

SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE
December 1, 2022, 3:00 – 5:00 pm (Via Zoom-Online)



AGENDA

- 1) Oral communications from the public
- 2) Oral communications from Task Force members
- 3) Changes to the agenda
- 4) Approval of minutes from meeting of September 1, 2022 (attached)
- 5) Resuming In-Person Meetings
- 6) 5-Year Plan
- 7) SB1383 Procurement
- 8) SB 1383 Organics Diversion Update –All
- 9) Legislation Update – Darcy
- 10) Set Meeting Schedule for 2023
- 11) Call for Agenda Items
- 12) Adjournment

To Attend Meeting, follow directions below:

Topic: Local Area Integrated Waste Task Force

Time: Dec 1, 2022 03:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84031360193>

Meeting ID: 840 3136 0193

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2022 LEGISLATION (Updates since 9/1/2022)

AB 2440, Responsible Battery Recycling Act of 2022. Assembly Member Irwin (D-Camarillo). SPONSORED BY CPSC. SIGNED INTO LAW 9/16/2022.

This bill would enact the Responsible Battery Recycling Act of 2022, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of covered batteries, as defined. The bill would require a program operator, as defined, to develop, and to submit to the Department of Resources Recycling and Recovery (department) and the Department of Toxic Substances Control for review and for approval by the department, as specified, a stewardship plan and would prescribe the standards and elements required to be contained in a stewardship plan for covered batteries. The bill would require the department, in consultation with the Department of Toxic Substances Control, to adopt regulations to implement the act with an effective date of no earlier than April 1, 2025. The bill would require a program operator to have a complete stewardship plan approved by the department no later than 24 months after the effective date of the regulations adopted by the department in order for the program operator to be in compliance with the act.

- **Current Status:**
 - SIGNED INTO LAW 9/16/2022.

SB 1215, Electronic Waste Recycling Act of 2003: covered battery-embedded products. Senator Newman (D-Fullerton). SPONSORED BY CPSC. SIGNED INTO LAW 9/16/2022.

This bill would, among other things, expand the definition of “covered electronic device” to include a “covered battery-embedded product,” as defined, thereby expanding the scope of the act to include covered battery-embedded products, as provided. The bill would require a consumer, on and after January 1, 2026, to pay a covered battery-embedded waste recycling fee in an amount established by CalRecycle upon the purchase of a new or refurbished covered battery-embedded product. The bill would authorize, beginning on August 1, 2028, CalRecycle, in collaboration with DTSC, to establish more than one covered electronic waste recycling fee for covered battery-embedded products based on categories of those products. The bill would also require, on or before October 1, 2025, and on or before October 1 each year thereafter, CalRecycle to establish a covered electronic waste recycling fee based on the reasonable regulatory costs to administer covered

electronic waste recycling. The bill would require the charge to be imposed upon the purchase of a new or refurbished covered battery-embedded product. The bill would also require the charge to be adjusted annually based on the California Consumer Price Index. The bill would require CalRecycle, on or before August 1, 2027, and thereafter as specified, in collaboration with DTSC, to review, at a public hearing, the covered battery-embedded waste recycling fee applicable to covered battery-embedded products and to make any fair and reasonable adjustments to the charge to ensure that there are sufficient revenues in the Covered Battery-Embedded Waste Recycling Fee Subaccount to fund the covered electronic waste recycling program established pursuant to the act.

- **Current Status:**

- SIGNED INTO LAW 9/16/2022.

SB 1256, Waste management: disposable propane cylinders. Senator Wieckowski (D-Fremont). SPONSORED BY CPSC. VETOED BY GOV 9/29/2022

This bill would, on and after January 1, 2028, prohibit the sale or offer for sale of disposable propane cylinders, as defined, and would make the violation of this provision subject to specified civil penalties. The bill would authorize a city attorney or county counsel to impose these civil penalties, as provided.

- **Current Status:**

- VETOED BY GOVERNOR ON 9/29/2022

AB 661, Recycling: materials. Assembly Member Bennett (D-Santa Barbara). SUPPORT. SIGNED INTO LAW 9/25/2022.

This bill would require a state agency, if fitness and quality are equal, to purchase recycled products instead of nonrecycled products whenever recycled products are available at no more than 10% greater total cost than nonrecycled products, and specified circumstances exist. The bill would substantially revise product categories. The bill would require the Department of Resources Recycling and Recovery, in concurrence with the DGS and in consultation with impacted agencies, to update a list of products and minimum recycled content percentages, as determined to be appropriate, commencing January 1, 2026, and every 3 years thereafter. The bill would require the Department of Resources Recycling and Recovery and the DGS to incorporate the updated list of products and minimum recycled content requirements into the State Contracting Manual, the Financial Information System for California, and the financial system of any department not utilizing the Financial Information System for California. The bill would require the Department of Resources Recycling and Recovery to maintain an internet

website with current SABRC products and minimum recycled content requirements. The bill would establish product categories and minimum content and recyclability requirements, effective January 1, 2023, until updated by the Department of Resources Recycling and Recovery.

