

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

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

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

Thursday June 21, 2018

MEMBERS REPRESENTED

Michael Ranalli, Vice-Chair and Supervisor	El Dorado County
Jim McHargue, Director Solid Waste	Amador County
Doug Teeter, Supervisor	Butte County
Steve Rodowick, Recycle Coordinator	Butte County
Eric Miller, Manager	Butte County
Mike Azevedo, Assistant Director	Colusa County
Ted Ward, Director	Del Norte County
Greg Stanton, Division Director	El Dorado County
Mohammad Qureshi, Public Works Director	Glenn County
Ken Walker Asst. CAO	Inyo County
Cap Aubrey, Solid Waste Director	Inyo County
Todd Storti, Manager	Mariposa County
Ahmad Alkhayyat, Public Works Director	Madera County
Mara Soloman, Solid Waste Manager	Plumas County
Collette Streight, Community Ed. Specialist	Shasta County
Arthur Boyd, Recycling Coordinator	Siskiyou County
Kevin Turner, General Service Tech	Siskiyou County
Rachel Ross, Agency Manager	Tehama County
Diane Rader, Deputy Director Solid Waste	Trinity County
Kim McFarlane, Asst. Director PW	Tuolumne County

STAFF IN ATTENDANCE:

Mary Pitto, ESJPA Program Manager	RCRC Governmental Affairs
Larry Sweetser, ESJPA Consultant	Sweetser and Associates, Inc.
Paul Smith, VP Governmental Affairs	RCRC Staff
Staci Heaton, Regulatory Affairs Advocate	RCRC Staff
Julie Lunn, RCRC Office Assistant	RCRC Staff
Sanjay Lee, RCRC Accounting	RCRC Staff
Elizabeth Jensen Accounting	RCRC Staff

GUEST SPEAKERS:

Mitch Hedlund, Recycle Across America	Caroll Mortensen, CalRecycle
Teresa Bui, CalRecycle	Beatrice Poroli, CalRecycle
Heidi Sanborn, CPSC	Nicole Dorr, PaintCare

OTHERS IN ATTENDANCE:

Terry Brennan, CalRecycle
Willie Carpenter, CalRecycle

Daisy Kong, CalRecycle
Alex Souza, CalRecycle

Curt Fujii, Fujii Civil Engineering
Deb Phillips- Greater Valley CC

John Pabst, A.C.E.S.

MEMBERS NOT REPRESENTED

Alpine County, Calaveras County, Imperial County, Modoc County, Mono County, Nevada County, Sierra County.

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

Michael Ranalli, Vice-Chair, El Dorado County, called the meeting to order at 9:03 a.m.
A Quorum was Determined. Self-introductions were made.

II. Business Matters

A. Approval of Minutes March 7, 2018 Meeting.

Supervisor Ranalli, called for the approval of the minutes from the March 7, 2018 Board of Directors meeting. The motion to approve minutes was made by Ted Ward, Del Norte County and seconded by Arthur Boyd, Siskiyou County. The motion passed unanimously.

B. Review and Approval of the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2017 – Liz Jensen and Sanjay Lee presented the Independent Auditor's Report and Financial Statements. A motion was made to approve the Independent Auditors' Report and Financial Statements for the Year Ended December 31, 2017 by Jim McHargue, Amador County and seconded by Arthur Boyd, Siskiyou County. The motion passed unanimously.

III. Public Comment

There were no public comments.

IV. Presentations

A. Recycle Across America – Mitch Hedlund, Executive Director of Recycle Across America, provided a presentation on their program that assists communities with their recycling efforts. Part of the presentation mentioned the impact of the China National Sword policy's impact on recycling markets and public attitude. Declining recycling options lend some of the public to consider recycling less important. Recycling programs are not standardized which lends to the confusion. Recycle Across America is developing standardized labels for recycling and waste containers. Disney is using the program and the program is being rolled-out in Yosemite which is experiencing minimal contamination. Recycle Across America has been working with Mariposa County on the program. Tedd Ward commented that manufacturers were looking for cheaper sources of materials and secondary plastics cannot compete. Larry Sweetser indicated that CalRecycle has been working on the packaging issue that may assist with markets and that SB 1383 is not done yet. There was also a question about how the labels hold up to extreme weather. Mitch indicated they are working with 3M on a more robust label. Mary Pitto asked if the members were interested in a group purchase program and there was interest.

B. Food Waste Challenges for Rural Areas

Steve Rodowick provided an update on Butte Counties challenges in managing food waste. Steve had provided the presentation to CalRecycle about one year ago and the issues are still applicable. Steve started with an overview of Butte County and its solid waste programs. There are two official organics

facilities and one unofficial one – the landfill which has a landfill gas unit for which no diversion credit is allowed. Butte County worked with haulers and other providers on new programs and created a spreadsheet tracking system for business mandatory commercial recycling compliance. The education program uses pictures tailored to their organics processor. Areas of concern are hauler costs and reporting requirements, and customer concerns. As a college community, staffing frequently changes which is a training issue. Wood waste is an issue due to dead trees, but urban area wood waste is not wanted, and markets are very limited. North State rendering can handle 100 tons per day and currently takes 20. They will come out to collect larger amounts and will provide CNG fuel for free. There is a vermicomposter across from the landfill that has won awards but may need to move due to new waste discharge requirements. They are considering going to Texas. Steve encouraged jurisdictions to work together by sharing successes and failures.

C. Preparing for AB 939 Annual Reports

Carol Mortensen provided information to member counties on completion of the 2017 electronic annual reports due August 1st. One major feature is that the calculation for alternative daily cover (ADC) shows what was reported as green material used for ADC and the impact to the current disposal rate once green material ADC is considered disposal. The Program Tab has some prefilled items from last year and allows jurisdiction to tweak if needed. Jurisdictions are advised to ask for disposal modification early to ensure proper evaluation and to request assistance from their Local Assistance staff as needed. Different portions can be completed at different times and the review does not need to be completed in one session. The more information provided by jurisdictions the better programs will be evaluated. Jurisdictions can note and trends in management of waste and recycling materials such as National Sword impacts. Countywide organics capacity is still required even if the jurisdiction is exempt from the Mandatory Organics requirements.

D. Report from CalRecycle

Carol Mortensen provided an update on CalRecycle efforts. There are several upcoming workshops including SB 1383 before the proposed formal regulations for summer or early fall. Scott Smithline circulated a letter on China's National Sword Policy and impacts on California recycling. There will be more listening session on current topics. Steve Rodowick asked about the latest solid waste tipping fee increases and promoting domestic markets.

E. Future of E-waste

Teresa Bui provided an update on the e-waste program. There were discussions on looking at emerging technologies like solar panels. Changes would require legislation. There were nine recommendation including expanding the covered electronics program to include items like other computer items, priority items include items with batteries and lamps due to fire, safety, and environmental considerations. Other recommendations were to require labeling of devices, encouraging repair and refurbishing devices, new market development options, stream lining paperwork, adjusting fees, and increasing manufacturer responsibility. Steve Rodowick asked about management of radioactive smoke alarms in relation to the proposed program changes and those items will to added to the discussions. Arthur Boyd suggested some form of grant programs for collection similar to the oil program.

V. Legislative Update

Paul Smith, Vice President of Government Affairs, provided an update of some of the bills. Paul also announced that the there are 70 days to adjournment and in final stages of the 2017/2018 legislative session. Most bills are in their second house to be heard. After July 4th, summer recess starts until last weeks of August. Like the last few years, there are not a lot of solid waste bills. Organics are still a priority.

Regarding AB 1288, do not focus on the bill in the packet. The bill is a potential vehicle to deal with the solid waste fee. There were rumors earlier in the year to just increase the tip fee but there was no movement on the issue. In addition, the state budget was approved without a fee. Inclusion of the WDR fee is still a consideration. There will likely be discussions next year with a new governor and likely start with the last proposal. Members were encouraged to contact Paul and Mary with concerns. Mary mentioned RCRC's policy platforms to provide direction to address Tedd Wards concern on how to respond to revised legislative letters.

AB 1975 is to deal with local Bay Area landfill odor and nuisance issue. The bill died on the Assembly floor but could come back next year. There is no direct impact to ESJPA member areas.

SB 452 is a temporary bottle bill fix that has several issues - mandatory retail takeback and conditions including exemptions in areas with recent closures and exemptions on the amount of incoming containers. RCRC raised a concern about allowing areas with limited service that might be able to not provide options for redemption. The bill also proposed exemptions for only 18 months. This is the only bottle bill reform bill being proposed. Bill will be heard next week.

SB 212 deals with pharmaceutical and sharps take-back and is sponsored by CPSC. There are some manufacturers opposing the bill. Members are encouraged to submit letters of support. support, no preemption language is industry concern. The bill would require a minimum of five sponsored bins per county. CalRecycle would have primary authority for the program. The bill does contain some preemption language for existing ordinances. Steve Rodowick encouraged jurisdictions to continue with their own ordinances. Steve also indicated that some manufactures were concerned with collection both sharps and pharmaceuticals in the same bin.

AB 3178 attempts to provide relief from the National Sword issue and the lack of markets. RCRC is supporting the bill. There will be more of an update in August.

VI. Member County Concerns/Comments

- Tedd Waste mentioned Del Norte abandoned vehicle authority that is running out of money primarily due to large trailers and motorhomes which are expensive to have disposed. Tedd advocated to add a fee for vehicles with bed and toilet. The existing \$1 a vehicle does not work. Paul indicated that a fee change would require statute change.
- Mohammad Qureshi of Glenn County indicated that they are closing their landfill and opening a Transfer Station in November- Mary and Larry provided a list of consultants but asked for any comments or experiences with firms.

VII. Solid Waste Regulatory Update

Discussion and possible action related to the following:

A. Air Resources Board

Cap and Trade Program Update - Staci Heaton reported the Cap and Trade program was reauthorized until 2030. The proceeds from the auction have gone up with an expected 3 billion dollars available for allocations once decisions are made on priorities. RCRC will be keeping an eye on it. The recent budget did not include an expenditure plan. The governor had proposed 20 million for solid waste programs. The legislature does not agree on priorities of the program. RCRC was Lobbying for 100 million dollars.

B. CalRecycle

- SB 1383 Regulations- Mary Pitto reported that the second informal draft was released in early May. There were many changes from the previous draft that addressed some of our concerns but address more issues of concern. The 19 counties with an extension of 1826 until 2020 were exempted for another five years. SB1383 will include commercial and residential. If a jurisdiction is over a population of 70,000 but in a certain census tract, there can be a limited waiver. We have asked for a process to allow an application for exemption for example areas of Placer County where there are bears that make collection of food waste difficult. The sunset date on mixed waste facilities was extended. Beneficial reuse of certain wastes was also proposed to change to disposal. Land application, animal feed, and community composting were also exempted. Flexibility was added for compliance monitoring but are still onerous. Ability to address violations was included. Lack of funding was not considered a sufficient reason to not implement programs. There was also a requirement for procurement that we oppose especially since the employee calculation was flawed. Penalty provisions are considered to be premature but if a state agency noncompliance only results in being put on a list. Capacity planning will require a compliance implementation plan if sufficient capacity is not available. Food recovery efforts is set up in tiers to start with larger generators. Larry Sweetser request members to provide options for how to address an issue with the regulations. Tom Valentino expressed concerns on the huge increase in funding needed to implement the programs. Lassen just implemented a fee for recycling and residents are getting creative on addressing the new fees.
- Beverage Container Recycling Program - Mary Pitto indicated that starting on page 67 of the packet there are articles on funding and fraud in the program
- AB 901 Recycling and Disposal Reporting Regulations - Larry Sweetser provided an update on the AB 901 regulations additional comment period. One change was explicit language that self-haulers did not need to report directly to CalRecycle. There was a list of who is included and who is not subject to the reporting. Disaster debris was also included in self-haul and we provided comments to change that requirements. The proposed regulations included requirements for MRF but there is no definition of the term. Implementation is expected in January.
- The National Sword and Recycling Globally – Larry Sweetser repeated the CalRecycle letter on the National Sword issue. There is a realization that recyclables shipped overseas are not 100% recycled but counted that way previously. CalRecycle is providing permit exemptions from storage issues provided there are considerations for vector control, storm water, and fire. At a recent SWANA/CRRRA workshop there was an idea floated support for standardized list of items to recycle for all jurisdictions.
- Covered Electronics Waste - Larry Sweetser indicated there were earlier discussion on the topic. CalRecycle is splitting the covered electronics fee into CRT versus non-CRT rates. Vendors are getting picky about what items are acceptable which may result in additional costs.

C. State Water Resources Control Board

- Proposal for Title 27 Landfill Changes - Larry Sweetser reported on the listening session that provided an opportunity to provide a regulatory wish list of changes. This session was the only

group to mention the impacts mandatory organics on solid waste facilities. The SWRCB is compiling comments with possible regulatory changes to consider later in the year. There is no update on providing stakeholders with a summary of the sessions.

- Waste Discharge fees – Larry Sweetser indicate that the SWRCB staff was recommending no fee increase for landfills. There may be a small increase the following.
Industrial Stormwater Program – Larry Sweetser indicate that new requirements are being considered for the program. Members can provide information on any issues.

D. Department of Toxic Substances Control

- Update on Photovoltaic Modules/Solar Panels – Larry Sweetser indicated there is no update on the proposed regulations. Members were instructed not to accept them is possible.
Electronic Hazardous Waste Manifest – Larry Sweetser provided a review of the proposed new electronic manifest system to track hazardous waste system. The current six-part form is being changed to five pages with the ability to electronically sign a manifest. The current paper copies can still be used. There is a new per manifest fee that applies and ranges from \$5 to \$20 dollars. Access into the electronic system will be required to get copies of the manifest from the receiving facility. A paper copy will still be required per DOT requirements. California has not adopted regulations to implement the program yet so members are requested to continue sending paper copies as required.

E. Extended Producer Responsibility

- CA Product Stewardship Council Update-Heidi Sanborn Not in Attendance
- Carpet America Recovery Effort (CARE) Update- Lisa Mekis- Not in Attendance
- PaintCare Update - Nicole Dorr provided an update on events. Mariposa County just had an event with 200 participants and 300 gallons. Looking to schedule Spring and summer coordinated events and adding retail locations such as in Susanville. Events and programs are being developed for Placer, Tulare, Truckee, Nevada, and Calaveras Counties.
- Mattress Recycling Update- Liz Wagner Reported on events scheduled in the counties such as Siskiyou, Alpine, and Trinity Counties. but one is being discussed. Liz introduced MRCs newest staff member Tyler who will working with Inyo and Imperial counties. MRC will be working on a realignment of staff Glenn County will be having an event next week. Del Norte County has an event last week. Plumas County is the only one without events.

F. Grant Program Update- Larry Sweetser reported that OPP reports are due August 15th. We are working on TA 4 events for several counties. The status of the USDA grant is unknown which would provide training for members and a rural organics guide.

G. Highlights March, April, May and June CalRecycle Meetings Larry Sweetser reported A number of jurisdictions are being considered for compliance investigations. Local Government Waste Tire Enforcement Grant were awarded to Calaveras, El Dorado, Madera, Tehama, Tuolumne counties. CalRecycle is working on certification of reusable grocery bags. Jim McHargue was appointed to the Mattress Recycling Advisory Council and Rachel Ross was appointed to the Carpet Advisory Panel. Most counties were awarded their beverage container grants. Several counties received HHW grants Butte, Shasta, El Dorado Nevada, Amador, Calaveras and Lake counties.

H. Other Regulatory Announcements/Issues of Interest

- Home Advisor: A Kids Guide to Reducing, Reusing & Recycling Waste
- ISLR: A Home Composting Guide for Local Government
- CalRecycle Program News

- CalRecycle E-Waste Updates
- Cal EPA CUPA Newsletters

VIII. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled Thursday August 16, 2018

Mary will be looking for a volunteer for a presentation for the August meeting or topics

IX. Resolution of Appreciation – A resolution was presented to Terry Brennan for his efforts at assisting the ESJPA members.

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

XI. Adjournment- was called at 12:27 PM

Respectfully submitted,
Julie Lunn, Office Coordinator

Agenda Item IV

PRESENTATIONS

ORDINANCE NO. 2061

AN ORDINANCE CREATING CHAPTER 9.29 FO THE TEHAMA COUNTY CODE, RELATING TO THE REQUIREMENTS FOR THE COLLECTION AND DISPOSAL OF UNWANTED DRUGS AND SHARPS

The Board of Supervisors of the County of Tehama ordains as follows:

Chapter 9.29 is hereby added as follows: **Stewardship Program for Collection and Disposal of Unwanted Covered Drugs and Unwanted Sharps.**

- 9.29.010 Title.
- 9.29.015 Purpose.
- 9.29.020 Definitions.
- 9.29.030 Stewardship Plans – Participation.
- 9.29.040 Stewardship Plans – Components.
- 9.29.050 Stewardship Plans – Collection of Covered Drugs and Sharps.
- 9.29.060 Stewardship Plans – Disposal of Covered Drugs and Sharps.
- 9.29.070 Stewardship Plans – Administrative and Operational Costs.
- 9.29.080 Stewardship Plans – Reporting Requirements.
- 9.29.090 Stewardship Plans – Identification of Responsible Stewards of Covered Drugs and Sharps
- 9.29.100 Stewardship Plans – Review of Proposed Plans.
- 9.29.110 Stewardship Plans – Prior Approval for Change.
- 9.29.120 Stewardship Plans – Enforcement and Penalties.
- 9.29.130 Stewardship Plans – Regulations, Guidelines, and Reports.
- 9.29.140 Plan Review and Annual Operation Fees.
- 9.29.150 Information Required at Point of Sale.
- 9.29.160 Stewardship Plans – Promotion, Outreach and Education.
- 9.29.170 Undertaking for the General Welfare.
- 9.29.180 Compliance with Federal, State, and Local Laws.

9.29.190 Severability.**9.29.010 TITLE.**

This Chapter may be cited as the Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance.

9.29.015 PURPOSE.

The purpose of this Chapter is to establish a Pharmaceutical and Sharps Stewardship Program that: (1) allows for the safe, convenient and sustainable collection and disposal of unwanted Drugs and Sharps by County residents, and (2) protects, maintains, restores and/or enhances the environment and its natural resources. Said Stewardship Program shall be designed, operated and funded by the Pharmaceutical and Sharps industries with oversight by the County Health Services Agency.

This Chapter is intended to supplement the provisions of federal and state law by prescribing higher standards of sanitation, health and safety where not preempted by federal or state law. Whenever any technical words or phrases are not defined herein, but are defined under federal or state law, such definitions are incorporated into this Chapter and shall be deemed to apply as though set forth herein in full.

9.29.020 DEFINITIONS.

For the purposes of this Chapter, the following definitions shall apply:

"Collection Site" shall mean a location where one or more receptacles are provided pursuant to the Stewardship Plan for County residents to safely and securely deposit Unwanted Covered Drugs and/or Unwanted Sharps.

"Collector" shall mean a Person who hosts one or more receptacles for the collection of Unwanted Covered Drugs and/or Unwanted Sharps pursuant to this Chapter.

"Combined Target Reach Percent" shall mean the percentage of the Target Audience who are exposed to at least one outreach message across all media used.

"Contact Information" shall mean a business phone number, facsimile phone number, mailing address, and electronic mail address.

"Controlled Substances" for purposes of this Section shall mean any substance listed under the California Health and Safety Code Sections 11053 through 11058 or Title 21 of the United States Code Sections 812 and 813 or any successor legislation.

"County" shall mean the County of Tehama.

"Covered Drug" shall mean a Drug in any form, including a controlled substance, that is sold, offered for sale to, or otherwise distributed for use by, one or more consumers in the Service Area, including prescription, nonprescription, brand name, and generic. "Covered Drug" shall include controlled substances and, notwithstanding the previous sentence, shall not include: (1) vitamins or supplements; (2) herbal-based remedies and homeopathic drugs, products, or remedies; (3) cosmetics, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as both cosmetics and nonprescription drugs under the federal Food, Drug, and Cosmetic Act or any successor legislation; (4) Drugs for which Responsible Stewards provide a pharmaceutical product stewardship or take-back program as part of a federal Food and Drug Administration-managed risk evaluation and mitigation strategy (Title 21 U.S.C Sec. 355-1); and (5) Drugs that are biological products as defined by 21 C.F.R. 600.3(h) as it exists on the effective date of this Chapter if the Responsible Steward already provides a pharmaceutical product stewardship or take-back program.

"Department" shall mean the Tehama County Health Services Agency.

"Director" shall mean the Director of the Tehama County Health Services Agency or his or her designee.

"Drug" shall mean: (1) any article recognized in the official United States Pharmacopoeia – National Formulary, the official homeopathic pharmacopoeia of the United States or any supplement of the formulary or those pharmacopoeias as published by the U.S. Pharmacopoeia Convention and the Homeopathic Pharmacopoeia Convention of the United States; (2) any substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (3) any substances, other than food, intended to affect the structure or any function of the body of humans or other animals; or (4) any substance intended for use as a component of any substance specified in (1), (2), or (3) of this definition, but not a device or a component, part or accessory of a device.

"Enforcing officer" means the health officer or the sheriff, or the authorized deputies or designees of either, or any person employed by the County of Tehama and appointed to the position of code enforcement officer, as established by Tehama County Resolution 125-1991, each of whom is independently authorized to enforce this chapter.

"FDA" shall mean the United States Food and Drug Administration.

"Frequency" shall mean the number of times a member of the Target Audience has an opportunity to be exposed to an outreach activity within a specified time period.

"3+ Frequency" shall mean the amount of reach obtained among audiences exposed to three or more advertising messages.

"Hazardous Waste Disposal Facility" shall have the meaning set forth by the United States Environmental Protection Agency under Title 40 Code of Federal Regulations, Parts 264 and 265, or any successor legislation.

"Manufacture" shall mean the production, preparation, propagation, compounding or processing of a Drug or other substance or device, but shall not include the preparation, compounding, packaging, or labeling of such a Drug, substance or device by a practitioner incidental to the administration or dispensing of a Drug; substance or device in the course of his or her professional practice.

"Mail-Back Services" shall mean a collection method for Unwanted Covered Drugs and/or Unwanted Sharps from County residents utilizing Mailers for shipment to a Person that will dispose of them in accordance with the Stewardship Plan.

"Mailer" shall mean a prepaid, preaddressed, tamper-resistant envelope or container used for mailing Unwanted Covered Drugs and/or Unwanted Sharps. Any Mailer used for Unwanted Sharps must be FDA-compliant.

"Medium (plural, Media)" shall mean a communication vehicle that may or may not contain advertising, such as the internet, radio, magazines, mail, newspapers, out of home media, television, telephone directories, etc.

"Nonprescription Drug" shall mean a Drug that may be lawfully sold without a prescription.

"Outreach Program" shall mean a series of activities undertaken to meet the requirements of Section 9.29.160, including but not limited to commercials or advertisements, grass roots marketing, and community based social marketing.

"Participating City" shall mean an incorporated city within the County that adopts the requirements of this Chapter into its respective municipal code by resolution or ordinance.

"Person" shall mean a human being, firm, sole proprietorship, corporation, limited liability company, general partnership, limited partnership, limited liability partnership, association, cooperative, or another entity of any kind or nature.

"Pharmaceutical" shall have the same meaning as drug.

"Pharmacy" shall mean an area, place, or premises licensed by the state of California Board of Pharmacy in which the profession of pharmacy is practiced and where prescriptions are dispensed.

"Plan Operator" shall mean the entity designated by a Responsible Steward, group of Responsible Stewards, or Stewardship Organization to operate the Stewardship Plan.

"Potential Authorized Collector" shall mean any entity that is registered, or that may apply to register, with the U.S. Drug Enforcement Administration (DEA) for the collection of Drugs, such as a manufacturer, distributor, reverse distributor, narcotic treatment program, retail Pharmacy, or a hospital/clinic with an on-site Pharmacy.

"Proof of Performance" shall mean documentation verifying that outreach described within the approved Outreach Program did in fact fund. Examples of Proof of Performance include a photograph of a billboard, a copy of a published newspaper advertisement, reports of Internet usage, or other appropriate documentation.

"Rating" means the percentage of a given population group consuming a Medium at a particular moment. A Rating can apply to a specific demographic group or a specific geographic area. The accumulation of multiple ratings results in Target Rating Points, which in turn leads to calculations of Reach and Frequency.

"Reach" refers to the number or percentage of a population group exposed to the Outreach Program within a given period of time.

"Repackager" shall mean a Person who owns or operates an establishment that repacks and/or relabels a product or package for further sale or distribution.

"Responsible Steward" shall mean:

- (a) The Person who Manufactures or causes to be Manufactured a Covered Drug or Sharps; or
- (b) If the Person described in (a) is beyond the County's jurisdiction, the first Person who repackages or distributes the Covered Drug or Sharps in or into the County, including but not limited to a Wholesaler or Repackager; or
- (c) If the Persons described in (a) and (b) are beyond the County's jurisdiction, the first Person who sells or offers for sale the Covered Drug or Sharps in or into the County.

"Responsible Steward" shall not include (1) a retailer that puts its store label on a Drug or Sharp or (2) a pharmacist who dispenses Drugs or Sharps to, or compounds a prescribed individual product for, a consumer.

"Service Area" shall mean the unincorporated County and all Participating Cities.

"Sharp" shall mean a needle, safety engineered needle, lancet or other similar instrument that is designed to puncture the skin of individuals or animals for medical purposes and that is sold, offered for sale, or otherwise distributed for use by one or more consumers in the County and may include anything affixed to the instrument, such as a syringe.

"Stewardship Organization" shall mean an organization designated by a Responsible Steward or group of Responsible Stewards to act as its agent to develop and implement a Stewardship Plan.

"Stewardship Plan" or "Plan" shall mean a plan approved by the Director for the collection, transportation, and disposal of Unwanted Covered Drugs and/or Unwanted Sharps pursuant to this Chapter that is financed, developed, and implemented by a Responsible Steward operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization.

"Stewardship Program" or "Program" shall mean the County program described in this Chapter.

"Target Audience" shall mean persons who live in the Service Area.

"Target Rating Points" shall mean the sum of all Ratings delivered by any given Medium or list of Media vehicles.

"Unincorporated Community" shall mean a community located within the unincorporated area of the County, as identified as a census designated place.

"Unwanted Covered Drug" shall mean any Covered Drug that the consumer wishes to discard. This shall exclude Covered Drugs disposed of by commercial and institutional sources, including, but not limited to, hospitals, clinics, and Pharmacies.

"Unwanted Sharps" shall mean any Sharp or Sharps that the consumer wishes to discard. This shall exclude Sharps disposed of by commercial and institutional sources including, but not limited to, hospitals, clinics, and Pharmacies.

"Wholesaler" shall mean a Person who purchases Covered Drugs and/or Sharps for resale and distribution to Persons other than consumers.

9.29.030 STEWARDSHIP PLANS - PARTICIPATION.

(a) Each Responsible Steward shall participate in such a Stewardship Plan approved by the Director either by:

(1) Operating, individually or jointly with other Responsible Stewards; or

- (2) Entering into an agreement with a Stewardship Organization to operate, on the Responsible Steward's behalf. A stewardship organization shall be formed as a California nonprofit public benefit corporation and hold an unrevoked determination letter from the Internal Revenue Service ("IRS") that it is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the "IRC") and is further classified as a public charity under the IRC Section 509(a). An organization that has not yet obtained a determination letter from the IRS may begin operations so long as it can demonstrate that it has applied to the IRS for the required tax-exempt status. If an organization's status as a 501(c)(3) public charity is revoked by the IRS for any reason or it fails to obtain the required determination from the IRS within one year of incorporation, such organization shall not meet the requirements to continue to operate as a stewardship organization, effective as of the IRS revocation date or the first anniversary date of its incorporation, as applicable.
- (b) Each Responsible Steward must notify the Director in writing of the Responsible Steward's Intent to operate or participate in a Stewardship Plan for the collection, transportation, and disposal of the Covered Drug or Sharps, respectively, within 30 days of the effective date of this Chapter or 30 days after the Covered Drug or Sharps are first sold into or offered for sale in the County, whichever is later.
- (c) Each Stewardship Plan must be approved by the Director before any collection of Unwanted Covered Drugs and/or Unwanted Sharps may commence thereunder. Proposed changes to an approved Plan shall be subject to the requirements set forth in Section 9.29.110.
- (d) Each Responsible Steward operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization shall:
- (1) Within 30 days of the effective date of this Chapter or 30 days after the Covered Drug or Sharps are first sold or offered for sale in or into the County, whichever is later, identify to the Director in writing an individual authorized to be the official point of contact for the Stewardship Plan and the individuals' Contact Information. Said Contact Information shall be kept current at all times. Director shall be notified of any change in such Contact Information within ten (10) businesses days.
 - (2) Within 45 days of the effective date of this Chapter or 45 days after the Covered Drug or Sharps are first sold or offered for sale in the County, whichever is later, and annually thereafter, notify the following Persons of the opportunity to participate in the Stewardship Plan by serving as collectors, and provide the Director with copies of all such notifications:

- i. All retail Pharmacies, hospitals/clinics with on-site Pharmacies, and other Potential Authorized Collectors;
 - ii. Persons other than Potential Authorized Collectors, such as retail establishments, that could potentially host Collection Sites for Sharps;
 - iii. All law enforcement agencies in the County; and
 - iv. All pre-existing Sharps disposal locations.
- (3) Within 90 days of the effective date of this Chapter or 90 days after the Covered Drug or Sharps are first sold or offered for sale in or into the County, whichever is later, submit a proposed Stewardship Plan as described in Section 9.29.040 to the Director for review;
- (4) Within 90 days of the Director's approval of the Stewardship Plan, the Stewardship Plan shall be implemented in accordance with this Chapter;
- (e) A Responsible Steward, operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization, may enter into agreements with other Stewardship Organizations, service providers, or other Persons as needed to carry out its Stewardship Plan in whole or in part.
- (f) Should the Responsible Steward undergo any change in ownership or control, it must notify the Director within 30 days of such change, and should ownership or control be transferred to a company not conducting business in the County, the Responsible Steward shall provide the name and Contact Information of the first Person who causes the Covered Drug or Sharps to be brought in or into the County for repackaging, distribution, or sale.
- (g) Each Responsible Steward, operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization, shall commence within thirty (30) calendar days good faith negotiations with any Responsible Steward expressing an interest to participate in its Stewardship Plan. For every Responsible Steward not accepted as a participant in the Plan, the Responsible Steward, group of Responsible Stewards, or Stewardship Organization rejecting the Responsible Steward expressing an interest to participate shall notify the Director in writing within thirty (30) calendar days of the rejection and set forth reasons for such decision.
- (h) Any Person who is not a Responsible Steward, such as a Person providing Covered Drugs or Sharps free of charge, may choose to participate in the Program. Such Person may operate individually, jointly with a Responsible Steward or group of Responsible Stewards, or through a Stewardship Organization. Any Responsible Steward, group of Responsible Stewards, or Stewardship Organization approached by such Person for potential collaboration must in good faith consider allowing such Person to participate in its Stewardship Plan. Should such Person participate in the Program, such Person shall be subject to the same requirements under this Chapter as any

Responsible Steward, group of Responsible Stewards, or Stewardship Organization. If such Person no longer wishes to participate in the Program, such person shall notify the Director of the same within thirty (30) calendar days and set forth the reasons for such decision.

- (i) After the first full year of implementation of a Stewardship Plan, a Responsible Steward may notify the Director in writing of its intent to submit a new Stewardship Plan. Within three months of such notification, the Responsible Steward, operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization, shall submit a proposed Stewardship Plan as described under Section 9.29.040 to the Director for Review. The new Stewardship Plan shall be accompanied by the plan review fee in accordance with Section 9.29.100. Until such time that a new Stewardship Plan is approved by the Director, the most recently approved plan shall remain in effect.
- (j) Should a Responsible Steward, operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization, become aware of any Covered Drug or Sharps being sold or offered for sale in or into the County whose Responsible Steward is neither operating nor participating in a Stewardship Plan, the Responsible Steward becoming aware of this shall notify the Director of same and the basis for such belief within thirty (30) calendar days.
- (k) The Director may, on a case-by-case basis, approve in writing requests for time extensions related to submission dates and deadlines in this Section 9.29.030.
- (l) The Director may audit the records of a Responsible Steward, group of Responsible Stewards, or Stewardship Organization related to a Stewardship Plan or request that the Responsible Steward, group of Responsible Stewards, or Stewardship Organization arrange for the Director to inspect at reasonable times the facilities, vehicles, and equipment used in carrying out the Stewardship Plan.

9.29.040 STEWARDSHIP PLANS - COMPONENTS.

Each Stewardship Plan, which must be submitted and reviewed according to Section 9.29.110, shall include:

- (a) The name of each Responsible Steward participating in the Stewardship Plan; the name of each Covered Drug and Type of Sharp the Responsible Steward either Manufactures or purchases for repackaging, distribution, sale or offer for sale; and the name and Contact Information of an individual authorized to be the official point of contact for each Responsible Steward and to whom the Director may direct all inquiries regarding the Responsible Steward's compliance with the requirements of this Chapter;

- (b) A description of the proposed collection system designed to provide safe, convenient, and ongoing collection services for Unwanted Covered Drugs and Unwanted Sharps from County residents within the Service Area in compliance with the requirements set forth in Section 9.29.050. The description shall include but not be limited to a list of all collection methods and participating Collectors; a list of addresses for the Collection Sites; a description of how many periodic collection events will be scheduled and where they will be located; and a description of how many Mail-Back Services will be provided to County residents in the Service Area, including a physical sample of the Mailers to be used. The description of the collection services shall include a list of Potential Authorized Collectors, law enforcement agencies, and other Persons contacted by the Responsible Steward pursuant to Section 9.29.030, and a list of all who expressed an interest in serving as Collectors in the Stewardship Plan;
- (c) A description of the proposed handling and disposal system, including the name and Contact Information for each Collector, each Person retained to transport the collected items, each Hazardous Waste Disposal Facility to be used by the Stewardship Plan in accordance with Sections 9.29.050 and 9.29.060, and any other Person retained to implement any portion of the Stewardship Plan;
- (d) A description of the policies and procedures to be followed by Persons handling Unwanted Covered Drugs and Unwanted Sharps collected under the Stewardship Plan, including a description of how each Collector, each Person retained to transport the collected items, Hazardous Waste Disposal Facilities, and any other Person retained to implement any portion of the Plan will ensure that the collected items are safely and securely tracked from collection through final disposal, and how the Responsible Stewards participating in the Stewardship Plan will ensure that all Persons participating in, operating, and otherwise implementing the Stewardship Plan will comply with all applicable federal, state, and local laws and regulations, including but not limited to those of the United States Drug Enforcement Administration and the State of California Board of Pharmacy;
- (e) A certification that any patient information appearing on Drug and Sharp packaging will be kept secure and promptly destroyed;
- (f) A description of the public education and promotion strategy required in Section 9.29.160, including but not limited to a copy of instructions, signage, and promotional materials for residents, as well as instructions and signage, as may be needed, for Collectors, Persons retained to transport collected items, Hazardous Waste Disposal Facilities, and all other Persons implementing any portion of the Plan;
- (g) Proposed short-term and long-term plans for frequency of collection from Collection Sites, public education, and promotion of the Plan; and
- (h) A description of how the Stewardship Plan will consider: (1) use of existing providers of waste pharmaceutical services; (2) separating Covered Drugs and Sharps from packaging to the extent possible to reduce transportation and disposal costs; and (3) recycling of Drug and Sharp packaging to the extent feasible.

9.29.050 STEWARDSHIP PLANS – COLLECTION OF COVERED DRUGS AND SHARPS.

- (a) This Chapter does not require any Person to serve as a Collector in a Stewardship Plan. A Person may offer to serve as a Collector with or without compensation by a Responsible Steward, group of Responsible Stewards, or Stewardship Organization. Responsible Stewards are encouraged to host Collection Sites where feasible.
- (b) The collection system for each Stewardship Plan shall:
- a. Provide ongoing, reasonably convenient and equitable access for all County residents in the Service Area regardless of the racial, cultural, or socioeconomic composition of the neighborhoods within which the Collection Sites are located. At a minimum, the following requirements shall be met:
 - i. Population Density: In each Unincorporated Community and in each Participating City with at least one Potential Authorized Collector, each Stewardship Plan shall provide at least one Collection Site for Unwanted Covered Drugs, at least one Collection Site for Unwanted Sharps, and for every 30,000 County residents at least one additional Collection Site for Unwanted Covered Drugs and at least one additional Collection Site for Unwanted Sharps.
 - ii. Travel Distance: Collection Sites shall be geographically distributed so as to ensure that every resident within the Service Area is within 10 miles of a Collection Site for Unwanted Covered Drugs and a Collection Site for Unwanted Sharps to the greatest extent feasible; and
 - iii. Sites per Supervisorial District: In no event shall there be fewer than 1 Collection Sites for Unwanted Covered Drugs or fewer than 1 Collection Sites for Unwanted Sharps in each County Supervisorial District;
 - b. In areas where the minimum requirements set forth in subsection (b) a. are not met, the Stewardship Plan shall set forth the reasons for such failure and provide for temporary collection events that are at least six hours in length and held once per quarter of each calendar year in those areas;
 - c. The collection system shall provide a free mail-back service that allows for convenient and equitable access by all county residents in all the Unincorporated Communities and in each Participating City. In no event shall a Mailer be distributed more than three (3) businesses days

- following the receipt of a request for a Mailer by any county resident in the Unincorporated Community or a Participating City;
- d. The collection system shall make available free mail-back services to all Unincorporated Community residents and residents in each Participating City who are disabled or homebound, in a manner that allows for convenient and equitable access to those services by these persons;
 - e. Be safe and secure, including requiring the prompt destruction of patient information on any and all packaging;
 - f. Include a mechanism whereby Responsible Stewards of Sharps participating in the Plan provide for distribution of FDA-compliant Sharps containers designed for the safe handling of Sharps to the consumer free of charge, preferably at the point of sale of the injectable Drug or at the time the consumer otherwise receives the Sharps for usage;
 - g. Provide FDA-compliant Sharps collection receptacles to any hosts of Collection Sites for Sharps;
 - h. Commence good faith negotiations with any Person expressing an interest to serve as a Collector within 30 calendar days of the Person's expression of such interest. For every Person not accepted as a Collector, the Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall submit a written explanation to the Director within 30 calendar days of the rejection setting forth the reasons for such decision; and
 - i. Provide Mailers and Mail-Back Services, free of charge, to residents in the Service Area upon request through the Stewardship Plan's 24-hour, toll-free phone number and website. Assistance through the toll-free phone number and website shall be in English, Spanish, and other languages as determined by the Department.
- (c) Collection Sites for Unwanted Covered Drugs shall accept all Covered Drugs and Collection Sites for Unwanted Sharps shall accept all Sharps. All Collection Sites shall be accessible by County residents at least during the hours that the Collector is normally open for business to the public. Collection Sites shall be emptied and otherwise serviced as often as necessary to avoid creating hazardous conditions, including reaching capacity. Collection Sites shall utilize secure collection receptacles in compliance with all applicable federal, state, and local laws, including but not limited to requirements of the DEA and the State of California Board of Pharmacy.
- (d) Each Responsible Steward, operating individually, jointly with other Responsible Stewards, or through a Stewardship Organization, shall ensure that all Collection Sites prominently display a 24-hour, toll-free phone number and website for the Stewardship Plan. Said toll-free phone number and

website shall be a means by which any Person can provide feedback on collection activities, including but not limited to the need to empty the receptacles more frequently or reporting a hazardous condition observed at or near the Collection Sites. Each Stewardship Plan shall provide for the immediate abatement of any hazardous condition arising from or related to operations performed under the Stewardship Plan and shall notify the Director within 24 hours of notice of same.

