive loan program is to lower overall greenhouse gas emissions by providing loans to expand existing capacity or establish new facilities to process California-generated waste materials into new value-added products.

The Notice of Funds Available for FY 2015–16 (Cycle 2A) GHG Loans is posted at, <http://www.calrecycle.ca.gov/Climate/GrantsLoans/GHGLoans/FY201516/default.htm>

Cycle 2A applications are being accepted on a continuous basis, subject to fund availability or until FY 2016-17 funds become available. See the [GHG Loan Program web page](http://www.calrecycle.ca.gov/Climate/GrantsLoans/GHGLoans/default.htm) for the most current cycle information.

**Eligible Projects**

* Construction, renovation, or expansion of facilities to increase in-state infrastructure for:

1. The digestion or composting of organics into compost, soil amendments, biofuels, or bioenergy; or

2. The manufacturing of value-added finished products using California derived recycled content fiber, plastic, or glass.

* Construction, renovation, or expansion of facilities to increase in-state infrastructure for:

1. The preprocessing of organics when providing preprocessed materials to an in-state digestion or composting facility that is using the waste to make compost, soil amendments, biofuels, or bioenergy; or

2. The preprocessing of fiber, plastic or glass waste when providing preprocessed materials to an in-state manufacturing facility that is using the waste to make finished products.

* Expansion of projects that have previously received Greenhouse Gas Reduction grants or loans from CalRecycle are eligible provided the project meets the loan criteria and the previously funded project is progressing in a manner satisfactory to CalRecycle.
* Food waste prevention projects result in measurable reduction in food waste normally destined for a landfill. These projects can prevent food waste through source reduction and/or edible food rescue. Food rescue must result in rescued food being distributed to people in a disadvantaged community with any food waste residuals from the project being sent to a compost or digestion, facility when one is available within the food waste prevention project’s service area.
* New and expanded facilities requiring best available control technology (BACT) to limit emissions and ensure compliance with air quality standards.

Available Funds: $6,953,000 as of September 14, 2016

Interest Rate: 4.0%

**Loan Application Due Date: Continuous**

**Recycling Market Development Zone Loan Program**

Provides direct loans to businesses that use postconsumer or secondary waste materials to manufacture new products, or that undertake projects to reduce the waste resulting from the manufacture of a product. Information about this loan program as well as the application documents and forms can be found at <http://www.calrecycle.ca.gov/RMDZ/Loans/>

**Loan Application Due Date: Continuous**

**UPCOMING GRANT/PAYMENT/LOAN CYCLES**

**Opportunity promoted by CalRecycle on behalf of the California Department of Food and Agriculture**

The California Department of Food and Agriculture (CDFA) is now accepting public comments on Requests for Grant Applications (RGA) for the $6.75 million Healthy Soils Program (HSP), authorized by the Budget Act of 2016, and funded through California’s cap-and-trade program.

The Healthy Soils Program offers grants to farmers who take action to capture greenhouse gas (GHG) emissions, such as carbon dioxide, in the soil to help combat climate change. The program is part of California’s cap-and-trade California Climate Investments, a statewide program that puts billions of cap-and-trade dollars to work reducing greenhouse gas emissions, strengthening the economy and improving public health and the environment—particularly in disadvantaged communities. The cap-and-trade program also creates a financial incentive for industries to invest in clean technologies and develop innovative ways to reduce pollution.

The Healthy Soils Program will be implemented under two separate components: 1) the $3.75 million Incentives Program and 2) the $3 million Demonstration Projects.

For the Incentives Program, an estimated $3.75 million in competitive grant funding will be awarded to provide financial assistance for implementation of agricultural management practices that sequester soil carbon and reduce greenhouse gas emissions.

For the Demonstration Projects, an estimated $3 million in competitive grant funding will be awarded to projects that monitor and demonstrate to farmers and ranchers in California, specific management practices in agriculture that sequester carbon, improve soil health and reduce atmospheric GHGs.

The RGA for both the HSP Incentives Program and Demonstration Programs can be found on the CDFA Office of Environmental Farming and Innovation (OEFI) webpage:  <https://www.cdfa.ca.gov/oefi/healthysoils/>.