- **Current Status:**

- SIGNED INTO LAW 9/25/2022.

AB 1454, The California Beverage Container and Litter Reduction Act. Assembly Member Bloom (D-Santa Monica). DEAD. SUPPORT.

The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resources Recycling and Recovery, is established to promote beverage container recycling and provides for the payment, collection, and distribution of certain payments and fees based on minimum refund values established for beverage containers. The act requires the department to annually designate convenience zones on a statewide basis and requires that at least one certified recycling center or location that meets certain requirements be located within every convenience zone, with exemptions. The act defines convenience zone as either the area within a 1/2 mile radius of a supermarket or the area designated by the department in a rural region. This bill would allow the department to designate a regional convenience zone serving up to 5 unserved supermarket-based zones based on specified factors. This bill would require a certified bottle drop recycling program to pay the refund value of the beverage container as an electronic payment within 3 business days of redemption, if not paid onsite at the time of redemption. Because a violation of this requirement would be a crime under the act, the bill would impose a state-mandated local program.

- **Current Status:**

- Died in Senate Committee on Environmental Quality.

AB 1817, Product safety: textile articles: perfluoroalkyl and polyfluoroalkyl substances (PFAS). Assembly Member Ting (D-San Francisco). SUPPORT. SIGNED INTO LAW 9/29/2022.

This bill would prohibit, beginning January 1, 2025, any person from manufacturing, distributing, selling, or offering for sale in the state any textile articles that contain regulated PFAS, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in textile articles to comply with these provisions. The bill would require a manufacturer of a textile article that contains regulated PFAS to provide persons that offer the product for sale or distribution in the state with a certificate of compliance stating that the textile article is in compliance with these provisions and does not contain any regulated PFAS.

- **Current Status:**
 - SIGNED INTO LAW 9/29/2022

AB 2208, Fluorescent lamps: sale and distribution: prohibition. Assembly Member Klara (D-San Jose). SUPPORT. SIGNED INTO LAW 9/18/2022.

This bill would prohibit, on and after January 1, 2024, a screw or bayonet base type compact fluorescent lamp, as defined, and, on and after January 1, 2025, a pin-base type compact fluorescent lamp or a linear fluorescent lamp, as defined, from being offered for final sale, sold at final sale, or distributed in this state as a new manufactured product. The bill would exempt various lamps that meet specified criteria from that prohibition, including lamps used for image capture and projection and lamps used for disinfection.

- **Current Status:**
 - SIGNED INTO LAW 9/18/2022.

AB 2247, Perfluoroalkyl and polyfluoroalkyl substances (PFAS) and PFAS products and product components: publicly accessible data collection interface. Assembly Member Bloom (D-Santa Monica). SUPPORT. VETOED BY GOV 9/29/2022.

This bill would require, as part of the hazardous waste control laws, the department to contract with an existing multistate chemical data collection entity that is used by other states and jurisdictions to implement, by January 1, 2026, a publicly accessible data collection interface to collect information about perfluoroalkyl and polyfluoroalkyl substances (PFAS) and products or product components containing intentionally added PFAS. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer, as defined, of PFAS or a product or a product component containing intentionally added PFAS that, during the prior calendar year, is sold, offered for sale, distributed, or offered for promotional purposes in, or imported into, the state to register the PFAS or the product or product component containing intentionally added PFAS, and specified other information, on the publicly accessible data collection interface. The bill would specify that the above requirements do not apply to certain products regulated by the United States Food and Drug Administration or products intended for certain animal uses that are regulated under certain federal laws.

- **Current Status:**
 - VETOED BY THE GOVERNOR 9/29/2022

AB 2771, Cosmetic products: safety. Assembly Member Friedman (D-Burbank). SUPPORT. SIGNED INTO LAW 9/29/2022.

This bill would prohibit, beginning January 1, 2025, a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances PFAS, as defined.

- **Current Status:**

- SIGNED INTO LAW 9/29/2022.

SB 38, Beverage Containers. Senator Wieckowski (D-Fremont). SIGNED INTO LAW 9/30/2022.

The California Beverage Container Recycling and Litter Reduction Act requires every beverage container sold or offered for sale in this state to have a minimum refund value. Under the act, the Department of Resources Recycling and Recovery is required to calculate a processing fee for each beverage container with a specified scrap value, which is required to be paid by beverage manufacturers for each beverage container sold or transferred to a distributor or dealer, and requires a processor to pay a certified recycling center or other program the refund value, a percentage of the refund value for administrative costs, and the processing payment. The act provides that a violation of the act or a regulation adopted pursuant to the act is a crime. This bill would require a processor to make those payments by check or electronic fund transfer, and not by cash payment. By increasing the scope of a crime relating to beverage containers, this bill would impose a state-mandated local program.

