



**SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**

**June 1, 2023, 3:00 – 5:00 pm
Watsonville Council Chambers
275 Main Street, Top Floor
Watsonville CA 95076**

Above the Watsonville Main Library

By Car: Enter Parking Structure on Rodriguez Street and Drive to Top Floor



Virtual Meeting Information

Zoom Link: <https://us02web.zoom.us/j/85026837143>

Zoom Meeting ID: 850 2683 7143

One tap mobile: +16699006833,,85026837143# US (San Jose)

+16694449171,,85026837143# US

Please note: The public may participate in the Task Force meeting remotely. However, members/alternates who attend remotely cannot vote or count toward a quorum unless their absence is arranged in advance with “just cause.”

AGENDA

- 1) Welcome
- 2) Swearing In Ceremony: County Clerk’s Office to administer oath. Members and alternates present will be sworn in and sign their individual oath of office. Alternates not needed for a quorum can participate virtually and sign via DocuSign if scheduling does not allow for in person attendance. [Please remember, members/alternates attending virtually cannot vote or count toward a quorum unless their absence is arranged in advance with “just cause.”]
- 3) Oral communications – Public: Any person may address the Commission on additional matters that are not on today’s agenda and within its jurisdiction for a period not to exceed 3 minutes. A request for extra time may be made to and granted by the meeting’s chairperson.
- 4) Oral communications - Task Force: Members and alternates may address the Commission on matters within its jurisdiction, for a period not to exceed 3 minutes. A request for extra time may be made to and granted by the meeting’s chairperson.
- 5) Meeting Minutes - March 3, 2023: Review and approval (Attachment A)
- 6) Waste Management Facility Tour Update & Attendance Confirmation – June 6th & 7th Special Meetings
- 7) Summary of laws that guide Task Force Work (Attachment B)
- 8) 5-Year Plan Update – Staff & Task Force Responsibilities & Overview (Attachment C)
- 9) Virtual Waste Management Facility Tours (Summary of Local and Regional Facilities)
 - North County – Dimeo Lane Resource Recovery Facility [materials recovery

facility/recycling, organics processing, HHW]

- North County – Ben Lomond Transfer Station [materials separation and transfer, organics processing, HHW, recycling/CRV]
- Mid-County – Grey Bears Chanticleer [food recovery, composting, recycling/CRV, electronic waste/recovery, Styrofoam consolidation]
- South County – Watsonville Landfill [waste diversion and burial]
- South County – Watsonville Drop-off Center [materials recovery and transfer, organics, recycling, garbage, and HHW]
- South County – Buena Vista Landfill [waste diversion and burial, recycling, organics processing, materials diversion, and HHW]
- San Jose CA – Charles Street Material Recovery Facility (MRF)
- Marina CA – ReGen Monterey

10) Legislative Update (Attachment D)

11) Call for September Agenda Items

12) Adjourn



**SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK
FORCE March 2, 2023, 3:00 – 4:18 pm
County Board Chambers
701 Ocean Street, 5th Floor
Santa Cruz CA 95060**

Meeting Minutes

Voting Members Present: Justin Cummings (County), Felipe Hernandez (County), Jacob Guth (County alt), Bob Nelson (SC), Scott Newsome (SC), Allan Timms (SV), Will Smith (Wat), Tami Stolzenhaller (Wat alt)

Alternates Present: Leslie O'Malley (SC alt), Chris Lamm (SV alt.)

Absent: Jessica Kahn (Cap), Eduardo Montesino (Wat), Rene Golder (SC alt), Danielle Green (Wat alt), Alexander Pedersen (Cap alt)

Task Force Staff: Kasey Kolassa (County), Beau Hawksford (County), Darcy Pruitt (County)

Agency Staff: Christine Horvat (County), Mary Ann LoBalbo (County), Ramon Gomez (County), Celeste Gutierrez (County).

Guests: Sally-Christine Rodgers (Trash Talkers), Jeffrey Smedberg (Master Composter).