CDFA will hold a webinar on July 6, 2017 an 10:00 am to provide information on how to comment on the DRAFT RGA and answer any questions. To register for the webinar, please visit the program webpage at <https://www.cdfa.ca.gov/oefi/healthysoils/>.

Comments regarding the DRAFT RGA can be submitted to cdfa.oefi@cdfa.ca.gov no later than 5:00 p.m. PST on Wednesday, July 12, 2017.

For more information go to [Environmental Justice Program](http://www.calrecycle.ca.gov/). To unsubscribe from the Environmental Justice Program listserv, please go to <http://www.calrecycle.ca.gov/Listservs/Unsubscribe.aspx?ListID=148>.

**3) EVENTS**

Please also see the CalRecycle Events Calendar, [www.calrecycle.ca.gov/Calendar](http://www.calrecycle.ca.gov/Calendar)

**CRRA ANNUAL CONFERENCE & TRADESHOW**

Paradise Point, San Diego California, August 20-23, 2017

<http://www.crra.com/conference>

**Workshop on the Flow of Used and Waste Tires in California-Mexico Border Region**

Date/Time: August 28, 2017 10:00AM – 4:00 PM

Location: Cal/EPA Building – Byron Sher Auditorium (2nd Floor), 1001 "I" Street, Sacramento, CA 95814

Department Staff Contact(s): Sally.French@CalRecycle.Ca.Gov

Description: This is the second of two workshops on the flow of used and waste tires from California to Mexico. The primary purpose of this workshop is for San Diego State University Research Foundation to provide an overview of their research on this tire flow. San Diego State University Research Foundation under contract with CalRecycle will host this workshop.

Public Notice: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2152&aiid=1960>

**Informal Rulemaking Stakeholder Workshop for SB 1383 Short-Lived Climate Pollutants (SLCP)**

Date/Time: **August 31, 2017 10:00 AM – 3:00 PM**

Location: City Council Chambers, City of Riverside 3900 Main Street, Riverside CA 92522

Department Staff Contact(s): Marshalle Graham & Chris Bria

Description: CalRecycle will hold its fourth set of workshops on August 16, 2017, at the Cal/EPA Building, 1001 I Street, Sacramento to discuss the SB 1383 implementation process. Topics will include regulatory concepts related to reporting and enforcement.

Public Notice: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2158&aiid=1964>

**CalRecycle Packaging Reform Workshop**

Date/Time: October 10, 2017 1:00PM – 4:00 PM

Location: Byron Sher Hearing Room, 2nd floor, 1001 I Street, Sacramento, CA 95814

Department Staff Contact(s): Cynthia.Dunn@CalRecycle.Ca.Gov

Description: Continuation of CalRecycle’s Packaging Reform policy model development process. This workshop will build upon the policies discussed at the March 22, 2017 Packaging Reform Workshop.

Workshop documents will be posted as they are available and in advance of the workshop date.

Public Notice: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2143&aiid=1954>

**Public Hearing -- Proposed Regulations Amending the Electronic Waste Recycling Program**

Date/Time: October 11, 2017 9:00 am - 12:00 pm

Location: Cal/EPA Building, Coastal Hearing Room, Second floor, 1001 I Street, Sacramento, CA 95814

Contact(s): Andrew.Hurst@CalRecycle.ca.gov

Description: The Department of Resources Recovery and Recycling (CalRecycle) intends to hold a public hearing after the end of the 45-day public comment period relating to a proposed rulemaking. More information about the proposed regulations can be found at: <http://www.calrecycle.ca.gov/Laws/Rulemaking/EWasteFinal/default.htm>

**Future of Electronic Waste Management in California - Part 4**

Date/Time: October 11, 2017 1:00 pm - 4:30 pm

Location: Cal/EPA Building, Coastal Hearing Room, 2nd floor, 1001 I Street, Sacramento, CA 95814

Contact(s): Willd-Wagner, Shirley

Description: This is the fourth in a series of workshops designed to engage stakeholders in a discussion concerning the future of e-waste collection and management in California. All interested parties are encouraged to attend and actively participate.