9.29.060 STEWARDSHIP PLANS – DISPOSAL OF COVERED DRUGS AND SHARPS.

- (a) Covered Drugs collected under a Stewardship Plan must be disposed of at a permitted Hazardous Waste Disposal Facility.
- (b) Sharps collected under a Stewardship Plan must be disposed of in accordance with California Health and Safety Code Division 104 Part 14 Chapter 7.
- (c) The Director may grant approval for a Stewardship Plan to dispose of some or all collected Covered Drugs at a permitted large municipal waste combustor, as defined by the United States Environmental Protection Agency under Title 40 Code of Federal Regulations, Parts 60 and 62, or any successor legislation if the Director deems the use of a Hazardous Waste Disposal Facility described under subsection (a) to be infeasible for the Stewardship Plan based on cost, logistics, or other considerations.
- (d) The Director may require a Stewardship Plan to use final disposal technologies that provide superior environmental and human health protection than provided by the disposal technologies in subsections (a) through (c), or equivalent protection at lesser cost. The proposed technology must provide equivalent or superior protection in each of the following areas: (1) monitoring of any emissions or waste; (2) worker health and safety; (3) reduction or elimination of air, water or land emissions contributing to persistent, bioaccumulative, and toxic pollution; and (4) overall impact on the environment and human health.

9.29.070 STEWARDSHIP PLANS – ADMINISTRATIVE AND OPERATIONAL COSTS.

- (a) Each Responsible Steward, group of Responsible Stewards, or Stewardship Organization participating in a Stewardship Plan shall prepare and implement its Stewardship Plan as required by this ordinance at its own cost and expense.
- (b) No Responsible Steward, group of Responsible Stewards, Stewardship Organization, or any other Person may charge a point-of-sale fee to

consumers to recoup the costs of any Stewardship Plan, nor may they charge a specific point-of-sale collection fee at the time that Covered Drugs and/or Sharps are collected.

- (c) Responsible Stewards are not required to pay for costs of staff time at Collection Sites provided by Collectors volunteering to participate in a Stewardship Plan.

9.29.080 STEWARDSHIP PLANS – REPORTING REQUIREMENTS.

- (a) By April 1st each year, each Responsible Steward, group of Responsible Stewards, and Stewardship Organization shall submit a report to the Director on behalf of participating Responsible Stewards describing their plan's activities during the previous calendar year. The report must include:
- a. A list of Responsible Stewards participating in the Stewardship Plan;
 - b. The amount, by weight, of Covered Drugs and the amount, by weight, of Sharps collected, including the amount by weight from each collection method used per location, and by mailer per zip code;
 - c. A list of Collection Sites;
 - d. The number of Mailers provided to County residents, and the method and location of distribution;
 - e. The number of Sharps containers provided to County residents, and the method and location of distribution;
 - f. The dates and locations of collection events held;
 - g. The transporters used and the disposal facility or facilities used for all Covered Drugs and Sharps;
 - h. Whether any safety or security problems occurred during collection, transportation or disposal of Unwanted Covered Drugs and Unwanted Sharps during the reporting period and, if so, what changes have or will be made to policies, procedures or tracking mechanisms to alleviate the problem and to improve safety and security in the future;
 - i. A description of the public education, outreach and evaluation activities implemented during the reporting period;
 - j. A description of how collected packaging was recycled to the extent feasible, including the recycling facility or facilities used, and the amount of packaging collected by weight and percent recycled;
 - k. A summary of the Stewardship Plan's goals, the degree of success in meeting those goals in the past year, and, if any goals have not been met, what effort will be made to achieve the goals in the next year;
 - l. The total expenditures of the Stewardship Plan during the reporting period; and
 - m. An Executive Summary.
- (b) Each Responsible Steward, group of Responsible Stewards, and Stewardship Organization shall provide on a quarterly basis, a list of Responsible

Stewards participating in the Stewardship Plan. Any change in the official point of contact for the Plan must be provided to the Department within 30 days of the change.

- (c) The Director shall make reports submitted under this Chapter available to the public.
- (d) For the purposes of this Section 9.29.080, "reporting period" means the period from January 1 through December 31 of the same calendar year, unless otherwise specified by the Responsible Steward, group of Responsible Stewards, and Stewardship Organization to the Director.

9.29.090 STEWARDSHIP PLANS – IDENTIFICATION OF RESPONSIBLE STEWARDS OF COVERED DRUGS AND SHARPS.

Any Person receiving a letter of inquiry from the Director regarding whether or not it is a Responsible Steward under this Chapter must respond in writing within 60 days. If such Person does not believe it is a Responsible Steward under this Chapter, it must state the basis for such belief. It must also provide a list of all Covered Drugs and Sharps it repackages, distributes, sells, or offers for sale within the County, if any, and identify the name and Contact Information of the Person(s) from whom it acquired said Covered Drugs or Sharps.

9.29.100 STEWARDSHIP PLANS – REVIEW OF PROPOSED PLANS.

- (a) By 90 days after the effective date of this Chapter, each Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall submit its proposed Stewardship Plan to the Director for review, accompanied by the plan review fee in accordance with Section 9.29.140 of this Chapter. The Director may upon request provide information, suggestions, and technical assistance about the requirements of this Chapter to assist with the development of a proposed Stewardship Plan.
- (b) The Director shall review the proposed Stewardship Plan and determine whether it meets the requirements of this Chapter.
- (c) After the review under subsection (b) and within 90 days after receipt of the proposed Stewardship Plan, the Director shall either approve or reject the proposed Stewardship Plan in writing and, if rejected, provide reasons for the rejection.
- (d) If the Director rejects a proposed Stewardship Plan, a Responsible Steward, group of Responsible Stewards, or Stewardship Organization must submit a revised Stewardship Plan, accompanied by the plan review fee in accordance with Section 9.29.140 of this Chapter, to the Director within 30 days after receiving written notice of the rejection. The Director shall review and approve

or reject a revised Stewardship Plan as provided under subsections (b) and (c).

- (e) If the Director rejects a revised Stewardship Plan, or any subsequently revised plan, the Director may deem the Responsible Steward, group of Responsible Stewards, or Stewardship Organization out of compliance with this Chapter and subject to the enforcement provisions in this Chapter.
- (f) The Department, at the sole discretion of the Director, may establish a technical advisory committee to assist the Department in reviewing Stewardship Plans or otherwise assisting in the implementation of this ordinance.
- (g) The Director shall make all proposed and approved Stewardship Plans submitted under this Chapter available to the public for review and comment.

9.29.110 STEWARDSHIP PLANS – PRIOR APPROVAL FOR CHANGE.

- (a) Proposed changes to an approved Stewardship Plan that substantively alter plan operations, including, but not limited to, changes to participating Responsible Stewards, Collectors, collection methods, Hazardous Waste Disposal Facilities, how to achieve the service convenience goal, policies and procedures for handling Unwanted Covered Drugs and Unwanted Sharps, or education and promotion methods, must be approved in writing by the Director before the changes are implemented.
- (b) A Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall submit to the Director any proposed change to a Stewardship Plan in writing at least 30 days before the proposed changes are scheduled to take effect. All changes must be approved in writing by the Director before the changes are implemented. Any such submittal shall be accompanied by the review fee in accordance with Section 9.29.140 of this Chapter.
- (c) A Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall notify the Director at least 15 days before implementing any changes to Collection Site locations, methods for scheduling and locating periodic collection events, or methods for distributing Mailers, that do not substantively alter achievement of the service convenience goal under Section 9.29.050 of this Chapter, or other changes that do not substantively alter plan operations under subsection (a).
- (d) A Responsible Steward, group of Responsible Stewards, or Stewardship Organization may request an advance determination from the Director whether a proposed change would be deemed to substantively alter plan operations.

9.29.120 STEWARDSHIP PLANS – ENFORCEMENT AND PENALTIES.

- (a) The Director shall refer any violations to the Enforcing Officer to administer the penalty provisions of this Chapter.
- (b) If the Enforcing Officer determines that any Person has violated any provision of this Chapter or a regulation adopted pursuant to this Chapter, the Enforcing Officer shall send a written warning, as well as a copy of this Chapter and any regulations adopted pursuant to this Chapter, to the Person or Persons who violated it. The Person or Persons shall have 45 days after the date of mailing of the warning to come into compliance and correct all violations.
- (c) If the Person or Persons fail to come into compliance or correct all violations, the Enforcing Officer may impose administrative fines for violations of this Chapter or of any regulation adopted pursuant to this Chapter, pursuant to Chapter 10.14 of the Tehama County Ordinance Code, as amended, as amended, which is hereby incorporated in its entirety and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this Chapter or any rule or regulation adopted pursuant to this Chapter. Each day shall constitute a separate violation for these purposes.
- (d) County Counsel, the District Attorney, and any applicable City Attorney may bring a civil action to enjoin violations of or compel compliance with any requirement of this Chapter or any rule or regulation adopted pursuant to this Chapter, as well as for payment of civil penalties and any other appropriate remedy. The court shall award reasonable attorney's fees and costs to County Counsel, the District Attorney, and any applicable City Attorney.
- (e) Any Person who knowingly and willfully violates the requirements of this Chapter or any rule or regulation adopted pursuant to this Chapter is guilty of a misdemeanor and upon conviction thereof is punishable by a fine of not less than fifty dollars (\$50) and not more than one thousand (\$1,000) for each day per violation, or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.
- (f) Any Person in violation of this Chapter or any rule or regulation adopted pursuant to this Chapter shall be liable to the County for a civil penalty in an amount not to exceed one thousand dollars (\$1,000) per day per violation. Each day in which the violation continues shall constitute a separate violation. Civil penalties shall not be assessed pursuant to this subsection (f) for the same violations for which the Director assessed an administrative penalty pursuant to subsection (c).
- (g) In determining the appropriate penalties, the court or the Director shall consider the extent of harm caused by the violation, the nature and

persistence of the violation, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.

- (h) The Director may exercise reasonable discretion to waive strict compliance with the requirements of this Chapter that apply to Responsible Stewards in order to achieve the objectives of this Chapter.

9.29.130 STEWARDSHIP PLANS – REGULATIONS, GUIDELINES, AND REPORTS.

- (a) The Director may adopt regulations and guidelines necessary to implement, administer, and enforce this Chapter.
- (b) The Director may work with each Responsible Steward, group of Responsible Stewards, and Stewardship Organization as needed, but no less than annually, to define goals and performance, including but not limited to collection amounts, education, and promotion for a Stewardship Plan.
- (c) The Director shall report biennially to the Board of Supervisors concerning the status of all Stewardship Plans and recommendations for changes to this Chapter. The biennial report may also include a summary of available data on indicators and trends of abuse, poisonings and overdoses from prescription and nonprescription drugs and a review of comprehensive prevention strategies to reduce risks of drug abuse, overdoses, and preventable poisonings. The first report shall be due two years from the effective date of this Chapter.

9.29.140 PLAN REVIEW AND ANNUAL OPERATION FEES.

- (a) Each Responsible Steward, group of Responsible Stewards, and Stewardship Organization participating in a Stewardship Plan shall pay to the Director plan review fees to be established under subsection (d) for the performance of certain functions as applicable, including but not limited to:
- a. Review of a proposed Stewardship Plan;
 - b. Review of a revised, proposed Stewardship Plan;
 - c. Review of changes to an approved Stewardship Plan;
 - d. Review of an updated Stewardship Plan at least every three years as required under Section 9.29.030 of this Chapter;
 - e. Review of any petition for approval to use alternative final disposal technologies under Section 9.29.060; and
 - f. Environmental review of a Stewardship Plan.
- (b) In addition to plan review fees, each Responsible Steward, group of Responsible Stewards, and Stewardship Organization shall pay to the

Director annual operating fees to be established under subsection (d) of this Section 9.29.140.

- (c) A Stewardship Organization may remit the plan review fee on behalf of its participating Responsible Stewards.
- (d) As soon as practicable, the Director shall propose to the Board of Supervisors a schedule of fees charged to each Responsible Steward, group of Responsible Stewards, and Stewardship Organization to cover costs of administering and enforcing this Chapter. The Director shall set the fees to recover but not exceed actual and reasonable costs to the County. The Board of Supervisors must approve the schedule of fees after a public hearing for it to become effective.

9.29.150 INFORMATION REQUIRED AT POINT OF SALE.

- (a) Each Responsible Steward, group of Stewards, or Stewardship Organization shall request that any Person selling or offering for sale Covered Drugs or Sharps to the public post display materials approved by the Director explaining how and where members of the public may safely and lawfully dispose of Unwanted Covered Drugs and Unwanted Sharps at no cost to the consumer. The materials shall be in English, Spanish, and other languages as determined by the Department and shall be legible and easily understandable by the average person. The materials shall be posted on the premises of the Person's place of business in a location visible to the public, if applicable, and adjacent to the area where prescription drugs are dispensed. Each Responsible Steward, group of Stewards, or Stewardship Organization shall request mail-order Pharmacies and on-line Pharmacies selling Covered Drugs or Sharps to County residents provide such materials with the order. If any Person selling or offering for sale Covered Drugs or Sharps to the public declines to post the display materials, or if mail-order Pharmacies and on-line Pharmacies decline to include such materials with the order, the Responsible Steward, group of Stewards, or Stewardship Organization shall report to the Director an explanation of why such request was declined by the Person and submit a subsequent request to the Person semiannually.
- (b) The Director may, in his or her discretion, authorize a Responsible Steward, group of Stewards, or Stewardship Organization to use alternate means to comply with the requirements of subsection (a). No Responsible Steward, group of Stewards, or Stewardship Organization may sell or offer for sale Covered Drugs or Sharps to the public using any alternate means of compliance with this Chapter unless specifically authorized to do so in advance in writing by the Director.

9.29.160 STEWARDSHIP PLANS – PROMOTION, OUTREACH AND EDUCATION.

- (a) Each Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall develop a system of promotion, outreach, and public education to be included in the Stewardship Plan as the Outreach Program. Specifically, each Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall:
- a. Promote the collection options offered under its Stewardship Plan to residents and the health care community. Promotion shall include outreach and educational materials designed to achieve the following goals:
 - i. Promote the safe storage of Drugs and Sharps by residents during the treatment period;
 - ii. Describing where to return Unwanted Covered Drugs and Unwanted Sharps under the Stewardship Plan;
 - iii. Convey disposal instructions only for the types of collection and disposal options offered through the approved Stewardship Plan;
 - iv. Expressly encourage disposal through the approved Stewardship Plan as an environmentally friendly method of disposal; and
 - v. Identify all locations and collection events in the Service Area which are authorized by the DEA and at which Unwanted Covered Drugs Unwanted Sharps can be disposed, whether operated by a Responsible Steward, group of Responsible Stewards, or Stewardship Organization or not.
 - b. These materials must be provided to Pharmacies, retailers of Covered Drugs and Sharps, health care practitioners, health care facilities, veterinary facilities, and other prescribers for their own education as well as for dissemination to residents, and use plain language and explanatory images so as to be readily understandable by all residents, including individuals with limited English proficiency, which may include but shall not be limited to, printing on prescription bags;
 - c. Work with Collectors participating in Stewardship Plans to develop clear, standardized instructions, signage and promotional materials for residents on the use of collection receptacles and a readily-recognizable, consistent design of collection receptacles;
 - d. Outreach Program activities shall, when considered together, achieve a combined Target Audience Reach percent of 75% at 3+ Frequency for the duration of one month, at least three times per year over the first 12 months of Plan operation and a combined target reach percent

- of 50% at a 2+ Frequency for the duration of one month, at least three times per year for the following years.
- e. For every fifth year of program operation, Outreach Program activities shall achieve a combined Target Audience Reach of 75% at 3+ Frequency for the duration of one month, at least three times per year for that year.
 - f. Establish a 24-hour, toll-free phone number and single website where information can be obtained regarding collection options and current locations of Collection Sites;
 - g. Within six months of the effective date of this Chapter and biennially thereafter, conduct a statistically meaningful survey of residents, pharmacists, veterinarians, retailers, and health professionals who interact with patients on the use of Drugs and Sharps after the first full year of operation of the plans. Survey questions shall include but not be limited to questions designed to: (1) assess the awareness of the County's Stewardship Program, the Stewardship Plans in operation, and the location of all available Collection Sites; (2) assess to what extent Collection Sites and other collection methods are safe, convenient, easy to use, and utilized by residents; and (3) assess knowledge and attitudes about risks of abuse, poisonings and overdoses from prescription and nonprescription Drugs used in the home. Draft survey questions shall be submitted to the Director for review and comment at least 30 days prior to initiation of the survey. Results of the survey shall be reported to the Director and made available to the public on the website required in this Section 9.29.060 within 90 days following the end of the survey period. Each Responsible Steward, group of Responsible Stewards, and Stewardship Organization shall ensure the privacy of all survey respondents.
- (b) All surveys, outreach, education, promotion, websites, and toll-free phone numbers required by this Section 9.29.160 shall be in English, Spanish, and other threshold languages as determined by the Department. If more than one Stewardship Plan is approved, then to the extent feasible, all Stewardship Plans shall coordinate with each other and develop a single system of promotion and education, with a single toll-free hotline and website and consistent signage and materials across the County. In the event that agreement cannot be achieved, the Director shall develop a final Outreach Program design and single system of promotion which meets the requirements. All costs of developing and implementing the single system of promotion shall be divided among all Stewardship Plan operators.
- (c) Each Responsible Steward, group of Responsible Stewards, or Stewardship Organization shall include the following information on Outreach Program

activities in an the Annual Report, as required in 9.29.060 STEWARDSHIP PLANS – REPORTING REQUIREMENTS:

- a. A discussion of whether and how the Outreach Program activities undertaken during the reporting year achieved the Reach and Frequency requirements;
 - b. The identity of all Media used to promote the Plan in the reporting year;
 - c. Target Rating Points by Medium as a demonstration that the Outreach Program activities undertaken during the reporting period were sufficient to meet the combined Target Reach Percent and Frequency requirements;
 - d. Proof of Performance for each Medium utilized in the Outreach Plan activities undertaken during the reporting year; and
 - e. A discussion of Outreach Program effectiveness and a description of additional future Outreach Plan activities required, if any, as described below.
- (d) Outreach Program effectiveness shall be measured by Target Audience awareness of the Plan as demonstrated by way of the biennial survey. If the results of any biennial survey show that less than 50% of the Target Audience are aware of the Plan, future Outreach Program activities must be undertaken to increase Reach, Frequency, and duration until awareness of at least 50% is achieved, as demonstrated in subsequent biennial residential surveys.

9.29.170 UNDERTAKING FOR THE GENERAL WELFARE.

In adopting and implementing this Chapter, the County is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any Person who claims that such breach proximately caused injury.

9.29.180 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS.

Each Responsible Steward, group of Responsible Stewards, and Stewardship Organization operating under this Chapter must comply with all applicable federal, state, and local laws and regulations.

Each Responsible Steward, group of Responsible Stewards, and Stewardship Organization operating under this Chapter shall also ensure that each Collector, each Person retained to transport the collected items, and any other Person implementing any portion of the Stewardship Plan complies with all applicable federal, state and local laws and regulations.

This Chapter shall be construed so as not to conflict with applicable federal or State laws, rules or regulations. Nothing in this Chapter shall authorize any agency or department to impose any duties or obligations in conflict with limitations on municipal authority established by State or federal law at the time such agency or department action is taken. The County shall suspend enforcement of this Chapter to the extent that said enforcement would conflict with any preemptive State or federal legislation subsequently adopted. Nothing in this Chapter is intended or shall be construed to protect anticompetitive or collusive conduct, or to modify, impair, or supersede the operation of any of the antitrust or unfair competition laws of the State of California or the United States.

9.29.190 SEVERABILITY.

If any of the provisions of this Chapter or the application thereof to any Person or circumstance is held invalid, the remainder of those provisions, including the application of such part or provisions to persons or circumstances other than those to which it is held invalid shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this Chapter are severable.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the 3rd day of July, 2018 by the following vote:

AYES: Supervisors Garton, Chamblin, Carlson and Bundy
NOES: Supervisor Williams
ABSENT OR NOT VOTING: None



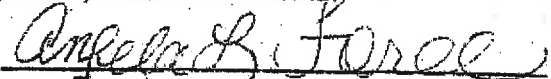
CHAIR, Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 3rd day of July, 2018.

DATED: This 3rd day of July, 2018.

JENNIFER A. VISE, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California

By: 
Deputy



Agenda Item VII

SOLID WASTE REGULATORY UPDATES



GUIDE TO THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE RESIDENTIAL

*CAL*Green.



framing for controlling rodent intrusion, which differs from California Energy Code provisions intended to prevent air leakage.

Examples of Acceptable Methods of Implementation and/or Compliance:

Openings should be sealed or closed with materials that cannot be damaged or penetrated by rodents:

- *Cement mortar.*
- *Concrete masonry.*
- *Lightweight concrete/cellular concrete.*
- *Similar methods withstanding rodent penetration and approved by the enforcing agency.*

Background:

The California Energy Code requires joints and other openings in the building envelope, which are potential sources of air leakage, to be sealed to limit infiltration and exfiltration. CALGreen specifically addresses protection of structures from rodent entry at the sole (bottom) plates of exterior walls. Keeping pests out of dwellings can help control the spread of disease; and prevent damage to buildings.

Rodents can cause significant damage to a building's structure or operating systems by gnawing on wood, plastic, copper, electrical conduits or other components. They may also damage stored items or personal property. Rats can burrow under building slabs undermining a foundation. A rodent also may nest in insulation and contribute to salmonellosis (food poisoning) and carry other diseases.

Therefore, penetrations, voids, joints and openings in structures need to be sealed to prevent passage of rodents. Openings include, but are not limited to, cuts, holes, and notches in sole/bottom plates, exterior wall openings around plumbing pipes, flues, exhaust vents, and HVAC conduits. Openings as small as 1/4 inch can be used by a rodent to enter a wall, crawl space or attic. In addition, doors, windows, or screens should fit tightly. Other openings such as chimneys and vents should be rodent proofed without compromising their function. Dense vegetation, especially around roofs, walls and foundations, should be avoided to decrease rodent habitat and access into or onto buildings.

Section 4.408 – Construction Waste Reduction, Disposal and Recycling

The regulatory text for this section has been amended for the 2016 code.

4.408.1 Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with either Section 4.408.2, 4.408.3

or 4.408.4, or meet a more stringent local construction and demolition waste management ordinance.

Exceptions:

1. Excavated soil and land-clearing debris.
2. Alternate waste reduction methods developed by working with local agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the jobsite.
3. The enforcing agency may make exceptions to the requirements of this section when isolated jobsites are located in areas beyond the haul boundaries of the diversion facility.

COMMENTARY

Purpose:

Construction waste diverted from landfills will help reduce landfill production of methane gas, a direct greenhouse gas. In addition, reusing and recycling materials typically results in less energy use than producing materials from virgin materials; conservation of the original resources and reduces the burden on landfills.

Background:

Where a local jurisdiction has not adopted a waste reduction requirement, the mandatory 65-percent waste reduction established in Section 4.408.1 shall apply. Section 4.408 provides choices for meeting waste reduction requirements, including alternate waste reduction methods developed in consultation with local agencies. An exception was developed that recognizes that waste facilities may not exist, or be reasonably close to the job site, making compliance with the literal requirements and the benefits intended by this section infeasible. Determination of “reasonably close” will vary by jurisdiction according to the location of a job site and the nearest waste/diversion facility or whether the type of waste in question is accepted at the facility. In addition, construction waste reduction, disposal and recycling services may be economically impracticable or unavailable in some areas.

Local agencies can employ the use of a variety of strategies; through public- and private-sector recycling facilities to achieve state-mandated waste reduction and recycling goals. Local agencies should be contacted prior to construction to obtain a list of approved waste haulers. The Department of Resources Recycling and Recovery (CalRecycle) also maintains a C & D (construction and demolition) “Recyclers Database,” listing recycling facilities. Any successful recycling program will involve upfront due diligence, planning and the consideration of “multiple” factors. Many of these factors include, but are not limited to:

- *Local authority approved waste hauler.*
- *Consideration of distance from the site to the recycling facility.*
- *Method of recycling: on-site sorting (source separation) or bulk mixed (single stream).*
- *Recyclers with a reliable/verifiable performance record.*
- *Clearly marked bins.*
- *Routinely checked bins for material accuracy.*
- *All involved parties are on board/buy-in.*
- *“Load Tags” or “Trip Tickets” are collected and recorded.*

Definitions for “Hazardous waste,” “Recycle or Recycling,” and “Re-use” are located in CALGreen Chapter 2, Section 202. Section 4.408 also supports legal requirements for local jurisdictions to divert 50 percent of solid waste through source reduction, recycling, and composting activities as required in Public Resources Code Section 41780.

HCD amended the regulatory text in Section 4.408.1 during the 2015 Triennial Code Adoption Cycle. The modified language increases the percentage of diverted nonhazardous construction and demolition waste from 50 percent to 65 percent, moving the existing Tier 1 voluntary measure (65 percent) to mandatory. This change represents an increase of 15 percent. Similarly, the weight of construction waste in Section 4.408.4 was also reduced by 15 percent per square foot for consistency. HCD further increased the verification requirements for Tier 1 and Tier 2 in Section A4.408.1.

These modifications (including Tier 1 and Tier 2) aid in CalRecycle’s state-wide recycling goal of 75 percent for 2020 as stated in AB 341 (Chapter 476, Statutes of 2011).

4.408.2 Construction waste management plan. Submit a construction waste management plan in conformance with Items 1 through 5. The construction waste management plan shall be updated as necessary and shall be available during construction for examination by the enforcing agency.

1. Identify the construction and demolition waste materials to be diverted from disposal by recycling, reuse on the project or salvage for future use or sale.
2. Specify if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identify diversion facilities where the construction and demolition waste material will be taken.
4. Identify construction methods employed to reduce the amount of construction and demolition waste generated.
5. Specify that the amount of construction and demolition waste materials diverted shall be calculated by weight or volume, but not by both.

4.408.3 Waste management company. Utilize a waste management company, approved by the enforcing agency, which can provide verifi-

able documentation that the percentage of construction and demolition waste material diverted from the landfill complies with Section 4.408.1.

Note: The owner or contractor may make the determination if the construction and demolition waste materials will be diverted by a waste management company.

The regulatory text for Sections 4.408.4 and 4.408.4.1 have been amended for the 2016 code.

4.408.4 Waste stream reduction alternative (LR). Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed 3.4 pounds per square foot of the building area shall meet the minimum 65 percent construction waste reduction requirement in Section 4.408.1.

4.408.4.1 Waste stream reduction alternative. Projects that generate a total combined weight of construction and demolition waste disposed of in landfills, which do not exceed 2 pounds per square foot of the building area, shall meet the minimum 65 percent construction waste reduction requirement in Section 4.408.1.

4.408.5 Documentation. Documentation shall be provided to the enforcing agency which demonstrates compliance with Section 4.408.2, Items 1 through 5, Section 4.408.3 or Section 4.408.4.

Notes:

1. Sample forms found in "A Guide to the California Green Building Standards Code – Residential" located at www.hcd.ca.gov/CALGreen.html may be used to assist in documenting compliance with this section.
2. Mixed construction and demolition debris (C&D) processors can be located at the California Department of Resources Recycling and Recovery (CalRecycle).

COMMENTARY

Purpose:

Sections 4.408.2, 4.408.3 and 4.408.4 address approved methods for ensuring compliance with the 65-percent construction and demolition waste requirement of Section 4.408.1. These methods are intended to save raw materials and preserve landfill space, especially where local regulations do not apply or do not meet the required CALGreen 65 percent or greater construction waste diversion rate.

Background:

The following discussions also provide information on three methods for calculating and documenting construction waste diversion.

Compliance Methods and Supporting Documentation:

CALGreen, Section 4.408, recognizes several methods of compliance to meet the 65-percent reduction of construction and demolition waste. In addition, HCD developed several options to assist with calculation of construction waste diversion. Whichever method is chosen, it should be supported by waste tracking documentation and shall be made available to the local enforcement agency. (See sample Construction Waste Management Forms and instructions on HCD's website which may be used for providing documentation of construction waste diversion and compliance with CALGreen; a hyperlink to these documents is provided in Chapter 8 of this guide.)

Construction Waste Management Plan (CWMP). *The CWMP option provides a direct and clearly understood route to the successful diversion target of minimizing or reducing the amount of waste being sent to landfills. With proper planning, on-site posting and awareness, employees and subcontractors will be able to understand and participate in the process. The CWMP should identify materials to be recycled or reused and the method of their disposal as specified in CALGreen Section 4.408.2. The CWMP must also be supported by verifiable documentation that the requirements of the established diversion goals have been satisfied.*

A CWMP should be submitted to the local enforcing agency for approval prior to the commencement of construction. Before choosing a tracking method, review of Appendix A4 "Residential Voluntary Measures" in the 2016 CALGreen for additional conservation methods to reduce construction waste generation is strongly encouraged.

Recycling Facility or Waste Management Company Method. *Use of this option requires all construction waste generated by a project to be transported to a recycling facility or waste management company that has a waste diversion rate of 65 percent or more. A recycling facility sorts the construction waste it receives and reclaims and recycles 65 percent or more of all the materials. Some larger municipalities have programs to certify their recycling facilities, via audits, as having a diversion rate of 65 percent or greater. Where such a program exists, this method may be the easiest path to achieving compliance. Similar to the volume or weight method or 3.4 pounds per square foot method, load tickets, receipts, and facility certification documents indicating the diversion rate for the project should be retained and provided to the local enforcing agency to demonstrate compliance with the 65-percent construction waste reduction requirements of CALGreen. Check with the local enforcing agency for specific requirements.*

Examples of Acceptable Methods of Implementation and/or Compliance:

- *Comply with a local waste management ordinance.*
- *Develop and submit a CWMP for approval by the local enforcing agency.*
- *Transport all construction waste to a recycling facility having a 65-percent or greater diversion rate.*

- *Generate a total combined weight of construction and demolition waste disposed in landfills not to exceed 3.4 pounds per square foot of the building area. (This provision applies only to low-rise residential projects.)*
- *Generate a total combined weight of construction and demolition waste disposed in landfills not to exceed 2 pounds per square foot of the building area. (This provision applies to all residential projects.)*
- *Demonstrate evidence of compliance, through worksheets or haul tags, scales/weight certification from a waste management facility and/or any other records as required by the enforcing agency.*
- *If the project is located outside the haul boundaries of a diversion facility, contact the local authority as soon as possible for resolution. It is recommended that the owner or authorized agent research and discuss all logistical requirements with the enforcing agency early in the plan submittal process.*

3.4 Pounds per Square Foot Method or Waste Stream Reduction Alternative (for Low-rise only). *According to statistics provided by the National Association of Homebuilders (NAHB), the total waste generated on an average home in California has historically been approximately 8.5 pounds per square foot. The 3.4 pounds per square foot (net) waste limit can be achieved through efficient design, careful and accurate material ordering, handling and storage, panelized/prefabricated construction, and recycling and reuse. This method considers the construction waste generated at the construction site and not at the manufacturing site where some larger building components may have been precut, manufactured, or preassembled.*

Similar to the Volume or Weight Documentation Methods discussed, the facility where construction waste is transported will furnish load tickets or receipts, which together with the completed Construction Waste Management Worksheets (3.4 pounds per square foot) should be retained and provided to the local enforcing agency to demonstrate compliance with the construction waste reduction provisions of CALGreen.

2 Pounds per Square Foot Method or Waste Stream Reduction Alternative. *This is an alternative method for construction waste reduction which considers the concept that there is inherently less construction waste in multifamily and high-rise residential projects. A similar compliance alternative exists for nonresidential buildings in CALGreen Section 5.408.1.3. Documentation for this method is similar to the 3.4 Pounds per Square Foot Method discussed previously.*

Volume or Weight Documentation Method. *The waste can be site-sorted (source separated), bulk mixed (single stream), or both. When using this method, documentation and tracking of the volume or weight (not both) of all waste generated by the project and transported to a facility is required. Most facilities will supply tickets or other detailed receipts showing the weight or volume of all materials being recycled, reused, or disposed, which*

should be retained and provided to the local enforcing agency to demonstrate compliance with CALGreen. Additionally, the weight or volume totals from these tickets or receipts should be entered on the Construction Waste Management Worksheets (Volume or Weight) to verify compliance with CALGreen 65-percent waste reduction requirement.

Other Documentation Methods:

Additional documentation methods for verifying compliance with CALGreen construction waste reduction requirements may be used. For example, web-based construction waste management systems may be available which track the history and volume of construction waste generated on a project-by-project basis. All documentation methods used must be acceptable to the local enforcing agency.

INFORMATIVE NOTE

AB 341: State Policy Goal for 75-percent solid waste reduction, recycling or composting by 2020, Recycling of commercial solid waste effective 7/1/12

Assembly Bill 341 (Chapter 476/Statutes of 2011) codified the Legislature's policy goal for the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020 and annually thereafter.

AB 341 defined "Business" (for purposes of the bill) as including multifamily residential buildings. AB 341 also required businesses generating more than 4 cubic yards of commercial solid waste per week or that are multifamily residential dwellings of five units or more to arrange for recycling services.

See complete text of AB 341, amended statutory sections, and California's 75 Percent Initiative on the Department of Resources Recycling and Recovery (CalRecycle) website (www.calrecycle.ca.gov).

AB 1343: Architectural Paint Recovery Program

Assembly Bill 1343 (Chapter 420/Statutes of 2010) established the Paint Stewardship Program to reduce the generation of postconsumer architectural paint, promote the reuse of post-consumer architectural paint, and manage the end-of-life of post-consumer architectural paint, in an environmentally sound fashion, including collection, transportation, processing, and disposal.

AB 1343 required manufacturers to submit architectural paint stewardship plans to CalRecycle by April 2012, implement plans approved by CalRecycle, and submit an annual report to CalRecycle starting September 2013. The program is funded through assessments on sales of architectural paint and enforced by CalRecycle.

See complete text of AB 1343, amended statutory sections and the Product

Stewardship and Extended Producer Responsibility (EPR) on CalRecycle's website (www.calrecycle.ca.gov).

AB 2398: Product Stewardship for Carpets

Assembly Bill 2398 (Chapter 681/Statutes of 2010) established the Carpet Stewardship Program to increase the amount of postconsumer carpet diverted from landfills and recycled into secondary products or otherwise managed in a manner that is consistent with the state's hierarchy for waste management (source reduction, recycling and composting, environmentally safe transformation and environmentally safe land disposal).

Basically, manufacturers design stewardship programs, prepare and implement plans to reach goals, and report on progress. CalRecycle approves the plans, checks progress, and provides oversight and enforcement. Other service providers participate in the management system as negotiated.

Implementation of early action measures was funded through assessments of 5 cents (\$0.05) per square yard of carpet (through January 1, 2013) with continued funding through assessments as approved by CalRecycle on the purchase price of carpet.

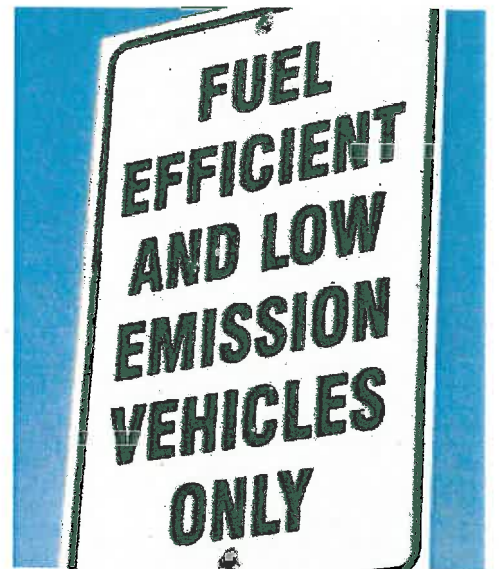
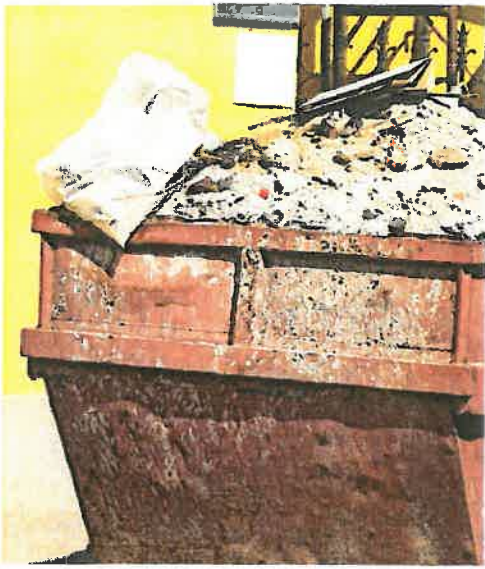
See complete text of AB 2398, amended statutory sections and the Extended Producer Responsibility (EPR) and Carpet Stewardship Law on CalRecycle's website (www.calrecycle.ca.gov).

Section 4.410 Building Maintenance And Operation

The regulatory text for this section has been amended for the 2016 code.

4.410.1 Operation and maintenance manual. At the time of final inspection, a manual, compact disc, web-based reference or other media acceptable to the enforcing agency which includes all of the following shall be placed in the building:

1. Directions to the owner or occupant that the manual shall remain with the building throughout the life cycle of the structure.
2. Operation and maintenance instructions for the following:
 - a. Equipment and appliances, including water-saving devices and systems, HVAC systems, photovoltaic systems, electric vehicle chargers, water heating systems and other major appliances and equipment.
 - b. Roof and yard drainage, including gutters and downspouts.
 - c. Space conditioning systems, including condenser and air filters.
 - d. Landscape irrigation systems.
 - e. Water reuse systems.
3. Information from local utility, water and waste recovery providers



GUIDE TO THE 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE

Includes Verification Guidelines

NONRESIDENTIAL

CALGreen®



Compliance method:

Design irrigation systems to prevent spray on structures by specifying sprinkler heads that are adjacent to or near exterior walls to have a maximum degree head rotation or spray pattern or shielding that ensures protection of the building exterior.

1. Specify nonabsorbent flooring material at the interior landing surface a minimum of 2 feet in the direction of travel and at wall finishes adjacent to the door opening on the sides and above the door. If 2 feet is not available above the opening, wall finishes may terminate at the ceiling.
2. Show compliance with one of the four listed requirements for door protection, and
3. Install flashings, integrated with a drainage plane.

Suggestion:

Show on the construction documents that landscape or irrigation sprinkler design and features that meet the requirements.

Enforcement:

Plan intake: The plan reviewer should confirm on the construction documents that the irrigation sprinkler design, features, and methods at entries and openings are included. Also, verify that flashings are integrated with the drainage plane.

On-site enforcement: The inspector should verify the irrigation sprinkler operations and that entries, openings features and flashing/drainage planes are installed in accordance with the approved construction documents.

**SECTION 5.408
CONSTRUCTION WASTE REDUCTION, DISPOSAL AND
RECYCLING**

5.408.1 Construction waste diversion. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.408.1.2 or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent.

5.408.1.1 Construction waste management plan. Where a local jurisdiction does not have a construction and demolition waste management ordinance that is more stringent, submit a construction waste management plan that:

1. Identifies the construction and demolition waste materials to be diverted from disposal by efficient usage, recycling, reuse on the project or salvage for future use or sale.

2. Indicates if construction and demolition waste materials will be sorted on-site (source-separated) or bulk mixed (single stream).
3. Identifies diversion facilities where construction and demolition waste material collected will be taken.
4. Specifies that the amount of construction waste and demolition materials diverted shall be calculated by weight or volume, but not by both.

5.408.1.2 Waste management company. Utilize a waste management company that can provide verifiable documentation that the percentage of construction and demolition waste material diverted from the land fill complies with this section.

Note: The owner or contractor shall make the determination if the construction and demolition waste material will be diverted by a waste management company.