1) Welcome and Introductions

- Each voting member/alternate provided a brief introduction, including name, affiliation, length of public service, and prior service on the Task Force.

2) Election of Officers

- Justin Cummings, Task Force Chair for 2023-2024 session.
 - Nominated by Hernandez, 2nd by Nelson
 - Voice vote resulted in Cummings unanimous election as chair.
- Felipe Hernandez, Task Force Vice-Chair for 2023-2024 session.
 - Nominated by Cummings, 2nd by Nelson
 - Voice vote resulted in Hernandez unanimous election as vice-chair.

3) Task Force Introductory Presentation (Summary of Task Force background and mandate)

- Staff presentation summarized Task Force role in regional collaboration to meet State waste diversion mandates.
 - Presentation outlined oversight and update schedule for Countywide Integrated Waste Management Plan.
 - Presentation also provided succinct summary of State law solid waste diversion requirements
 - Presentation slides attached (see Attachment A).
- Task Force members discussed current challenges in reaching waste reduction and diversion goals, especially as it relates to organics.
 - Challenges discussed include:
 - difficulty in changing waste disposal behaviors in the population,
 - changes in waste diversion accounting make achieving goals more difficult,
 - various smell, vector, and contamination issues related to food waste.

Attachment A

- Questions raised about SB 1383 Food Waste implementation in different jurisdictions.
 - Food only in separate bin in Santa Cruz City
 - Food waste mixed with yard waste in other jurisdictions.
 - Questions about compostable bags (Rodgers)
 - Bags, including compostable bags not allowed because they don't decompose on the same timeframe as organic waste.
 - Concerns about contaminating the organic waste stream.
 - Encouraged Task Force to provide feedback to CalRecycle on compost issues (Smedberg)
- 4) Oral communications from the public
- Sally-Christine Rodgers introduced Trash Talkers goals to engage the community in making Santa Cruz County the cleanest county in the nation. Goals include to educate and engage people to reduce illegal dumping and clean up of encampments and roadside litter. Trash Talkers have developed a website and logo in English and Spanish to engage the public in cleanup activities.
- 5) Oral communications from Task Force members/alternates
- Felipe Hernandez:
- Thanked Sally-Christine Rodgers for Trash Talkers presentation and her work in coordinating an effective countywide waste removal program.
 - Asks for tour of local and regional waste disposal infrastructure to better understand countywide waste management issues.
- Bob Nelson:
- Announced City's acquisition of an all-electric trash collection truck and the City's plans to expand its fleet of electric vehicles. Truck was on order for 2 years before delivery.
- Tami Stolzenhaller:
- Announced compost give away to the Watsonville community that illustrates the renewable waste cycle from composting food scraps/yard waste into soil amendments.
 - Announced Watsonville's pending acquisition of its first all-electric trash collection truck
- 6) Approval of minutes from meeting of December 1, 2022
- Nelson moved approval on the December 2022 Task Force minutes. Smith seconded.
 - Voice vote resulted approval of the minutes by 3 voting members. Vote included 5 abstentions by new members not present at the December meeting.
- 7) In Person Meetings – End of Covid State of Emergency, Summary of Brown Act Meeting Requirements
- Task Force discussion and questions about in person and hybrid meeting options.
 - Task Force expressed an interest in continuing to offer hybrid option for public participation purposes and to allow alternates to keep up with meetings when their attendance is not required for quorum.
 - Newsome moved to provide a hybrid meeting option, Timms seconded.
 - Voice vote resulted in unanimous approval to provide hybrid meeting option.

Attachment A

8) Meeting Protocols - Discussion and Location Selection. (Previous meeting locations have included: Watsonville Council Chambers, Capitola Council Chambers, Santa Cruz Civic Auditorium Meeting Room, Santa Cruz County Board Chambers.)

- Smith moved to hold June meeting at Watsonville Council Chambers, Timms seconded.
 - Voice vote resulted in unanimous approval to hold June meeting in Watsonville.

9) 5-Year Plan Update – Next submission due March 2024

- Timms requested staff prepare a presentation and schedule for CIWMP (Plan) update.
 - Include staff and task force responsibilities.