**Informal Rulemaking Stakeholder Workshop for SB 1383 Short-Lived Climate Pollutants (SLCP)**

Date/Time: October 30, 2017 10:00 am - 3:00 pm

Location: Cal/EPA Building, Byron Sher Auditorium, 2nd floor, 1001 I Street, Sacramento, CA 95814

Contact(s): Marshalle Graham, Chris Bria

Description: SB 1383 (Chapter 355, Statutes of 2015) Short-Lived Climate Pollutants (SLCP): Organic Waste Methane Emissions Reductions--Informal Rulemaking Stakeholder Workshop

CalRecycle will hold its sixth in a series of workshops on October 30, 2017, at the Cal/EPA Building, 1001 I Street, Sacramento to discuss the SB 1383 implementation process. Topics will include draft regulatory language, and the workshop will include a panel of speakers addressing on rate increases and Proposition 218. Information about the workshops can also be found at the Short-Lived Climate Pollutants (SLCP) webpage below.

Questions regarding this workshop can be directed to: SLCP.Organics@Calrecycle.ca.gov

**Next Monthly Public Meeting**

September 19, 2017

[www.calrecycle.ca.gov/PublicMeeting/](http://www.calrecycle.ca.gov/PublicMeeting/)

**END current update – rest of document historic program notes for reference**

**Program Notes/Placeholders (Updates will be highlighted at beginning of this document.. Otherwise historic program updates provided for reference)**

**AB 1826/Mandatory Organics Recycling**

Note: This does not apply for a jurisdiction that has a rural exemption from AB 1826.

Information has been relayed previously related to guidance, tools, and resources posted on the AB 1826 Mandatory Commercial Organics recycling <http://www.calrecycle.ca.gov/recycle/commercial/organics/>.

As LAMD staff begin their conference calls and site visits in 2017, they will be asking for status of implementation of the jurisdiction’s commercial organics recycling program, identification of regulated generators, education, outreach and monitoring for 2016 activities.

Additional tools continue to be developed for the Local Government toolkit <http://www.calrecycle.ca.gov/Recycle/Commercial/Organics/PRToolkit/Default.htm>, including signage and a brochure for small generators, such as schools, to explain visually what the new law allows for.

Starting with the 2016 Annual Report (due August 2017), each jurisdiction needs to identify existing organic waste recycling facilities within a reasonable vicinity and the capacities available for materials to be accepted at each facility. To assist in this process, CalRecycle has developed a GIS-based capacity tool that can be used in conjunction with the existing [FacIT](file:///%5C%5Ciwmdocs%5CFacIT%5C) database and the [Where to Recycle](file:///%5C%5Ciwmdocs%5Ciwm%5CASSISTANCE%20%26%20TRAINING%5CLocal%20Jurisdiction%5CReference-Resources%5CLocal%20Task%20Force%20%28Monthly%20E-Update%2C%20Requirements%29%5CLocal%20Task%20Force%20Monthly%20E-Update%5CMaps%5CDefault.htm) mapping resource. Please refer to the mapping guide tool <http://www.calrecycle.ca.gov/recycle/commercial/organics/MapGuide.pdf> to identify organic waste recycling facilities within a reasonable vicinity and get an idea of related capacity ranges. Future updates to this tool will allow users to map concentric circles around the jurisdiction to determine organic waste recycling facilities within a given radius and, through the overlay of permit information, have the ability to determine capacity information.

For more information about Mandatory Organics Recycling (MORe), please subscribe to the listserv at: <http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=138>

For a list of jurisdictions with rural exemptions to MORe, a list is provided on our website here:

<http://www.calrecycle.ca.gov/recycle/commercial/organics/Exempt.htm>

**AB 876 (Organics Infrastructure Planning)**

Guidance for counties and regional agencies regarding AB 876 (Organics Infrastructure Planning) has been published on the website, <http://www.calrecycle.ca.gov/LGCentral/AnnualReport/OrganicInfra.htm>.  This guidance has been developed well in advance of the first annual reporting information that is due August 1, 2017. Guidance provides an overview of the types of data that will be required, and the tools that have been developed.  AB 876 applies to all Regional Agencies and Counties, even those that have filed an exemption for AB 1826/MORe mandatory organic recycling requirements. The related calculator has been posted with 2014 and 2015 disposal data for preliminary use- <http://www.calrecycle.ca.gov/LGCentral/Reports/OrganicInfraCalculator.aspx>

*Note that the first year of reporting should be based on 2016 disposal data which will be uploaded after 2016 DRS tons are finalized in June 2017.*

Should you have any questions, please contact your LAMD liaison.