- **Current status:**

- SIGNED INTO LAW 9/30/2022.

SB 451, Beverage container recycling: pilot projects. Senator Dodd (D-Napa). DEAD.

This bill would authorize the Department of Resources Recycling and Recovery to establish a recycling pilot program for the collection and recycling of beverage containers. The bill would define the terms “beverage” and “beverage containers” for purposes of the pilot program to include certain beverage containers that are otherwise excluded for other purposes. The bill would make an appropriation by changing the terms and conditions under which the department is authorized to make payments from a continuously appropriated fund. The bill would require the recycling pilot program to include a requirement for a pilot project operator to submit to the department a pilot project plan with specified goals and elements, including that the pilot project operator provide the department with annual updates and a final report on or before April 1, 2026. The bill would require the department to review and approve, disapprove, or conditionally approve a pilot project operator plan

within a reasonable timeframe. The bill would require the department to annually include an update on the recycling pilot program in a specified report to the Legislature. The bill would make these provisions inoperative on July 1, 2026, and would repeal them on January 1, 2027. This bill would declare that it is to take effect immediately as an urgency statute.

- **Current status:**

- Died in Assembly Committee on Natural Resources.

SB 1013, Beverage container recycling: reports: electronic submittal. Senator Atkins (D- San Diego). SUPPORT. SIGNED INTO LAW 9/27/2022

This bill would require a wine direct shipper permit holder, before sending any shipment to a resident of California, to register with the Department of Resources Recycling and Recovery as a beverage manufacturer and distributor under the California Beverage Container Recycling and Litter Reduction Act. The bill would require a wine direct shipper permit holder to comply with the California Beverage Container Recycling and Litter Reduction Act, including, but not limited to, the reporting and payment provisions applicable to the permit holder as a beverage manufacturer and distributor, and would authorize the Department of Alcoholic Beverage Control to suspend or revoke the wine direct shipper permit if the permit holder fails to comply with certain provisions of the California Beverage Container Recycling and Litter Reduction Act. The bill would also authorize the Department of Resources Recycling and Recovery to adopt regulations related to the wine direct shipper permit. The bill would thereby impose a state-mandated local program by creating new crimes under the Alcoholic Beverage Control Act. The bill would require, with respect to the payment of processing fees and redemption payments for beverages manufactured outside the state and sold directly to consumers within the state with a direct shipper permit, the beverage manufacturer or distributor to be deemed to be the person or entity named on the direct shipper permit issued pursuant to the Alcoholic Beverage Control Act, and would require the Department of Resources Recycling and Recovery to provide related notice.

- **Current status:**

- SIGNED INTO LAW 9/27/2022

SB 1187, Fabric recycling: pilot project. Senator Kamlager (D- Culver City). SUPPORT. SIGNED INTO LAW 9/28/2022.

This bill would require the department to establish a pilot project of up to 3 years located in the Counties of Los Angeles and Ventura in partnership with garment manufacturers in order to study and report on the feasibility of recycling fabric, as specified. The bill would require the pilot project to be

submitted by an applicant jurisdiction and designed to create a circular economy for the highest and best use of waste textiles. The bill would require the pilot project operator to annually report to the department, the amount, in pounds, of textiles that were collected and that were diverted from disposal in the prior year of the pilot project, among other information. The bill would require the pilot project to conclude no later than January 1, 2027. The bill would specify that any state funding provided for the pilot project is subject to an appropriation by the Legislature for this purpose.

- **Current status:**

- Signed into law 9/28/2022

SB 1255, Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K–12 Schools. (D- Glendale). SUPPORT. VETOED BY GOV ON 9/28/2022.

This bill would establish the Dishwasher Grant Program for Waste Reduction in K–12 Schools, to be administered by the State Department of Education, to provide grants to school districts and charter schools for the purchase and installation of commercial dishwashers in school kitchens, as specified. The bill would require the department to award grants of up to \$40,000 per kitchen of a school of an applicant school district or charter school, as specified. The bill would require the department to develop administrative guidelines for implementation of the program, as specified. The bill would require the department to develop materials and conduct outreach to those local educational agencies about the program, as provided. The bill would authorize, for purposes of the program, the department to enter into interagency agreements with other state agencies. The bill would make the implementation of these provisions contingent on an appropriation being made for its purposes by the Legislature in the annual Budget Act or another statute.

- **Current status:**

- VETOED BY GOV ON 9/28/2022