Exceptions to 5.408.1.1 and 5.408.1.2:

1. Excavated soil and land-clearing debris.
2. Alternate waste reduction methods developed by working with local agencies, if diversion or recycle facilities capable of compliance with this item do not exist.
3. Demolition waste meeting local ordinance, or calculated in consideration of local recycling facilities and markets.

5.408.1.3 Waste stream reduction alternative. The combined weight of new construction disposal that does not exceed 2 pounds per square foot of building area may be deemed to meet the 65-percent minimum requirement, as approved by the enforcing agency.

5.408.1.4 Documentation. Documentation shall be provided to the enforcing agency which demonstrates compliance with Sections 5.408.1.1 through 5.408.1.3. The waste management plan shall be updated as necessary and shall be accessible during construction for examination by the enforcing agency.

Notes:

1. Sample forms found in “*Guide to the California Green Building Standards Code (Nonresidential)*” located at: www.bsc.ca.gov/Home/CALGreen.aspx may be used to assist in documenting compliance with the waste management plan.
2. Mixed construction and demolition debris (C&D) processors can be located at the California Department of Resources Recycling and Recovery (CalRecycle).



Waste Container

Intent:

Because construction waste makes up about 27 percent of the waste stream in California, this code requirement seeks to reduce the amount of waste from new construction and demolition that would be sent to landfills. Additionally the purpose is to encourage material resource efficiency through reuse and recycling of construction waste products.

Note: See Chapter 8 of this guide for forms and templates.

Change for 2016: The diversion rate regulation has been increased from 50 percent to 65 percent.

Compliance method:

1. Determine if a local construction waste management ordinance is in place in the project jurisdiction, and comply with the more stringent requirement.
2. Determine what local hauling and recycling facilities are available in the project area, to establish the most economically feasible option for recycle and/or salvage of construction debris. If there are no facilities in the area, use Exception 2 and work with the local enforcing agency to establish an acceptable alternative.
3. If applicable to the project, e.g., where walls are framed off-site or panelized wall systems are employed that reduce site waste significantly, the “waste stream alternative” may be an appropriate option. Document the weight of total waste compared to the building area. The calculation may consider the gross square footage of each floor and roof, as approved by the enforcing agency.
4. Include the following materials for recycling, as included in the project: carpet, wood, aggregate, paint, shingles, wallboard or other materials that have recyclable value. For more information on various materials, visit the C&D Publications link on the CALRecycle website, the construction waste management (CWM) worksheet provided in Chapter 8 of this guide, or recycle as required by local ordinance.
5. Indicate the selected options on the construction documents.

Enforcement:

Plan intake: The plan reviewer should confirm on the construction documents that a construction waste management plan has been included with

the plan submittal, or that Exception 2 has been submitted for enforcing agency approval.

On-site enforcement: The inspector should verify that the approved construction waste management plan or Exception 2 document is being followed. The inspector may ask for haul tags and/or reports from the contractor to verify compliance with the 65 percent waste reduction. Verification by documentation from a waste management company or recycling facility is acceptable.

Suggestion:

Local enforcing agencies are strongly urged to work with their jurisdictions' recycling coordinators to determine if local conditions warrant exceptions, and to identify appropriate means of alternative compliance.

5.408.2 Universal Waste. [A] Additions and alterations to a building or tenant space that meet the scoping provisions in Section 301.3 for nonresidential additions and alterations, shall require verification that Universal Waste items such as fluorescent lamps and ballast and mercury containing thermostats as well as other California prohibited Universal Waste materials are disposed of properly and are diverted from landfills. A list of prohibited Universal Waste materials shall be included in the construction documents.

Note: Refer to the Universal Waste Rule link at: www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/OEARA_REGS_UWR_FinalText.pdf

Intent:

This code provision is intended to ensure that universal waste materials are being disposed properly. The hazardous waste regulations (*California Code Regulations*, Title 22, Division 4.5, Chapter. 11, Section 66261.9) identify seven categories of hazardous waste that can be managed as universal waste. Any unwanted item that falls within one of these waste streams can be handled, transported and recycled following the requirements set forth in the Universal Waste Regulations (UWR) (*California Code Regulations*, Title 22, Division 4.5, Chapter 23)

On February 9, 2004, regulations took effect in California that classified all discarded fluorescent lamps as hazardous waste. This includes even low mercury lamps marketed as "TCLP passing" or "TTLC passing." No one in California is allowed to discard their fluorescent lamps and batteries as nonhazardous solid waste (as ordinary trash).

Under California's Universal Waste Rule households and "conditionally exempt small quantity generators" were allowed to dispose fluorescent lamps, batteries (not lead/acid batteries of the type used in autos), mercury

thermostats and electronic devices to the trash through February 8, 2006, unless the local trash companies or other agencies prohibited it. Large and small quantity handlers are required to ship their waste to another handler, a universal waste transfer station, a recycling facility or a disposal facility.

Change for 2016: This is a new code section for the 2016 *CALGreen* Code.

Compliance method:

1. For additions and alterations, determine if this code section applies by reviewing the scoping provisions in Section 301.3 for nonresidential additions and alterations.
2. If applicable, add a list of prohibited universal waste materials to the construction documents.
3. Provide proof of verification compliance that universal waste items are disposed of properly and are diverted from landfills.
4. Show on the construction documents the list of universal waste materials that need to be diverted from landfill and the type of disposal facility that will accept universal waste.

Enforcement:

Plan intake: The plan reviewer should confirm that the construction documents include a list of prohibited universal waste materials.

On-site enforcement: The inspector should verify that the list of universal waste materials shown on the construction documents is being disposed of properly. The inspector may ask for haul tags and/or reports from the contractor to verify compliance with the code. Verification by documentation from a waste management company or recycling facility is acceptable.



Stockpiled Excavation Material

5.408.3 Excavated soil and land clearing debris. 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed.

Exception: Reuse, either on-or off-site, of vegetation or soil contaminated by disease or pest infestation.

Notes:

- 1.If contamination by disease or pest infestation is suspected, contact the County Agricultural Commissioner and follow its direction for recycling or disposal of the material. www.cdfa.ca.gov/exec/county/county_contacts.html

2. For a map of known pest and/or disease quarantine zones, consult with the California Department of Food and Agriculture. (www.cdffa.ca.gov)

Intent:

The intent of this code requirement is to reduce high-volume site materials from filling up landfills as a result of clearing and to encourage the market for nonhazardous land clearing debris. It is not intended to apply to the clearing of contaminated sites, such as for brownfield remediation.

Note: See Chapter 8 of this guide for forms and templates.

Compliance method:

1. Determine if a local construction ordinance is in place and comply with the more stringent requirement or as accepted by the local enforcing agency.
2. Look for local markets and salvage opportunity for reuse of clearing debris.
3. For phased developments and other long-term projects, the materials may be stored on site until project completion.
4. Indicate the selected method of compliance on the construction documents.

Note: Site planning that maintains existing features such as trees and rocks can reduce the amount of land clearing debris.

Enforcement:

Plan intake: The plan reviewer should confirm that the construction documents indicate proper mitigation of land clearing debris.

On-site enforcement: The inspector should verify that the excavated soil and land clearing debris are being reused or recycled as specified on the construction documents.

**SECTION 5.410
BUILDING MAINTENANCE AND OPERATION**

5.410.1 Recycling by occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet a lawfully enacted local recycling ordinance, if more restrictive.

Construction Waste Management Plan (CWMP) – CW 1

Project Name: _____
Project Location: _____
Building Permit #: _____ Project Sq. Ft.: _____
Contractors Name: _____ Telephone: _____
Owners Name: _____ Telephone: _____

This construction waste management plan is hereby submitted to comply with Section 4.408.2 of the 2010 California Green Building Standards Code.

The purpose of this plan is to identify and outline the methods to be used as the minimum requirements for a construction waste management plan when the local jurisdiction does not have a construction and demolition waste management ordinance per Section 4.408.2.

- The method of waste tracking to be used on this project will be: (Check one box)
 Volume Weight 4 Lbs. per Sq. Ft. Recycling Facility
- Construction waste generated on this project for transport to a recycling facility will be: (Check appropriate box)
 Sorted on-site (Source-separated) Bulk mixed (Single stream)
- The facility (or facilities) where the construction waste material will be taken is:
Name of Facility: _____
Address: _____
Telephone: _____
(Attach separate sheet for additional facilities)
- The following construction methods will be used to reduce the amount of waste generated: (Check all that apply)
 Efficient design (dimensions of building components are designed to available material sizes or standard sizes).
 Careful and accurate material ordering.
 Careful material handling and storage.
 Panelized or prefabricated construction.
 Other _____
 Other _____
- Waste reduction and recycling strategies shall be discussed at periodic project meetings. Each new [Contractor]* that comes onto the site shall be provided with a copy of the CWMP, which shall also be posted in the project office. The [Project Manager]* shall also instruct all [Subcontractors]* as to the location and proper use of debris boxes for disposal of construction waste materials.

6. Every effort shall be made to use recycling and/or reuse (diversion) measures to reduce the amount of construction waste and other materials sent to landfills. Whenever possible, site-sorted debris boxes shall be used to segregate construction waste materials to maximize the diversion rate.
7. The [Contractor]* shall provide debris boxes for materials sorted on-site (source-separated) and/or bulk mixed (single stream) waste for all construction related waste generated on this project. Mixed construction waste shall be taken to a recycling facility that has a diversion rate of at least 50 percent. In the event that a [Subcontractor]* provides their own debris box, they shall be responsible for providing the [Contractor]* with a monthly report of the total Recycled and Reused (Diverted) and the total Non-Recycled (Disposed) materials to be included in the project's overall waste management/waste reduction program.
8. Any [Supplier]* hauling away packaging or waste materials shall notify the [Contractor]* of the amount of these materials and how they will be disposed of (reused, recycled, salvaged, or taken to landfill).
9. Identified below are the construction waste materials that will be reused and/or recycled during the course of this project and how they will be diverted:

Material	Diversion Method: (Recycle/Reuse)

(See Construction Waste Management Worksheets for examples of common materials.)

10. The [Waste Hauler]* shall track the total amount of construction waste leaving the project by weight or by volume and supply the [Contractor]* with copies of tickets or detailed receipts from all loads of construction waste removed from the jobsite.
11. The [Contractor]* shall monitor the process of waste management, recycling, and reuse of construction waste materials to ensure compliance with the CWMP during the course of the project.
12. The [Contractor]* shall ensure that all supporting documentation which demonstrates compliance with the waste management plan is provided to the local enforcement agency upon completion of the project.

* Insert title of appropriate party or responsible person, which may include, but not be limited to: Contractor(s), Subcontractor(s), Project Manager(s), Superintendent(s), Supplier(s), or Waste Hauler(s).

Construction Waste Management Worksheet (Volume Method) - CW 2

Project Name:				Date:		Page	of
Project Location:							
Project Manager:							
Waste Hauler:							
	A	B	C	D			
	Insert cubic foot or cubic yard totals into proper category below						
Waste Material Type	Recycled	Reused	Diverted	Non-Recycled (Disposed)			
Asphalt	+	=					
Asphalt Shingles	+	=					
Brick (broken)	+	=					
Cardboard	+	=					
Carpet/Carpet Pad	+	=					
Concrete	+	=					
Gypsum Board (Drywall)	+	=					
Masonry	+	=					
Metals	+	=					
Pallets	+	=					
Plastic	+	=					
Wood (engineered)	+	=					
Wood (solid sawn)	+	=					
Office Waste	+	=					
Other	+	=					
Other	+	=					
Other	+	=					
Total:	+	=	=	=			

Step 1 - Insert volume totals into Columns A, B, and D where appropriate.

Step 2 - Add Column A to Column B and insert total into Column C for total diverted volume.

Step 3 - Add each column down and enter totals in the boxes provided.

If Column C is larger than Column D (on the summary sheet), compliance with 50 percent waste reduction requirement is achieved.

If multiple worksheets are used, transfer column totals from each worksheet to the summary sheet.

For additional instructions and information, please see reverse.

Instructions for Weight or Volume Method:

- Choose which method of construction waste tracking to be used throughout the project. Choose either the Weight Method or the Volume Method, but do not use different methods on the same worksheet.
- To minimize confusion, use the same unit of measure and do not mix pounds and tons, or Cu. Yds. and Cu. Ft. on the same worksheet. It is easiest to stay with the same unit of measure for the entire project to avoid the need for conversions.
- Enter construction waste materials that are to be recycled under Recycled (Column A).
- Enter construction waste materials that are to be reused under Reused (Column B).
- Enter construction waste materials that will not get recycled or reused under Non-Recycled/Disposed (Column D).
- Add amounts from Column A to amounts from Column B and enter the total under Diverted (Column C).
- Add amounts in each Column (A, B, C, and D) and enter these sums into Total boxes.
- If the Diverted amount (Column C) is greater than the Non-Recycled/Disposed amount (Column D), compliance with the construction waste reduction requirement of at least 50 percent per Section 4.408.1 has been achieved.
- When more than one worksheet is used, transfer the data onto the Weight or Volume Summary Worksheet at the completion of the project.

Examples of weights and volumes of some typical construction waste materials*

Material	Range of pounds per cubic yard	Typical pounds per cubic yard	Typical cubic yards per ton
Asphalt roofing material	250-460	360	5.5
Asphalt - paving	1300-2200	1750	1.1
Cardboard	70-135	85	23.5
Concrete	1300-2200	1750	1.1
Gypsum Drywall	315-470	400	5
Metals	220-1940	540	3.7
Wood	200-540	499	5

* Source: Sacramento Regional Solid Waste Authority

**Standard Conversions: 1 cubic yard equals 27 cubic feet
1 ton equals 2000 pounds**

Construction Waste Management Worksheet (Weight Method) - CW 3

Project Name:		Date:	
Project Location:		Completed By:	
Project Manager:		Signature:	
Waste Hauler:		Notes:	

Waste Material Type	Insert weight totals into proper category below			
	A Recycled	B Reused	C Diverted	D Non-Recycled (Disposed)
Asphalt	+	=		
Asphalt Shingles	+	=		
Brick (broken)	+	=		
Cardboard	+	=		
Carpet/Carpet Pad	+	=		
Concrete	+	=		
Gypsum Board (Drywall)	+	=		
Masonry	+	=		
Metals	+	=		
Pallets	+	=		
Plastic	+	=		
Wood (engineered)	+	=		
Wood (solid sawn)	+	=		
Office Waste	+	=		
Other	+	=		
Other	+	=		
Other	+	=		
Total:	+	=		

Step 1 - Insert weight totals into Columns A, B, and D where appropriate.
Step 2 - Add Column A to Column B and insert total into Column C for total diverted weight.
Step 3 - Add each column down and enter totals in the boxes provided.
 If Column C is larger than Column D (on the summary sheet), compliance with 50 percent waste reduction requirement is achieved.
 If multiple worksheets are used, transfer column totals from each worksheet to the summary sheet.
 For additional instructions and information, please see reverse.

Instructions for Weight or Volume Method:

- Choose which method of construction waste tracking to be used throughout the project. Choose either the Weight Method or the Volume Method, but do not use different methods on the same worksheet.
- To minimize confusion, use the same unit of measure and do not mix pounds and tons, or Cu. Yds. and Cu. Ft. on the same worksheet. It is easiest to stay with the same unit of measure for the entire project to avoid the need for conversions.
- Enter construction waste materials that are to be recycled under Recycled (Column A).
- Enter construction waste materials that are to be reused under Reused (Column B).
- Enter construction waste materials that will not get recycled or reused under Non-Recycled/Disposed (Column D).
- Add amounts from Column A to amounts from Column B and enter the total under Diverted (Column C).
- Add amounts in each Column (A, B, C, and D) and enter these sums into Total boxes.
- If the Diverted amount (Column C) is greater than the Non-Recycled/Disposed amount (Column D), compliance with the construction waste reduction requirement of at least 50 percent per Section 4.408.1 has been achieved.
- When more than one worksheet is used, transfer the data onto the Weight or Volume Summary Worksheet at the completion of the project.

Examples of weights and volumes of some typical construction waste materials*

Material	Range of pounds per cubic yard	Typical pounds per cubic yard	Typical cubic yards per ton
Asphalt roofing material	250-460	360	5.5
Asphalt - paving	1300-2200	1750	1.1
Cardboard	70-135	85	23.5
Concrete	1300-2200	1750	1.1
Gypsum Drywall	315-470	400	5
Metals	220-1940	540	3.7
Wood	200-540	499	5

* Source: Sacramento Regional Solid Waste Authority

**Standard Conversions: 1 cubic yard equals 27 cubic feet
1 ton equals 2000 pounds**

Weight or Volume Summary Worksheet - CW 4

Project Name: _____ Date: _____

Project Location: _____

Project Manager: _____

Waste Hauler: _____

	C		D		
	Insert Totals Below	Diverted	Non-Recycled (Disposed)	Non-Recycled (Disposed)	
Worksheets by page #					Compliance Method (check only one box) <input type="checkbox"/> Volume <input type="checkbox"/> Weight
Worksheet 1					
Worksheet 2					
Worksheet 3					
Grand Totals:					Notes:

Step 1 - Insert totals from Weight or Volume worksheets in Column C and/or D.

Step 2 - Add each Column down and enter grand totals in the boxes provided.

If Column C is larger than Column D Compliance with the 50% waste reduction requirement is achieved.

Certification:
 The signature below represents that the information provided on this form is true and correct and certifies that I have tracked construction waste during the course of this project and that a minimum of 50% of the total waste has been diverted for either reuse or recycling.

Company Name: (general contractor, subcontractor, or homeowner)

Responsible Person's Name: _____ Date Signed: _____

Responsible Person's Signature: _____ Position with Company or Title: _____

CSLB License: _____

Construction Waste Management Worksheet (4 Lbs. per Sq. Ft. Method) - CW 5

Project Name: _____ **Date:** _____ **Page** _____ **of** _____
Project Location: _____ **Completed By:** _____
Project Manager: _____ **Signature:** _____
Waste Hauler: _____

Waste Material Type	A		B		C		D	E
	Insert weight (Lbs.) into proper category below		Recycled and/or Reused	Net Waste	Total Area of Project* (Square Feet)	Total Lbs. per Square Foot	Notes:	
Asphalt	-		=					
Asphalt Shingles	-		=					
Brick (broken)	-		=					
Cardboard	-		=					
Carpet/Carpet Pad	-		=					
Concrete	-		=					
Gypsum Board Drywall	-		=					
Masonry	-		=					
Metals	-		=					
Pallets	-		=					
Plastic	-		=					
Wood (engineered)	-		=					
Wood (solid sawn)	-		=					
Office Waste	-		=					
Other	-		=					
Other	-		=					
Other	-		=					
Total:	-		=		÷	=		

Step 1 - Insert weight totals into Columns A and B where appropriate and total columns.
Step 2 - Subtract Column B total from Column A total and insert difference into Column C total (Net Waste).
Step 3 - Divide Net Waste (Column C) total by Project Area (Column D) to find the net weight of construction waste per Sq. Ft.
Step 4 - Insert result into Column E. If result is 4 lbs. or less per sq. ft., compliance with 50 percent waste reduction requirement is achieved.

For additional instructions and information, please see reverse.
 *Area of project also includes garages, breezeways, and attached roof structures (covered patios, etc.)

Instructions for 4 Lbs. per Sq. Ft. Method:

- Enter weight of construction waste materials (in Lbs.) under Waste Generated (Column A).
- Enter construction waste materials (in Lbs.) that are to be recycled or reused under Recycled and/or Reused (Column B).
- Subtract amounts in Column B from amounts in Column A and enter the difference under Net Waste (Column C).
- Add the amounts in each column (A, B, and C) and enter these sums into Total boxes.
- Insert project square footage into Column D Total box.
- Divide Net Waste (Column C) Total by Project Area (Column D) to find the net weight of construction debris/waste per Sq. Ft.
- Insert result into Column E. If the result is 4 lbs. or less per square foot, compliance with the construction waste reduction requirement of at least 50 percent per Section 4.408.1 has been achieved.
- When more than one worksheet is used, transfer the data onto the 4 Lbs. per Sq. Ft. Summary Worksheet at the completion of the project.

Examples of weights and volumes of some typical construction waste materials*

Material	Range of pounds per cubic yard	Typical pounds per cubic yard	Typical cubic yards per ton
Asphalt roofing material	250-460	360	5.5
Asphalt - paving	1300-2200	1750	1.1
Cardboard	70-135	85	23.5
Concrete	1300-2200	1750	1.1
Gypsum Drywall	315-470	400	5
Metals	220-1940	540	3.7
Wood	200-540	499	5

* Source: Sacramento Regional Solid Waste Authority

**Standard Conversions: 1 cubic yard equals 27 cubic feet
1 ton equals 2000 pounds**

4 Lbs. per Sq. Ft. Summary Worksheet - CW 6

Project Name:						Date:		
Project Location:								
Project Manager:								
Waste Hauler:								
Worksheets by page #	A	B		C	D	E		
	Waste Generated	Recycled and/or Reused		Net Waste	Total Area of Project* (Square Feet)	Total Lbs. per Square Foot		
Worksheet 1	-	-		=				
Worksheet 2	-	-		=				
Worksheet 3	-	-		=				
	-	-		=				
	-	-		=				
	-	-		=				
	-	-		=				
	-	-		=				
	-	-		=				
Grand Total:	-	-		=				÷
<p>Notes:</p> <p>Step 1 - Insert totals from 4 Lb. per Sq. Ft. worksheets into Columns A, B, and C. Step 2 - Add each column down and enter grand total in boxes provided Step 3 - Subtract Column B grand total from Column A grand total and insert difference into Column C grand total box. Step 4 - Divide Column C grand total by the area of the project (Column D) to find the total net construction waste in Lbs. per Sq. Ft. Step 5 - Insert total into Column E. If total is 4 lbs. or less per sq. ft., compliance with 50 percent waste reduction requirement is achieved.</p> <p>Certification:</p> <p>The signature below represents that the information provided on this form is true and correct and certifies that I have tracked construction waste during the course of this project, and that the total net waste generated by this project is 4 lbs. per sq. ft. or less.</p> <p>Company Name: (general contractor, subcontractor, or homeowner)</p>								
Responsible Person's Name:					Responsible Person's Signature:			
CSLB License:					Date Signed:		Position with Company or Title:	

Construction Waste Management Plan (CWMP) Acknowledgment - CW 7

Project Name: _____

Project Location: _____

Project Manager: _____

Waste Hauler: _____

Facility: _____

The project foreman for each subcontractor and their suppliers that will be performing any work on this site will receive and read a copy of the Construction Waste Management Plan.

By signing below, I acknowledge that I have read the CWMP for this project and agree to my responsibilities to follow the procedures in this plan.

Date	Company	Foreman Name	Signature



CHAIR – MICHAEL KOBSEFF, SISKIYOU COUNTY
VICE CHAIR – MICHAEL RANALLI, EL DORADO COUNTY
EXECUTIVE DIRECTOR – GREG NORTON

TECHNICAL ADVISORY GROUP (TAG)

TAG CHAIR – RACHEL ROSS, TEHAMA COUNTY
TAG VICE CHAIR – JIM MCHARGUE, AMADOR COUNTY
PROGRAM MANAGER – MARY PITTO

MEMORANDUM

To: ESJPA Board of Directors
From: Mary Pitto, Program Manager
Date: August 7, 2018
RE: Senate Bill 1383 Short-Lived Climate Pollutants Regulation

The second informal draft of the regulations for Senate Bill 1383 Short-Lived Climate Pollutants was released on May 2nd. While this draft did respond to many of our concerns, it also created new issues that staff summarized in the SB 1383 memo for the June ESJPA Board meeting.

CalRecycle expects to make only minor changes to this informal draft before the release of the next draft that will begin the formal rulemaking process, which was planned for July. Any significant changes would then be incorporated into the second formal draft of the regulations. To date, no draft has yet been released. CalRecycle expects to release the economic analysis in the near future for public review prior to releasing the formal draft regulations. The formal processing is now not expected to begin before October 2018.

CalRecycle expects adoption of the regulations in early 2019. While the regulations will not take effect until 2022, adopting them early will provide regulated entities time to plan and implement any necessary budgetary, contractual, and other program changes.

ESJPA staff continues to work with CalRecycle on rural exclusions, especially regarding rural collection of residential food waste. RCRC will continue to actively participate in the rulemaking process.

The proposed regulations and additional information can be accessed here:
<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2366&ajid=2159>

Staff Recommendation

We encourage counties to review the proposed regulations and plan to become engaged during the formal rulemaking process.

Attachment

- Summary of SB 1383 Regulations

Summary of Requirements from the May 2018 Proposed SLCP Regulations

Collection Requirements

By January 1, 2022 jurisdictions are required to adopt an ordinance or similarly enforceable mechanism to mandate that organic waste generators, haulers, and other entities subject to the jurisdiction's authority comply with the requirements of the regulations.

Jurisdictions are required to provide organic waste collection services to residential and commercial organic waste generators. A jurisdiction may designate a public or private entity to fulfill its responsibilities, but will still be held ultimately responsible for meeting the requirements.

Jurisdictions may use a three-container (green, blue, black), two-container (green, blue), or unsegregated single-container collection services. Containers that commingle organics and non-organic wastes, must be sent to a high diversion organic waste processing facility that meets specified standards.

Jurisdictions shall monitor the containers provided to generators using a three- or two-container organic waste collection service to minimize contamination.

- Shall conduct a route review for contaminants on randomly selected containers that results in all collection routes being reviewed quarterly.
- If contamination found, the jurisdiction shall contact the generator or provide written notice of proper separation of materials.
- If contamination found on more than three consecutive occasions, the jurisdiction may impose additional contamination processing fees or penalties.
- If a jurisdiction's designee observes contaminants, the designee shall inform the jurisdiction in written, each month, with the address of the generator.
- If a solid waste facility operator informs a jurisdiction that a hauler load contained contaminants, then the jurisdiction or its designee shall conduct a route inspection of containers to determine where the contaminants came from.
- Jurisdictions shall maintain records for container contamination minimization.

Jurisdictions are required to provide collection containers to generators that comply with the container color requirements. However, a functioning container does not need to be replaced prior to the end of its useful life or prior to January 1, 2032, whichever comes first. New containers need to be properly labeled specifying materials allowed in each container. Beginning January 1, 2022, and by January 1, 2025, new compliant labels shall be placed or replaced on existing containers.

Property and business owners shall provide or arrange for organic waste collection services for employees, contractors, tenants, and customers and shall annually provide information about proper organic waste recovery and sorting requirements.

Jurisdictions may grant individual commercial waivers for De-Minimis or physical space limitation, but shall annually verify the business meets the waiver threshold and keep records of all waivers.

Jurisdictions may apply to CalRecycle for:

- Low population waivers for up to two years if it is a city disposed of less than 5,000 tons of solid waste in 2014 and has a total population of less than 5,000 people.
- Rural exemption until 2025 for counties with populations of less than 70,000 people.

Education and Outreach

Prior to February 1, 2022, and annually thereafter, a jurisdiction shall provide organic waste generators with necessary information on requirements to separate organics from the waste stream whether using a three- or two-container service, unsegregated service, or self-hauling through print, electronic media, or direct contact.

By February 1, 2022, a jurisdiction shall develop and maintain a list of food recovery organization and food recovery services and annually provide commercial businesses that generate edible food with information about the jurisdiction's edible food recovery program and about food recovery organizations and food recovery services within the jurisdiction.

Haulers and Self-haulers

Jurisdictions shall require haulers to meet the requirements and standards of the regulation, require haulers to identify the facilities to which they will transport organic waste, and to comply with the collection services requirements.

Haulers are required to obtain approval from the local jurisdiction, to transport the source separated organic waste to a facility that recovers organic waste, and maintain documentation.

If a jurisdiction allows a generator to self-haul, the jurisdiction shall require the self-hauler to haul source-separated organic waste to a facility that processes or recovers organic waste, to keep a record of the amount of material in cubic yards or tons (delivery receipt and weight tickets) of each delivery to a facility, and report annually to the jurisdiction the amounts to each facility.

Jurisdictions are required to keep records of all relevant information dealing with haulers and self-haulers including a record of hauler compliance with local requirements.

CalGreen Building Codes

Jurisdictions shall adopt an ordinance or enforceable mechanism to require compliance with the CalGreen Building Codes pertaining to construction waste reduction (65%) and providing space in new commercial and multi-family structures for recycling infrastructure.

Edible Food Recovery Program

Jurisdictions are required to implement an edible food recovery program to accomplish educating the commercial edible food generators on recovery requirements, increase commercial edible food generators access to edible food recovery organizations, monitor compliance, and increase edible food recovery capacity if capacity planning requirement indicates there is not sufficient capacity to meet its edible food recovery needs.

Jurisdictions are required to keep records, including a list of all commercial edible food generators, a list of all edible food recovery organizations, and all documentation of the actions the jurisdiction has taken to increase edible food recovery capacity.

Organic Waste Recycling Capacity Planning

Jurisdictions, in coordination with cities and regional agencies located within the county, shall estimate the amount of all organic waste in tons that will be disposed by the county and cities, identify the amount in tons of existing organic waste recycling infrastructure capacity, and estimate the amount of new or expanded organic waste recycling facility capacity that will be needed.

If a county determines that there is lack of sufficient infrastructure capacity to process the organic waste, including edible food recovery capacity, the jurisdiction shall submit an implementation schedule to CalRecycle that demonstrates how it will ensure there is enough new or expanded capacity to recover the organic waste, including obtaining the necessary funding.

Procurement of Recovered Organic Waste Products

Commencing January 1, 2022, jurisdictions are required to procure a quantity of recycled organic waste products that meets or exceeds its current annual recycled organic waste procurement target. The target is based on a statewide average per employee per year organic waste disposal times the number of employees in the jurisdiction.

Recordkeeping and Reporting

There are recordkeeping requirements on every aspect of these regulations, except that residential self-haulers are not required to record or report the amounts of organic waste diverted.

Inspections and Enforcement

On or before January 31, 2022, and annually thereafter, a jurisdiction shall complete a compliance review of all garbage accounts for commercial businesses that generate to cubic yards or more per week.

On or before January 31, 2022, and annually thereafter, a jurisdiction shall conduct route reviews of commercial businesses and residential areas for compliance with the requirements.

Jurisdictions shall maintain all records required by this chapter stored in one central location.

Jurisdictions shall take enforcement action for noncompliance:

- The jurisdiction shall issue a Notice of Violation (NOV) to any entity found in violation within 60 days after determining that a violation has occurred
- The jurisdiction shall conduct follow-up inspection to determine compliance at least every 90 days following the date of the first NOV.
- The jurisdiction shall commence actions to impose a penalty for a first violation no later than 150 days after the issuance of the NOV or no later than 90 days for a second violation.

REQUEST FOR APPROVAL

To: Scott Smithline
Director

From: Tom Estes
Deputy Director

Request Date: June 26, 2018

Decision Subject: Approval of 2018 Covered Electronic Waste Recycling Fee

Action By: July 17, 2018

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 by the statutory date of August 1, 2018, whether 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 remains unchanged at the existing levels:

- **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.

Due to the payment rate increase for non-CRT CEW effective July 1, 2018, staff decided to conduct a fee analysis at this time even though not required by statute. The adequacy of the covered electronic waste recycling fee was assessed last year and the emergency regulations maintaining the fee amounts were re-adopted in December 2017. The certificate of compliance for the existing emergency regulations set forth in Title 14 of the California Code of Regulations (CCR), section 18660.40 is not due until 12/31/20; therefore, CalRecycle does not need to file

with the Office of Administrative Law for re-adoption of the fee amounts at this time.

This 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
-

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 covered 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.

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

Covered Electronic Waste Recycling Program
Background and Summary of Program Costs and Revenue Need Considerations

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 CEW 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. Any changes would become effective the following January.

The existing emergency regulations set forth in Title 14 of the California Code of Regulations (CCR), section 18660.40 are in effect until December 31, 2019.

The current fee assignments are as follows:

- **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.

Covered electronic devices are defined by statute as video display devices with a screen size greater than four inches that are identified by the Department of Toxic Substances Control (DTSC) to exhibit hazardous characteristics when disposed. Currently, covered electronic devices include:

- Cathode Ray Tube (CRT) devices
- Televisions and computer monitors containing CRTs
- Televisions and computer monitors containing liquid crystal displays (LCDs)
- Laptop computers with LCD screens (including most "tablet" computers)
- Plasma televisions
- Personal portable DVD players with LCD screens

Monies paid by consumers are remitted by retailers to the California Department of Tax and Fee Administration (CDTFA), and deposited in the Electronic Waste Recovery and Recycling Account (EWRRA). The EWRRA was established by the Act within the Integrated Waste Management Fund. While the EWRRA is used to pay for the specific program operations of

CalRecycle, DTSC, CDTFA, and some State Controller's Office (SCO) payment services, the vast majority of expenditure demand comes from electronic waste recycling payment claims submitted by recyclers.

In assessing the adequacy of the fee, CalRecycle must consider:

- How much expenditure demand can be expected in the near-future?
- How much revenue is necessary to ensure continued program solvency?
- What are covered electronic device sales projections?
- How should any changes in the fee be structured to best achieve adequate and stable revenue levels?

Revenue and Expenditures

California's CEW recovery and recycling payment system is financed through a fee that is assessed on the retail sale of covered electronic devices. The fee level was initially set via the Act at \$6, \$8, and \$10, depending on the screen size of the device. In early 2008, the California Integrated Waste Management Board, or CIWMB (CalRecycle's predecessor) projected that payment claim demands would exceed revenue and exhaust the existing fund balance at some point in FY 2008/09. These projections were based on the historical pace of program growth, the original recovery and recycling payment rates, and the level of revenue anticipated from new device sales trends. In response, the CIWMB acted in June 2008 to adjust upward the consumer fee levels, pursuant to statutory provisions, to a new range of \$8, \$16, and \$25, aligned with the existing three-tiered screen size structure. This adjustment was determined to be appropriate at the time based on historical growth in claim volumes submitted by recyclers.

Until mid-2008, the program had been growing at the average rate of an additional four million pounds of CEW claimed each quarter. However, contrary to the continued growth that was factored into predicting revenue need for the 2008 fee adjustments, CEW claim volumes began fluctuating after peaking in first quarter 2009. Subsequently, CEW volumes settled into a variable plateau. In the last two year, CEW volumes have started to decline considerably. Please refer to Attachment 2 for a graphic depiction of historical annual volumes and a brief discussion of factors affecting CEW recovery and recycling volumes. As a result of revenues outpacing the expenditures of the program, CalRecycle restored the fee levels to the original \$6, \$8, \$10 fee structure, and these became effective January 1, 2011. The following year, CalRecycle completed the statutorily mandated assessment of the fund and found that reducing the original fee structure by 50% would allow CalRecycle to continue program operation while drawing down the excess fund balance. The \$3, \$4, and \$5 fee levels became effective January 1, 2013.

Based on continuing sufficient funds in EWRRA, CalRecycle made no fee adjustments in 2014. However, with declining revenues CalRecycle did act in 2016 to increase fee levels to \$5, \$6, and \$7 depending on device screen size. This fee structure became effective January 1, 2017.

As of this writing, CalRecycle projects approximately 130 million pounds of CEW will be claimed annually during the next several years. Based on this, in order to maintain sufficient fund balance in the EWRRA, CalRecycle recommends maintaining the existing \$5, \$6, and \$7 fee structure.

Historical and projected program revenues are as follows:

- FY 2004/05: ~\$ 31,000,000
- FY 2005/06: ~\$ 78,000,000
- FY 2006/07: ~\$ 80,000,000
- FY 2007/08: ~\$ 77,000,000
- FY 2008/09: ~\$ 108,000,000
- FY 2009/10: ~\$ 175,808,000
- FY 2010/11: ~\$ 156,278,000
- FY 2011/12: ~\$ 110,242,000
- FY 2012/13: ~\$ 86,884,000
- FY 2013/14: ~\$ 54,148,000
- FY 2014/15: ~\$ 59,367,000
- FY 2015/16: ~\$ 62,292,000
- FY 2016/17: ~\$ 72,720,000
- FY 2017/18: ~\$ 86,039,000
- FY 2018/19: ~\$ 84,903,000 (Projected with current fee structure)
- FY 2019/20: ~\$ 83,404,000 (Projected with current fee structure)

Fee Levels: Maintaining Solvency

As CalRecycle administers the financial aspects of the CEW payment system, it is obligated to maintain a fund balance that allows it to make recovery and recycling payments, as well as to provide funding for its own program specific operations and certain operations of both DTSC and CDTFA. CalRecycle has the authority and responsibility to revisit and revise fee levels annually, as warranted, to maintain adequate funds in the EWRRA. If CalRecycle maintains the existing fee levels, the next opportunity to make adjustments will be on or before August 1, 2019.

CalRecycle's specific authority is contained in Public Resources Code section 42464(f):

“On or before August 1, 2005, and, thereafter, no more frequently than annually, and no less frequently than biennially, the board (CalRecycle), in collaboration with the department (DTSC), 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 covered electronic waste recycling program established pursuant to this chapter. Adjustments to the fee that are made on or before August 1, shall apply to the calendar year beginning the following January 1. The board shall base an adjustment of the covered electronic waste recycling fee on both of the following factors:

(1) The sufficiency, and any surplus, of revenues in the account to fund the collection, consolidation, and recycling of covered electronic waste that is projected to be recycled in the state.

(2) The sufficiency of revenues in the account for the board and the department to administer, enforce, and promote the program established pursuant to this chapter, plus a prudent reserve not to exceed 5 percent of the amount in the account.”

As noted earlier in this document, the current level of CEW recycling payment claim demands compared to annual revenues and existing reserves suggest that the current fee structure is sufficient for resources to continue program operation at this time.

Additional Factors in Reserve and Fee Considerations

The Governor’s Budget for FY 2018/19 indicates a starting reserve balance in the EWRRA of approximately \$81 million and an ending reserve balance of approximately \$62 million, assuming current revenue and expenditure rates. As a part of the FY 2010/11 Governor’s Budget, \$80 million dollars was loaned from the EWRRA reserve to the General Fund. An additional \$27 million was loaned that same fiscal year through Chapter 13/2011. These outstanding loans have been repaid in full in 2015/16 Fiscal Year, and have been factored into the fund balance in the Governor’s Budget, and for the purposes of the evaluation of the electronic waste recycling fee.

The Mechanics of Adjusting Fee Levels

CalRecycle has the authority to adjust, pursuant to timeframes and considerations contained in statute, the fee assessed on consumers. Adjustments to the fee would be considered regulations under the Administrative Procedures Act (APA). CalRecycle has authority to make such adjustments pursuant to an emergency rulemaking. Public Resources Code Section 42475.2 grants CalRecycle the authority to promulgate all regulations under the Act as emergency regulations that remain in effect for two years. This timeframe will allow any fee changes to remain in effect until the next time CalRecycle is authorized to revisit and revise them.