<http://www.calrecycle.ca.gov/LGCentral/Reports/Contacts.aspx>

**Organics Management Infrastructure & Environmental Justice**

**On** March 14, 2017 **CalRecycle hosted a session on developing statewide organics management infrastructure & environmental justice**.

El 14 de marzo de 2017 Se llevará a cabo una Sesión para que el Público pueda Escuchar Información sobre el Desarrollo de una Infraestructura a Nivel Estatal para la Composta (el proceso de la descomposición de los desperdicios orgánicos, en el cuál la materia vegetal y animal se transforma en abono) y sobre la Justicia Ambiental.

**State of Disposal in California 2016 Update Posted**

This report discusses the disposal of solid waste in California, including the amounts and types of materials that are disposed, the infrastructure that supports the handling of solid waste, the types of facilities in the infrastructure, the flow of materials into, out of, and within California, and how disposal is tracked.

**Publication Location:** <http://www.calrecycle.ca.gov/Publications/Detail.aspx?PublicationID=1556>

**75 Percent Goal**

California’s goal to recycle 75 percent of its solid waste is the focus of a new report that provides a catalog of tools and potential pathways that can be taken by the department, Administration or Legislature to help get us there. Preparation of the report was directed by the Legislature with the passage of AB 341 (Chesbro, Chapter 476, Statutes of 2011).

Direct report link: <http://www.calrecycle.ca.gov/Publications/Detail.aspx?PublicationID=1538>

In addition, two workshops were scheduled in December to address focus on the state investment and partnerships needed to achieve California’s 75 percent recycling goal while sustaining CalRecycle’s ability to manage the handling of solid waste in California. Staff will present and seek feedback on potential funding mechanisms that support achieving the 75 percent recycling goal and provide sustainable funding as disposal fee revenue decreases. The Workshop presentation is available online at <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=1647&aiid=1493>.

**Comments or Questions?** You can reach the CalRecycle 75% team by email at 75Percent@calrecycle.ca.gov.

**Compost Regulations**

The Director approved the Negative Declaration and the final draft of the proposed Compostable Materials, Transfer/Processing regulations at the August 18, 2015 public meeting: [http://www.calrecycle.ca.gov/Actions/Documents%5c85%5c20152015%5c1422%5cAugust Agenda.pdf](http://www.calrecycle.ca.gov/Actions/Documents%5C85%5C20152015%5C1422%5CAugust%20Agenda.pdf)

Staff submitted the final rulemaking file to the Office of Administrative Law (OAL) on September 29, 2015. OAL approved on Nov. 10, 2015. **With this approval, regulations became operative on Jan. 1, 2016, with a delayed effective date of Jan. 1, 2018 for the requirements related to percent physical contamination.**

For more information, please visit our Compostable Materials, Transfer/Processing Website: <http://www.calrecycle.ca.gov/Laws/Rulemaking/Compost/default.htm>

To subscribe to or unsubscribe from the Compostable Materials, Transfer/Processing Rulemaking listserv, please go to: Compostable Materials, Transfer/Processing Rulemaking Listserv: <http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=122>

**State Water Board and CalRecycle Stakeholder Meetings, Land Application of Compostable Materials** **and Develop of Performance Measures related to the implementation of the General Waste Discharge Requirements for Composting Operations (Compost General Order)**

The State Water Resources Control Board (State Water Board) and the Department of Resources Recycling and Recovery (CalRecycle) will jointly host an education and outreach meetings regarding land application of compostable materials.  The meetings were held June 14 and June 23.  All attendees are required to sign in and register through CalRecycle at [2016 Land Application Meeting](http://www.cvent.com/d/bfq56y).  A quorum of State Water Board members may be present at the meetings, however, no action will be taken by the Board.  The agendas and other information will be posted at <http://www.waterboards.ca.gov/water_issues/programs/compost/>.