10) Compliance Discussion and Update –

- Task Force thanked staff for the prior presentation that included a summary of waste diversion mandates.
- Vice-Chair Hernandez requested a summary of current State laws that guide Task Force work.

11) Zolly v. City of Oakland

- County Counsel recommended Task Force members seek advice from their city attorneys.
- Nelson provided a brief summary of the facts related to the Zolly outcome.
- Staff agreed to provide a link to an independent case summary to assist Task Force members in raising the issue with their home jurisdiction.
 - [Zolly v. City of Oakland Requires Reexamination of Local Franchise Fees | Rural Counties \(rcrcnet.org\)](https://www.rcrcnet.org/)

12) Legislative Update

- Staff provided a summary of bills recently introduced by State legislators that are relevant to solid waste management and recycling.
- Staff summarized 10 bills to watch including:
 - Producer responsibility legislation
 - Solar panel recycling legislation
 - Health protection zone legislation that could prevent the expansion of existing solid waste facilities in the County.
 - Task Force Chair Cummings asked for staff to follow this bill.

13) Call for June 1st Agenda Items

- Prepare legislation follow-up for distribution/discussion.
- Prepare presentation and schedule for CIWMP (Plan) update.
 - Include staff and task force responsibilities.
- Summarize waste resources within the county.
 - Provide capacity information for each county jurisdiction.
- Plan waste management facility tour

14) Adjourn – Meeting adjourned at 4:18 pm

Attachment A



Community Development & Infrastructure

Integrated Waste Management Local Task Force

Purpose, Duties, and Waste Diversion Mandates

AB 939 – Integrated Waste Management Act

- 1989 State Law Overhauled California Solid Waste Management:
 - **Repealed Solid Waste Management Laws** in the *Government Code* and *Health and Safety Code*.
 - **Established New Solid Waste Management Laws** in the *Public Resources Code*.
 - Restructured Waste Management Oversight
 - Created a New Professional Oversight Board
 - **Prioritized California's Waste Management Goals:**
 - (1) Source Reduction
 - (2) Recycling and Composting
 - (3) Environmentally Safe Transformation and Land Disposal
 - **Created Integrated Waste Management Local Task Force**
 - Task Force required to:
 - **Coordinate a Cost-Effective Regional Recycling System**
 - Oversee the Countywide Integrated Waste Management Plan (CIWMP or Plan)
 - Develop the Countywide Siting Element



Task Force Purpose: Coordinate Regional Recycling

- (1) Identify solid waste management issues of countywide or regional concern.
- (2) Determine the need for solid waste collection and transfer systems, processing facilities, and marketing strategies that can serve more than one local jurisdiction within the region.
- (3) Facilitate the development of multijurisdictional arrangements for the marketing of recyclable materials.
- (4) To the extent possible, facilitate resolution of conflicts and inconsistencies between or among city and county source reduction and recycling elements.



Task Force Duties: Oversee Regional Plan

- **Oversee Countywide Integrated Waste Management Plan (CIWMP or Plan)**
 - Addresses waste management conditions within the county.
 - Provides an overview of actions needed to divert *at least 50%* of all solid waste produced on or after January 1, 2020.
 - Maintain 15 years of disposal capacity.
- **CIWMP Planning Elements:**
 - Countywide Siting Element (CSE)
 - Source Reduction and Recycling Element (SRRE)
 - Nondisposal Facility Element (NDFE)
 - Household Hazardous Waste Element (HHWE)
- **Five-Year CIWMP Review Report**
 - Santa Cruz CIWMP first submitted in March 1992.
 - State law requires plan elements of the CIWMP to be reviewed every five years after the original approval date, and revised, if necessary.
 - Next Santa Cruz Countywide Plan review date is in **March 2024**.