Covered Electronic Waste Recycling Program - Historical CEW Recycling Claim Volumes

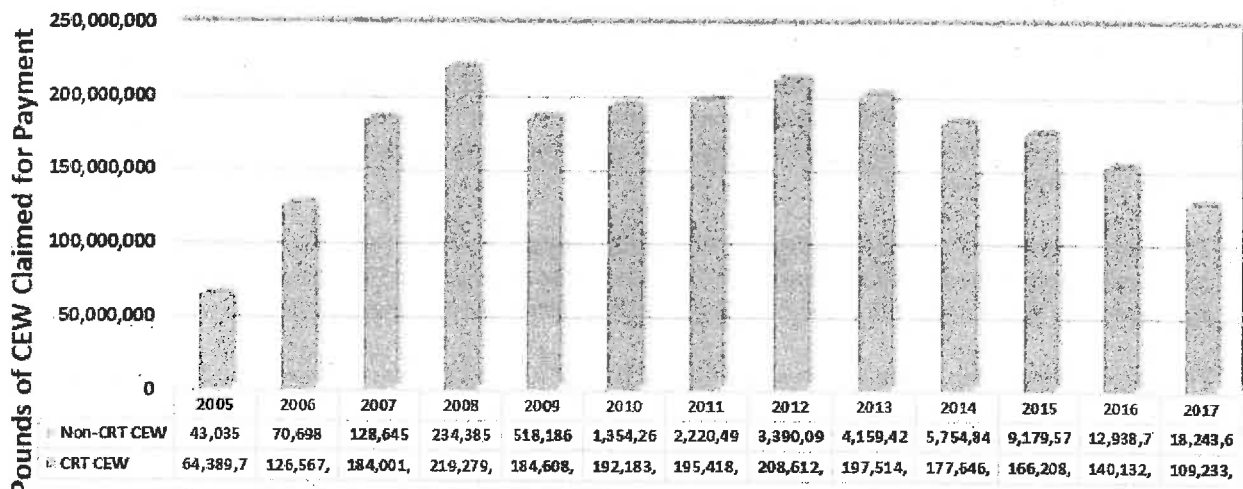
CalRecycle tracks the volume of covered electronic waste (CEW) recovered and recycled within the program through data submitted as part of recycling payment claims. The depiction of claim volumes in the chart below reflects the general growth trends of the program since its inception in January 2005 on an annual 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. (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. In 2013, non-CRT CEW exceeded 2% by weight for the first time and the volume has grown each year. In 2017, about 14% by weight of CEW claimed were non-CRT devices.

Covered Electronic Waste Recycling Payment System

2005-2017 Pounds of CRT and Non-CRT CEW Claimed for Payment



Graphic depicts amounts of CEW claimed from the beginning of 2005 to the end of 2017.

Covered Electronic Waste Recycling Program – Fee Model and Analysis

The Electronic Waste Recycling Act of 2003 (Act) requires CalRecycle to review and to adjust, as necessary, the Covered Electronic Waste Recycling Fee (fee) that funds the covered electronic waste (CEW) recycling program provided for by the Act. The fee is paid by consumers at the time of retail purchase of a new covered electronic device (CED), and is remitted to the State via the California Department of Tax and Fee Administration (CDTFA). Pursuant to Public Resource Code 42464(f), no more frequently than annually, and no less frequently than biennially, CalRecycle must assure that sufficient revenue is realized from the fee to make CEW recovery and recycling payments to approved CEW collectors and recyclers, as well as fund specific functions at State agencies (CalRecycle, Department of Toxic Substances Control, CDTFA, and State Controller's Office) that administer the Act. Note that decisions on any adjustment of the consumer fee must be made before August 1 of a given year to meet statutory deadlines, with changes to the fee levels taking effect on the following January 1.

At this point, it appears that the covered electronic waste recycling fee may be maintained at the existing levels. The table presented on the following page models the fiscal effects of maintaining a \$5, \$6, and \$7 fee structure. The model assumes certain variables, most of which remain generally constant over time for the purpose of analysis. It is acknowledged that, while CalRecycle has some degree of control over certain of the assumed variables, such as the recovery and recycling payment rate that can be reset biennially, other variables can only be speculated. Furthermore, issues such as recovery and recycling payment rates are driven by statutory considerations to fulfill the Act and not to be used to maintain a fund balance.

Variables assumed to remain constant include the projected volume of CED sales (approximately 15.5 million units annually – based on data reported along with most recent fee remittals from retailers) and the mix of screen-sizes that will be sold. Another potential variable in the model is the projected volume of CEW managed through the program (approximately 130 million pounds annually).

The model incorporates the CEW combined recovery and recycling payment rate of \$0.49 per pound for CRT CEW and \$0.60 per pound for non-CRT CEW as adopted by CalRecycle in May 2018 and effective July 1, 2018. The model also presumes the goal of continued fund solvency assurance through FY 2018/19, while working toward maintaining a 5% prudent reserve provided for by statute (PRC 42464(f)(2)). However it is expected that the recovery or recycling payment rates will change, but the degree of change is uncertain.

The model presumes a targeted average per CED unit revenue level that results in the described impacts on the condition of the EWRRRA through FY 2019/20. (The average per CED unit revenue level has been approximately \$5.50 under the current \$5, \$6, and \$7 fee level and historical CED sales volume.)

The model presented in Table 1 shows that the \$5, \$6, and \$7 fee structure will keep the EWRRRA fund reserve at an adequate level, while allowing for contingencies in the event of unexpected fiscal developments. The ability of CalRecycle to adjust the fee annually, as necessary, provides significant flexibility in fulfilling statutory obligations and ensuring program solvency by selecting fiscally prudent options in the near-term.

Proposed Maintenance to the Fee Structure

The following table presents the fiscal effect of maintaining the existing fee structure of \$5, \$6, and \$7. This model is intended to illustrate fund condition evolution under assumed program administration costs, General Fund loan repayments, CEW recovery and recycling volumes, new recycling payment rates, and CED sales. Initial fund conditions for FY 16/17 are aligned with fiscal data contained in the Governor’s Budget for FY 2017/18. The model assumes adherence to the existing three-tiered fee levels within established CED screen sizes categories (4” to <15”, 15” to <35”, and 35” or greater).

Fiscal Year	Devices Sold	Avg Fee Revenue per Device	Revenues	Recycling Payments	All Other Expenditures	General Fund Loan Repayments	Fund Balance at Year End
FY 2016/17	16,679	\$ 4.34	\$ 72,720	\$ (71,402)	\$ (22,999)	\$ -	\$ 97,677
FY 2017/18	15,672	\$ 5.49	\$ 86,039	\$ (63,082)	\$ (23,424)	\$ -	\$ 92,350
FY 2018/19	15,465	\$ 5.49	\$ 84,903	\$ (67,132)	\$ (26,664)	\$ -	\$ 79,284
FY 2019/20	15,192	\$ 5.49	\$ 83,404	\$ (68,276)	\$ (26,880)	\$ -	\$ 64,155

Note: Within the above table, all figures are presented in terms of thousands, *except for amount of average revenue per device sold.*

Assumptions:

- No Growth in Pounds of CEW Recovered / Recycled:
- Number of Devices Sold to Remain Stable:
- Targeted Average Revenue per Device:
- Combined Recovery and Recycling Payment Rates:

- Volumes stay flat at approximately 130 million pounds per year
- Approximately 15,500,000 per year (sales reported with recent fee reinitials)
- \$ 5.49 (based on projected percentages sold per CED size category, less 3% retailer withhold)
- \$ 0.49 per pound for CRT CEW and \$0.60 per pound for non-CRT CEW



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

10011 STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

Date: June 21, 2018

TO: Interested Parties

Subject: **Notice of Changes to Proposed Regulations Amending the Electronic Waste Recycling Program**

On June 21, 2018, the Department of Resources Recycling and Recovery (CalRecycle) will initiate a 15-day comment period for revisions to the Proposed Regulations Amending the Electronic Waste Recycling Program. **The 15-day written public comment period for this rulemaking will end at 5:00 p.m. on Friday, July 6, 2018.**

CalRecycle filed the proposed regulations affecting areas within Chapter 8.2 of Division 7 of Title 14 of the California Code of Regulations with the Office of Administrative Law (OAL) for approval on February 9, 2018. The rules serve as a vehicle to finalize two existing emergency regulation packages that 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 covered electronic waste (CEW). In addition to other general edits, the proposed rules will also amend and 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.

OAL has recommended changes to the rulemaking file documents and associated regulations that necessitate further public comment. As a result, CalRecycle staff withdrew the regulatory package and revised the regulations. These revisions will add clarity to the existing language where needed, and CalRecycle has included an additional explanation with respect to these revisions in the Addendum.

The 15-Day Notice, the Addendum to the Initial Statement of Reasons, and the full text of the regulations as originally proposed with the new changes clearly indicated may be accessed on CalRecycle's Internet webpage at:
<http://www.calrecycle.ca.gov/Laws/Rulemaking/EWasteFinal/default.htm>

The originally noticed proposed regulations and associated documents may also be accessed at the same webpage.

Text shown in double underline (addition) and ~~double strikeout~~ (deletion) depict changes made after the initial comment period and submission of regulations to the OAL. CalRecycle staff will only respond to comments related to the newly proposed changes to the regulations.



Please submit your comments to:

Ana-Maria Stoian-Chu
Electronic Waste Recycling Program MS-9
CalRecycle
P.O. Box 4025
Sacramento, California 95812-4025

Email: ewaste@calrecycle.ca.gov

Fax: (916) 319-7609



Water Quality Fees Stakeholder Meeting

DATE:	Thursday, June 14, 2018
TIME:	9:00-11:30 am
LOCATION:	CalEPA Headquarters Building Sierra 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 (WDPF) Budget Cost Drivers (Attachment 1)
3. WDPF Recent Program Fee Increases (Attachment 2)
4. Annual Performance Report – Fee Card
https://www.waterboards.ca.gov/about_us/performance_report_1617/targets/71133_wq_fees.shtml
5. WDPF Projected FY 2017-18 Staff Charges by Program (Attachment 3)
6. Open Discussion

**WDPF Budget Cost Drivers
FY 2018-19 (\$000)**

A	B	C	D	E	F	G	H	I	J	K
WDPF Program	FY 17-18 Fee Budget ¹	BCP Changes	Staff Cost & Program Adjustments ²	FY 18-19 Allocation Budget (B+C+D)	FY 18-19 Revenue Forecast	Forecasted Revenue Increase / (Decrease) (E-F)	FY 18-19 Total Revenue (F+G)	Average Program Percent Change	Option A Full Amount	Option B Partial Amount ~50%
WDR	\$30,152		\$1,835	\$31,987	\$27,888	\$4,099	\$31,987	14.7%	14.7%	7.0%
Land Disposal	\$12,216		\$1,914	\$14,130	\$14,243	(\$113)	\$14,130	-0.8%	0.0%	0.0%
WQC (401 Cert)	\$10,533		\$1,525	\$12,058	\$10,514	\$1,544	\$12,058	14.7%	14.7%	7.0%
Storm Water	\$27,961		\$3,228	\$31,189	\$30,701	\$488	\$31,189	1.6%	1.6%	0.0%
NPDES	\$30,043		\$2,123	\$32,166	\$28,001	\$4,166	\$32,166	14.9%	14.9%	7.0%
CAF	\$4,839		\$132	\$4,971	\$4,592	\$379	\$4,971	8.3%	8.3%	4.0%
Ag Lands (ILRP)	\$7,622		\$24	\$7,646	\$6,613	\$1,033	\$7,646	15.6%	15.6%	7.0%
Cannabis	\$10,594	\$3,929	\$3,094	\$17,617	\$17,617		\$17,617			
TOTAL	\$133,960	\$3,929	\$13,874	\$151,763	\$140,168	\$11,595	\$151,763			

Adjusted Revenue Reserve Percent:	8.1%	4.0%
Adjusted Revenue Reserve Amount:	\$12,339	\$6,050

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, space optimization and pro rata.
- ³ Adjustments to revenue levels while maintaining a prudent reserve.
- ⁴ Recommended revenue level adjustments.
- ⁵ Net revenue levels after adjustments.
- ⁶ Net percentage change impact after recommended adjustments.

**WDPF Fee Paying Programs
Recent Program Fee Increases**

Program	FY 2014-15	FY 2015-16	FY 2016-17	FY 2017-18	
	Actual	Actual	Actual	Actual	Needed
WDR	7.9%	-	-	-	10.2%
Land Disposal	9.8%	-	-	-	-
WQC (401 Cert)	N/A ¹		20% ³	20% ⁴	22.1%
Storm Water	-	-	-	-	-
NPDES	-	-	-	-	6.8%
CAF	33.0% ²	-	-	-	9.8%
Ag Lands (ILRP)	-	-	-	16% ⁵	22.3%

¹ New annual fee structure implemented in FY 2014-15

² Increase delayed from FY 2013-14

³ A 33% increase was needed, deferred balance to next FY

⁴ Average percent change across the program, actual changes ranged between 0% - 30%

⁵ Related to BCP for 5 PYs

**Waste Discharge Permit Fund (WDPF)
Projected FY 2017-18 Staff Charges by Program**

WDPF Staff Labor Associated Directly with Fee Paying Program

Program	Job Title	PYs
Waste Discharge Requirement	Assistant Chief Council	0.3
	Associate Governmental Program Analyst	0.9
	Attorney	0.8
	Attorney III	2.0
	Attorney IV	0.3
	Environmental Geologist	15.5
	Environmental Geologist - Senior	6.4
	Environmental Geologist - Supervising	1.4
	Environmental Program Manager I	0.01
	Environmental Scientist	5.1
	Environmental Scientist - Senior	1.5
	Executive	0.1
	Info Tech Associate	0.6
	Information Systems Analyst - Associate	2.1
	Office Technician	1.5
	Sanitary Engineering Associate	2.6
	Water Resource Control Engineer	33.1
	Water Resource Control Engineer - Senior	5.1
Water Resource Control Engineer - Supervising	0.4	
Total PYs:		80.0

Program	Job Title	PYs
Storm Water	Assistant Chief Council	0.2
	Attorney	0.2
	Attorney III	1.5
	Attorney IV	0.4
	Environmental Geologist	8.1
	Environmental Geologist - Senior	0.9
	Environmental Program Manager I	0.5
	Environmental Scientist	18.6
	Environmental Scientist - Senior	6.3
	Environmental Scientist - Senior Spec	1.8
	Executive	0.1
	Legal Secretary	0.01
	Office Technician	0.3
	Sanitary Engineering Associate	1.3
	Scientific Aid	0.3
	Staff Services Analyst	1.3
	Water Resource Control Engineer	30.4
	Water Resource Control Engineer - Senior	5.1
Water Resource Control Engineer - Supervising	2.4	
Total PYs:		79.9

Program	Job Title	PYs
Ag Lands (formerly ILRP)	Associate Governmental Program Analyst	1.0
	Environmental Geologist	4.8
	Environmental Geologist - Senior	1.3
	Environmental Geologist - Supervising	0.01
	Environmental Scientist	7.2
	Environmental Scientist - Senior	1.8
	Environmental Scientist - Senior Spec	0.5
	Water Resource Control Engineer	5.6
Total PYs:		22.3

Program	Job Title	PYs
NPDES	Assistant Chief Council	0.2
	Associate Governmental Program Analyst	0.4
	Attorney	1.1
	Attorney III	1.4
	Attorney IV	0.4
	Environmental Geologist	3.6
	Environmental Geologist - Senior	1.1
	Environmental Program Manager I	0.1
	Environmental Scientist	3.1
	Environmental Scientist - Senior	0.8
	Environmental Scientist - Senior Spec	0.03
	Executive	0.03
	Executive Assistant	0.2
	Info Tech Associate	0.6
	Info Tech Specialist	0.2
	Info Tech Supervisor II	0.2
	Info Tech Technician	0.1
	Information System Technician - Assistant	2.3
	Information Systems Analyst - Associate	0.7
	Information Systems Analyst - Senior	0.7
	Information Systems Analyst - Staff	0.7
	Office Technician	0.4
	Sanitary Engineering Associate	1.3
	Student Assistant	0.1
	Water Resource Control Engineer	48.7
	Water Resource Control Engineer - Senior	10.8
Water Resource Control Engineer - Supervising	1.3	
Total PYs:		80.5

Program	Job Title	PYs
Land Disposal	Associate Governmental Program Analyst	0.4
	Attorney	0.04
	Attorney III	0.2
	Attorney IV	0.02
	Environmental Geologist	9.4
	Environmental Geologist - Senior	4.6
	Environmental Geologist - Supervising	0.3
	Environmental Scientist	1.3
	Office Technician	0.1
	Water Resource Control Engineer	6.8
	Water Resource Control Engineer - Senior	0.3
	Water Resource Control Engineer - Supervising	0.3
	Total PYs:	

Program	Job Title	PYs
Confined Animal Facilities	Environmental Geologist	3.9
	Environmental Geologist - Senior	0.8
	Environmental Geologist - Supervising	0.2
	Environmental Scientist	2.8
	Water Resource Control Engineer	3.0
	Water Resource Control Engineer - Senior	0.9
	Water Resource Control Engineer - Supervising	0.7
Total PYs:		12.4

Actuals: July 2017 Through March 2018
Estimated: April 2018 Through June 2018
Updated May 16, 2018

**Waste Discharge Permit Fund (WDPF)
Projected FY 2017-18 Staff Charges by Program**

WDPF Staff Labor Associated Directly with Fee Paying Program

Program	Job Title	PYs
401 Cert	Assistant Chief Council	0.1
	Attorney	0.5
	Attorney III	0.6
	Attorney IV	0.2
	Environmental Geologist	4.0
	Environmental Geologist - Senior	0.4
	Environmental Program Manager I	0.5
	Environmental Scientist	17.5
	Environmental Scientist - Senior	2.3
	Executive	0.02
	Legal Support Supervisor I	0.1
	Sanitary Engineering Associate	0.3
	Scientific Aid	0.1
	Water Resource Control Engineer	5.8
	Water Resource Control Engineer - Senior	1.8
	Water Resource Control Engineer - Supervising	0.02
Total PYs:	34.3	

Program	Job Title	PYs
Cannabis	Admin Officer II	0.002
	Associate Governmental Program Analyst	0.03
	Attorney	1.0
	Attorney III	0.03
	Attorney IV	0.9
	Environmental Geologist	0.9
	Environmental Geologist - Senior	0.6
	Environmental Program Manager I	0.1
	Environmental Scientist	2.1
	Environmental Scientist - Senior	0.004
	Environmental Scientist - Senior Spec	0.3
	Exec Officer II	0.03
	Executive	0.002
	Water Resource Control Engineer	2.2
	Water Resource Control Engineer - Senior	2.2
	Water Resource Control Engineer - Supervising	0.5
Total PYs:	10.8	

WDPF Indirect/Redirect Staff Labor Proportionally Distributed to Fee Paying Programs

Program	Job Title	PYs
WQ Control Planning (TMDL/Basin Planning)	Assistant Chief Council	0.2
	Associate Governmental Program Analyst	1.2
	Attorney	0.6
	Attorney III	2.4
	Attorney IV	0.1
	Environmental Geologist	8.9
	Environmental Geologist - Senior	1.8
	Environmental Geologist - Supervising	0.4
	Environmental Program Manager I	1.2
	Environmental Program Manager II	0.2
	Environmental Scientist	25.2
	Environmental Scientist - Senior	9.5
	Environmental Scientist - Senior Spec	4.7
	Executive	0.02
	Info Tech Specialist I	0.2
	Information Systems Analyst - Staff	0.7
	Sanitary Engineering Associate	2.2
	Scientific Aid	0.1
	Staff Services Analyst	1.0
	Water Resource Control Engineer	15.6
Water Resource Control Engineer - Senior	4.6	
Total PYs:	81.0	

Program	Job Title	PYs
Statewide Enforcement	Attorney III	0.1
	Attorney IV	0.002
	Environmental Geologist	0.7
	Environmental Geologist - Senior	0.4
	Environmental Geologist - Supervising	0.8
	Environmental Program Manager I	0.2
	Environmental Scientist	2.9
	Environmental Scientist - Senior	2.2
	Executive	0.02
	Sanitary Engineering Associate	0.6
	Staff Services Analyst	0.8
	Water Resource Control Engineer	4.8
	Water Resource Control Engineer - Senior	2.4
	Water Resource Control Engineer - Supervising	0.2
Total PYs:	16.1	

Program	Job Title	PYs
Fee Unit	Associate Governmental Program Analyst	1.1
	Management Services Technician	0.9
	Research Program Specialist I	1.0
	Staff Services Analyst	0.3
	Staff Services Manager I	1.0
	Staff Services Manager II - Managing	0.9
	Total PYs:	5.0


Program	Job Title	PYs
Monitoring (GAMA/SWAMP)	Associate Governmental Program Analyst	0.4
	Environmental Geologist	5.6
	Environmental Geologist - Senior	0.9
	Environmental Geologist - Supervising	0.3
	Environmental Program Manager I	1.0
	Environmental Scientist	10.6
	Environmental Scientist - Senior	1.4
	Environmental Scientist - Senior Spec	5.0
	Scientific Aid	1.0
Water Resource Control Engineer	0.2	
Water Resource Control Engineer - Principal	0.4	
Total PYs:	26.8	

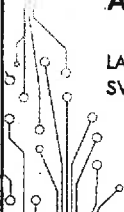

Program	Job Title	PYs
Other	Environmental Scientist	0.3
	Environmental Scientist - Senior Spec	0.9
	Water Resource Control Engineer - Senior	0.9
Total PYs:	2.1	

Actuals: July 2017 Through March 2018
Estimated: April 2018 Through June 2018
Updated May 16, 2018

EPA'S ELECTRONIC MANIFEST: APPLICABILITY TO HHW PROGRAMS

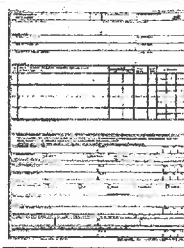
LARRY SWEETSER
SWEETSER & ASSOCIATES, INC.





UNIFORM HAZARDOUS WASTE MANIFEST



- Cradle to Grave tracking system
 - Generator
 - Transporter
 - Designated Facility
 - Agencies
- HHW RCRA Subtitle C Exempt



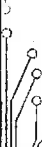

ELECTRONIC MANIFEST (E-MANIFEST)

- Online system to track shipments
- EPA fee per manifest at receiving facility
 - Not state exempt
- Manifest options
 - Five (5) part paper form, electronic, or hybrid



DON'T PANIC

- Old paper manifests still allowed
- No need to rush to sign up
- Program still in development
- More changes to come



NEW TERMS

<u>NEW TERM</u>	<u>CURRENT SYSTEM</u>
• Waste Handler =	• Generator/Offerer
• Receiving facility =	• Designated Facility/TSDF
• Broker =	• Not used

E-MANIFEST NOT APPLICABLE

- If not required by state
- Bill of Ladings
- Consolidated or milk-run manifest
 - (e.g. California used oil)
- Exported hazardous waste

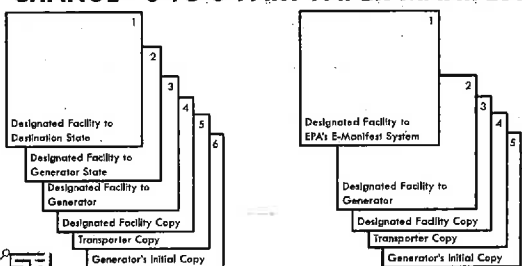
E-MANIFEST - OPTIONS

- Paper
- Electronic
- Hybrid (most common)

PAPER MANIFESTS

- Five part (or old 6-part)
- Use like before
- Upload later
 - By Transporter or Receiving Facility

CHANGE - 6 TO 5-PART PAPER MANIFEST



ELECTRONIC – PAPER FREE

- No paper (almost)
- Computer, tablet, and cell phone accessible
- Once started, cannot change to paper
- Print copies from Web
- Need internet connection to sign e-manifest!

HYBRID MANIFEST

- E-manifest created (e.g. Transporter)
- Print out paper copy for Generator signature
- Transaction continues as paper or upload later
- Transporter can sign electronically

FEE STRUCTURE (FINAL, FY 2018/2019)



- \$5.00 e-manifest (including hybrid)
- \$6.50 data file upload of paper copy
- \$10.00 uploaded paper manifest (e.g. PDF)
- \$15.00 paper manifest by mail
- Stericycle \$6.50, Clean Harbors \$10
- EPA bills 1st day of month,
 - Due within calendar month received or fees and penalties apply

TRANSPORT ISSUES

- EPA and DOT still require paper manifest copy in transport in case of emergency
- Hybrid manifest need paper copies for Generator
- Once e-manifest started, cannot switch to paper
 - What if subsequent driver(s) cannot sign electronically?

RECEIVING FACILITIES SUBMIT MANIFESTS TO EPA

- Electronically (\$5.00)
- Image + data upload (\$6.50)
- Image only (\$10.00)
- Paper (\$15.00)
- Submit with 30 days (Extension to 9/30/18)



GENERATORS NEED TO REGISTER TO:

- Sign manifests electronically
- View manifest records in system
 - Verify if arrive at Receiving Facility
- Submit post-receipt data corrections
 - (When available)

GENERATOR REGISTRATION

- Each person creating and/or signing manifest must register
- Can only register if state opts in MyRCRAID or Biennial Report
- Signing manifests requires at least Certifier level
- **CHECK WITH STATE ON PROCEDURES**
 - https://www.epa.gov/rcraidnew/module1/module1state_contacts.html

STATES OPTED IN MYRCRAID OR BIENNIAL REPORT (7/19/18)

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • Alabama (BR) • Alaska (BR, myRCRAID) • American Samoa (BR, myRCRAID) • Arizona (BR) • Arkansas (myRCRAID) • California (myRCRAID) • Colorado (BR, myRCRAID) • Connecticut (BR, myRCRAID) • Delaware (BR) • Florida (BR) • Georgia (myRCRAID) | <ul style="list-style-type: none"> • Guam (myRCRAID) • Hawaii (BR, myRCRAID) • Idaho (BR) • Iowa (BR) • Kansas (BR) • Maine (BR, myRCRAID) • Massachusetts (BR) • Michigan (BR) • Minnesota (BR) • Mississippi (myRCRAID) • Missouri (BR) | <ul style="list-style-type: none"> • Montana (BR, myRCRAID) • Navajo Nation (BR, myRCRAID) • Nebraska (myRCRAID) • Nevada (myRCRAID) • New Mexico (BR, myRCRAID) • New York (myRCRAID) • North Carolina (BR, myRCRAID) • North Dakota (myRCRAID) • Northern Mariana (P.R., myRCRAID) • Ohio (myRCRAID) • Oklahoma (BR, myRCRAID) • Oregon (BR) • Puerto Rico (myRCRAID) • Rhode Island (BR, myRCRAID) • South Dakota (BR, myRCRAID) • Trust Territories (BR, myRCRAID) • Utah (BR, myRCRAID) • Vermont (BR, myRCRAID) • Virgin Islands (BR, myRCRAID) • Virginia (myRCRAID) • West Virginia (BR, myRCRAID) • Wisconsin (myRCRAID) • Wyoming (BR) |
|--|--|---|

If not on list, cannot register as Site Manager
If on list, HHW may not require/allow registration

CALIFORNIA

- Requires manifests for many HHW
- DTSC working on adopting regulations
- Discrepancy letters still need paper copies
- **Suggest still send paper Generator copy to state**

IF STATE DOES NOT REQUIRE MANIFESTS

- E-manifest not required
- If no EPA ID number or state ID number, no e-manifest access available
- If manifest or e-manifest used, contact vendor for copies to verify delivery



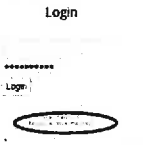
IF CONTRACTOR SIGNS FOR YOU

- Contractor signee needs to be in system to sign e-manifest
- You need system access to view manifest
 - Or require contractor to forward copies
 - Jurisdiction access recommended



LEARNING ZEN

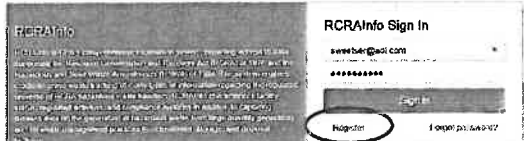
- Provides online lessons on e-manifest system
 - Site Manager and Roles
 - Industry User Registration
 - Industry myRCRAid Module
 - Introduction to e-Manifest
- <https://rcrainfoindustry.learningzen.com/onlinelearning/auth/login>



HOW TO REGISTER



- Register for myRCRAid/Biennial Report
 - <https://rcrainfo.epa.gov/rcrainfo/rod/action/secure/login>
- Once submit information, wait for verification code
- Complete registration



Select Registration Type

<p>Regulatory Agency User</p> <p>Select the option if you represent a State environmental Agency or the United States Environmental Protection Agency.</p>	<p>Industry User</p> <p>Select this option if you want to submit RCRAid Registration, Biennial Report, and/or manifest data on behalf of a regulated hazardous waste site including Federal facilities.</p>
---	--

[Click to Register as a Regulated Industry User](#)



Legal Registration

Create a New Account

Business:

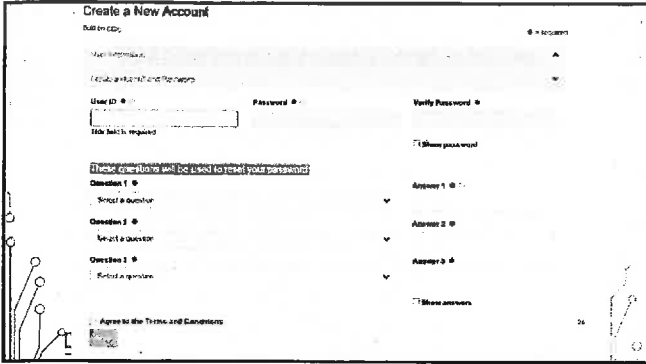
Non Profit:

First Name: [input] Middle Initial: [input] Last Name: [input] Suffix: [input]

Company: [input]

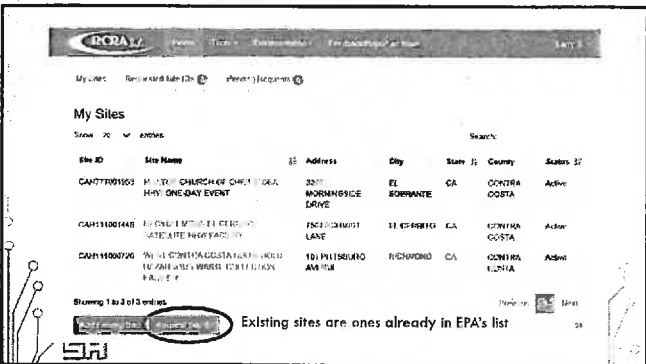

Country: [input]





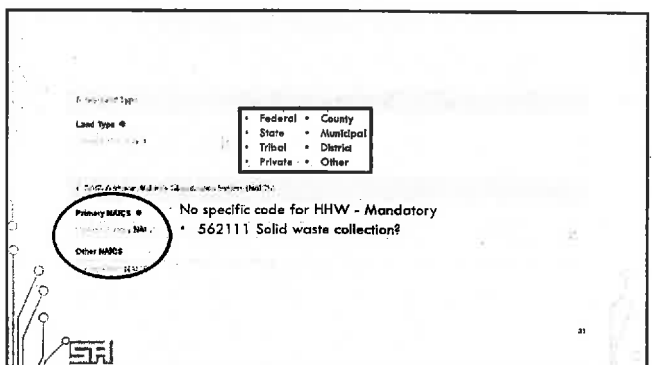
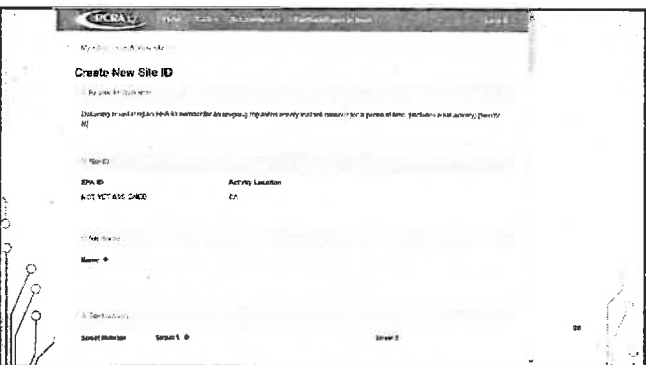
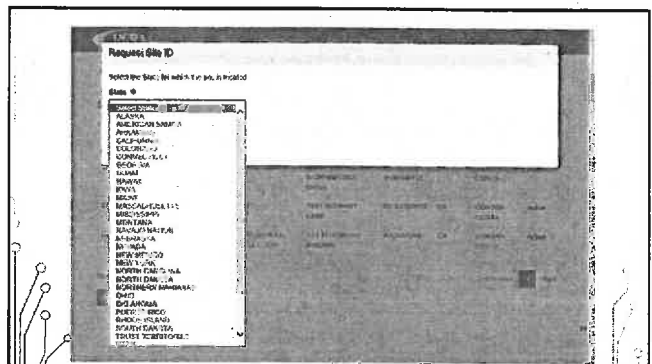
ONCE REGISTERED

- Re-enter RCRAInfo
- Check My Profile to set permission level
- Start entering sites
- Set permission level
 - Site Manager (at least two) – controls permissions, may need state approval
 - Certifier – required to sign manifests
 - Preparer – can enter data but cannot sign or submit
 - Viewer – can only view data



Site ID	Site Name	Address	City	State	County	Status
CA07700100	RETIRED CHURCH OF CHRIST CHA. REV. ONE-DAY EVENT	3575 INDIANRIDGE DRIVE	EL SOBRANTE	CA	CONTRA COSTA	Active
CA01100148	RECYCLE MATERIALS CENTER STATE AIRE NECESSARY	7504 COMPOST LANE	EL ESTERITO	CA	CONYAMA COSTA	Active
CA01100070	WILLIAMS WASTE COLLECTION	101 PHILLISLENO AVENUE	RICHMOND	CA	CONYAMA COSTA	Active

Showing 1 of 3 entries



CHECK WITH YOUR STATE

18 Type or Address for Manifesting Activity

A. Hazardous Waste Activities

1. Generator of Hazardous Waste (Federal)

2. Large Quantity Generator

3. Small Quantity Generator

4. Very Small Quantity Generator

5. Transfer, Storage, or Disposer of Hazardous Waste

6. Recycles Hazardous Waste from Other

7. Exempt Boiler and/or Industrial Furnace

None selected -

These may apply

Depends on state designation

7. State Code for State Region (per Federal Hazardous Waste Code)

Hazardous Waste Code (State)

612 = California HHW Code
Some states, no code, then ???
No codes available for your State

CAREFUL when selecting this

19. Manifesting Activity

This may apply

1. Generator of Hazardous Waste (Federal)

2. Large Quantity Generator

3. Small Quantity Generator

4. Very Small Quantity Generator

5. Transfer, Storage, or Disposer of Hazardous Waste

6. Recycles Hazardous Waste from Other

7. Exempt Boiler and/or Industrial Furnace

None selected -

ADD CLARIFICATION

20. Comments

Public Comments

This is a hazardous hazardous waste facility and producer. The RCRA manifesting activity is the California Hazardous Waste Manifest for this site. (CAH11100072)

21. Manifesting Activity

Manifests will be here

19. Manifesting Activity

20. Comments

22. Manifesting Activity

You can create manifests here

Shipped manifests will be here

19. Manifesting Activity

20. Comments

SCENARIOS

WHAT IF I DO NOT HAVE INTERNET ACCESS?

- Need to use paper copy
 - Maybe in conjunction with the hybrid system
 - Upload later
- May need touch screen to "sign"

TRANSPORT TO TRANSFER STATION

- Manifested HHW sent to HHW Facility or "permitted" Transfer Station is a receiving facility and fee applies.
- HHW is then sent to Designated Facility on new manifest and fee applies
- *Generator may be billed several times for same waste*

TRANSPORT BETWEEN HHW FACILITIES

- EPA Generator Improvement Rule allows VSQG to ship to Large Quantity Generators (LQG) without RCRA manifest.
- HHW not RCRA waste but some states require manifest
 - Fees apply (sorry)

WHAT WE DON'T KNOW ... YET!

- State requirements adoption/exceptions/access?
- How to access RCRAInfo if no EPA or State ID Number or waste code?
- Prepare discrepancy reports online?
- How long continue using paper manifest only?
- Can you upload groups of manifests or individually?

WHAT TO DO?

- ✓ Check contract for new regulatory fees allowance
- ✓ Check with contractor on method and fees
- ✓ Check with State on requirements and access
- ✓ Register at RCRAInfo
- ✓ Designate Site Manager (at least 2)
 - ✓ Including contractors authorized to sign "On Behalf Of"
 - ✓ Register all persons signing manifests as "Certifiers"
- ✓ Enroll EPA e-manifest listserv for updates
- ✓ Train Staff – Triggers DOT HazMat Transportation training

LINKS

- EPA E-Manifest
<https://www.epa.gov/e-manifest>
- FAQ
<https://www.epa.gov/e-manifest/frequent-questions-about-e-manifest#user>
<http://www.hwts.dhs.gov/e-manifestFAQsMarch2018.pdf>
- RCRAInfo
<https://rcrainfo.preprod.epa.gov/rcrainfo/>



THANK YOU

Larry Sweetser
Sweetser & Associates, Inc.
sweetser@aol.com
(510) 703-0898



7

Mary Pitto

From: cpsc-associates-listserv@googlegroups.com on behalf of Justin Weiss <Justin@calpsc.org>
Sent: Friday, July 20, 2018 3:25 PM
To: Justin Weiss
Subject: CPSC Meds and Sharps Stewardship & EPR July Update - NEW UPDATES

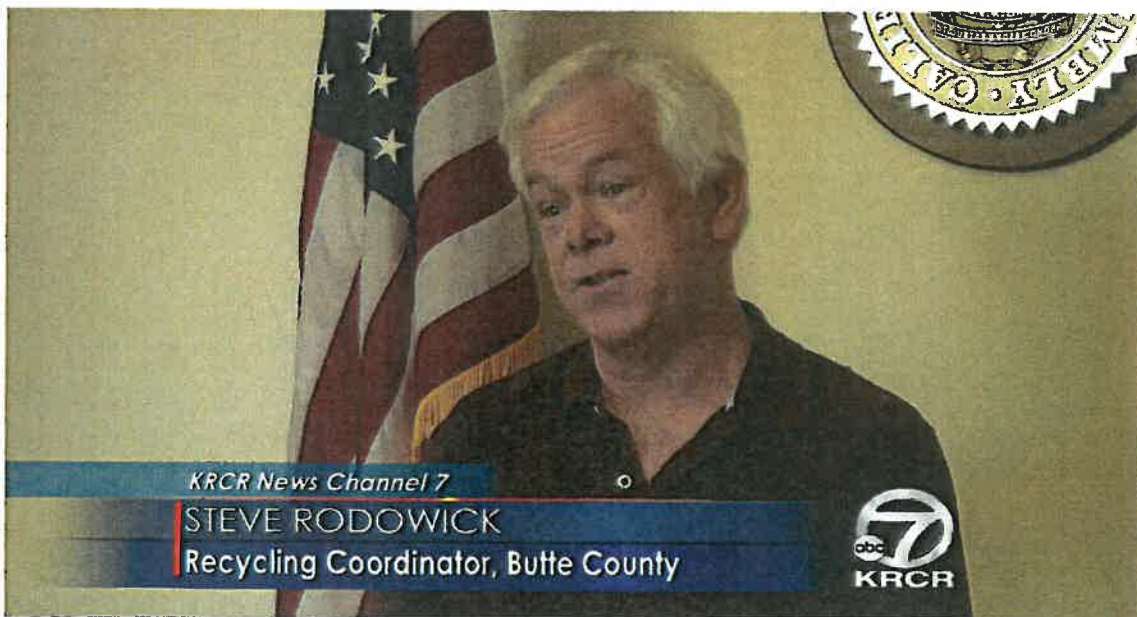
July 20, 2018



CPSC
California Product Stewardship Council SM

Medicine and Sharps Stewardship Update

* Corrections denoted in **red text**



[CPSC Board Member, Steve Rodowick, featured in piece discussing SB 212 and proper medication disposal.](#)

Large container of used sharps dropped off at a Bay Area HHW event. California residents need a convenient solution to dispose of their medical sharps.



Don't Rush to Flush

CPSC Managed, Award Winning Campaign to Safely Collect and Dispose of Meds -

San Joaquin County Rose Foundation Grant

- Eight new medicine collection bins (Local Pharmacies & Law Enforcement)
- Eleven more to be sited



Amador County Rose Foundation Grant

- 3 medicine collection bins (1 more to be sited)
- Press kick-off event with local community leaders at Lone PD



Watch CPSC on Channel 3 News
Dont Rush To Flush Bins In Amador County!