The purpose of this meeting is to provide an overview of regulatory requirements and education and outreach regarding land application of compostable materials in California.  This meeting is open to all and is intended for the regulated community and broader stakeholder groups.

The State Water Resources Control Board (State Water Board) will also host informal stakeholder meetings to develop performance measures related to the implementation of the General Waste Discharge Requirements for Composting Operations (Compost General Order).  The purpose of the meetings is to conduct a brainstorming event with stakeholders.  The discussions will focus on obtaining stakeholder input on performance measures.  The meetings were held June 14, June 23, and August 15.  The agendas and other information are posted at: <http://www.waterboards.ca.gov/water_issues/programs/compost/>.  The SWRCB is reviewing the comments received at these meetings.

Resolution No. 2015-0054 directs State Water Board staff to work with representatives of the Regional Water Quality Control Boards (Regional Water Boards), CalRecycle, the Air Resources Board, the California Department of Food and Agriculture, the compost industry, and other interested stakeholders to develop performance measures related to the implementation of the Compost General Order, including both environmental outcomes and process-related measures.

**Covered Electronic Waste Recycling Program**

Designated Approved Collectors

The Office of Administrative Law has approved emergency rules relating to designated approved collectors within the covered electronic waste (CEW) program. The new rules revise and reform certain aspects of the designation provision in the CEW program. Specifically, the proposed rules will strengthen the ties between the local government designating authority and the designated approved collector, clarify that a designation is a local government program subject to Form 303 HHW reporting requirements, establish regular reporting requirements between designated collectors, local governments, and CalRecycle, and delineate mechanisms and conditions under which designations may be invalidated or terminated.

The approved rules, approved March 16, 2017, are effective immediately. Local governments seeking to maintain an existing designation must issue new designations with compliant content within 150 days of the effective date of the new rules. Impacted parties are urged to review the CalRecycle website:

<http://www.calrecycle.ca.gov/Electronics/Locals/Designations/>

Finalizing Existing Emergency Rules

CalRecycle anticipates filing with the Office of Administrative Law (OAL) approximately July 24 the formal rulemaking process to finalize two current emergency rule packages as well as modify and clarify other rules with in the CEW recovery and recycling program. Filing with OAL will begin a 45-day formal public review and comment period, with a subsequent public hearing anticipate mid-September.

<http://www.calrecycle.ca.gov/Laws/Rulemaking/EWasteFinal/default.htm>

In the meantime, CalRecycle will readopted existing emergency rules so that there is no lapse in regulatory coverage.

The proposed rules affect areas within Chapter 8.2 of Division 7 of Title 14 of the California Code of Regulations, primarily serving to finalize two existing emergency regulation packages adopted in 2015. Those rules address: 1) the assessing of civil liabilities pursuant to the authority granted under Public Resources Code (PRC) section 42474, and 2) the management of treatment residuals derived from the dismantling of CEW. In addition to other general edits, the proposed rules also clarify aspects of definitions, applicability and limitations, documents and records, net cost reports, applications, prohibited activities, appeals, requirements for collectors and recyclers, claims, cancellation, and manufacturer payments.

Determination of Electronic Waste Recycling Fee Levels

The Electronic Waste Recycling Act of 2003 (Act), as amended, established a comprehensive program to finance the end-of-life management of certain (covered) electronic devices. The program is financed through an Electronic Waste Recycling Fee (fee) paid by consumers at the point of retail sale of new covered electronic devices. Fees collected are used to administer the programs established by the Act, including the disbursement of recovery and recycling payments to approved collectors and recyclers of covered electronic waste (CEW).

CalRecycle has the responsibility to evaluate the program’s revenue needs and adjust the fee levels as warranted to maintain fund solvency and ensure continued operation of the program. Pursuant to Public Resource Code 42464(f), no more frequently than annually, and no less frequently than biennially, CalRecycle shall review at a public hearing the covered electronic waste recycling fee and shall make any adjustments to the fee to ensure that there are sufficient revenues in the account to fund the CEW recycling program established pursuant to the Act.