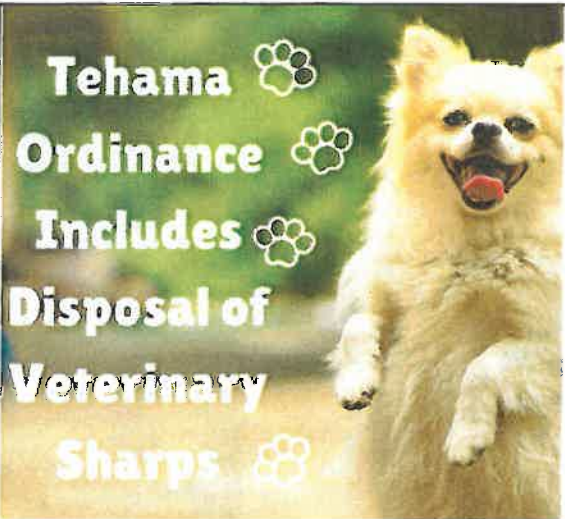
FREE Medicine Collection Bin

Call (916) 706-3420 or email joanna@celso.org for inquires

*Photo taken at Sunnyvale Fire Department. Able to collect medications as they are a deputized department.



Local EPR Victories!



Tehama County passed Pharmaceuticals and Sharps Collection and Disposal Stewardship Ordinance 6/9/18

- Includes veterinarian medication and sharps
- First rural county in the U.S. to pass pharmaceuticals and sharps EPR ordinance



Santa Clara County **Passes Sharps Take** **Back Ordinance**



3/6/18 - Santa Clara County passes [ordinance](#) requiring needle manufacturers to fund a county-wide sharps collection program

Nationwide Pharmaceutical EPR Victories

Washington State

Passes [Secure Drug Take Back Act 3/22/18](#)

- Passed with unanimous vote ([49-0](#))
- First statewide drug take back program in the nation
- Does not cover collection of sharps



New York State

Passes [Drug Take Back Act 7/11/18](#)

- **ALL chain pharmacies with 10+ locations must participate**
- Does not cover the collection of sharps



International Pharma Take-Back



Did you know that pharmacies within France collected over 11,000 tons of unwanted medications in 2017?! Read our updated Fact Sheets on [France](#) & [Sweden](#) to learn how their producer responsibility programs evolved!

Looking Forward:

[California Statewide Program](#)



**[SB 212 Jackson & Ting](#) : California Statewide
Safe Medicine and Needle Disposal Program is
Approved 5/1 vote in Environmental Safety and
Toxic Materials Committee 6/26/18**

Sacramento Bee Article



"California safety inspectors have issued nine citations and fined the Department of General Services for failing to adequately prepare groundskeepers asked to clean up needles and fecal matter in Capitol Park." Chen, SacBee 2018

- ["Combatting the opioid crisis with drug takeback programs" Tim Goncharoff, APWA Reporter, March 2018](#)
- ["Opioid deaths drop by half in Alameda County" California News Wire Services, June 2018](#)
- ["California lawmakers introduce bill to help combat opioid crisis" KRCR News, July 2018](#)
- ["NYS Senate Announces "Drug Take Back Act" has been Signed into Law" Caitlin Murphy, July 2018](#)
- ["CVS Health expands California initiatives to help combat opioid abuse" The Signal, July 2018](#)



**DON'T
RUSH TO
FLUSH**

MEDS in
the BIN.
We All
WIN!

Visit www.dontrushtoflush.org to find safe med and needle disposal location near you!

DONATE

These newsletters are supported by funders, like you!
Donations of any size encouraged, **everything helps.**

For more information on how to get involved, contact: Joanne@calpsc.org



CPSC
California Product
Stewardship Council SM

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**Our mailing address is:
California Product Stewardship Council
1822 21st Street, Suite 100
Sacramento, CA 95811**

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To reply to this message or send a message to this group, send email to cpsc-associates-listserv@googlegroups.com. Upon sending an email to the entire group, you will receive a delivery failure notice, because the message will automatically await approval from CPSC before it is actually sent to the entire group.

You received this message because you are subscribed to the Google Groups "CPSC Associates Listserv" group. To unsubscribe from this group and stop receiving emails from it, send an email to cpsc-associates-listserv+unsubscribe@googlegroups.com.

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

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

Mary Pitto

To: cpsc-pharmaceuticals-listserv@googlegroups.com
Subject: RE: Governor Cuomo Signs Drug Take Back Act in New York!

NYS Senate Announces "Drug Take Back Act" has been Signed into Law

By Caitlin Murphy, Producer

[Connect](#)

Jul 10, 2018 4:06 PM PDT



ALBANY, N.Y. (WENY) – The New York State Senate has announced the “Drug Take Back Act” has been signed into law.

The measure establishes a unified statewide drug take-back program that will reduce medication misuse, and intended to save government and taxpayer money.

The bill, sponsored by Senators Kemp Hannon (R, Nassau) and Tom O'Mara (R-C-I, Big Flats), will also protect the state's water supplies by preventing drugs from being improperly disposed of by flushing or other means that result in contamination of water bodies and negatively impact aquatic life.

Senator O'Mara, who is also the chair of the Senate's Environmental Conservation Committee said, “It's incredibly important to do anything and everything we can to compliment and support the efforts of local law enforcement and other community leaders to combat prescription drug abuse.”

“These efforts include National Prescription Drug Take-Back Days and other initiatives like this one to facilitate the collection, and safe and responsible disposal of unused medications.” O'Mara added, “This new law will greatly expand the number of permanent, locally based drop-off locations. It will be a very positive, cost-effective addition to the state's ongoing, overall strategy to protect our communities and local environments.”

The Drug Take Back Act will help give manufacturers of pharmaceutical products responsibility for costs of the take-back program, with focal points being public education and awareness, as well as drug collection, transport, and destruction. Under this new law, chain and mail-order pharmacies will be required to provide consumers with collection options, including drop boxes and prepaid mail-back envelopes. The measure will

also ensure rural, urban, and other underserved communities have access to ongoing collection services so that all persons have reasonable access to locations to dispose of their drugs and prevent over-saturation in higher populated areas.

Heidi Sanborn | Executive Director



O: (916) 706-3420 | C: (916) 217-1109

heidi@calpsc.org



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

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

Mary Pitto


From: Mattress Recycling Council <ispa@sleepproducts.ccsend.com> on behalf of Mattress Recycling Council <info@mattressrecyclingcouncil.org>
Sent: Thursday, June 21, 2018 12:50 PM
To: Mary Pitto
Subject: June 2018 Program Update

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

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

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





MRC Program Update



Mattress Recycling Council

June 21, 2018

[HOME] [ABOUT] [CONTACT]



In This Issue

MRC NEWS:
[Get To Know Your Recycler](#)

MATTRESS INDUSTRY:
[Find Us At Summer Las Vegas Market](#)


COLLECTION SITES:
[Join The Illegally Dumped Mattress Collection Initiative](#)

IN THE COMMUNITY:
[Illegal Dumping PSA Now Airing](#)

[MRC's Sweet Celebration for DPW Week](#)

[Assemblyman Dante Acosta Hosts Collection Event](#)

IN THE COMMUNITY: MRC's Illegal Dumping PSA is Now Airing



Our latest PSA is now airing across all three program states, and it builds awareness on illegal dumping. In our TV and Radio spots, Sandman is informing the public

about how they can recycle their mattress instead of dumping it illegally.

Help spread the word, ask your local media to use our PSA. This will help combat illegal dumping in your community. MRC continues to divert over 1 million mattresses a year across California, Connecticut and Rhode Island.

In 2017, participants of MRC's illegal dump initiative reported **42,016 units collected**, a 75% increase from 2016. Let's continue to increase this number!

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

RETAILERS:
[Tools For Reporting](#)

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

[Request artwork or
logos](#)

Reporting & Payment Deadlines

<u>Collection</u> <u>Period</u>	<u>Due</u>
Apr 1-30	May 30
May 1-31	June 30
June 1-30	July 30

Submit Reports &
Payments via
MRCreporting.org

To check all of our other PSA material by visiting the Bye Bye Mattress [media center](#).

If you are interested in participating in the illegal dump mattress collection initiative, would like more information and eligibility requirements, check out <https://connect.re-trac.com/registration/mrc-idp> or contact [Mark Patti](#).

IN THE COMMUNITY: MRC's Sweet Celebration for DPW Week

In celebration of DPW Week, Kate Caddy provided pizza and cookies for the DPW staff at our newest Connecticut site in Suffield to show MRC's appreciation. She also personally dropped off cookies to Hartford, Windsor and Willimantic Waste. Additionally, Kate made an appearance at the Hebron DPW truck event to thank the staff and present them with cookies as well.



IN THE COMMUNITY: MRC Visits Collection Event Hosted by Assemblyman Dante Acosta

Assemblyman Dante Acosta hosted a collection event early this month in Santa Clarita in collaboration with MRC's Bye Bye Mattress Program. His team expressed interest in working with MRC in the future for another event this fall. Our Southern California Program Coordinator, Mark Patti, attended the event on behalf of MRC.

***NEW
For 2018***

PUBLICITY TOOLKITS

Collection Site Hosts:

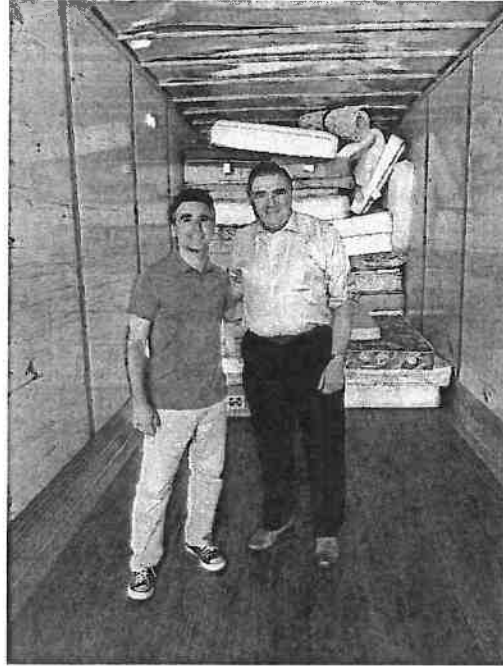
Find press releases,
flyers, site signage and
more!

Site Host Toolkit

Event Hosts:

Media alerts, flyers,
posters, signage and
more!

Event Host Toolkit



Mark Patti and Assemblyman Dante
Acosta

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 - LA
Cristal Materials -
Commerce

DR3 Oakland

DR3 Stockton

DR3 Woodland

Goodwill of Silicon
Valley

R5 Recycling

CONNECTICUT & RHODE ISLAND

*Businesses should contact our
Northeast Program*

MRC NEWS: Get to Know Your Recycler

As a way to show our appreciation and give you an opportunity to get to know who you are working with, MRC has launched the series "Get to Know Your Recycler." This month will highlight R5 Recycling Inc. R5 Recycling is located in Monrovia, CA.

R5 Recycling Inc has been in business for over 8 years. Hector Mares is the owner. He started recycling because he felt it was a need to do more about mattresses. Currently, R5 Recycling has a staff size of six employees and will be expanding. Hector and his



team's favorite part about recycling is seeing the components of a mattress being reused to make other items. In his spare time, Hector likes to BBQ with friends and family.

If you would like to start recycling with R5 Recycling, visit their locator listing [here](#) and contact them.

MATTRESS INDUSTRY: Find Us At Summer Las Vegas Market

Coordinator Kate Caddy for arrangements.

Park City Green-CT

Ace Mattress Recycling-RI

Express Mattress Recyclers-RI

Get SleepSavvy Today!

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

Visit us at Las Vegas Market July 29-August 2. MRC's leadership and staff will be available to answer questions related to recycling, the fee or reporting and payment obligations.



Home Furnishing Association's Retailer Resource Center
Building B, B-1050
Space 25

Be sure to grab our recently updated **consumer education materials** and information to share with your sales associates or clients about the fee and recycling.

COLLECTION SITES: Join The Illegally Dumped Mattress Collection Initiative

As part of SB-254, MRC developed the Illegally Dumped Mattress Collection Initiative to identify where mattresses are illegally dumped in California, and proactively address the issue in affected communities. One component of this strategy includes financial compensation to entities responsible for collecting illegally dumped mattresses in their communities.



Entities responsible for collection of illegally dumped mattresses from public rights-of-way can register to receive compensation in exchange for data identifying the location of dumping activities. These entities include California local governments, certain participating permitted solid waste facilities and authorized solid waste operations. It is important to note that units collected through bulky item and curbside mattress pick-up services are not eligible for reimbursement because those units are not illegally dumped.

Registered collectors of illegally dumped mattresses will be paid up to \$15.00 per unit for data specific to illegal mattress dumping. The actual per unit rate is calculated at the close of a calendar year by dividing the total funded amount, by the number of illegally dumped units collected and reported in 2018.

If your organization is eligible to participate, please register! You can register by contacting [Mark Patti](#), MRC's Southern California Program Coordinator.

FOR RETAILERS: Take Advantage of MRC's Tools For Reporting

We know vacations are coming up, and you may not be able to handle reporting for your company. This may mean that another team member will have to take on this task. Don't stress, we have tools to help you and your staff with reporting.

On the [MRCReporting.org](#) website in the resources section you will find the [Registration and Reporting Guidelines](#) and [Reporting and Remittance Guidelines video](#).

As always, don't hesitate to contact our [Customer Service Department](#) should you have any questions.

UPCOMING EVENTS

California Resource Recovery Association (CRRA) 42nd Annual Conference & Tradeshow

July 26-29, 2018

Oakland Marriott City Center

1001 Broadway

Oakland, CA 94607

[Event website](#)

This Annual Conference and Tradeshow attracts over 600 individuals annually and showcases an estimated 30 sessions each year with over 100 industry experts as presenters. MRC is proud to be silver sponsors, and we're looking forward to participating in the illegal dumping discussion. The Executive Director for DR3, Terry McDonald, will be speaking.

CalRecycle's Used Oil/HHW Training & Symposium

September 18-21, 2018

Delta Hotels Anaheim

12021 Harbor Blvd

Garden Grove, CA 92840

[Event website](#)

This is an outstanding opportunity for organizations and businesses to interact with over 300 attendees and promote

services and products. This event brings together knowledgeable and dynamic representatives from federal, state, and local agencies, non-profit organizations, service providers, and consultants to share information. MRC will have a booth. Our Southern California Program Coordinator, Tyler Douthitt, will be attending.

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

**Republic Services Allied
Imperial Landfill**
Imperial, CA 92251

Connecticut

**Town of Clinton Transfer
Station**
Clinton, CT 06413

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.

© 2016 Mattress Recycling Council. All Rights Reserved.

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

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Sent by info@mattressrecyclingcouncil.org in collaboration with

Constant Contact 

Try it free today

Mary Pitto

From: Mattress Recycling Council <ispa@sleepproducts.ccsend.com> on behalf of Mattress Recycling Council <info@mattressrecyclingcouncil.org>
Sent: Wednesday, July 18, 2018 12:25 PM
To: Mary Pitto
Subject: July 2018 Program Update

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

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

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

MRC Program Update



Mattress Recycling Council

July 18, 2018

[[HOME](#)] [[ABOUT](#)] [[CONTACT](#)]



In This Issue

MRC NEWS:
[MRC Submits 2017 California Annual Report](#)

MATTRESS INDUSTRY:
[Find Us At Summer Las Vegas Market](#)

COLLECTION SITES:
[Join The Illegally Dumped Mattress Collection Initiative](#)

IN THE COMMUNITY:
[Illegal Dumping PSA Now Airing](#)

[Quote of The Month](#)

RETAILERS:
[Tools For Reporting](#)

IN THE COMMUNITY: MRC's Illegal Dumping PSA is Now Airing



Our latest PSA is now airing across all three program states, and it discourages illegal dumping. In our TV spots, Sandman is informing the public about how they can recycle their mattress

instead of dumping it.

Help spread the word, ask your local media to use our PSA. This will help combat illegal dumping in your community by raising awareness of how to find local collection sites and events.

Check out the :30 English TV PSA [here](#).
Check out the :30 Spanish TV PSA [here](#).

View all of our other PSA material by visiting the Bye Bye Mattress [media center](#).

MRC NEWS: MRC Submits 2017 California Annual Report

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

[Request artwork or
logos](#)

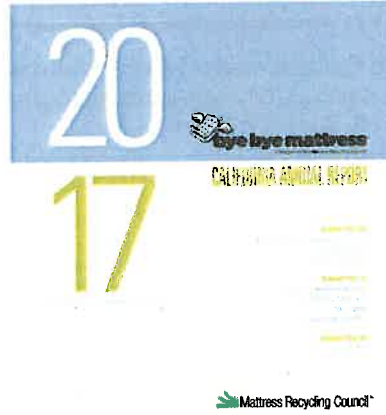
Reporting & Payment Deadlines

<u>Collection Period</u>	<u>Due</u>
May 1-31	June 30
June 1-30	July 30
July 1-31	Aug 30

Submit Reports &
Payments via
MRCreporting.org

2018 PUBLICITY TOOLKITS

Collection Site Hosts:



The Mattress Recycling Council (MRC) submitted its [2017 California Annual Report](#) to California's Department of Resources Recycling and Recovery (CalRecycle) earlier this month. Among other highlights reflected in the report, MRC-contracted recyclers collected nearly 1.3 million mattresses and foundations in 2017, a 35% increase over 2016.

CalRecycle now has 60 days to review the report and decide whether to approve it. You may download the full report [here](#). To learn more about California's mattress recycling program visit MattressRecyclingCouncil.org.

IN THE COMMUNITY: Quote of The Month

As a way to show our appreciation for all of the great feedback MRC receives, we will begin featuring a quote of the month in our newsletter. This month's quote is from Judy Denny with the University of Hartford.



MATTRESS INDUSTRY: Find Us At Summer Las Vegas Market

Visit us at Las Vegas Market July 29-August 2. MRC's leadership and

Find press releases,
flyers, site signage and
more!

[Site Host Toolkit](#)

Event Hosts:

Media alerts, flyers,
posters, signage and
more!

[Event Host Toolkit](#)

Recyclers in Your Area

CALIFORNIA:

*Businesses need to make
arrangements directly
with recyclers.*

[Blue Marble-Commerce](#)

[Blue Marble - Fresno](#)

[Blue Marble-San
Leandro](#)

[Cleaner Earth Company](#)

[Cristal Materials - LA](#)

[Cristal Materials -
Commerce](#)

[DR3 Oakland](#)

[DR3 Stockton](#)

[DR3 Woodland](#)

[R5 Recycling](#)

CONNECTICUT & RHODE ISLAND

*Businesses should contact our
Northeast Program
Coordinator **Kate Caddy** for
arrangements.*

[Park City Green-CT](#)

[Ace Mattress Recycling-
RI](#)

[Express Mattress
Recyclers-RI](#)

staff will be available to
answer questions related
to recycling, the fee or
reporting and payment
obligations.

**Home Furnishing
Association's Retailer
Resource Center
Building B, B-1050
Space 25**



MRC's Retailer Liaison, Paris
Gholston

Be sure to grab our
recently updated
**consumer education
materials** and information to share with your sales associates or
clients about the fee and recycling.

COLLECTION SITES: Join California's Illegally Dumped Mattress Collection Initiative

To date, there are **44
participating entities** and
this year more than **22,000
units** have been collected
so far. MRC welcomes the
following new participants:



- City of Ontario
- County of Marin
- County of Santa Clara Clean Water Program
- San Bernardino County Code Enforcement

As part of California's law, MRC developed the Illegally Dumped Mattress Collection Initiative to identify where mattresses are illegally dumped in the state, and proactively address the issue in affected communities. One component of this strategy includes financial compensation to entities responsible for collecting illegally dumped mattresses in their communities.

Entities responsible for collection of illegally dumped mattresses from public rights-of-way can register to receive compensation in exchange for data identifying the location of dumping activities. These entities include California local governments, certain participating permitted solid waste facilities and authorized solid waste operations. It is important to note that units collected through bulky item and curbside mattress pick-up services are not eligible for reimbursement because those units are not illegally dumped.

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!

Registered collectors of illegally dumped mattresses will be paid up to \$15.00 per unit for data specific to illegal mattress dumping. The actual per unit rate is calculated at the close of a calendar year by dividing the total funded amount, by the number of illegally dumped units collected and reported in 2018.

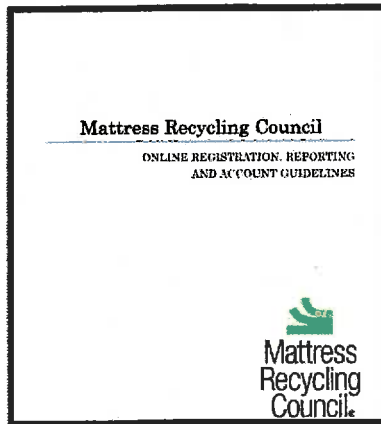
If your organization is eligible to participate, please register! Contact [Mark Patti](#), MRC's Southern California Program Coordinator.

FOR RETAILERS: Take Advantage of MRC's Tools For Reporting

We know vacations are coming up, and you may not be able to handle reporting for your company. This may mean that another team member will have to take on this task. Don't stress, we have tools to help you and your staff with reporting.

On the MRCReporting.org website in the resources section you will find the [Registration and Reporting Guidelines](#) and [Reporting and Remittance Guidelines video](#).

As always, don't hesitate to contact our [Customer Service Department](#) should you have any questions.



UPCOMING EVENTS

California Resource Recovery Association (CRRA) 42nd Annual Conference & Tradeshow

July 26-29, 2018
Oakland Marriott City Center
1001 Broadway
Oakland, CA 94607
[Event website](#)

This Annual Conference and Tradeshow attracts over 600 individuals annually and showcases an estimated 30 sessions each year with over 100 industry experts as presenters. MRC is a proud to be silver sponsors, and we're looking forward to

participating in the illegal dumping discussion. The Executive Director for DR3, Terry McDonald, will be speaking.

CalRecycle's Used Oil/HHW Training & Symposium

September 18-21, 2018

Delta Hotels Anaheim

12021 Harbor Blvd

Garden Grove, CA 92840

[Event website](#)

This is an outstanding opportunity for organizations and businesses to interact with over 300 attendees and promote services and products. This event brings together knowledgeable and dynamic representatives from federal, state, and local agencies, non-profit organizations, service providers, and consultants to share information. MRC will have a booth. Our Southern California Program Coordinator, Tyler Douthitt, will be attending.

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Here are some recent additions to our locator directory:

California

Recology Davis Corp Yard

Davis, CA 95618

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

Sent by info@mattressrecyclingcouncil.org in collaboration with



Try it free today



Monthly Public Meeting

CalRecycle

10:00 A.M., July 17, 2018

Cal/EPA Building – Coastal Hearing Room

A. DIRECTOR'S REPORT

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

B. PUBLIC COMMENT*

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

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

C. PROGRAM AND ISSUE UPDATES

Action Items

No actions at this time

Information Items

- 1st Quarter 2018 Disposal Reporting Status
Department Staff Contact: Eileen.Nathaniel@CalRecycle.ca.gov

D. 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

No actions at this time

Information Items

- Formal Rulemaking Hearing for SB 270 Regulations
August 15, 2:00PM ([Sacramento](#))
Department Staff Contact: Paulina.Kolic@CalRecycle.ca.gov
- Update on the proposed AB 901 Recycling and Disposal Reporting System (RDRS) regulations and upcoming second 15-day formal comment period. Department Staff Contact: Steven.Sander@CalRecycle.ca.gov

E. BEVERAGE CONTAINER RECYCLING PROGRAM

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

Action Items

No actions at this time

1. Information Items

Beverage Container Recycling Program Implementation Updates

Department Staff Contact: Adam.Tauber@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

F. 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. Adoption of Updated Regulations Amending the Electronic Waste Recycling Program

Department Staff Contact: Ana-Maria.Stoian-Chu@CalRecycle.ca.gov

[Public Notice](#)

2. Approval of 2018 Covered Electronic Waste Recycling Fee

Department Staff Contact: Ana-Maria.Stoian-Chu@CalRecycle.ca.gov

[Public Notice](#)

Information Items

Nothing to report at this time

G. 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

No actions at this time

Information Items

1. Approve the Designation Application for Calaveras 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 Sacramento
Department Staff Contact: Jill.Firch@Calrecycle.ca.gov
[Public Notice](#)
3. Five-Year Review Report For The Countywide Integrated Waste Management Plan For Santa Barbara County
Department Staff Contact: Harnak.Samra@Calrecycle.ca.gov
[Public Notice](#)

H. GRANT AND LOAN PROGRAMS

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

Action Items

No actions at this time

Information Items

1. Scope of Work for the Feedstock Conversion Technical Assistance and Material Testing Services Contract (Tire Recycling Management Fund, Fiscal Year 2018–19)
Department Staff Contact: Calvin.Young@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 2018–19)
Department Staff Contact: Derek.Link@CalRecycle.ca.gov
[Public Notice](#)
3. Awards for the Local Enforcement Agency Grant Program (Integrated Waste Management Account, FY 2018–19)
Department Staff Contact: Wendy.Box@CalRecycle.ca.gov
[Public Notice](#)
4. Recycling Market Development Zone Loan for American Tire Recycling LLC (Recycling Market Development Revolving Loan Subaccount, FY 2018–19)
Department Staff Contact: Bruce.Quigley@CalRecycle.ca.gov
[Public Notice](#)

I. 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. Yolo County Central Landfill – Yolo County, Revised Solid Waste Facilities Permit, Action Needed July 30, 2018
Department Staff Contact: Alyssa.Gagnon@CalRecycle.ca.gov
[Public Notice](#)
2. Lamb Canyon Landfill – Riverside County, Revised Solid Waste Facilities Permit, Action Needed August 13, 2018
Department Staff Contact: Megan.Emslander@CalRecycle.ca.gov
[Public Notice](#)

3. Johnson Canyon Sanitary Landfill – Monterey County, Revised Solid Waste Facilities Permit, Action Needed August 14, 2018
Department Staff Contact: Eric.Kiruja@CalRecycle.ca.gov
[Public Notice](#)
4. Lakin Tire West, Inc. Building #3 – Los Angeles County, Major Waste Tire Facility Permit, Action Needed August 21, 2018
Department Staff Contact: Benjamin.Escotto@CalRecycle.ca.gov
[Public Notice](#)
5. Antelope Valley Public Landfill – Los Angeles County, Revised Solid Waste Facilities Permit, Action Needed August 26, 2018
Department Staff Contact: Benjamin.Escotto@CalRecycle.ca.gov
[Public Notice](#)

Information Items

1. Waste Tire Enforcement Report
Department Staff Contact: Krysty.Emery@CalRecycle.ca.gov

J. 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

1. Waste Evaluation and Enforcement Branch (WEEB) Enforcement Update on the Mandatory Commercial Recycling (MCR) Law (Public Resources Code Section 42649-42649.7)
Department Staff Contact: Trevor.OShaughnessy@CalRecycle.ca.gov
2. Public Hearing for the City of Maywood to Consider the Imposition of Administrative Civil Penalties for Failure to Comply with Compliance Order No. CO 015-001 (Pursuant to Public Resources Code Section 41850).
July 18, 2018, 10:00 a.m., 1001 I Street, 2nd Floor – Sierra Hearing Room
Department Staff Contact: Alan.Ilusorio@CalRecycle.ca.gov
[Public Notice](#)

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

No actions at this time

Information Items

Nothing to report at this time

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

2018 – 1st Quarter Disposal Reporting Status

Disposal Reporting Requirements

- Counties can submit disposal reports online through the electronic Disposal Reporting System (eDRS) or they can send them to the CalRecycle Disposal Report Coordinator.
- DRS staff are available to assist county and facility staff to ensure correct, complete, and timely reports.



Due Dates to CalRecycle from Counties and Agencies

1st Quarter (Jan. –Mar.): Jul. 15, 2017

2nd Quarter (Apr. –Jun.): Oct. 15, 2017

3rd Quarter (Jul. –Sep.): Jan. 15, 2018

4th Quarter (Oct. –Dec.): Apr. 16, 2018

Q1 2018 Counties who **DID NOT** submit DRS reports (as of July 16, 2018)

ALPINE
CALAVERAS
CONTRA COSTA
DEL NORTE
HUMBOLDT

INYO
NAPA
SANTA CRUZ
SISKIYOU
SOLANO



DRS Best Reporting Practices

We advise counties, facilities and agencies that reports should be submitted...

- ✓ Complete
- ✓ On-time
- ✓ Electronically



AB 901 Reporting Coming Soon!

- **Subscribe to the Listserv:**

<http://www.calrecycle.ca.gov/listservs/Subscribe.aspx?ListID=146>

- **AB 901 Web page:**

<http://www.calrecycle.ca.gov/laws/rulemaking/Reporting/default.htm>

Staff Contact: AB901.Reporting@calrecycle.ca.gov



Thank You!

Questions?

Staff Contact: DRS@CalRecycle.ca.gov

BEVERAGE CONTAINER RECYCLING PROGRAM

Certification & Registration Branch

2nd Quarter
July 2018



ZONE STATUS 2017 AND 2018 FOR LARGE CITIES AND STATEWIDE

	June 30, 2017					June 30, 2018				
	LA	SD	SJ	SF	CA	LA	SD	SJ	SF	CA
Served %	44	38	25	17	38	37	32	32	8	36
Exempt %	39	31	32	20	33	38	30	20	7	32
Hold %	2	10	6	3	5	9	13	11	0	7
Unserved %	15	21	37	60	24	16	25	37	85	25
Total %	100	100	100	100	100	100	100	100	100	100

DEALERS IN UNSERVED CONVENIENCE ZONES

	June 30, 2017	June 30, 2018
Option A	2,793	3,461
Option B	126	111
Non-responsive	604	289
TOTAL	3,523	3,861

HANDLING FEE TOTAL CLAIMS PAID

	June 2017	June 2018
Total # of Claims Paid	795	748
Total Amount Paid	\$3,881,880	\$4,100,649
Average per claim	\$5,081	\$5,482

BEVERAGE MANUFACTURER AND DISTRIBUTOR REGISTRATIONS AND CONTAINER PRODUCT REVIEWS

	Apr – Jun 2017	Apr – Jun 2018
Applications Reviewed	291	209
Registered	138	94
Dry Lead *	153	115
Beverage Manufacturer ID Issued	128	74
Beverage Distributor ID Issued	105	71
Product Determination Made	299	427
Label Review Conducted	299	427

* **Dry Lead:** A company who is either unresponsive or determined to not be a beverage manufacturer or distributor.

BEVERAGE MANUFACTURER AND DISTRIBUTOR ACCOUNTS MANAGED

	June 2017	June 2018
Beverage Distributors	1,920	2,041
Beverage Manufacturers	1,810	2,118
Total Number of Accounts	3,730	4,159

DISBURSEMENT PROGRAMS

- 277 new or renewal RC, PR, CS, CP, and SP applications were processed in the second quarter of 2018.
- 135 participants took precertification classes in the second quarter of 2018.

Operational Programs	1-Jul-16	3-Jul-17	5-Jul-18
Processors (PR)	194	181	180
Recycling Centers (RC)	1,775	1,676	1,578
Drop-off or Collection Programs (CP)	205	202	197
Community Service Programs (SP)	194	194	193
Curbside Programs (CS)	602	612	612

QUESTIONS & COMMENTS

BEVERAGE CONTAINER RECYCLING PROGRAM

Operations Branch

2nd Quarter
July 2018



AGENDA

- Quarterly Metrics
- Rate Determination Section
- Market Information & Statistics Section
- Questions

2018 RATE YEAR SURVEY DATA MARCH 2018 – JUNE 2018

Containers Surveyed for 2018 Rate Year		Plastic Resins										Bi-Metal	Totals
	AL	GL	PT (#1)	HD (#2)	#3	#4	#5	#6	#7				
Recycling Centers	RC	5967	4987	23012	4851	14	295	325	782	1423	5585	47,241	
Reverse Vending Machines	RVM	1798	853	12009	143	n/a	n/a	n/a	n/a	n/a	n/a	14,803	
Curbside Programs	CS	1685	2387	3541	7854	n/a	n/a	n/a	n/a	n/a	n/a	15,467	
Drop-Off/Collection Programs	CP	1156	856	2358	2987	n/a	n/a	n/a	n/a	n/a	n/a	7,357	
Community Service Program	SP	952	1054	1896	2356	n/a	n/a	n/a	n/a	n/a	n/a	6,256	
		11,558	10,737	42,816	18,191	14	295	325	782	1,423	5,585	91,126	

MARKET STATISTICS & INFORMATION SECTION

Curbside Allocation Methodology Verification

- 8 Site visits focused on Single-Stream Curbside

Scrap Value Verification Site Visits

- 12 Site visits focused on verifying Scrap Value for Processing Payment Calculation

Disbursements - Claim Schedules Processed

- 2485 Invoices Processed.
- \$291 million CRV paid.

QUESTIONS & COMMENTS

BEVERAGE CONTAINER RECYCLING PROGRAM Enforcement Branch



2nd Quarter
July 2018



INSPECTIONS SECTION

- Civil Penalties assessed following inspections increased from \$4,600.00 to \$15,800.00. A 243.5% increase compared to 1st Quarter 2017.

INVESTIGATIONS SECTION

- An accusation seeking \$13,952,274 in penalties and restitution was filed against Recycling Services Alliance – South (DBA: Alpha Recycling), a processing facility in North Hollywood, CA as a result of a Processor Oversight audit.
- Notices of Violation issued increased from 12 to 28. A 133% increase compared to 1st Quarter 2017.

DOJ ARRESTS

- **San Bernardino County**
- One individual arrested, one tractor trailer impounded and 9,540 lbs. of PET empty beverage containers seized with a CRV value of \$11,829.00.
- Charges include bringing out-of-state containers to the marketplace for redemption, conspiracy and attempted grand theft.



DOJ ARRESTS - CON'T

- **Sacramento County**
- A Grand Jury indictment resulted in the arrests of five individuals from Recycling Services Alliance (RSA) involved in a \$80.3 million recycling fraud conspiracy:
 - Shengchien Tseng, 49, of Cupertino - RSA owner
 - Maximina Perez, 50, of San Leandro - Weighmaster (WM)
 - Alejandra Lazaro Martinez, 26, of Hayward - Assistant WM
 - Veronica Castillo, 35, of Sacramento - Assistant WM
 - Marlene Davalos-Mendez, 28, of Rocklin - Assistant WM

DOJ ARRESTS - CON'T

- **Sacramento County – Cont'd**
- The owner of RSA and four employees are accused of fraudulently processing out-of-state empty beverage containers for California Redemption Value refunds and conspiring to manufacture fraudulent weight tickets to justify state payments and reimbursement claims.

QUESTIONS & COMMENTS



Monthly Public Meeting

CalRecycle
10:00 A.M., August 21, 2018
Cal/EPA Building – Sierra Hearing Room

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*

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

C. PROGRAM AND ISSUE UPDATES

Action Items

No actions at this time.

Information Items

Nothing to report at this time.

D. 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

1. Consideration of the Mattress Recycling Council's 2017 California Used Mattress Recovery and Recycling Annual Report
Department Staff Contact: Heather.Beckner@CalRecycle.Ca.Gov
Public Notice

Information Items

1. Discussion of Air Quality Permitting and Regulatory Issues for New Compost Facilities in California
August 21, 2018 1:00 PM – 5:00 PM (Sacramento)
Department Staff Contact: Crystal.Reul-Chen@CalRecycle.Ca.Gov
2. Discussion of Air Quality Permitting and Regulatory Issues for New Compost Facilities in California
August 24, 2018 10:00 AM - 3:30 PM (Diamond Bar)
Department Staff Contact: Crystal.Reul-Chen@CalRecycle.Ca.Gov

E. BEVERAGE CONTAINER RECYCLING PROGRAM

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

Action Items

No actions at this time

Information Items

Nothing to report at this time

F. ELECTRONIC WASTE RECYCLING PROGRAM

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

Action Items

No actions at this time

Information Items

Nothing to report at this time

G. 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

No actions at this time

Information Items

1. Five-Year Review Report For The Countywide Integrated Waste Management Plan For The County Of Mariposa
Department Staff Contact: Rhiannon.McCollough@CalRecycle.ca.gov
Public Notice

H. GRANT AND LOAN PROGRAMS

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

Action Items

1. Allocations for the Greenhouse Gas Reduction Fund Grant Programs From Remaining Fiscal Year (FY) 2017–18 Funds and New FY 2018–19 Funds (Greenhouse Gas Reduction Fund, Fiscal Years 2017–18 and 2018–19)
Department Staff Contact: Michelle.Martin@CalRecycle.ca.gov
Public Notice
2. Eligibility, Scoring Criteria, and Evaluation Process for the Food Waste Prevention and Rescue Grant Program (Greenhouse Gas Reduction Fund, Fiscal Year (FY) 2018–19, Using FY 2017–18 Funds)
Department Staff Contact: Alex.Byrne@CalRecycle.ca.gov
Public Notice

Information Items

Nothing to report at this time

I. 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. Jepson Prairie Organics Composting Facility – Solano County, Revised Solid Waste Facilities Permit, Action Needed September 7, 2018
Department Staff Contact: Harprit.Mattu@CalRecycle.ca.gov
Public Notice
2. Bradley East Transfer Station/Sun Valley Recycling Park – City of Los Angeles, Revised Solid Waste Facilities Permit, Action Needed September 24, 2018
Department Staff Contact: Megan.Emslander@CalRecycle.ca.gov
Public Notice

Information Items

1. Awards for the Solid Waste Disposal and Codisposal Site Cleanup Program
Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov
Public Notice
2. Approval of the Big Pine Landfill Remediation under the Solid Waste Disposal and Codisposal Site Cleanup Grant Program
Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov
Public Notice
3. Eligibility, Scoring Criteria, and Evaluation Process for the Solid Waste Disposal and Codisposal Site Cleanup Grant Program
Department Staff Contact: Steve.SantaCroce@CalRecycle.ca.gov
Public Notice

J. COMPLIANCE AND ENFORCEMENT HEARINGS

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

Action Items

No actions at this time

Information Items

Nothing to report at this time

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

No actions at this time

Information Items

Nothing to report at this time

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



Recycled Island Foundation

ORIGINALLY PUBLISHED BY:

BGR

NASA finds 'spiders' on Mars

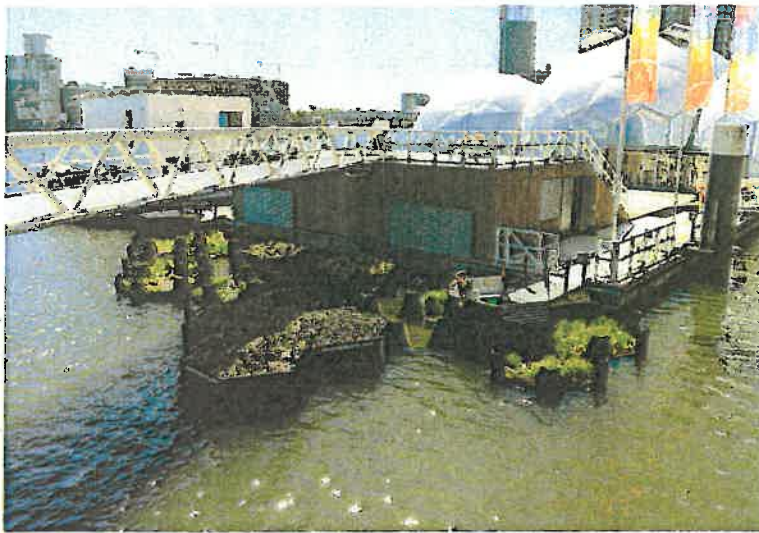
Astronomers accidentally discover a dozen new moons around Jupiter

Archaeologists find world's oldest, stalest bread

We've already established that mankind has a big, big problem cleaning up after itself, but there's at least a small percentage of humans who are willing to go out of their way to make the rest of us look halfway decent. One such group is the Recycled Island Foundation and they've just helped to turn a bunch of river trash in The Netherlands into a quaint local park...that floats.