CalRecycle must make necessary determinations regarding the fee by the statutory date of August 1. Based on budget and accounting analysis, staff is proposing that the fee level remain at current rates. In making that determination, staff is also proposing to realign the timing of the fee effective date to coincide with the January 1 statutory effective date.

More information can be found at:

http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2148&aiid=1958

Future of Electronic Waste Management in California Project

CalRecycle heldi its third public workshop of this project June 20th to continue to consider what adjustments will be needed or desired in the future of electronic waste management in California.

Please note that the documents presented were NOT CalRecycle policy proposals to adjust the existing CEW system. Instead, they were responsive to input at the previous workshops and are intended for discussion purposes to illustrate the issues what would need to be considered before moving forward with any specific proposal. For more information, see the E-waste Futures web area:

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

**Paint Stewardship Program**

On November 2, 2016, CalRecycle received PaintCare’s Annual Report for the 4th year of implementing the CA paint stewardship program. CalRecycle notified PaintCare the report was found to be incomplete via a letter sent on November 22, 2016. PaintCare resubmitted on December 1, 2016 with additional information.

CalRecycle reviewed the report and program performance for compliance with the requirements of statute and regulation for the CalRecycle Director’s consideration at the January 2017 Public Meeting: [http://www.calrecycle.ca.gov/Actions/Documents%5c124%5c20172017%5c1825%5cRFA\_Year%204%20Annual%20Report%20compliance\_Final.pdf](http://www.calrecycle.ca.gov/Actions/Documents%5C124%5C20172017%5C1825%5CRFA_Year%204%20Annual%20Report%20compliance_Final.pdf)

[CalRecycle determined the report was compliant on January 24, 2017](http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2002&aiid=1825).

More information on the annual report review process, including a copy of PaintCare's Year 4 Annual Report and CalRecycle’s Completeness Letter, can be found on CalRecycle's Paint Stewardship Program Annual Reporting webpage at [www.calrecycle.ca.gov/Paint/AnnualReport/](http://www.calrecycle.ca.gov/Paint/AnnualReport/).

CalRecycle’s Architectural Paint Stewardship Program Annual Administrative Fees of $403,490.06 for the period of July 1, 2015 – June 30, 2016, were approved by CalRecycle’s Director at the September 20, 2016 Public Meeting, as directed by the Architectural Paint Stewardship Law (Public Resources Code §§ 48700 - 48706 and § 18958 of Title 14 of the California Code of Regulations).

**Mattress Stewardship**

The Mattress Recycling Council (MRC) submitted the Used Mattress Recovery and Recycling Plan and Budget to CalRecycle on July I, 2015. As directed by the Used Mattress Recovery and Recycling Act [Chapter 388, Statutes of 2013, Public Resources Code sections 42985-42994, CalRecycle approved the Budget and granted conditional approval of the Plan on October 1, 2015. Final approval was pending submittal of a revised Plan that adequately addresses the issues outlined in the September 15, 2015, Request for Approval. The MRC submitted a revised Plan to CalRecycle on November 30, 2015. Staff recommended approval of the revised Used Mattress Recovery and Recycling Plan at the January 26, 2016 Public Meeting, and the revised plan was approved on January 29, 2016.

The Mattress Recycling Council (MRC) submitted the 2017 Used Mattress Recovery and Recycling Plan Budget (2017 Budget) to CalRecycle on June 21, 2016. As directed by the Used Mattress Recovery and Recycling Act [Chapter 388, Statutes of 2013 (Hancock, Senate Bill 254)], Public Resources Code (PRC) sections 42985-42994, CalRecycle has 90 days to approve or disapprove the Budget. An item was presented at the September 20, 2016 Public Meeting recommending approval of the proposed budget. The 2018 Budget is due on July 1, 2017. CalRecycle must approve or disapprove the Budget on or by October 1, 2017.