The park — nicknamed simply "Recycled Park" — is a modular oasis of greenery that floats on top of the New Meuse river in Rotterdam. The park is built using large, raft-like plastic components that are made of plastic gathered from the river itself.

The project is part functional art, part green activism and it's already looking like a pretty neat place to spend an afternoon in the sun. The scale of the park is small to start, but it can grow over time thanks to its modular construction and wildlife like ducks, who have already taken a liking to it.



Recycled Island Foundation

According to the team behind the project, the platforms will not only serve as habitat above the water but also below:

The plastic is given a new value as a floating capacity for green environments. Floating parks are a plus for the city of Rotterdam, but will also fulfill an ecological role in the river water. The building blocks are designed in such a way, that not only can grow nature on top but in the water new life will have its sole for existence as well. The bottom of the platform will have a rough finishing where plants can have enough surface to grow and fish a place to leave their eggs.

The park serves as a symbol of what can be accomplished when we try to do something good for nature instead of just dumping our trash everywhere and that is compounded by its location on the river itself. The floating platforms are located near to where the river enters the North Sea, at which point discarded plastics can do even more damage to the ecosystem.

FILED UNDER **ACTIVISM**, **ENVIRONMENT**, **NATURE**, **NETHERLANDS**, **PLASTIC**, **POLLUTION**

Recommended by

|

Mary Pitto

From: CalRecycle Electronic Waste Management ListServ <EWaste@calrecycle.ca.gov>
Sent: Monday, July 02, 2018 4:44 PM
To: Mary Pitto
Subject: California Electronic Waste Recycling Program Updates

July 2, 2018.

Dear Electronic Waste Stakeholder:

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

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In this issue:

REGULATIONS INCREASING THE NON-CRT CEW PAYMENT RATE APPROVED BY OAL

Regulations Increasing the non-CRT CEW Payment Rate Approved by OAL

The Office of Administrative Law approved regulations that increase the covered electronic waste (CEW) standard statewide combined recovery and recycling payment rate for non-CRT CEW.

Effective July 1, 2018, compliantly submitted and received CEW recycling claims will be subject to the new standard statewide recovery and recycling payment rate for non-CRT CEW of \$.60 per pound. Within that combined rate, the recovery payment rate paid to Collectors remains \$.19 per pound. The standard statewide recovery and recycling payment rate for CRT CEW remains \$.49 per pound.

At its May 15, 2018 Monthly Public Meeting, CalRecycle staff proposed to increase the standard statewide combined recovery and recycling payment rate for non-CRT CEW. That proposal was based on an analysis of information provided through annual Net Cost Reports, as well as discussions at two recent stakeholder workshops. Filings were subsequently made with the Office of Administrative Law.

The Public Notice and associated documents can be found at:

<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2392&aiid=2181>

Other Resources

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

CEW Recycling Payment System Regulations: www.calrecycle.ca.gov/Electronics/RegInfo

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

California Statutes and Bills, including Public Resources Code (PRC) and Health and Safety Code (HSC): www.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
- Pre-2004

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

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To subscribe to or unsubscribe from the E-Waste listserv or other listservs, please go to 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 www.calrecycle.ca.gov/Electronics/.

Mary Pitto

From: CalRecycle Electronic Waste Management ListServ <EWaste@calrecycle.ca.gov>
Sent: Friday, July 13, 2018 4:42 PM
To: Mary Pitto
Subject: California Electronic Waste Recycling Program Updates

July 13, 2018

Dear Electronic Waste Stakeholder:

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

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In this issue:

2018 COVERED ELECTRONIC WASTE RECYCLING FEE AND CEW PROGRAM PROPOSED REGULATORY ACTION – REQUEST FOR APPROVAL

2018 Covered Electronic Waste Recycling Fee

The California Department of Resources Recycling and Recovery (CalRecycle) has posted a Public Notice recommending that California's covered electronic waste recycling fee be maintained at the current levels of \$5, \$6, and \$7. The notice can be found at:

<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2431&aiid=2215>

The covered electronic waste recycling fee, paid by consumers at the point of retail purchases of new covered electronic devices, funds various provisions of the Electronic Waste Recycling Act of 2003, as amended, including the covered electronic waste (CEW) recycling program and associated regulatory oversight. Based on an analysis of expenditure projections, revenue needs, and fund reserves, CalRecycle staff has proposed maintaining the fee levels unchanged.

Pursuant to statute, actions associated with the electronic waste recycling fee must be made as part of a public hearing on or before August 1. This hearing will be held as an agenda item at the CalRecycle Monthly Public Meeting on July 17, 2018. Public notice and full agenda for that meeting can be found at:

<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2424&aiid=2210>

CEW Program Proposed Regulatory Action – Request for Approval

CalRecycle is scheduled to consider an agenda item at its July 17, 2018 Monthly Public Meeting seeking approval to adopt updated regulations that would amend aspects of current regulations governing the covered electronic waste (CEW) recycling payment program, as well as finalize related emergency rules adopted in 2015 and readopted in 2017. A Public Notice is posted on the CalRecycle website, which contains the Request for Approval and associated documents:

<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2358&aiid=2151>

CalRecycle filed the proposed regulations affecting areas within Chapter 8.2 of Division 7 of Title 14 of the California Code of Regulations with the Office of Administrative Law (OAL) for approval on February 9, 2018. The rules serve as a vehicle to finalize two existing emergency regulation packages that 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 covered electronic waste (CEW). In addition to other general edits, the proposed rules will also amend and 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.

OAL has recommended changes to the rulemaking file documents and associated regulations that necessitate an additional comment period. As a result, CalRecycle staff withdrew the regulatory package and revised the regulations. On June 21, 2018, CalRecycle initiated a 15-day comment period to receive comments to the new revisions, which ended on July 6, 2018.

Additional information about this rulemaking can be found at:
<http://www.calrecycle.ca.gov/Laws/Rulemaking/EWasteFinal/default.htm>

Information on the July 17, 2018 Monthly Public Meeting can be found at:
<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2424&aiid=2210>

Other Resources

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

CEW Recycling Payment System Regulations: www.calrecycle.ca.gov/Electronics/RegInfo

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

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

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UNIFIED PROGRAM NEWSLETTER – JUNE 2018

IN THIS ISSUE:

CalEPA **CERS Tips and Tricks: How to Update Regulator Directory Information in CERS**

State Water Board **Adopted Underground Storage Tank Regulations**
New U.S. EPA Reporting Requirements
Revised CERS Violation Library
California UST Leak Prevention 2017 Annual Report
Single-Walled Underground Storage Tank Closure Initiative

CalEPA

CERS Tips and Tricks includes helpful explanations and resolutions to common issues that have been recently received by the CERS Technical Support Team.

To Sign In to CERS

Always use CERS Central to begin your session in CERS. Open your web browser and enter the following URL: <https://cers.calepa.ca.gov/>

Then, select the “Business Portal Sign In” button from the CERS Central Home page.

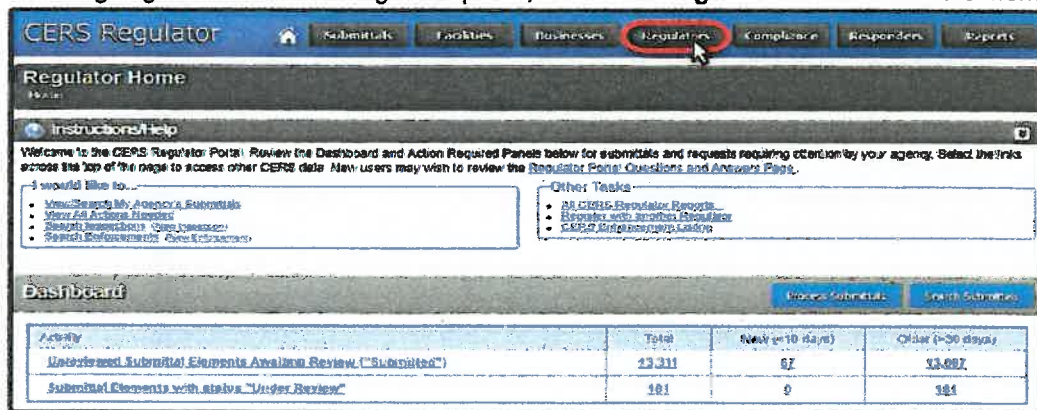
By accessing the business portal sign in page from CERS Central, the distribution domain will assign you to the currently active domain for a faster session. CERS Central also contains the latest updates and information for current alerts, outages, operating schedule changes, and announcements.

How to Update Regulator Directory Information in CERS

The following process outlines how to update Regulator Directory Information in the CERS Regulator portal.

Please Note: Lead User permissions to the regulator/agency are required, in order to edit the Directory Information section, in CERS.

1. After signing in to the CERS Regulator portal, select the **Regulators** button from the menu bar.



2. **Select** your regulator/agency from the **My Regulator(s)** section. Or use the **Search**, below, to locate your regulator/agency.

CERS Regulator Listing

The Regulator(s) associated with your account are listed below

Name	Type	EDT Enabled
California Environmental Protection Unified Program	UPOA	No

Search

Search Criteria

Regulator Name: Type:

Name	Type	EDT Enabled
Alameda County Environmental Health	CUPA	No
Alhambra Fire Department	FA	No
Alpine County Health Department	CUPA	No
Amador County Environmental Health	CUPA	No
Anaheim City Fire Department	CUPA	No
Bakersfield City Fire Department	CUPA	No
Berkeley City Toxics Management Division	CUPA	No
Burbank Fire Department	FA	No
Butte County Environmental Health	CUPA	No
Calaveras County Environmental Health	CUPA	No

1 - 10 of 124 items

3. After selecting a regulator/agency, you will be taken to a **Summary** page. Select the **Directory Info** link from the menu, on the left.

CERS Regulator

Regulator: California Environmental Protection Unified Program

Home > Regulator Search > California Environmental Protection Unified Program > Regulator Summary

Summary

General

Name	California Environmental Protection Unified Program	UPOA Type	LPOA
Short Name	Cal/EPA UP	Abbreviated Name	CaEPAUP
		County	Sacramento

Address / Contact

10011 St
 Sacramento CA 95814
 Phone: (916) 327-9559 Fax: (916) 322-5615
 Web Site: <http://www.clerpa.ca.gov/CUPA/Contact>
 Public Contact Email:
 Public Reporting Portal URL:

Related Regulators

There are no other Regulators associated with California Environmental Protection Unified Program

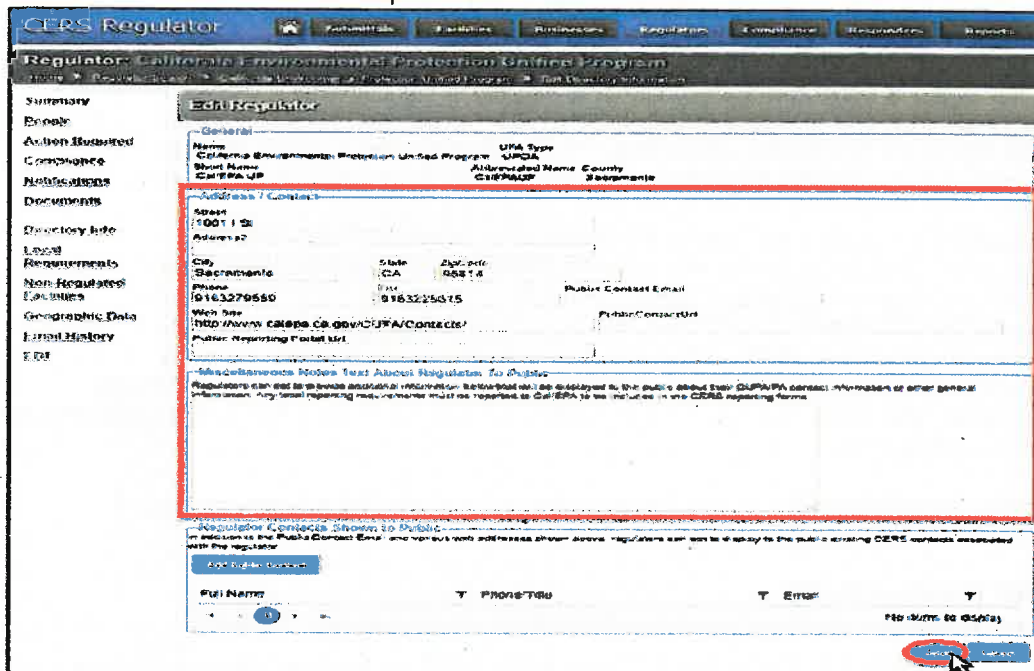
Left Menu: Summary, People, Action Required, Compliance, Notifications, Documents, **Directory Info**, Local, Requirements, Non-Regulated Facilities, Geographic Data, Fund History, EDT

- Select the **Edit** button* below the UPA Directory Information section, on the right.

*** Please Note:** The **Edit** button will only be displayed if you have **Lead User** permissions to the regulator/agency, in CERS. To view your permissions, select the **People** link, from the menu on the left. Then select your name to view account permissions.



- Edit/update Directory Information, as needed.**
Then select the **Save** button to update.



This will update the Regulator Directory Information in CERS, as well as the **Unified Program Regulator Directory** page (<http://cersapps.calepa.ca.gov/Public/Directory/>) – provided on both the **CalEPA Unified Program** (<https://calepa.ca.gov/CUPA>) and **CERS Central** (<https://cers.calepa.ca.gov>) public websites.

State Water Board

Adopted Underground Storage Tank Regulations

During the June 5, 2018, Board Meeting, the State Water Resources Control Board (State Water Board) adopted the proposed amendments to the California Code of Regulations, title 23, division 3, chapter 16 (California Underground Storage Tank (UST) Regulations). These new regulations are at least as stringent as the 40 Code of Federal Regulations, part 280. The adopted amendments to the regulations include, but are not limited to: 1) facility walkthrough inspections; 2) overfill prevention equipment inspections; 3) testing and inspecting equipment after a repair; 4) requirements for demonstrating compatibility; 5) training of employees prior to the first work day, and 6) line leak detection of piping connected to emergency generator tank systems.

A copy of the draft text of the adopted amendments is provided at the web address below.
https://www.waterboards.ca.gov/board_info/agendas/2018/jun/060518_3_att_a_strike.pdf

The next step is for the State Water Board to submit the completed rulemaking package to the Office of Administrative Law for a 30-business day review before filing with the Secretary of State. The adopted amendments become effective on the first day of the quarter after filing the rulemaking package with the Secretary of State unless the proposed amendments provide a different effective date. State Water Board staff expect the proposed amendments to become effective the quarter beginning October 1, 2018.

Information on the Title 23 Federal Reconciliation Proposed Regulations is available at:
https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs.

If you have questions regarding this matter, please contact Mr. Cory Hootman at Cory.Hootman@waterboards.ca.gov or (916) 341-5668.

New U.S. EPA Reporting Requirements

The State Water Board is working with the CalEPA to address enhancements to CERS and ensure successful data collection and reporting to United States Environmental Protection Agency (U.S. EPA). Changes to the significant operational compliance (SOC) reporting (Report 6) are the result of amendments to the California UST Regulations and 40 Code of Federal Regulations, part 280.

Certified Unified Program Agencies (CUPAs) will continue to collect SOC data through September 30, 2018. Data collection for the new U.S. EPA performance measures, Total Compliance Reporting (TCR), will begin on October 1, 2018. The TCR data collection coincides with the implementation of the new California UST Regulations and amended CERS violation library. The Report 6 submittal for February, 2019, will be reported as SOC data for facilities inspected from July 1 through September 30, and as TCR data for inspections performed between October 1 through December 31, 2018. The State Water Board will provide detailed guidance to the CUPAs regarding new inspection and reporting criteria.

If you have questions regarding changes to the performance reporting criteria, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Revised CERS Violation Library

The State Water Board has proposed changes to the CERS violation library. These changes are the result of amendments to California UST Regulations and changes to the U.S. EPA reporting requirements. The proposed violation library has been reviewed by the CalEPA violation library

workgroup, the CUPAs, and the CUPA Forum Board. Currently the violation library is in the final approval process and should be available to the CUPAs in the next few weeks. The revised violation library, the amended California UST Regulations, and the new U.S. EPA TCR data collection will all become effective on October 1, 2018.

If you have questions regarding changes to the violation library, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

California UST Leak Prevention 2017 Annual Report

The U.S. EPA, in collaboration with the State Water Board, published the California UST Leak Prevention: January – December, 2017, Annual Report. This report summarizes several topics such as the status of CERS Implementation, new releases, and the number of single-walled UST. Data used for the report was extracted from CERS, California GeoTracker database, and internal State Water Board reports. The report reflects 99.2% of UST facilities are now populated in CERS, seven new releases reported in 2017 and approximately 3,000 UST systems with single-walled components remain in California.

The report can be found on the website at:

https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/jan_dec2017_fnl_cal_ust_annual_rpt.pdf

If you have questions regarding this report, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

Single-Walled Underground Storage Tank Closure Initiative

The State Water Board with assistance from the U.S. EPA has held three educational workshops and the first webinar in support of the Single-Walled Underground Storage Tank Closure Initiative (Initiative). The Initiative is intended to maximize the number of single-walled USTs permanently closed prior to the December 31, 2025, deadline. The Initiative intends to educate UST owners/operators on funding opportunities through the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program and the UST Cleanup Fund.

The State Water Board is currently preparing a webinar to present Initiative information for those who could not attend the previous events. The webinar link and time are provided below. Registration is not required; however, the video capacity is limited to 125 connections, and a call-in capacity of 300 incoming telephone lines.

Date: Thursday, June 28, 2018

Time: 1:00 to 3:00 p.m.

Webinar Speakers: Tom Henderson, Janice Clemons, and Bridget Freeborn

The link to the webcast is available at:

<https://stateofcaswrcbweb.centurylinkccc.com/CenturylinkWeb/LauraFisher>

Enter your name and email address and click on Join Meeting.

After you have accessed the website, call in on your telephone.

Telephone: 1-720-279-0026

Participant pass code: 683375#

Attendees may pose written questions during the webinar. To ask a question, click on the Q&A icon located at the top of the page. Questions will be addressed at the end of the webinar.

For questions regarding the Initiative or upcoming webinar, please contact Ms. Brittany Baugher at Brittany.Baugher@redhorsecorp.com or (619) 241 4609 ext. 857 or

Ms. Grasiela Gama at Grasiela.Gama@redhorsecorp.com or (619) 241 4609 ext. 857 or
Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319 9128.
UST Lining and Repair – Notification Request

The State Water Board continues to see a large number of UST entries for primary repairs and linings. To better understand the root cause of the increase in repairs and lining, the State Water Board is requesting UPAs to notify the State Water Board prior to expected UST entries. The request for notification allows the State Water Board to follow the process and collect relevant information to assist in proper updates to the regulations. The State Water Board has revised the previously issued Tank Lining Notification and request the *Underground Storage Tank Entry Notification* form be used for all UST entries, including lining, periodic inspections, and repairs. The revised document can be found at: https://www.waterboards.ca.gov/ust/adm_notices/cupa_ust_entry_notification.pdf

The State Water Board is also finding that UST owners or operators are not adequately demonstrating the structural integrity of the USTs prior to lining or repairing. Some of the problems observed by the State Water Board are:

- Lining installed without structural integrity testing performed by a California State Licensed Engineer.
- UPAs not being presented with structural certifications prior to repair or lining.
- UPAs not reviewing structural certifications prior to authorizing repair or lining.
- Lining and repairs being performed without UPA notification or permits.
- Improper contractor licenses being utilized to perform tank entries.
-

For questions or notifications regarding notification of UST lining, repair, or entry, please contact Mr. Tom Henderson at Tom.Henderson@waterboards.ca.gov or (916) 319-9128.

CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please provide your comments and suggestions to: cupa@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)



Edmund G. Brown Jr.
Governor

Matthew Rodriguez
Secretary for Environmental Protection

UNIFIED PROGRAM NEWSLETTER – JULY 2018

IN THIS ISSUE:

- CalEPA** **CERS Tips and Tricks is now CERS Knowledge Base Help and FAQ's
How do I Add/Remove Authorized Users in my CERS Facility**
- Unified Program Title 27 Regulations: Effective July 1, 2018**
- Expected Enhancements for CERS 3: March, 2019**
- State Water Board** **Proposed Underground Storage Tank Regulations Adopted by the
State Water Board**
- Regulations for Tanks in Underground Areas Effective July 1, 2018**
- Final Revised CERS Violation Library**
- New US EPA Reporting Requirements**
- CAL FIRE-OSFM** **Tanks in Underground Areas**
- Cal OES** **Changes to Health & Safety Code, Chapter 6.95 and the California Code of
Regulations, Title 19, Chapter 4**

CalEPA

CERS Knowledge Base Help and FAQ's

Tips and Tricks' title has been changed. The new name is **CERS Knowledge Base Help and FAQ's**. The link will direct readers to CERS Central on the Resources tab under CERS Knowledge Base Help & FAQ's for the monthly CERS Knowledge Base Help and FAQ's.

July 2018

How do I Add/Remove Authorized Users in my CERS Facility?

<https://cers.calepa.ca.gov/wp-content/uploads/sites/61/2018/07/June-2018-CERS-Tips-And-Tricks-How-to-Update-Regulator-Directory-Info.docx>

Unified Program Title 27 Regulations: Effective July 1, 2018

Various sections of California Code of Regulations, Title 27 have been revised and became effective July 1, 2018. Revisions to Title 27 were necessary in order to reorganize, update, and incorporate new parameters for administering the Unified Program and accomplishing the objectives of coordination, consolidation, and consistency in the protection of human health, safety, and the environment. Though the initial 45-day public comment period began November 3, 2017, outreach efforts to inform, regulate and regulated partners began long before. Upon closure of the 45-day public comment period, an additional 15-day comment period was provided, and closed on March 28, 2018.

The vast majority of the adopted revisions are non-substantial amendments to the existing Unified Program requirements, having no effect or impact on regulated businesses, Unified Program Agencies or state agencies having Unified Program responsibilities. Substantial amendments have been adopted for the purpose of establishing consistency with current requirements, practices and procedures. Non-substantial and substantial amendments, as well as the necessity and purpose for each, are detailed in the following rulemaking documents:

- Initial Statement of Reasons (<https://calepa.ca.gov/wp-content/uploads/sites/62/2017/11/Unified-Program-Title-27-ISOR-Oct-2017.pdf>)
- Initial Statement of Reasons- Supplement (<https://calepa.ca.gov/wp-content/uploads/sites/62/2018/03/ISOR-Supplement.pdf>), and
- Final Statement of Reasons (<https://calepa.ca.gov/wp-content/uploads/sites/62/2018/07/FSOR.pdf>).

The newly adopted text for Title 27 and the Data Dictionary is available on the Office of Administrative Law website as follows:

[https://govt.westlaw.com/calregs/index?_lrTS=20180705202345602&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/index?_lrTS=20180705202345602&transitionType=Default&contextData=(sc.Default))

For convenience, CalEPA has provided the amended regulatory text in PDF format available at:

<https://calepa.ca.gov/cupa/lawsregs/>.

For questions regarding the recent rulemaking, please email: cupa@calepa.ca.gov.

Expected Enhancements for CERS 3: March, 2019

Development of the approved enhancements for the California Environmental Reporting System (CERS) is underway. CalEPA, Certified Unified Program Agencies (CUPAs) and CUPA Data Services Vendors are diligently progressing toward the completion of development and testing of each of the CERS enhancements, which have been referred to as the release of “CERS 3.0,” on schedule, as anticipated for use, beginning March, 2019. Each of the CERS 3.0 enhancements is considered required and necessary to lawfully report business and facility information electronically.

Below is a summary of the effects of each CERS 3.0 enhancement:

For the Aboveground Petroleum Storage Tank Act (APSA) Program:

- Business and regulator users will be able to report information in the new APSA submittal element. The existing language and functionality of Data Field ID 8 (Own or Operate Aboveground Petroleum Storage Tank) is being revised to prompt the completion of four new data fields specific to APSA program data. This is necessary as the current hazardous materials business plan information submitted to CERS by regulated businesses does not currently contain sufficient information to effectively, efficiently or consistently implement the APSA Program. Help Bubble text will also be revised. If it is determined that the answer is “YES” to Data Field ID 8, the following new data field will be prompted for completion:

- **Conditionally Exempt APSA Tank Facility:** A yes or no response is required to indicate whether or not the facility is exempt from preparing and implementing a Spill Prevention, Control and Countermeasure (SPCC) Plan. A “No” response indicates a SPCC Plan must be prepared and implemented for the facility. The following new data fields will be prompted for completion:
 - **Date of SPCC Plan Certification or Date of 5-Year Review:** A date is required
 - **Total aboveground storage capacity of petroleum:** The total amount of all non-excluded aboveground storage capacity of petroleum
 - **Number of tanks in underground areas:** The total number of tanks in underground areas, as defined in Health and Safety Code section 25270.2(o), at the facility
- In addition to the miscellaneous document upload option currently available, there will be a specific document upload feature for uploading Tank Facility Statements. Additionally, there will be search functionality available for the information reported under the new APSA data fields and the ability to generate a basic submittal report for APSA facilities.

For the **Underground Storage Tank (UST) Program:**

- **Unique UST identification number:** CERS will automatically issue a unique and specific tank identification number for each UST reported in CERS. This will assist regulators in deciphering information for USTs on an individual basis, independent of facility owners as the tank identification number for installed tanks often changes when ownership is transferred.
- **Significant Operational Compliance (SOC):** The Violation Library will be revised to include the type of SOC based on UST Release Detection and UST Release Prevention violations issued during only “routine” UST inspections. The compliance, monitoring and enforcement report that reflects UST inspection summary data by regulator (Report 6) will also be amended to include necessary SOC data required by the United States Environmental Protection Agency.
- **Tank Use and Tank Contents:** The valid value of “07= Airport Hydrant System” will be added to the existing Data Field ID 439 (Tank Use). The following valid values will be added to the existing Data Field ID 440 (Tank Contents): E85, Biodiesel B6-B99, Biodiesel B100 and Kerosene, while Petroleum Blend Fuel and Ethanol will be removed.

For **Electronic Data Transfer:**

- The data exchange for Dun and Bradstreet numbers will be revised to allow for leading zeros, and valid characters will be limited to 0-9.

State Water Board

Proposed Underground Storage Tank Regulations Adopted by the State Water Board

The State Water Board adopted the proposed amendments to the California Underground Storage Tank (UST) regulations at the State Water Board’s June 5, 2018, Board Meeting. The adopted amendments to the regulations include, but are not limited to: 1) facility walkthrough inspections; 2) overfill prevention equipment inspections; 3) testing and inspecting equipment after a repair; 4) requirements for demonstrating compatibility; 5) training of employees prior to the first work day, and 6) line leak detection of piping connected to emergency generator tank systems. A copy of the draft text of the adopted amendments is located at:

https://www.waterboards.ca.gov/board_info/agendas/2018/jun/060518_3_att_a_strike.pdf

The State Water Board will transmit the completed rulemaking package to the Office of Administrative Law for a 30-business day review before filing with the Secretary of State. The adopted amendments become effective on the first day of the quarter after filing the rulemaking package with the Secretary of State unless the proposed amendments provide a different effective date. State Water Board staff expect the proposed amendments to become effective the quarter beginning October 1, 2018. Information on the Title 23 Federal Reconciliation Proposed Regulations is available at:
https://www.waterboards.ca.gov/water_issues/programs/ust/adm_notices/fed_rec_regs.

State Water Board staff will be holding separate informational webinars for UST Regulators and UST owners and operators on the adopted amendments. The dates and times for the webinars will be announced shortly.

If you have questions regarding this matter, please contact Mr. Cory Hootman at (916) 341-5668 or cory.hootman@waterboards.ca.gov.

Regulations for Tanks in Underground Areas Effective July 1, 2018

On December 4, 2015, the State Water Board issued a technical UST program notification titled *Underground Storage Tank Provisions in Senate Bill No. 612 for Tanks in Underground Areas*. The notification informed Unified Program Agencies and other interested parties that the definition of a tank in an underground area (TIUGA) was modified. Some of the modified definition; however, did not take effect until regulations that apply to TIUGAs became effective. Regulations adopted by CalFIRE OSFM that apply to TIUGAs became effective July 1, 2018 (California Code of Regulations, title 24, part 9, chapter 57.) The flowchart enclosed in the December 4, 2015, technical notification titled *Flowchart for Determining if a Tank in Underground Area is an Aboveground Storage Tank (AST) or UST Effective After the Office of the State Fire Marshal Adopts Regulations for Tanks in Underground Areas* will assist UST regulators and UST owners and operators in determining if a tank system located in a below grade area is subject to aboveground storage tank or UST requirements. The December 4, 2015, notification and the enclosed referenced flowchart is located at:
https://www.waterboards.ca.gov/water_issues/programs/ust/tech_notices/docs/sb612_20151204.pdf

Additional guidance concerning the transfer of USTs to ASTs in CERS that meet the definition of a TIUGA will made be available shortly.

If you have questions regarding this matter, please contact Mr. Cory Hootman at (916) 341-5668 or cory.hootman@waterboards.ca.gov.

Final Revised CERS Violation Library

The final revised CERS violation library has been distributed to the CUPAs. The final revised UST violation library reflects the amendments to California UST Regulations, changes to the United States Environmental Protection Agency (US EPA) reporting requirements, and recommendations made by the CUPAs. The new CERS Violation Library will become effective on October 1, 2018.

If you have questions regarding the violation library, please contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

New US EPA Reporting Requirements

The State Water Board is currently revising the new Report 6 reporting requirements to reflect the changes to California UST regulations and new US EPA performance measures. CUPAs will continue to collect significant operational compliance (SOC) data through September 30, 2018. Data collection for the new US EPA performance measures, Technical Compliance Rate (TCR), will begin on October 1, 2018. The TCR data collection coincides with the implementation of the new California UST Regulations and amended CERS violation library.

The State Water Board will provide detailed guidance to the CUPAs regarding new inspection and reporting criteria. Additionally, the State Water Board will be hosting multiple informative webinars from August through October to clarify the criteria and address questions. Webinar dates and times will be provided through Lyris email distribution. Please sign up for Lyris here:

https://www.waterboards.ca.gov/resources/email_subscriptions/ust_subscribe.html

Finally, the State Water Board staff will continue working with CalEPA to address enhancements to CERS and ensure successful data collection and reporting to the US EPA.

If you have questions regarding the Report 6 or performance criteria, please contact Mr. Tom Henderson at (916) 319-9128 or Tom.Henderson@waterboards.ca.gov.

OSFM

Tank In an Under Ground Area (TIUGA)

All TIUGAs are now subject to the Aboveground Petroleum Storage Act (APSA). For more information, see the following documents:

A manual of the laws and regulations specific to TIUGAs from Health and Safety Code Chapter 6.67 and the 2016 California Fire Code

http://osfm.fire.ca.gov/cupa/pdf/TIUGA-Laws-n-Regs_04Apr2018.pdf

An information bulletin to clarify the exceptions to 2016 California Fire Code, Section 5703.6.2.2

<http://osfm.fire.ca.gov/informationbulletin/pdf/2018/2018-005%20-%20California%20Code%20of%20Regulations,%20Title%2024,%20Part%209.pdf>

A revised fact sheet on TIUGAs

<http://osfm.fire.ca.gov/cupa/pdf/TIUGA-FactSheet-23Apr2018.pdf>;

A monthly inspection checklist for facilities with one or more TIUGAs and less than 1,320 gallons of petroleum

<http://osfm.fire.ca.gov/cupa/pdf/TIUGA-MonthlyInspectionChecklist.docx>

A TIUGA notification form for *optional* use by owner/operators to notify their Unified Program Agency of a potential TIUGA at their facility

http://osfm.fire.ca.gov/cupa/pdf/TIUGA_Notification_form-18May2018.pdf

Cal OES

Changes to Health & Safety Code, Chapter 6.95 and the California Code of Regulations, Title 19, Chapter 4

Cal OES has observed that some of the citations in CUPAs' Area Plan, for both the Health & Safety Code, Chapter 6.95, and Title 19 are incorrect or no longer applicable. This is due to changes both to the law and a "renumbering" of the Title 19 regulations in March, 2016.

The current citations can be located by using the following link:

<http://www.caloes.ca.gov/FireRescueSite/Documents/Chapter%204%20Renumbering%20Effective%2011MAY16.pdf>

Section 2620 is still 2620.

Section 2650 is now 2621.

Section 2660 is now 2622.

Section 2720 is now 2640.

Section 2722 is now 2642.

Section 2723 is now 2643.

Section 2724 is now 2644.

Section 2725 is now 2645.

Section 2726 is now 2646.

Section 2727 is now 2647.

Section 2728 is now 2648.

Section 2729 is now 2650.

Section 2729.1 is now 2651.

Section 2729.2 is now 2652.

Section 2729.3 is now 2653.

Section 2729.4 is now 2654.

Section 2729.5 is now 2655.

Section 2729.6 is now 2656.

Section 2729.7 is now 2657.

Section 2731 is now 2658.

Section 2732 is now 2659.

Section 2733 is now 2670.

Section 2734 is now 2671.

Cal OES recommends that each CUPA, during the next Area Plan review, revise the citations in their Area Plan and other applicable documents, as necessary, to reflect the correct citations.

CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please provide your comments and suggestions to: cupa@calepa.ca.gov.

[Cal/EPA Unified Program Home Page](#)

Agenda Item IX

ARTICLES OF INTEREST

Features

A Half Century of Progress

Daniel P. Duffy

The Smart MRF

Material recovery facilities (MRFs) are basically factories that operate in reverse. Using sensors, automated controls, and mechanical separation equipment, they take apart finished goods that have been disposed as waste and separate them into their individual material components for resale as raw materials. The automation and equipment are what make a MRF cost-effective, limiting labor costs and boosting productivity. The current sophistication of these advanced recycling technologies is just a taste of things to come. The result will be the "Smart MRF," an important component of the coming Third Industrial Revolution based on "a new infrastructure of 5G internet, renewable energy, and automated driverless transport internet, all riding on top of an Internet of Things platform," says Jeff Beer in an article for Point Blue (www.bit.ly/2LqL.Ggo). But to understand where we are going, we need to review a history of the recycling industry to understand where we have been and where we are now.

World War II and the Start of the Recycling Industry

There has always been a scrap metal industry. Steel, copper, and aluminum have always been too valuable to waste. And wartime demands have always spurred scrap metal recycling. During World War II, recycling of rubber for the war effort also became a big industry. Scrap material drives were important throughout the war not just as sources of raw material for the war effort, but also as morale boosters back at the home front. It gave ordinary Americans a sense of purpose and participation in winning the war. Combined with rationing, scrap drives freed up materials from the civilian economy and let war production operate at full speed.

The first major scrap drive was for rubber since many of the sources of natural rubber were in the hands of our foes. Rubber was needed from unconventional sources (even if they were of poor quality) until research could develop synthetic rubber. After this first successful scrap drive, the War Production Board encouraged scrap drives throughout the war. Metal shortages were also critical with the need for metal scrap met by pots, pans, old sheet metal, automobile bumpers and fenders, used radiators, and worn out farm equipment. Even the old Civil War cannons found at monuments in town squares were melted down for the war effort. One campaign recycled 5 million tons of steel in just three weeks. Tin, steel, and copper were melted down and used to make ships, planes, tanks, and weapons. Scrap drives were an ongoing effort with most towns holding scrap drives monthly throughout the duration of the war. Even scrap paper found a use as cardboard and packing materials—and to meet the military's voracious appetite for paperwork.

The '60s & Earth Day: The Recycling Industry Takes Off

After the war, scrap drives went the way of Rosie the Riveter as America settled into the prosperous '50s. But with prosperity came waste and a spendthrift attitude to resources which manifested itself in a serious litter problem that required a national campaign to combat it. In reaction to the conformity of the 1950s, the '60s became a laboratory for social experimentation and a hotbed of cultural activism. This included the birth of the modern environmental movement. And in the '60s, the nascent environmental movement (with the help of an Italian-American actor who played a crying Native American) fought back against the tide of litter. Bottling companies were pressured into offering nickel deposits to encourage reuse of glass beverage bottles.

By the end of the '60s, America would see the mainstream establishment of the environmental movement, the first Earth Day, campaigns against litter, and the creation of the Environmental Protection Agency (EPA). However, these early efforts were hampered by economic reality; recycling had begun before it was economically feasible and solely as a result of social-minded efforts driven by a concern for the environment. As with most social advances, this movement began in California, and by Earth Day in 1970, over 3,000 recycling drop-off centers had been started. These efforts later grew into coordinated curbside recycling programs.

The 1980s—Explosive Growth, Pushback, and China

Despite increased environmental awareness, recycling rates held steady or grew slowly until the mid-1980s:

Modern recycling started with the Mobro 4000 garbage barge of 1986. At the time, the Mobro 4000 incident was widely cited by environmentalists and the media as emblematic of the solid-waste disposal crisis in the US due to a shortage of landfill space. Almost 3,000 municipal landfills had closed between 1982 and 1987. It triggered a national debate about waste disposal and was a factor in increased recycling. This concern jump started recycling in communities nationwide.

However, a backlash resulted and recycling was criticized, along with its basic economics and necessity. Summarized in a New York Times Sunday Magazine article entitled "Recycling is Garbage," these attacks make the following claims:

"Since there's no shortage of landfill space (the crisis of 1987 was a false alarm), there's no reason to make recycling a legal or moral imperative. Mandatory recycling programs aren't good for posterity. They offer mainly short-term benefits to a few groups—politicians, public relations consultants, environmental organizations, waste-handling corporations—while diverting money from genuine social and environmental problems. Recycling may be the most wasteful activity in modern America: a waste of time and money, a waste of human and natural resources."

This would change with the industrialization of China, which provided the first mass market for recycled materials. The rapid growth of Chinese consumer products industries required vast amounts of processed recycled materials. In doing so, Chinese industry provided the true financial incentive and economic rationale for the recycling industry. As recycling became a global industry, China emerged as the largest importer of the world's waste materials, importing a third of Britain's recyclables and 100% of the US West Coast waste paper market. Almost two-thirds of the fiber used to manufacture paper and cardboard in China comes from waste paper imported from overseas. Imports of waste paper in China increased from 3 million tons in 1996 to almost 20 million tons a decade later. These materials get sent to Chinese factories and are used to make both packaging materials and consumer goods. As a result, the amount of recycling in the US has tripled since the 1960s.

The 2000s & the Current State of the Recycling Industry

These good times continued for the global recycling industry until the Great Recession of 2008. A further collapse of commodity prices occurred in 2010. Since 2000, both waste generation rates and recycling amounts have flattened out.

The future of the industry is marked by two major trends: increased rates of recycling and reduced rates of waste generation. Technology and lifestyle habits have changed, reducing waste just as the technology and political will devoted to recycling have never been better. Take two examples. Between 1994 and 2014, US newspaper recycling rates rose from 49.8% to 68.9%, but the actual volume of newspapers that have ended up in bins simultaneously declined, from 15.81 million tons to 7.89 million tons (Source: American Forestry & Paper Association). The average weight of an aluminum beer can has declined 38% between 1972 and 2014 (in 1990, a recycler would have needed 29 beer cans to make a pound, but would need 34 today), saving money for shippers and manufacturers but hurting the recycling industry's bottom-line (Source: The Aluminum Association).