The Used Mattress Recovery and Recycling Act requires the CalRecycle Director to appoint an advisory committee to be part of the mattress recycling organization. The Director originally appointed 13 individuals to fill the general stakeholder categories recommended in statute. On April 25, 2017 the Director appointed Curtis Michelini, Sr. into the Solid Waste Industry category to fill a vacancy in that category created by a change in one of the appointees employment affiliations, as described in the [April Request for Approval](http://www.calrecycle.ca.gov/Actions/Documents/124/20172017/1838/Signed%20RFA.pdf).

In accordance with the [California Used Mattress Recovery and Recycling Act](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB254&search_keywords=), mattress recyclers, renovators, and solid waste facilities (reporting entities), as defined by [PRC Section 42986](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=30.&title=&part=3.&chapter=21.&article=1.), must submit an annual report to CalRecycle and the Mattress Recycling Council by May 1, 2017 (and each year thereafter). The Department will be using this data to establish the state mattress recycling baseline amount and recycling goals.

The Mattress Recycling Council (MRC) submitted its 2016 Used Mattress Recovery and Recycling Annual Report (Annual Report) to the Department on June 30, 2017. CalRecycle must approve, disapprove, or conditionally approve the Annual Report within 60 days of submittal. Staff presented the item requesting the Director’s compliance determination regarding the Annual Report at the August 15, 2017 monthly public meeting with a recommendation for conditional approval of the MRC’s Annual Report, pending submittal of a revised 2016 Annual Report that adequately addresses the items outlined in the Request for Approval. Additional details regarding the 2016 Annual Report and the Request for Approval are found at: <http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2160&aiid=1966>.

The MRC submitted its revised Proposed 2018 Annual Budget based on staff recommendations following initial review of the budget, which is now posted (as well as the initial version) and we’ve asked for public comments through Aug 24thon the CalRecycle website. The public meeting agenda item for approval or disapproval of the budget will be presented in September 2017.

On or before January 1, 2018, CalRecycle is required to establish, in consultation with the MRC, 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. CalRecycle staff held a workshop on August 15, 2017 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.

CalRecycle’s Used Mattress Program Home Page ([www.calrecycle.ca.gov/mattresses/](http://www.calrecycle.ca.gov/mattresses/)) contains information regarding the Used Mattress Recovery and Recycling Act and CalRecycle’s responsibilities under the law.  To receive periodic messages regarding CalRecycle’s used mattressanagement activities, please sign up for the Mattress Product Stewardship Listserv at [www.calrecycle.ca.gov/Listservs](http://www.calrecycle.ca.gov/Listservs).

Additional information on the Mattress Recycling Council’s efforts can be found on their website: [www.mattressrecyclingcouncil.org/california](http://www.mattressrecyclingcouncil.org/california).

The plan is posted on CalRecycle's website at: <http://www.calrecycle.ca.gov/Mattresses/Plans/default.htm>.

The Mattress Recycling Council has also posted the approved plan on their website at<http://mattressrecyclingcouncil.org/wp-content/uploads/CA-MRC-Plan-revised-11-30-15-final.pdf>. The Mattress Recycling Council’s first Annual Report is due on July 1, 2017.

**Beverage Containers**

A large recycler, RePlanet, closed almost 200 certified recycling centers throughout the state effective January 31. These centers primarily purchased only California Redemption Value (CRV) beverage containers. This represents a mere 10% of all certified recycling centers; however, the majority of these closures were located in Northern California.

We wanted to make you aware that your jurisdiction may receive calls from concerned residents about reduced recycling opportunities.  Please direct these callers to 1-800-RECYCLE.

We will offer these callers following options:

* To find other recycling opportunities, a list of operational programs is available on our website.  Users can input a local zip code, and the nearest recycling center, or other program, will be displayed.  <http://www.calrecycle.ca.gov/BevContainer/Recyclers/Directory/Default.aspx?lang=en-US>.
* In some areas, new recycling center operators may fill the vacancy left by rePlanet.  Consumers with small amounts of material may be able to hold onto the material until that happens.
* In other areas, after a few months of no service from a certified recycling center, some retailers who sell CRV beverage containers may be required to redeem in store, and consumers can return the containers there for a return of the CRV they paid.
* Consumers who do not wish to receive their CRV back can either donate material to certified drop-off or collection programs, nonprofit community service programs, or place materials in their curbside recycling bin, if they have access to such a program.