China's seemingly endless demand for recyclable material is also in question. Instead of serving as the foundation of the recycling industry, Chinese demand has become unpredictable. The Chinese have recently banned the import of various types of scrap: plastics, textiles, and mixed papers. Largely the result of both environmental concerns and a shift from a manufacturing to a consumer economy, it means that China can no longer be counted on as the primary source of demand for recyclables.

The industry is responding to the market changes with a more focused approach to their customers. Instead of simply shipping bulk amounts of recyclables to China, the recycling industry has become savvier in finding profitable end uses and market niches for its materials. Instead of quantity, the industry is focusing on quality. This is especially true of the plastics industry, leading to a focus on the more profitable types of plastic materials. In short, the recycling industry has gotten more agile and smart. A smarter recycling industry can take advantage of a still growing global recycling market, using this newfound sophistication to extract even greater profits from an industry projected to grow from 21 billion euros in 2015 to 35 billion euros by 2020.

MRF Technology and Operations—Present and Future

The original MRFs were "clean" MRFs that relied on households and businesses to source separate their recyclables prior to curbside collection. Arriving in already segregate quantities, these MRFs primarily utilized human labor to organize waste arriving in multiple streams and prepare it for resale. Human workers will always remain an integral part of any MRF operation since no facility will ever achieve 100% automation and mechanization. Given the heterogeneous and unpredictable nature of the wastestream, human judgment and common sense will always be a necessary feature of any MRF operation.

Mechanization of the recycling process allows for the operation of "dirty" MRFs that receive a single, steady stream of mixed waste from regular waste compaction operations. The automated equipment allows for this mixed wastestream to be effectively separated and rendered into its different material components. And since the organic waste component of the wastestream is typically source separated and sent to a composting facility, the operation of a typical single-stream MRF operation manages mixed waste: metals, paper, cardboard, glass, and plastic.

Metallic waste is either ferrous or nonferrous. Ferrous metals are perhaps the easiest material to extract from the wastestream, with the extraction being performed by either fixed magnets or electromagnets which directly remove ferrous metals from conveyor belts as they pass under or over them. Nonferrous metals are removed by eddy-current separators. These consist of rapidly rotating magnets that induce an electrical current and a counter magnetic field in the nonferrous metals. The two magnetic fields repel each other and the nonferrous metals fly off the conveyor belt into a designated receptacle.

Paper waste is either lightweight and large (old corrugated cardboard, OCC, boxes, and sheets) or lightweight and small (all types of office paper, newsprint, magazines, etc.). Large paper waste is typically removed by disc screeners. Disc screens are large open-topped hoppers with a widespread floor bed. The floor bed is lined with rotating discs of varying sizes, dimensions, and shapes (round, oval, star, etc.) whose edges are set perpendicular to the bed surface. These discs are set to rotating at various speeds as waste is fed into the floor bed. Like a washing machine agitator, their various speeds and shapes create wave patterns in the waste that churn and lift the larger and lighter OCC boxes and sheets to the top of the waste for easy removal. Lightweight paper is removed by the force of applied air currents. Air classifiers are basically tall chimney stacks with a blower applying suction at the top that lift and remove pieces of paper. Further process of the collected paper by type and grade can be performed by an air cyclone.

Glass waste, with its various glass colors, is extracted with LSP light spectrophotometry (LSP) that can distinguish between colors of commercial glass (clear, amber, brown, or green) as well as cullet and ceramics. By reading the various wavelengths of light reflecting off of the surface of the object being examined, the LSP sensor tells a blower system to remove the particular glass piece being examined with a blast of high-velocity, high-pressure air, pushing it into a designated storage bin.

Plastic waste is removed with a similar technology to the LSP, the near infrared sensor.

But instead of reading wavelengths of color, it is used to judge the density (and therefore the type) of plastic waste objects.

Small but heavy objects, mostly residue dirt and debris, are typically removed by rotating trommels. Like many pieces of equipment used by MRFs, trommels are mining machinery modified to extract waste instead of separating ore and slag. Basically, it's a rotating drum with perforated sidewalls and a rotational axis set at an angle to the horizontal, interior of the trommel which is equipped with a series of vanes. Waste entering through the top slowly falls down through the trommel's rotating drum, exiting out of the bottom. But during that process, small objects of dirt and debris leave the trommel through the holes in the side walls. This leaves only the larger waste objects in the wastestream for further processing.

Robotics, Automation, and Future Technology

So, what will the future bring? Given all of the ups and downs of the recycling industry over the years, any attempt at prediction could be dangerous. One thing is certain: the same forces of automation, artificial intelligence, and robotics impacting American industry will also cause sweeping changes to MRF operations. MRFs began as purely manual operations and progress to a mechanization stage. The next stage will be the "Smart MRF" that incarnates all the applicable advanced technologies of material handling, sensors, data collection, and robotics.

Automation doesn't always destroy jobs. Instead, it usually changes and even expands the task performed by an industry's workforce. For example, the invention of the automatic teller machine (ATM) was thought to spell doom for the job of a bank teller. Instead, there are more bank tellers now than ever before since the ATM allowed for smaller more diverse banks and gave tellers the new tasks of customer service and sales. So it will be with workers at a MRF. Newer, different, and better tasks will be assigned to them while machines take over the truly dirty drudge work required for waste recycling. In the end, technology improves productivity, creating more real wealth and better jobs for all concerned.

Short term, the biggest advances will be in ever more sophisticated optical sorters, of controls, sensors, data acquisition and analysis, metering, remote operations, SCADA, and troubleshooting. Long-term robotics will make their appearance at MRFs and transform their operations. MRF robotics is still in its infancy. For example, a European robotics company, Zenrobotics, has developed a robotic arm with a grappling hand that can physically pick up preprogrammed objects from a wastestream. This system is currently being tested and evaluated by the Finnish company SITA Finland for the recycling of construction and demolition debris waste (a simpler wastestream than MSW with fewer waste types to choose from). Adoption of robotics may be slowed by the very nature of waste with its unpredictable quantities and diverse materials, but like every other industry, the recycling industry will tend to ever-increasing levels of sophistication of automation.

Major Suppliers

VAN DYK Recycling Solutions

With over 340 MRFs and 2,400 recycling and sorting systems installed to date, VAN DYK Recycling Solutions provides turnkey high performing recycling and sorting systems. In addition to providing Bollegraaf and TOMRA optical sorters, they provide whole system design and MRF system upgrades, including control and data systems. In doing so, they provide their customers with customized recycling systems to meet anticipated wastestream characteristics and flow through quantities. **MSW**

Daniel P. Duffy, P.E., writes frequently on the topics of landfills and the environment.

Features

Working Hard for the Money

Lori Lovely

It's not cheap to run a landfill. The costs vary by location, but estimates by the Environmental Protection Agency and various state agencies range from \$300,000 to \$800,000 per acre for the application, construction, and design and engineering, with as much as \$100,000 per acre for overhead and quality control—costs that extend indefinitely in the post-closure care period.

When landfills are the responsibility of the local government, fees, taxes, or municipal bonds typically cover the expenses that are incurred. The ability to reduce construction and operations costs is the primary advantage provided by aerobic digestion.

Other benefits of the aerobic digestion system offered by Engineered Waste Systems include:

- Doubling the life of a landfill because digested materials take up less volume
- Reducing the post-closure care period
- Eliminating long-term liability by processing materials
- Increasing stability of the processed waste mass
- Eliminating the need for compaction because the internal bridging and organics are digested
- Providing potential for perpetual revenue through mining of digested MSW

Daily cover soils can take up as much as 10% of the landfill's entire volume. Digested MSW has been approved to be used as daily cover, which constitutes a significant cost-saving, says Rick Aho, principal at EWS, the Michigan-based company providing advanced environmental technology applications such as aerobic digestion and biological processing for the waste industry. He claims that their system improves how landfills operate, reduces operating costs, saves landfill space, and protects the environment.

Environmental Impact: Air Quality

Traditional landfills pose a potential threat to the environment. According to the US Geological Survey, chemicals and gases permeate the liner and plastic piping, which become brittle, swell, and break down, leading to leakage. That threat extends to human health because leakages have been tied to an increased risk of cancer and birth defects, due to the airborne release of chemicals in active and inactive landfills, according to a report by G. Fred Lee & Associates, an environmental consulting firm.

To combat airborne hazards, the Clean Air Act requires a gas collection system if capacity meets a specified threshold, says Phil Roycraft, district supervisor for the northern region of Michigan, Department of Environmental Quality, Waste Management Division. "Typically, it affects large sites, but even below the threshold, a gas collection system is installed to control odors if there are issues." Those systems are generally less complex—and may be flares—but big sites have to invest in piping and a gas engine to convert the gas to electricity. "The costs can be overwhelming."

In 2016, the Environmental Protection Agency updated its New Source Performance Standards to reduce emissions of methane gas from new, modified, and reconstructed MSW landfills. It also issued guidelines for reducing emissions from existing landfills. Nevertheless, Roycraft notes, large sites can have nuisance odors even when they're collecting 75% of emissions.

The cost of building and operating gas collection systems is measured in the millions, Aho states. In addition, he says it is very difficult to operate a gas collection system in the northern climate, where freezing temperatures are normal. In contrast, hydrodigestion doesn't require a gas collection system because it inhibits the ability to produce methane, thus leading to millions of dollars in savings. "Hydrodigestion's air quality efficiency is documented by the federal eGGRT system."

Aho explains that the use of digested MSW material as daily cover can save 10% of the volume of the landfill and reduce its ability to create emissions (both methane and non-methane). "The savings involved [includes] the cost of cover and the cost of the gas collection system. The soft benefits include being able to tell your customers that you're not producing methane, a very strong greenhouse gas, while the landfill is in operation." He goes on to add that landfills that do not utilize hydrodigestion continuously emit large tonnages of methane and other gases while the landfill is not capped.

The digested material provides a landfill with a very large increase in capacity, which is important because air quality requirements are based on landfill capacity. "The systematic documentation of the characteristics of the digested materials provides proof that the landfill cannot produce emissions," states Aho, explaining that it is similar to landfills that contain materials such as power plant ash. "They cannot produce emissions also, and do not require gas collection systems."

Landfills that utilize hydrodigestion may be more beneficial to the environment in comparison with today's traditional landfills because they provide a decrease in long-term environmental risks. They also alleviate landfill operating and post-closure costs by reducing the post-closure care period and eliminating long-term care.

Hydrodigestion eliminates gas and odor production without the need for a gas collection system or flare. Whether aerobic processing is considered a gas collection system or it eliminates the need for one, the inevitable result is that processed organics cannot produce gas. Financial assurance will be reduced because of the inability to produce gas emissions from the landfill when it's closed, Aho says.

Leachate

Like the air, water is also susceptible to contamination from traditional landfills. The generation of leachate—a liquid that passes through a landfill carrying dissolved and suspended matter—can be problematic for landfills and poses a serious threat to surface water and groundwater. “The contaminant levels in leachate are low. It's roughly 99.5% water with only trace contaminants,” states Roycraft, “but the threat to groundwater is too high for discharge.”

Most sites pump and haul rather than treat onsite, Roycraft observes. “Some have a sewer connection to the wastewater treatment plant. That's ideal, but they pay per gallon. Some pump and haul to a treatment plant—that's the most common practice, but it requires dedicated trucks, a dedicated driver, transportation costs, and paying the treatment plant. If you have too much of some constituent, such as ammonia, you have to pay extra or pre-treat it before hauling.”

Some sites use leachate evaporation. “They use landfill gas to burn off the leachate,” explains Roycraft. “That's a couple million dollars in capital costs, though.” He mentions a “low-cost version” in the Neptune aerator (which he compares with a snow machine) to vaporize the leachate by using high-pressure nozzles to evaporate it. “You must spray over an active area, which can be tough to do with trucks coming in, and you need low humidity for it to work properly.”

Evaporation is costly, and there's some maintenance required, Roycraft adds. “Aerators are less costly but are more difficult for operators to use. Every option has its ups and downs.” Another tactic is “deep well” injection. One particular site he's familiar with has applied for a permit to dig down 5,000 feet. “It will be very costly.”

For landfills that want to treat leachate onsite, the Department of Environmental Quality requires a permit, which must be applied for 180 days prior to use in order to allow for time to process it. A National Pollutant Discharge Elimination System permit allows the landfill to discharge leachate into a river, stream, or lake. The NPDES Industrial annual permit fee depends on the amount being discharged, according to Jay Parent, P.E., environmental engineer, MDEQ—WRD—UP District Office, with years of regulatory involvement with the discharge of hydrodigestion leachate.

EWS will work with landfills that opt for the hydrodigestion process to apply for and obtain permits from the applicable regulatory agency that meets the needs of the specific site, Aho points out. “EWS will write your general permit template at no cost. It is part of the program.”

The costs of processing leachate onsite can be minimized while still achieving standards with the landfill collection system that meet stringent surface water discharge requirements. The cost of testing and processing is a fraction of the cost of trucking, in most cases. As Parent notes, the costs for processing leachate at municipal wastewater treatment plants are determined by the individual facilities. “The DEQ does not get involved with pricing,” he states. However, he says that a quick survey of local WWTPs reveals that they charge 2-5 cents per gallon.

Landfills that practice surface water discharge have to go through additional required testing, as specified in their NPDES permits. Parent says he does not know how much the labs charge to run the tests required for treated leachate surface water discharges in his region.

Treating leachate onsite can be an even better option than hauling it. According to Aho, wastewater treatment plants are designed to a BOD of 200, but landfills can easily average a BOD of 5,000, with peaks over 10,000 ppm. “The plant can't handle that much without precautions and procedures or untreated waste ends up in the effluent.”

In effect, it “shocks” the plant. “There is no manual on handling landfill leachate, but we rely on biology to digest landfills.” It also processes contaminants. Aho explains that the standards for discharge are stringent and that the leachate from an active landfill must be isolated in order to clean it to meet those standards. Digesting landfills reduces the strength of leachate in the landfill by 90% or more. Once leachate is removed from the landfill and polished to surface water standards, it can be discharged.

Aho says that hydrodigestion provides superior processing when compared with a wastewater treatment plant—and allows the landfill to avoid the associated costs. He calculates the costs of hydrodigestion treatment that have been achieved at \$0.005 per gallon and says financial assurance reductions are possible with onsite treatment. “Testing for landfill leachate will always be extensive because of the nature of the material and the possibilities of the source.”

Post-Closure Financial Assurance

When leachate is treated onsite, the costs associated with financial assurance and the actual cost of leachate treatment are significantly lower. “Treated leachate in the closed landfill should be able to be released into the environment, so monitoring costs are minimized,” elaborates Aho.

The same monitoring practices required while a site is active must be continued post-closure. "You have to continue the same process post-closure," confirms Roycraft. "You have to maintain [the site] for 30 years after closure." Financial assurance and federal regulations last 30 years in order to achieve "stabilization and functionality."

Roycraft says that Michigan is considering assessing the functional stability period. "It may not necessarily be 30 years." He says it could be changed in order to encourage innovation and promote compaction. "The volume should decrease over time. Maximum gas production declines as the landfill dries out and material decomposes."

Reducing the volume of the materials within the landfill more quickly through hydrodigestion changes the economics of a landfill. "Twice the capacity means twice the return on the investment," states Aho. This also results in the reduction in financial assurance because:

A reduction in post-closure care costs and the term (the number of years of post-closure care) can be reduced by a petition of the state.

There's no subsiding of the digested material, so the integrity of the cap is significantly improved.

The liability of the digested material of the landfill may be sufficiently documented so that the landfill may not require a cap.

A digested landfill can be easily processed for the value of the materials inside. This would allow the land to be redeveloped or facilitate a perpetual hydrodigestion landfill option.

According to Roycraft, the property can be converted to beneficial use, such as a site for solar or wind power, a park, or just an open space. However, due to the settlement potential, he says, "you can't put a building on it without structural reinforcement."

Liability

Liability—both during active life and post-closure—is a difficult question, Roycraft believes. "It depends on state law. Remember: modern landfill design has only been around since 1990; there are no numbers on the costs post-closure."

If there are no official numbers, there are at minimum several "soft" benefits of reducing landfill volume through hydrodigestion, such as being able to tell customers, corporations, and municipalities that you are eliminating the liability of the waste, both now (in the case of GHGs and water) and in the future (the inevitable failure of a perpetual storage device).

Short-term and long-term liability center on the instability of a landfill. "Anaerobic organisms control drainage," says Aho. When drainage is blocked, potential hazards include avalanches, collapse, loss of containment, poison gases, and toxic odors. "It defeats the purpose of a containment system if you have failures."

If containment fails, it poses a risk to the public. However, if the landfill can't produce methane because the material has been aerobically digested, there's no detrimental effect if a liner fails. "Digested material is inert," explains Aho.

Liability for a bankrupt landfill ultimately falls whatever entity takes it over for taxes. "If there's a problem facility," points out Aho, "the host community could be on the hook, especially if they're taking host fees." However, he suggests proving to the regulating body that you're processing the landfill materials with hydrodigestion.

When a landfill uses hydrodigestion, Aho says they can provide "a compelling petition for the elimination of post-closure regulation" because the digested material no longer possesses the characteristics of solid waste. The default post-closure monitoring period is 30 years, but he suggests petitioning for a shorter period. "If you can prove there's no hazard, there's no liability." EWS can assist with documentation about the volume, the reduction of material, and the characteristics of the site.

In a conventional landfill, the material continues to break down and settle years or even decades after closure. That can lead to cap failure resulting from material that is not structurally competent collapsing under the cap. Although the cap is designed to keep water out, it is the most important, most susceptible component. "Fixing something is costly," says Aho. He considers hydrodigestion to be a safer, cheaper option that offers improved ecological protection for landfills while minimizing liability.

Another aspect hydrodigestion takes care of is internal bridging. Construction debris in particular leaves voids in the pile because much of the internal structure is wood. A compactor breaks up some of the materials, but they spring back up after compaction. "Voids always exist. Compaction isn't what you want," explains Aho. "You want to put the material where you want to process it and open the bags."

Digestion leaves minimal voids and creates a landfill that has less volume. Once settled, the material becomes "reinforced dirt," says Aho, contributing to the stability of the landfill. That reinforced dirt (humus and plastic) is valuable and can provide a source of income for landfills if they choose to process and sell it. The metals found in a landfill are also lucrative, he adds.

Operations

According to the Environmental Protection Agency, about 32.5% of the 251 million tons of consumer solid waste generated in the US each year is recycled or composted. Approximately 12.5% is burned. The remaining 55% is buried in landfills. The purpose of a landfill is to isolate waste from the surrounding environment to prevent water contamination and contact with the air—but landfills are not originally built to decompose trash efficiently.

The massive biological loading and isolation by high-density polyethylene plastic lining in landfills mean waste decomposes at a very slow rate. The decomposition process extends for decades:

Digesting landfill material is safer for people, but it's also easier on equipment and mechanized systems. "Pumps, controls, and metal components quickly become corroded in a typical landfill," explains Aho. However, a digesting system is not acidic and therefore doesn't cause corrosion. An aerobic environment is a safe environment, he says. "We are aerobic creatures."

Cost Savings

Hydrodigestion is safe and cost-effective, Aho says. He lists benefits such as the fact that there are no fires in processed materials; minimized roads, better litter control, and other necessary support; reduced system maintenance due to a neutral pH; minimized operational disruption from moving and construction; and efficient treatment of sludges and unstable wet materials.

The cost of a current project to retrofit an existing facility includes the capacity to process the existing cell (nearing capacity) and all future materials that will be landfilled on the site—a total of at least six cells. The cost of new components and installations necessary for processing is just under \$72,000. The benefits include another 20 years of operating capacity in the existing cell and new cell at this small landfill. "The new cell would be processed from its beginning. In addition to volume, which in this case would be an approximately 100% increase in density, the minimization of leachate that will be trucked offsite is also a minor focus. It is realistic to expect a 40% reduction in leachate volume trucked."

The budget cost for the processing system of the new hydrodigestion landfill that is being sited is about the same as the retrofit: approximately \$72,000, Aho says. This is the cost, associated with digestion, above the cost of conventional landfill construction. "The actual extension of the landfill life will be slightly less than the retrofit because of the characteristics of the incoming waste at that facility." Leachate is expected to be treated onsite and discharged to surface waters. "The savings from leachate treatment versus hauling will be very significant—and more important than volume reduction windfall."

The EWS digestion system meets regulatory compliance, Aho confirms. "Show your regulator you have the best environmental protection on the planet." **MSW**

*Winner of several Society of Professional Journalists awards, **Lori Lovely** writes about topics related to waste management and technology.*

BREAKING NEWS: White House says Trump 'disagrees' with Putin's offer to allow Russia to interview Americans. Details to come.



How San Francisco sends less trash to the landfill than any other major U.S. city

Katie Brigham 4 days ago



© Provided by CNBC

The average American produces about 4.4 pounds of waste per day. Roughly 1.5 pounds of that is composted or recycled, meaning the U.S. avoids sending just 34 percent of its waste to landfills, according to the EPA.

San Francisco provides a much different narrative: Thanks to bold public policy and educational initiatives, the city diverts about 80 percent of its waste from landfills, or more than 1.5 million tons every year.

Ultimately, San Francisco aims to reach zero waste. That means recycling, composting, reusing, and reducing consumption so that nothing goes to either the landfill or incineration.

The city hopes to achieve this goal by 2020. But even if it doesn't, San Francisco is already way ahead of other cities. For example, New York only diverts about 21 percent of its waste and Chicago is at about 10 percent.

How has San Francisco done it?

In 2009, San Francisco made recycling and composting a requirement for all businesses and residences. It passed the nation's first mandatory composting law, and while a few progressive cities have followed suite, most haven't.

San Francisco also banned environmentally hazardous items like checkout bags and Styrofoam. Debbie Raphael, director of the San Francisco Department of the Environment, said she's proud of how the city has used market incentives to drive behavior.

"If we can't ban the materials sometimes we'll put a charge on it," she said. "We might ban a plastic bag and put a charge on using a single-use paper bag, because we're sending signals to the producers and to the users, to the consumers, that there's an easy, convenient, right way to do things."

To encourage behavior change, San Francisco initially set trash collection rates much higher than recycling and composting rates. While rates are more comparable now, residential bin sizes provide a behavioral nudge. Standard residential services include a 64-gallon blue recycling bin, a 32-gallon green composting bin, and 16-gallon black trash bin.

Businesses are also charged according to the volume of waste they present. They receive discounts for using the green and blue bins, and are penalized if recyclables or compostables end up in the trash.

Another key to San Francisco's success is its exclusive partnership with waste management company Recology. Raphael said that working with one company eases the administrative burden and makes it possible to collaborate on long-term goals.

New York, by comparison, has a private system for commercial waste, comprised of hundreds of competing waste collection companies. This makes it challenging for the local government to collaborate on citywide initiatives.

Behind the scenes

The final element that sets San Francisco's apart is the sheer scale of its recycling and composting operations.

All of the city's recyclables are brought to Recycle Center, a 200,000 square foot warehouse on Pier 96 that processes 40 to 45 tons of materials per hour.

A team of 14 people work alongside high-tech screens, magnets and optical sorters to weed out contamination and separate the paper, metals and plastics. Similar materials are placed in a bale together, and shipped out to recycling plants both domestically and abroad.

As for the compost, all of the city's yard waste and food scraps are brought to Jepson Prairie Organics in Vacaville, about 60 miles northeast of San Francisco. Here, compostables are weighed, ground up and blended. Eventually, the nutrient-rich product is sold as fertilizer to vineyards in wine country and nut growers in the Central Valley.



© Provided by CNBC

Greg Pryor, general manager of Jepson Prairie, said this was one of the first facilities in the U.S. to compost food scraps.

"When we started in '94-'95 with food, there wasn't anybody doing it on a commercial scale that we were processing, and a lot of naysayers in the beginning," he said. "Today they can't argue with our success. It can be done."

Both Recycle Central and Jepson Prairie host national and international visitors, who are eager to learn how they can replicate San Francisco's success.

While San Francisco's waste management system costs about \$300 million annually, the program is funded solely through waste collection fees, which are no higher than average for the Bay Area.

Furthermore, a complex recycling and composting operation can be an engine for job growth. Raphael said that for each ton of material, 20 more jobs are created when you recycle than if you put that material in a landfill.

What will it take to get to zero?

San Francisco still has work to do. About half a million tons of material end up in the city's landfill every year.

Tackling this involves more awareness and education. Raphael said that 60 percent of what ends up in San Francisco's trash bins could be composted or recycled. The remaining 40 percent is out of their control.

"We need manufacturers to step up," Raphael said. "We need products to be designed differently so that they're using materials that can be handled in our blue and our green streams and our recycling and our composting."

(<https://www.resource-recycling.com/recycling>)

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National statistics show stagnant U.S. diversion rate (<https://resource-recycling.com/recycling/2018/07/30/national-statistics-show-stagnant-u-s-diversion-rate/>)

Posted on July 30, 2018

by [Jared Paben](https://resource-recycling.com/recycling/author/jared-paben/) (<https://resource-recycling.com/recycling/author/jared-paben/>)

The country's recycling and composting rate remains stuck at just over 34 percent, according to the U.S. EPA.

The federal agency on July 30 announced the release of its recycling and composting estimates for the U.S. in 2015. According to the [Facts and Figures Report](https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management) (<https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management>), the country generated 262.4 million tons of municipal solid waste (MSW) in 2015. Of that amount, 67.8 million tons (25.8 percent) were recycled and 23.4 million tons (8.9 percent) were composted.



Taken together, the U.S. achieved a 34.7 percent recycling and composting rate in 2015. That was essentially flat compared to the [34.6 percent number](https://resource-recycling.com/recycling/2016/11/15/national-recycling-rate-now-at-34-6-percent/) (<https://resource-recycling.com/recycling/2016/11/15/national-recycling-rate-now-at-34-6-percent/>) that was tallied for 2014.

The U.S. recycling and composting rate has been between 34 percent and 35 percent since 2010. The 2015 rate was the same rate – 34.7 percent – achieved in 2011. Total MSW generation in the U.S. dimmed roughly 1.5 percent from 2014 to 2015.

The 2015 report also estimated recycling rates by material type (the numbers below reflect materials in both durable and nondurable goods from residential, commercial and institutional sources):

- Paper and paperboard: 66.6 percent (up from 64.7 percent in 2014)
- Glass: 26.4 percent (up from 26.0 percent)
- Steel: 33.3 percent (up from 33.0 percent)
- Aluminum: 18.5 percent (down from 19.8 percent)
- Other nonferrous metals: 67.6 percent (up from 66.7 percent)
- Plastics: 9.1 percent (down from 9.5 percent)
- Rubber and leather: 17.8 percent (up from 17.5 percent)
- Textiles: 15.3 percent (down from 16.2 percent)
- Wood: 16.3 percent (up from 15.9 percent)
- Other materials: 27.7 percent (down from 29.1 percent)
- Food scraps: 5.3 percent composting rate (up from 5.1 percent)
- Yard trimmings: 61.3 percent (up from 61.1 percent)

The U.S. landfilled 52.5 percent of its MSW in 2015, down from 52.6 percent the year before. It burned 12.8 percent for energy recovery, flat year over year.

Recycling metrics will be explored in depth during a [data-focused session](http://rrconference.com/session-descriptions/) (<http://rrconference.com/session-descriptions/>) at the upcoming Resource Recycling Conference. Ron Vance of the U.S. EPA will be among the experts discussing strategies for measuring industry progress.

Photo credit: Luis Abrantes/Shutterstock

More stories about data

- [Data expert ranks recycling metrics](https://resource-recycling.com/recycling/2018/06/19/data-expert-ranks-recycling-metrics/) (<https://resource-recycling.com/recycling/2018/06/19/data-expert-ranks-recycling-metrics/>)
- [Is this the recycling rate of the future?](https://resource-recycling.com/recycling/2018/05/30/is-this-the-recycling-rate-of-the-future/) (<https://resource-recycling.com/recycling/2018/05/30/is-this-the-recycling-rate-of-the-future/>)
- [AF&PA: Paper recovery down due to drop in exports](https://resource-recycling.com/recycling/2018/05/15/afpa-paper-recovery-down-due-to-drop-in-exports/) (<https://resource-recycling.com/recycling/2018/05/15/afpa-paper-recovery-down-due-to-drop-in-exports/>)

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The latest recycling industry news

Aluminum recycling giant to acquire end user (<https://resource-recycling.com/recycling/2018/07/31/aluminum-recycling-giant-to-acquire-end-user/>)

Aluminum recycling and rolling company Novelis has signed a deal to acquire Aleris, a major manufacturer of recycled-content aluminum products.

(<https://www.resource-recycling.com/recycling>)

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China moves to extend ban to all materials (<https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/>)

Posted on July 18, 2018

by [Colin Staub](https://resource-recycling.com/recycling/author/colinstaub/) (<https://resource-recycling.com/recycling/author/colinstaub/>)

The Chinese government has released a proposal to completely ban imports of recovered fiber and every other form of "solid waste."

China's Ministry of Ecology and Environment on July 11 [posted a draft document](#)



(http://www.mep.gov.cn/gkml/sthjbgw/stbgh/201807/t20180717_446712.htm) that lays out numerous regulations covering solid waste management. The official proposal serves as confirmation of [recent industry discussion](#) (<http://www.bjr.org/news-press/latest-news/china-cpc-central-committee-vows-to-reduce-2020-waste-imports-to-zero-2/>) suggesting a full ban could be coming from China.

While China's National Sword policy has already [shut the door](#) (<https://resource-recycling.com/recycling/2017/08/22/china-offers-clues-will-wont-allowed/>) on most recycled plastics and mixed paper since the start of this year, higher grades of fiber have been allowed to continue to move into the country.

Fiber research firm [RISI first reported](#) (<https://www.risinfo.com/content-gateway/pulpandpaper/news/china-s-environment-ministry-seeks-near-term-legislation-to-ban-rfp-imports-entirely171947.html>) on the latest import proposal, noting it would "entirely ban the import of solid waste, including recovered paper," and would do so sooner than previously anticipated.

The proposal was released in Chinese and an official English translation is not yet available. According to an online translation of the document, the proposal contains 102 articles divided into several chapters, each pertaining to different aspects of environmental protection.

One of the articles "prohibits the import of solid waste," according to the translation.

RISI noted that there is no firm date of implementation attached to the plan. However, the RISI update noted that although previous reports floated a 2020 implementation date for an all-out ban, the Chinese government is "looking for the law to go into effect before then."

The Chinese ministry is seeking comments on the proposal by Aug. 18. Comments can be sent to swmd@mep.gov.cn (<mailto:swmd@mep.gov.cn>).

According to a second document published alongside the draft proposal, the Standing Committee of the National People's Congress will consider the solid waste regulations as part of its 2018 legislative work plan. RISI reported the Congress will review the legislation in December.

Fiber implications

Although mixed paper and virtually all post-consumer plastic has been banned from import into China since the beginning of 2018, substantial amounts of OCC and other higher-grade recovered fiber have not been prohibited thus far. That fact has been a point of relief for recyclables exporters struggling to find markets for many other bale types. Still, exporting OCC and other fiber grades has been much more difficult this year due to [increased inspections](#) (<https://resource-recycling.com/recycling/2018/06/26/china-adds-another-hurdle-for-exporters/>), tighter [quality standards](#) (<https://resource-recycling.com/recycling/2017/12/05/chinas-slightly-laxed-limit-little-paper/>) and other restrictions.

According to U.S. Census data, U.S. exporters sent 3.15 million metric tons of recovered fiber to China from January through May of this year. OCC made up the largest portion at 2.07 million metric tons.

Recovered fiber exports from the U.S. to China this year were valued at \$513 million through May.

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The latest recycling industry news

House passes slight cut to EPA budget
(<https://resource-recycling.com/recycling/2018/07/24/house-passes-slight-cut-to-epa-budget/>)

The U.S. EPA's budget is cut, but not nearly as deeply as President Trump proposed, under a spending plan passed by the House of Representatives last week.

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How China fallout is shaking recycling in California (<https://resource-recycling.com/recycling/2018/01/30/china-fallout-shaking-recycling-california/>)

Posted on January 30, 2018

by [Colin Staub](https://resource-recycling.com/recycling/author/colinstaub/) (<https://resource-recycling.com/recycling/author/colinstaub/>)

About 85 percent of mixed paper and OCC exported out of California has been bound for China in recent years, and as the Asian behemoth closes its doors to some of those imports, the state's recycling industry is feeling the hit.

In 2016, California's exports of recyclables amounted to 15 million tons, worth an estimated \$4.6 billion. Some 62 percent of that exported material went to China in 2016, according to a presentation from a state recycling official at a [meeting held Jan. 23](#)



Credit: 1933bkk/Shutterstock

(<http://www.calrecycle.ca.gov/Actions/PublicNoticeDetail.aspx?id=2315&ajid=2112>).

China's import policies were a major part of the discussion at the January monthly public meeting held by California's Department of Resources Recycling and Recovery (CalRecycle).

Along with CalRecycle staffers outlining the potential impact of China's recent restrictions on the state in terms of export tonnages, the roughly hour-long China discussion featured perspectives from a range of California stakeholders who discussed opportunities in local market development, changes needed in recycling funding, and the significant turmoil already being felt on the ground by California materials recovery entities.

"It's a day-to-day battle of moving this material," said Dave Vaccarezza, owner of private hauler and materials recovery facility (MRF) operator Cal-Waste Recovery Systems. "We can only warehouse it so long and then it has to go to landfill. We have no other options and we're that far away from it."

A look at the numbers

In 2016, China received roughly 9 million tons of recovered fiber and 500,000 tons of low-grade plastics from California, according to CalRecycle. Overall, nearly two-thirds of recyclables exported out of California have been bound for China in recent years.

Mixed paper, which CalRecycle defines to include OCC, made up a majority of the recovered fiber exported to China, at roughly 7 million tons. China has been California's largest mixed paper customer.

But the volume dropped off noticeably as China pushed toward its import restrictions in 2017. California exports of mixed paper to China decreased by about 1 million tons. A large portion of the drop was in OCC, which had 500,000 fewer tons shipped from California into China over the course of the year. Unsorted paper and bleached chemical pulp also saw decreases.

Plastics, which in 2016 made up about 6 percent of all exports of recyclables, had less of a hit. According to CalRecycle, with the exception of PVC loads, exports of mixed and low-grade plastics decreased only slightly in 2017.

Still, CalRecycle staffers noted the situation for plastics could become more dire.

"We have heard particular concerns about the impacts of plastics 3-7 and whether they will continue to have viable markets," said Larry Stephens, environmental scientist at CalRecycle.

Representatives from the department noted that in response to the market turbulence, they are putting a focus on strengthening a number of facets of California's recycling system, referencing CalRecycle's ongoing [packaging policy development process](https://resource-recycling.com/recycling/2017/10/17/california-identifies-priority-packaging-mandatory-policy/) (<https://resource-recycling.com/recycling/2017/10/17/california-identifies-priority-packaging-mandatory-policy/>) as one example.

CalRecycle also estimates up to \$3 billion in investment is necessary for new infrastructure to support the state achieving its recycling goals, said Evan Johnson of CalRecycle's policy office.

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The latest recycling industry news

Major Midwest mill to use mixed paper and OCC (<https://resource-recycling.com/recycling/2018/06/26/midwest-mill-to-use-mixed-paper-and-occ/>)

A Wisconsin-headquartered fiber company will build a \$500 million paper mill that will use 100 percent recycled content sourced from OCC and mixed paper.

Opening the pyrolysis door?

Opportunity is a recurring theme in discussions about the China ban and its U.S. implications. For some in the industry, that means giving more attention to new technologies. Chuck White, an advisor focusing on consumer products and environmental issues for Manatt, Phelps & Phillips, described the "huge demand" in California for low-carbon fuels, which he said presents an opportunity to make use of recyclables.

"These papers and plastics are a tremendously valuable feedstock for producing these low-carbon fuel standards," he said. But he added that the gasification and pyrolysis technologies required to convert the materials to fuel are discouraged by the state government. They are not considered a form of recycling but rather of disposal, he said.

If the barriers to these technologies were lifted and they were encouraged, he noted, it could "provide a market for these materials for which one really does not now exist."

However, Nick Lapis of environmental group Californians Against Waste offered an opposing view of the notion of using recovered materials to generate fuel.

"We're in an interesting situation right now where a lot of the recycling we were previously doing we can no longer do," Lapis said. "That does not mean that we need to now start calling destruction of resources recycling. We don't need to cook the books in order to artificially hit numbers."

Instead, he said, the focus should be on market development and on building domestic remanufacturing capacity.

Industry speaks out

A handful of MRF operators and industry stakeholders recounted their experiences with the Chinese fallout so far.

"In order to meet the diversion requirements here and the quality standards overseas, the curbside processors have to invest more capital and more labor right now, and they're going to get less revenue even after they do that," said William Winchester, chief operating officer for Los Angeles-based Berg Mill Supply. "That is a very bitter pill to swallow."

Winchester said the recycling industry needs to reframe the way it views itself. Rather than talking about materials diversion out of the waste stream, he said the industry should be considered the "first step in the supply chain for a manufacturing environment."

"We haven't looked at ourselves that way, but that's how China wants us to be," he said, citing the [recently finalized 0.5 percent contamination threshold for imports](https://resource-recycling.com/plastics/2017/12/06/china-envisions-years-national-swords/) of materials not named in the ban. "That's what they want us to be, a provider of very clean, raw materials."

Winchester said that needs to translate into education and outreach to clean up the curbside stream. But he said it also means residential customers need to pay increased fees in acknowledgement of the new environment.

"The money is not going to come from the sale of the commodities," he said.

Vaccarezza of Cal-Waste Recovery Systems offered a stark picture of the impact his operation has felt. His company processes about 200 tons per day of material from 125,000 households, he said.

"I can tell you that, on a day-to-day basis, this is dramatically impacting our company in terms of our ability to market the product, get paid for processing the material, and moving the waste stream onto a user," he said.

He urged CalRecycle to offer support to the recycling industry by helping to educate the public. That step won't return material prices to where they were before, he said, but it would be a start. Currently, the cost of processing recovered material "is skyrocketing," he said, and it's a struggle to find an outlet.

Vaccarezza added that to meet the new standards set by China, he'll have to spend \$6.5 million to upgrade a Cal-Waste facility he spent \$11.5 million on five years ago.

"I'm willing to make that commitment," he said. "I'm here to ask the state of California to make that commitment with me, to educate this public and overcome this."

CalRecycle Director Scott Smithline said the department is very committed to assisting the industry as the disruption unfolds. But he noted there are other considerations when it comes to the state agency's role in this situation.

"The local diversion programs are an item of local control, and historically have been held tightly by the local governments as such," Smithline said. That means the department will be communicating information all throughout the recycling chain. But he noted the CalRecycle has to "be careful to not overstep our bounds and start telling local governments what they can and can't have their consumers putting in their recycling bins."

More stories about California

- [Cart adjustment leads to increased diversion](https://resource-recycling.com/recycling/2018/06/05/cart-adjustment-leads-to-increased-diversion/)

China adds another hurdle for exporters

New pre-shipment inspection requirements for loads of scrap material bound for China are scheduled to begin this week, and one exporter says the change is going to be a costly disruption.

Flexible packaging project names sorting partner

MRFF has found a MRF. The Materials Recovery for the Future (MRFF) project will partner with a Pennsylvania sorting facility to generate bales of flexible plastic packaging (FPP).

RePower plans to bring Alabama facility back on-line

A shuttered mixed-waste processing site in Montgomery, Ala. will reopen to once again separate recyclables from garbage.

Editor's opinion: Montgomery misses mixed-waste lessons

Four years ago, it became clear Montgomery, Ala. was going to be the testing ground for an updated approach to mixed-waste processing.

Project looks at potential new mixed-glass market

Ontario's Niagara Region sells its recycled glass for use as sandblast media, but what happens if that market slows? An initiative aims to develop a new market for the post-consumer material.

Recycling fallout uncertain as tariff battle continues

The U.S. will enact tariffs on \$50 billion worth of Chinese products beginning July 6. Vowing retaliation, China released its own list of U.S. products to target in July.

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Company moves forward on \$90 million beneficiation plant (<https://resource-recycling.com/recycling/2018/05/01/company-moves-forward-on-90-million-beneficiation-plant/>)

Posted on May 1, 2018

by [Dan Leif](https://resource-recycling.com/recycling/author/danleif/)

A glass recycling company backed by a billionaire is betting big it can significantly lift U.S. glass recycling through the use of technology and rail transportation.

Pace Glass has for the past two years taken in recovered glass from independent MRFs at a small operation in Jersey City, N.J. Today, the firm held a [groundbreaking ceremony](#)



<https://www.northjersey.com/videos/news/local/2018/05/01/video-massive-pace-glass-recycling-plant-breaks-ground-sussex-county/570363002/> for a second, significantly larger New Jersey facility.

The facility, located in the town of Andover in central New Jersey, will sit on a 100-acre parcel and feature 27 optical sorters to process an estimated 550,000 to 750,000 tons per year. If that plan pans out, the site could significantly alleviate pressures for a recyclable material that has encountered economic challenges.

The project's total price tag is expected to be \$90 million, a company leader said in an interview several days before the groundbreaking event.

"The construction of the new facility is probably around \$60 million to \$70 million," said George Valiotis, CEO of Pace Glass, noting that total accounts for possible cost overruns and expenditures. "We've spent about \$20 million on land, building, trucks. We really had to build the infrastructure first. We're about \$20 million in and we're going to invest another \$70 million into this."

Real estate money comes to glass processing

The Pace CEO is the son of Efstathios (Steve) Valiotis, who owns New York residential real estate company Alma Realty as well as Alma Bank, headquartered in Queens, N.Y. The National Herald, a New York-based newspaper that covers the Greek-American community, pegged Steve Valiotis' worth at [\\$1.2 billion in 2014](https://www.thenationalherald.com/40724/tnhs-50-richest-greek-americans-2014-list/).

"My father is backing this financially and working with banking institutions," George Valiotis said. "My business partner and I are the ones handling the material and finding a home for it."

George Valiotis said he and his father were introduced to the prospect of profiting in glass recycling in mid-2013 when they were approached by a business associate named Michael Mahoney, who had worked with them on construction projects and had experience with glass recycling in Ireland.

The younger Valiotis and Mahoney soon after partnered together to purchase Pace Glass, an existing Jersey City company. They upgraded the operation and brought it back on-line in 2016. In 2017 and 2018, the site has been handling 8,000 to 10,000 tons per month.

Valiotis said that once Pace had suppliers and downstream customers in place, as well as a deeper understanding of the U.S. glass landscape, company leaders started moving to scale up.

He said a key component of the new site in Andover will be its connection to a railroad line. The strategy, which is used by some other glass recycling companies, centers on taking in material collected in the densely populated Northeast U.S. and moving it by rail to the manufacturing plants of large bottle makers in the middle of the country.

The Andover site will also feature sortation technology to capture fine grind, which can be sold into the fiberglass market.



Pictured (l-r): Michael Mahoney, Efstathios (Steve) Valiotis and George Valiotis

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The latest recycling industry news

Major Midwest mill to use mixed paper and OCC (<https://resource-recycling.com/recycling/2018/06/26/midwest-mill-to-use-mixed-paper-and-occ/>)

A Wisconsin-headquartered fiber company will build a \$500 million paper mill that will use 100 percent recycled content sourced from OCC and mixed paper.

When the team purchased the Andover site, it was undeveloped land that had been approved for a quarry. Local leaders provided a quick go-ahead for the land to be used as a recycling facility, and the Pace team then worked to connect the site to the railroad. In January, Resource Recycling [reported on the initial project documents](https://resource-recycling.com/recycling/2018/01/30/company-plans-second-glass-processing-plant/) (<https://resource-recycling.com/recycling/2018/01/30/company-plans-second-glass-processing-plant/>).

Valiotis said Pace has put \$20 million into the Andover endeavor thus far.

A sector that has well-noted barriers

Such expenditures are eye-catching in a segment of the recycling market that has raised concerns for many stakeholders.

With single-stream collection now being the norm nationwide, glass bottles often become broken and difficult to sort out from other materials at materials recovery facilities. That has meant two types of contamination: glass shards contaminating other materials, and small pieces of residue contaminating the glass.

As a result, some communities [have moved](http://www.timesfreepress.com/news/local/story/2018/jan/14/city-stops-taking-glass-curb-side-recycling/461245/) (<http://www.timesfreepress.com/news/local/story/2018/jan/14/city-stops-taking-glass-curb-side-recycling/461245/>) to [remove glass](https://resource-recycling.com/recycling/2017/01/04/more-cities-try-to-find-answer-for-glass-recycling/) (<https://resource-recycling.com/recycling/2017/01/04/more-cities-try-to-find-answer-for-glass-recycling/>) from their recycling programs.

But Valiotis is adamant that glass recycling is ripe for growth. He said large bottle makers, such as Owens-Illinois, Ardagh Group and Anchor Glass, are hungry for consistent supplies of material so that they can more reliably integrate recycled-content numbers into their manufacturing plans.

"If these companies have a guaranteed supply of cullet, they can know to buy less sand, less limestone," he said. "We realized we can offer better customer service. That's been our mantra."

Still, Pace will need to find a way to bring in enough glass at a sufficient quality level to provide steady feedstocks to big customers.

Valiotis said he currently does not have contracts in place with large MRF operators like Waste Management and Republic Services. But he said meetings with representatives of those companies convinced him that if Pace built a sophisticated plant that could process major tonnages, the big haulers would come on board.

Valiotis also noted that once the Andover site is open, the company will take in loads of glass with less than 10 percent contamination for no tipping fee (he said at the currently operating Jersey City site, the typical tipping fee is around \$35 a ton). The aim is to provide an easy outlet for communities that source-separate glass.

And for dirtier glass, the company is hoping its numerous optical sorters and other technology will do the trick. Valiotis did not say which company or companies are providing the optical sortation equipment, but he noted equipment consultants were coming to the operation from overseas.

"We brought in all the big guns from Europe," he noted. "If anyone is going to figure this out, it's going to be them."

More stories about glass

- [Project looks at potential new mixed-glass market](https://resource-recycling.com/recycling/2018/06/26/project-looks-at-potential-new-mixed-glass-market/) (<https://resource-recycling.com/recycling/2018/06/26/project-looks-at-potential-new-mixed-glass-market/>)
- [O-I to shut down Atlanta facility](https://resource-recycling.com/recycling/2018/05/22/o-i-to-shut-down-atlanta-facility/) (<https://resource-recycling.com/recycling/2018/05/22/o-i-to-shut-down-atlanta-facility/>)
- [Oregon expands program for refillable glass bottles](https://resource-recycling.com/recycling/2018/03/13/oregon-expands-program-for-refillable-glass-bottles/) (<https://resource-recycling.com/recycling/2018/03/13/oregon-expands-program-for-refillable-glass-bottles/>)



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China adds another hurdle for exporters (<https://resource-recycling.com/recycling/2018/06/26/china-adds-another-hurdle-for-exporters/>)

New pre-shipment inspection requirements for loads of scrap material bound for China are scheduled to begin this week, and one exporter says the change is going to be a costly disruption.

Flexible packaging project names sorting partner (<https://resource-recycling.com/recycling/2018/06/26/flexible-packaging-project-names-sorting-partner/>)

MRF has found a MRF. The Materials Recovery for the Future (MRFF) project will partner with a Pennsylvania sorting facility to generate bales of flexible plastic packaging (FPP).

RePower plans to bring Alabama facility back on-line (<https://resource-recycling.com/recycling/2018/06/26/repower-plans-to-bring-alabama-facility-back-on-line/>)

A shuttered mixed-waste processing site in Montgomery, Ala. will reopen to once again separate recyclables from garbage.

Editor's opinion: Montgomery misses mixed-waste lessons (<https://resource-recycling.com/recycling/2018/06/26/editor-opinion-montgomery-misses-mixed-waste-lessons/>)

Four years ago, it became clear Montgomery, Ala. was going to be the testing ground for an updated approach to mixed-waste processing.

Project looks at potential new mixed-glass market (<https://resource-recycling.com/recycling/2018/06/26/project-looks-at-potential-new-mixed-glass-market/>)

Ontario's Niagara Region sells its recycled glass for use as sandblast media, but what happens if that market slows? An initiative aims to develop a new market for the post-consumer material.

Recycling fallout uncertain as tariff battle continues (<https://resource-recycling.com/recycling/2018/06/19/recycling-fallout-uncertain-as-tariff-battle-continues/>)

The U.S. will enact tariffs on \$50 billion worth of Chinese products beginning July 6. Fearing retaliation, China released its own list of U.S. products to target in July.

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Out of the woods (<https://resource-recycling.com/recycling/2018/06/25/out-of-the-woods/>)

Posted on June 25, 2018

by [Sarah Pierpont](#)



In New Mexico, a company that makes pellets and chips from recovered wood waste has been strengthened by forward-thinking business practices and support from federal, state and local stakeholders. Here are the details on a regional market development success story

This story originally appeared in the June 2018 issue of Resource Recycling magazine. [Subscribe today](https://resource-recycling.com/recycling/subscribe/magazine-trial-subscription/) for access to all print content.

The village of Milan, with a population of just over 3,000, sits at the base of Mount Taylor in northeast New Mexico. That's the highest peak in the San Mateo Mountain range and one of four sacred mountains of the Navajo Nation.

The mountain is also the namesake to Mount Taylor Manufacturing (MTM), a family-run business that began as a wood molding plant in 1965. At its height of production, MTM had 96 employees working double shifts to create baseboards and casings for homes throughout the United States and Canada.

Matt Allen, the current owner and son of the founder, is a firm believer that manufacturing is the best way in this country to build wealth. This belief helped fuel the expansion of his family business into four separate entities all under the Mount Taylor name: a sawmill, an industrial machine shop, a wood pellet manufacturing division, and a grinding yard. Each of these different operations generates residual material that is managed by another part of the business, and, together, the company divisions are helping to divert significant tonnages of wood waste from disposal.

Allen noted he "probably runs one of the greenest companies in the state, partially by design and partially by happenstance. The only thing that really goes to the landfill at our operation is office trash."

Recycling stakeholders across the U.S. are looking for businesses like MTM to pop up more frequently. The company is economically viable and plays a role as an end market for locally generated material. Its success is certainly a factor of Allen's strong leadership and vision. But a number of government bodies and outside groups have also played a role.

In this case, the end result is wood diversion in one corner of New Mexico. However, the takeaways from the MTM story can be applied to recycling market development efforts related to a variety of different materials and jurisdictions.

Significant portion of the waste stream

In New Mexico, it's long been understood that solutions are needed for discarded wood.

The New Mexico Environment Department: Solid Waste Bureau's (NMED:SWB) Solid Waste Management Plan from 2015 identifies increased diversion of organics and development of local markets for recyclable materials as key diversion objectives. While the amount of wood waste landfilled in the state each year is unknown, NMED: SWB reports that 63,848 tons of brush/yard trimmings and wood were composted or mulched in 2014 (the most recent year for which data is available). And assuming New Mexico follows the national waste characterizations as outlined by the U.S. EPA, out of its 1,896,159 total tons of MSW in 2014, 305,903 tons of wood and yard trimmings went to landfills.

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The latest recycling industry news

House passes slight cut to EPA budget (<https://resource-recycling.com/recycling/2018/07/24/house-passes-slight-cut-to-epa-budget/>)

The U.S. EPA's budget is cut, but not nearly as deeply as President Trump proposed, under a spending plan passed by the House of Representatives last week.



Most solid waste facilities in New Mexico accept yard and brush waste through drop-off programs that often include incentives to divert the material, such as reduced tipping fees. However, many of these programs do not accept manufactured wood waste, such as construction debris and pallets, as part of their wood diversion programs.

It's here that MTM can play an important role. The company prefers this dry, clean manufactured wood as feedstock for its wood pellet manufacturing operation. And company representatives have in the past cold-called potential generators of this kind of material.

But though MTM is now a clear cog in New Mexico's wood diversion infrastructure, the road to that point has had a few twists.

From its inception, the company's sawmill work generated a large amount of sawdust that had to be managed. Allen explained that the sawdust was originally going to a local press board company, but when that company went under in 1999, he went on the hunt for new markets. After he received a payment for half of what he had expected for his sawdust from a wood pellet manufacturing plant in Arizona, he decided to open his own pellet mill to manage the byproduct himself.

During the housing boom of the early 21st century, Allen became uneasy knowing that the housing bubble would burst and take his molding manufacturing operations with it. With this in mind, he sought to diversify to continue to be able to create feedstock for his wood pellet plant. In 2007 Allen purchased a rough, 5-acre parcel across from the Southside Wastewater Reclamation Plant near Albuquerque, which is about 80 miles east of Milan. The land was essentially an illegal dumpsite. Allen demolished buildings, cleaned up waste, fenced the perimeter and put in a wood grinding operation, which he named Wood You Recycle. This business accepts dry wood waste from customers, as well as from the MTM sawmill operations, and makes garden mulch, animal bedding and playground wood chips.

Sawdust from the sawmill and Wood You Recycle grinding yard feeds the wood pellet manufacturing facility, the machine shop serves as an in-house means to repair items and keep equipment working smoothly, and the grinding yard diverts clean wood waste from the landfill.

Today the company receives dry wood waste from approximately 15 businesses, ranging from educational institutions to private manufacturers. The operation helps customers save money on solid waste disposal fees - MTM charges a fraction of what it would cost to landfill the material, and in some instances the company accepts the material at no charge.

MTM has a total of 46 employees across the Milan and Albuquerque sites and provides ancillary trucking jobs associated with its operations. Allen estimates they grind between 10 million to 12 million pounds per year to create wood pellets and garden mulch. MTM's internal operations provide about 75 percent of this material, with the other 25 percent coming from customers at the Albuquerque grinding yard.

Collaboration with stakeholders

As Allen predicted it might, MTM's wood molding production ceased in 2010. However, the company's sawmill is still in operation, thanks in part to two unlikely partners: the U.S. Forest Service, which is part of the Department of Agriculture (USDA), and the National Wild Turkey Federation (NWF).

The USDA's Collaborative Forest Landscape Restoration Program (CFLRP) and Collaborative Forest Restoration Project (CFRP) provide grant funding to encourage collaborative ecosystem restoration of priority forest landscapes. The CFRP is specific to New Mexico, and the CFLRP is a competitive, nationwide grant program. Under the CFLRP, the Cibola National Forest in central New Mexico has a stewardship agreement with the NWF, which serves as a financial vehicle to manage wildlife habitat.

MTM has a contract directly with the NWF to handle the processing of small-diameter trees that are harvested through the project. MTM pays for freight to bring those harvested logs to the sawmill, and the company received CFRP grant funding to help purchase some of the equipment needed to transform their molding operations into a sawmill that specializes in processing small-diameter timber.

The stakeholders say removing trees in a responsible manner is beneficial for the environment. At the time of this writing, the mountains around Milan were on fire. The winds blew the flames into areas that hadn't been harvested, causing the fire to spread and become more difficult to manage.

The U.S. Forest Service funding aims to restore the natural ecosystem and to mitigate the likelihood of extreme wildfires, but without an end market for the harvested material, the wood slash is often burned or stockpiled on site. MTM provides a solution to this, with the sawmill cutting the trees into rough grain lumber that is used primarily for wood pallets and fencing material. Any byproducts are used for either pellet manufacturing or ground into playground wood chips.



Mount Taylor Manufacturing (MTM) operates sites in Albuquerque and Milan, N.M. It grinds 10 million to 12 million pounds of wood waste each year to create wood pellets and mulch.

Strategic closes facility due to shuttered bottle factory (<https://resource-recycling.com/recycling/2018/07/24/strategic-closes-facility-due-to-shuttered-bottle-factory/>)

Strategic Materials shut down its Franklin, Mass. facility last month, a development caused by the closure of a massive bottle manufacturer nearby.

Chinese mills short on feedstock as SE Asia overwhelmed (<https://resource-recycling.com/recycling/2018/07/24/chinese-mills-short-on-feedstock-as-se-asia-overwhelmed/>)

The largest paper companies in China have announced temporary closures due to recovered fiber shortages, and Southeast Asian governments are taking steps to stem the skyrocketing volume of recyclables they've imported this year.

China moves to extend ban to all materials (<https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/>)

The Chinese government has released a proposal to completely ban imports of recovered fiber and every other form of "solid waste."

Conservative commentators rip 'recycling scam' (<https://resource-recycling.com/recycling/2018/07/17/conservative-commentators-rip-recycling-scam/>)

The U.S. recycling market disruption from China's import restrictions has received mainstream media attention since the beginning of 2018. But recently, the issue has engaged a handful of right-leaning opinion writers.

Dual-stream collection regains appeal in some areas (<https://resource-recycling.com/recycling/2018/07/17/dual-stream-collection-regains-appeal-in-some-areas/>)

In the midst of a recycling market downturn, a growing number of small municipal programs across North America are moving away from single-stream at the curb.

REMADE funds plastics and e-scrap recycling research (<https://resource-recycling.com/recycling/2018/07/17/remade-funds-plastics-and-e-scrap-recycling-research/>)

Projects advancing plastics and scrap electronics recovery will receive funding through a federal initiative to save energy and support U.S. manufacturing.

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The Cibola National Forest program is one of 23 nationally recognized projects in the country. Ian Fox is the Cibola National Forest and National Grasslands Resource Staff officer overseeing the CFLRP partnership with MTM and the NWTF. "Without the end market provided by MTM, we would not be able to restore acres of forest at the current scale and pace," Fox said. "For our project, it's imperative to remove the material from the site and not create additional fuel that increases fire dangers."

Fox's economic analysis over the past few years notes that this project supports 70 direct and indirect jobs in one of the most economically depressed counties in the country.

Scott Lerich is the district biologist for the NWTF across Arizona and New Mexico. Lerich has seen the positive benefits within the Cibola National Forest with an increase in the native grasslands and the associated increase in wildlife species, including more wild turkeys in the area. "This project is a true collaboration amongst disparate partners all working towards the same goal: restoring the natural ecosystem in a sustainable manner while bringing good jobs to the region," Lerich noted.

Bolstering wood collection and grinding

Meanwhile, MTM is leveraging a different policy tool to bolster its materials processing capabilities.

In 2017, MTM began investing over \$1 million to expand operations at the Wood You Recycle grinding yard in Albuquerque. During this process, the company gained another partner and received \$100,000 from the New Mexico Economic Development Department's Local Economic Development Act (LEDA). The LEDA program provides public support for economic development efforts and is used to push ahead public-private partnerships.

"New Mexico's private sector economy is growing and diversifying through the expansion of companies like Mount Taylor," said New Mexico Economic Development Secretary Matt Geisel. "We're proud that programs like LEDA help our homegrown businesses grow and thrive."

The expansion will create five new manufacturing jobs and allow MTM to construct a new fence to help mitigate dust. It will also enable the company to install a fire suppression system and purchase a new pellet mill that will be identical to the pellet mill operating at the Milan location. The updated facility means MTM should increase its volume of garden and animal bedding products as well as boost wood pellet production.

The development will also allow the company to launch new products, such as a compressed, clean, long-burning firewood, which will carry "New Mexico True" certification (a designation from the New Mexico Tourism Department that signals a product is 100 percent made in the state). The company can use that fact to take advantage of state merchandising opportunities.

Allen has set up his operations to ensure that the pellet mill can operate independently from the sawmill if needed. This is simply because the sawmill is dependent on federal funding to harvest the small-diameter trees. Earlier this year it appeared Congress would not appropriate funds for the CFLRP grants. However, pushback from stakeholders, including Allen, helped to ensure appropriation.

It's true that the wood pellet mill operates more efficiently when sawdust from the sawmill is available, but the recent expansions of Wood You Recycle's wood collection and grinding operations guarantees that the company will have enough feedstock to continue to operate their two pellet mills even if the sawmill closes.

Local comfort amid global uncertainties

MTM's expanded operations aren't going to divert enough new material to significantly bump up New Mexico's current 16 percent recycling rate for all materials. However, the company is providing a niche domestic market that doesn't depend on China's appetite for foreign scrap.

Like any manufacturing business, it is still affected by supply and demand, but the market highs and lows of the wood pellet industry are more dependent on local factors, such as whether or not a cold winter is in the forecast.

At a time when many recyclers in the country are feeling the stress of global markets, there is some comfort in knowing that healthy local markets are expanding and needing more scrap material to fuel that expansion.

A LOOK AT ACTION FROM NEW MEXICO MUNICIPALITIES

Though Mount Taylor Manufacturing is an outlet for some manufactured wood waste, such as discarded pallets, and handles harvested logs through a multi-stakeholder program, it prefers not to take in the wood found in collected yard debris. Many New Mexico cities do have programs targeting that material type, however.

Most solid waste facilities in New Mexico accept yard brush through drop-off programs that often include incentives to divert the material, such as reduced tipping fees. Throughout the state the management of this material varies.

- In Albuquerque, brush and yard materials are chipped and used by the city as final closure material at their landfill.
- Las Cruces chips the wood at the transfer station, and the chips are available for the public to pick up for mulch. Chips are also used internally by the municipality.
- Los Alamos County chips the material, provides free mulch to residents, mixes the material to make compost out of sewage sludge, sells wood chips to a private compost operation in Albuquerque, and still has a large volume of material that needs to be managed.
- Santa Fe creates wood chips that are offered to the public for mulch at no charge. The chips are also utilized on-site at transfer stations for erosion control and sold to private composting operations in town that mix the material with diverted food waste to create compost.
- The town of Truth or Consequences mixes the wood chips with sludge from a waste water treatment site to make compost for a local golf course.
- The mountain resort Village of Angel Fire chips the material, gives it away for free and applies it as best it can to local mulch projects. But it is forced to either incinerate or landfill the majority of the material simply because of the sheer volume that enters the stream.

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Containerboard mill conversion will incorporate mixed paper (<https://resource-recycling.com/recycling/2018/07/31/containerboard-mill-conversion-will-incorporate-mixed-paper/>)

Posted on July 31, 2018

by [Colin Staub](https://resource-recycling.com/recycling/author/colinstaub/) (<https://resource-recycling.com/recycling/author/colinstaub/>)

A Virginia newsprint mill will undergo a nearly \$300 million conversion to produce recycled paperboard. The facility will use mostly OCC and some mixed paper as feedstock.



Quebec-based fiber giant Cascades [announced last week](https://www.cascades.com/en/media-centre/press-releases-and-news/press-release/2018/6/070/cascades-announces-acquisition-of-the-bear-island-virginia-newsprint-mill-and-plans-to-convert-facility-to-recycled-containerboard-production) (<https://www.cascades.com/en/media-centre/press-releases-and-news/press-release/2018/6/070/cascades-announces-acquisition-of-the-bear-island-virginia-newsprint-mill-and-plans-to-convert-facility-to-recycled-containerboard-production>) it has acquired the idled White Birch newsprint mill in Bear Island, Va. and is planning a major plant conversion in the next few years. The newsprint machine will be converted to produce recycled lightweight linerboard and medium, used in containerboard manufacturing.

Although the primary feedstock will be OCC, company leaders during a conference call noted that mixed paper, which has been cheap and abundant since China stopped accepting the material, will play a role in the feedstock mixture. Other mill owners have also moved of late to [take in more recovered fiber](https://resource-recycling.com/recycling/2018/06/26/major-midwest-mill-to-use-mixed-paper-and-occ/) (<https://resource-recycling.com/recycling/2018/06/26/major-midwest-mill-to-use-mixed-paper-and-occ/>) as disruptions in the Asian market take hold.

"The percentage, at this point, we are not going to disclose, but certainly this is one of our priorities when we will build this mill," said Charles Malo, chief operating officer of Cascades Containerboard Packaging.

The Bear Island plant is a newsprint mill built in 1979 with a capacity of 235,000 metric tons per year. After the conversion, which will cost between \$275 million and \$300 million and will take roughly three years, Cascades predicts the mill will have a capacity of 400,000 metric tons per year.

White Birch closed the facility in June 2017, citing declining newsprint demand and a high cost of production. The company put the facility up for sale. It also [recently announced](http://www.us.ill.com/united-states/en-us/news/5190/white-birch-paper-plans-restart-of-its-ashland-va-mill) (<http://www.us.ill.com/united-states/en-us/news/5190/white-birch-paper-plans-restart-of-its-ashland-va-mill>) it would bring the mill back on-line to fill a temporary shortage of newsprint. Cascades announced on July 26 it has acquired the facility for \$34.2 million.

Under the terms of the deal, White Birch will continue to operate the site as a newsprint mill for the next 27 months, as Cascades prepares for the conversion. The conversion will require an eight-month period once Cascades takes full operation of the site.

During the conference call, company officials stated that the mill will not produce pulp for sale, despite recent media reports that suggested it would.

The mill sits on roughly 250 acres of land, about 20 miles from Richmond, Va. During the investors' call, company executives said the large footprint could allow for future expansions, possibly including a converting facility to use the mill output.

Photo credit: [ETA/OE/Shutterstock](#)

More stories about fiber

- [National statistics show stagnant U.S. diversion rate](https://resource-recycling.com/recycling/2018/07/30/national-statistics-show-stagnant-u-s-diversion-rate/) (<https://resource-recycling.com/recycling/2018/07/30/national-statistics-show-stagnant-u-s-diversion-rate/>)
- [China moves to extend ban to all materials](https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/) (<https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/>)
- [New end use for mixed paper and plastics developed](https://resource-recycling.com/recycling/2018/07/17/new-end-use-for-mixed-paper-and-plastics-developed/) (<https://resource-recycling.com/recycling/2018/07/17/new-end-use-for-mixed-paper-and-plastics-developed/>)

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The latest recycling industry news

Aluminum recycling giant to acquire end user (<https://resource-recycling.com/recycling/2018/07/31/aluminum-recycling-giant-to-acquire-end-user/>)

Aluminum recycling and rolling company Novelis has signed a deal to acquire Aleris, a major manufacturer of recycled-content aluminum products.

(<https://www.resource-recycling.com/recycling>)

RESOURCE RECYCLING

Your trusted source for recycling news and analysis

Strategic closes facility due to shuttered bottle factory (<https://resource-recycling.com/recycling/2018/07/24/strategic-closes-facility-due-to-shuttered-bottle-factory/>)

Posted on July 24, 2018

by [Colin Staub](https://resource-recycling.com/recycling/author/colinstaub/) (<https://resource-recycling.com/recycling/author/colinstaub/>)

Strategic Materials shut down its Franklin, Mass. facility last month, a development caused by the closure of a massive bottle manufacturer nearby.



Ardagh Group in January [announced it would](https://www.prnewswire.com/news-releases/glass-north-america---milford-massachusetts-facility-300582481.html) (<https://www.prnewswire.com/news-releases/glass-north-america---milford-massachusetts-facility-300582481.html>) be closing its Milford, Mass. glass bottle manufacturing facility during the spring. The packaging company cited "the continued decline in demand from the mass beer market in the United States" in its decision to shut down the plant. The closure was effective March 31.

The development immediately placed the nearby Strategic glass beneficiation operation in jeopardy. The facility removed contamination from glass streams and sorted the material by color, creating a cullet product for end users.

"That facility was built specifically to meet the needs of their plant," said Laura Hennemann, vice president of marketing and communications at Strategic Materials.

She noted that specific Ardagh facility and its relationship with the Strategic plant was relatively unique. "That's a bit of a one-off for us," Hennemann said.

On top of its status as the sole customer for the Franklin plant, the Ardagh facility had a substantial appetite for recycled glass. Most bottle manufacturers that use recycled content incorporate 20 to 30 percent into their products. But Ardagh was averaging recycled cullet usage of 75 to 95 percent, Hennemann said.

In the glass container industry, Ardagh is "easily the largest user of cullet in their manufacturing process," she said.

Strategic's Franklin plant had an annual capacity of more than 100,000 tons, and it sourced material from recycling programs all over the region. Strategic had been searching for alternative markets. Hennemann said the company does not want to send its material for alternative daily cover in a landfill, instead preferring higher-value end uses.

The plant officially closed June 22. Public broadcasting outlet WGBH [reported on](https://www.wgbh.org/news/local-news/2018/07/19/massachusetts-only-glass-recycling-plant-closes) (<https://www.wgbh.org/news/local-news/2018/07/19/massachusetts-only-glass-recycling-plant-closes>) the closure last week.

There is still glass at the facility, and the company is working to move the remaining material to its other locations.

The Massachusetts facility was receiving both MRF and container deposit program glass, and with its closure, Strategic has stopped accepting almost all MRF glass in the area. The company's South Windsor, Conn. facility stopped accepting MRF-generated glass a couple years back but is still accepting glass sourced from deposit programs.

"We are hoping to find more outlets for the MRF glass in the region – outlets locally or in other regions," Hennemann said. "We don't want glass to be removed from curbside programs."

Wider market

The glass container industry is currently facing a number of market pressures. Sales in the overall U.S. beer industry have also declined in recent years. In addition, aluminum prices have been relatively low, possibly making the metal a more attractive options for some brands. However, with [recently implemented tariffs](https://resource-recycling.com/recycling/2018/03/06/recycling-industry-see-variety-metals-tariff-impacts/) (<https://resource-recycling.com/recycling/2018/03/06/recycling-industry-see-variety-metals-tariff-impacts/>) covering aluminum, the beer industry has [expressed concern](http://www.beerinstitute.org/tariffs-aluminum-tax-beer/) (<http://www.beerinstitute.org/tariffs-aluminum-tax-beer/>) that can prices will rise for that material!

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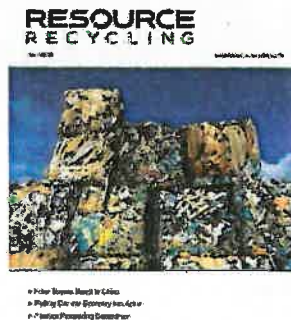
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The latest recycling industry news

House passes slight cut to EPA budget
(<https://resource-recycling.com/recycling/2018/07/24/house-passes-slight-cut-to-epa-budget/>)

The U.S. EPA's budget is cut, but not nearly as deeply as President Trump proposed, under a spending plan passed by the House of Representatives last week.

Beyond the closure of its Massachusetts facility, Ardagh signaled that the current market is leading the company to make changes in other parts of its business. The company will "pursue growth opportunities in stronger performing end markets, including wine, spirits and food."

"This will entail the conversion of some mass beer capacity to serve these alternative end markets," Ardagh wrote.

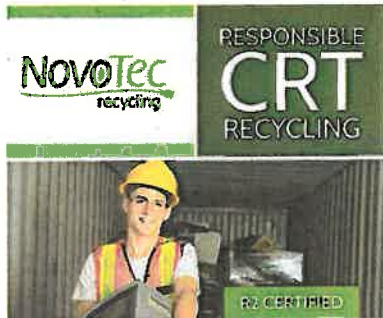
Hennemann said Strategic is optimistic about the future of the glass market, despite the current challenges. Non-container segments of the market, such as fiberglass, remain strong. And on the container side, the company sees positive movement in some areas. For example, in California, state law requires glass bottles to have a minimum level of recycled content, and Hennemann said Strategic is hoping that concept will take off in additional states.

In the meantime, she said the critical task is to continue educating MRF operators and local programs about producing a clean glass stream. A number of recent initiatives have [studied the current glass recycling challenges](https://resource-recycling.com/recycling/2017/04/20/glass-costing-mrfs-150-million-annually/) and [offered tips](https://resource-recycling.com/recycling/2017/07/05/webinar-lays-out-tools-to-make-smart-moves-on-glass/) on how to improve glass recovery, rather than remove the material from curbside programs.

Photo credit: Imfoto/Shutterstock

More stories about glass

- [Project looks at potential new mixed-glass market](https://resource-recycling.com/recycling/2018/06/26/project-looks-at-potential-new-mixed-glass-market/)
- [O-I to shut down Atlanta facility](https://resource-recycling.com/recycling/2018/05/22/o-i-to-shut-down-atlanta-facility/)
- [Company moves forward on \\$90 million beneficiation plant](https://resource-recycling.com/recycling/2018/05/01/company-moves-forward-on-90-million-beneficiation-plant/)



(<http://www.novotecrecycling.com/>)



(<https://go.ssiworld.com/solutions-rr/>)

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- [In Our Opinion: Collection is only half the battle](https://resource-recycling.com/recycling/2018/07/24/in-our-opinion-collection-is-only-half-the-battle/)
- [China moves to extend ban to all materials](https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/)
- [Conservative commentators rip 'recycling scam'](https://resource-recycling.com/recycling/2018/07/17/conservative-commentators-rip-recycling-scam/)

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Chinese mills short on feedstock as SE Asia overwhelmed (<https://resource-recycling.com/recycling/2018/07/24/chinese-mills-short-on-feedstock-as-se-asia-overwhelmed/>)

The largest paper companies in China have announced temporary closures due to recovered fiber shortages, and Southeast Asian governments are taking steps to stem the skyrocketing volume of recyclables they've imported this year.

China moves to extend ban to all materials (<https://resource-recycling.com/recycling/2018/07/18/china-moves-to-extend-ban-to-all-materials/>)

The Chinese government has released a proposal to completely ban imports of recovered fiber and every other form of "solid waste."

Conservative commentators rip 'recycling scam' (<https://resource-recycling.com/recycling/2018/07/17/conservative-commentators-rip-recycling-scam/>)

The U.S. recycling market disruption from China's import restrictions has received mainstream media attention since the beginning of 2018. But recently, the issue has engaged a handful of right-leaning opinion writers.

Dual-stream collection regains appeal in some areas (<https://resource-recycling.com/recycling/2018/07/17/dual-stream-collection-regains-appeal-in-some-areas/>)

In the midst of a recycling market downturn, a growing number of small municipal programs across North America are moving away from single-stream at the curb.

REMADE funds plastics and e-scrap recycling research (<https://resource-recycling.com/recycling/2018/07/17/remade-funds-plastics-and-e-scrap-recycling-research/>)

Projects advancing plastics and scrap electronics recovery will receive funding through a federal initiative to save energy and support U.S. manufacturing.

In My Opinion: Time to think beyond recycling (<https://resource-recycling.com/recycling/2018/07/17/in-my-opinion-time-to-think-beyond-recycling/>)

Recycling is struggling – but as the adage goes, crisis equals opportunity.

See more Resource Recycling headlines (<https://resource-recycling.com/recycling/category/news/>)

(<http://cpm.net/>)

Technical Advisory Group

Breakout Session



1215 K Street, Sacramento, CA to Yolo County Central Landfill

Drive 14.4 miles, 24 min



Map data ©2018 Google 1 mi

1215 K St


Sacramento, CA 95814

Get on I-80BUS W from L St and 3rd St

- | | |
|---|---|
| <ul style="list-style-type: none"> ↑ 1. Head south on 13th St toward L St ↘ 2. Turn right onto L St ↙ 3. Use the 2nd from the left lane to turn left onto 3rd St ↑ 4. Continue straight to stay on 3rd St ↘ 5. Use the 2nd from the right lane to turn right onto P St ↙ 6. Use the left lane to keep left at the fork and follow signs for U.S. 99 ↙ 7. Keep left at the fork, follow signs for I-80 W/San Francisco and merge onto I-80BUS W | <p>7 min (2.0 mi)</p> <p>423 ft</p> <p>0.8 mi</p> <p>420 ft</p> <p>0.2 mi</p> <p>394 ft</p> <p>0.2 mi</p> <p>0.6 mi</p> |
|---|---|

Follow I-80BUS W and I-80 W to Co Rd 32A in Yolo County. Take exit 78 from I-80 W

7 min (7.3 mi)

-  8. Merge onto I-80BUS W 3.1 mi
-  9. Merge onto I-80 W 3.9 mi
-  10. Take exit 78 for Rd 32 A toward E Chiles Rd 0.2 mi

Continue on Co Rd 32A. Take Rd 105 to Co Rd 28H

7 min (5.0 mi)

-  11. Turn left onto Co Rd 32A 1.9 mi
-  12. Continue onto Rd 105 2.3 mi
-  13. Turn left onto Co Rd 28H 0.9 mi

Yolo County Central Landfill

44090 Co Rd 28H, Woodland, CA 95776

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

The Big Blue Recycling Barn

Where every purchase you make helps keep Yoio County green!

For more information on how to donate to our thrift store call (530) 666-8856



2018 Schedule of Events

February 9th-11th

April 20th-22nd

June 29th-July 1st

August 10th-12th

October 5th-7th

November 30th-December 2nd

On the designated special event dates listed above the thrift store will be open from

9am-3pm

Indoor

Housewares

Children's Toys / Games

Books / Music

Crafting / Sewing / Hobbies

Electronics / Lighting / Home Decor

Outdoor

Lawn Mowers / Garden Tools

Doors / Windows / Lumber

Pet Supplies

Patio Furniture and Landscape Materials



THRIFT STORE

Big Blue Recycling Barn Thrift Store at the Yolo County Landfill

ACCEPTABLE FOR DONATION:

Bicycles
Kids toys, outdoor play structures, wagons, etc.
Sporting goods, exercise equipment, weights,
sports equipment, games, balls, sleds, etc.
Lumber, (clean wood 2x4's & 4x4's)
Doors & screens
Windows (double-paned, vinyl)
Flooring (including tile/hardwood)
Lighting Fixtures, lamps
Electronics
Wood furniture
Patio furniture & umbrella stands
Office furniture/supplies
Bricks & pavers
Cabinetry, countertops (drawers/doors in tact)
Lawn/garden (flower pots, garden tools, wheel
barrows, lawn mowers, edgers, etc)
Housewares, dishes, silverware, cookware,
picture frames, framed mirrors, knickknacks

UNACCEPTABLE DONATION ITEMS:

Upholstered-cloth furniture of any kind
Mattresses
Car seats
Cribs (unless fully assembled)
Chandeliers, ceiling fans
Clothing
Linens
Pillows
Rugs or used carpets
Mirrors without frames
Electronics that do not work or
without chargers

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YOLO COUNTY NEWS

Local News

Yolo County opens thrift store at landfill

By Enterprise staff

At 8:30 a.m. on June 3, the Yolo County Community Services Department's Integrated Waste Management Division will host the grand opening of

The Big Blue Recycling Barn Thrift Store will open Friday, June 3, at the Yolo County Central Landfill, 44090 County Road 28H in Woodland. A ribbon-cutting is planned for 8:45 a.m. and the store will open for public sales at 9 a.m.

The new thrift store is modeled after Monterey County's Last Chance Mercantile and Habitat for Humanity's Re-Store in Sacramento. The Yolo County Central Landfill already provides an opportunity for residents and businesses to recycle or safely dispose of waste, whether it is hazardous waste, electronic waste, household garbage or construction materials. The addition of the thrift store and its adjacent donation station creates a one-stop-shop for reuse, recycling and waste disposal.

"(The store) was created to reduce the county's carbon footprint and meet our strategic plan objectives focused on waste reduction," said Jim Provenza, chairman of the Yolo County Board of Supervisors. "The repurposing of items through this store will save valuable landfill space, and the proceeds will be used to further educate residents on related programs."

The Big Blue Recycling Barn Thrift Store will initially be open on June 3, 4 and 5 from 9 a.m. to 3 p.m. Depending upon inventory, the plan is to open the store on the first weekend of each month.

For future store hours and to learn more about integrated waste management in Yolo County, click on the "landfill" tab at www.yolocounty.org, search "Yolo County Recycles" on Facebook or call waste reduction manager Marissa Juhler at 530-666-8813.

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