Waste Diversion Mandates

Current Diversion Requirements
75% Solid Waste Diversion
50% Organics Diversion

- **AB 939** – Integrated Waste Management (1989) – Requires diversion from land disposal of at least 50% of all solid waste produced by January 1, 2000.
- **AB 341** – Mandatory Commercial Recycling (2011)– Requires recycling for businesses that generate four cubic yards of solid waste per week and all 5+ unit multifamily residential dwellings. Increased solid waste diversion requirements from 50% to 75% by January 1, 2020, through source reduction, recycling, and composting activities.
- **AB 1826** – Mandatory Commercial Organic Recycling (2014)– Requires organics recycling for businesses that generate two cubic yards of solid waste per week and all 5+ unit multifamily residential dwellings. Requires diversion from land disposal by January 1, 2020 of at least a 50% statewide reduction of the amount of organics based on the 2014 organic waste disposal baseline.
- **SB 1383** – Short-Lived Climate Pollutants..Organic Waste: Landfills (2016) – Authorized CalRecycle to develop regulations and set a statewide organics disposal reduction target for landfills based on the 2014 organic waste disposal baseline.
 - Requires all single and multi-family residences to comply with organic collection service
 - Requires either source separation or commercial separation of organics, recycling, and trash.
 - Requires diversion from land disposal of at least a 50% statewide reduction in the amount of organics by January 1, 2020 and at least 75% by January 1, 2025.

Unincorporated County – Diversion Rates

2022 Annual Tonnage Summary			
Customer Type	Material	Total	Material Type as a Percentage of the Customer Type Total Tonnage
Single Family	MSW	27,031.5	43%
	Recycle	16,379.1	25%
	Organics -YT	19,659.5	32%
	Diversion		57%
MFD	MSW	3,937.0	78%
	Recycle	889.3	18%
	Organics	197.1	4%
	Diversion		22%
Commercial	MSW	10,393.1	69%
	Recycle	3,424.8	23%
	Organics	1,174.9	8%
	Organics - FW	-	-
	Diversion		31%
Agency	MSW	1,319.8	78%
	Recycle	270.8	16%
	Organics	101.8	6%
	Organics - FW	-	-
	Diversion		22%
Summary of Total Tonnage for All Customer Types	MSW	42,681.2	50%
	Recycle	20,964.0	25%
	Organics	21,133.3	25%
	Organics - FW	-	-
	Diversion		50%

Countywide Integrated Waste Management Plan Four Elements

Countywide Siting Element (CSE)

- Counties are required to prepare a Countywide Siting Element (CSE) that describes areas that may be used for developing new disposal facilities.
 - Estimate the total permitted disposal capacity needed for a 15-year period if counties determine that their existing disposal capacity will be exhausted within 15 years or if additional capacity is desired.
 - Identify areas, numbers, and types of new/expanded solid waste disposal and transformation facilities to meet a minimum of 15 years of combined permitted disposal capacity.
 - Discussion of strategies to dispose of the excess solid waste must be included if new or expanded facilities cannot be established.
 - Description of siting criteria that must include: environmental considerations, environmental impacts, socio-economic and legal considerations; environmental justice considerations to ensure the fair treatment of people of all races, cultures, and incomes; and any other additional criteria included by jurisdictions that approve the element.
- 2017 General Plan Guidelines Update
 - Expanded the Land Use Element of the General Plan to address the Statewide need for additional recycling, anaerobic digestion, composting, and remanufacturing facilities.

Source Reduction and Recycling Element (SRRE)

- Each City and County is required to prepare, adopt, and submit a Source Reduction and Recycling Element (SRRE) to CalRecycle
 - Solid Waste Generation Study - describes representative waste disposal by residential, commercial and industrial sectors, including base year diversions.
 - Evaluates alternatives, selects and implements programs related to:
 - Source Reduction
 - Recycling
 - Composting
 - Special Wastes
 - Identifies existing disposal facility capacity and documents all solid waste import and export agreements.
 - Provides cost estimates for source reduction, recycling, composting, and special waste disposal and public outreach to implement the SRRE.
 - Describes public outreach programs to promote source reduction, reuse, recycling, and composting in the SRRE.
 - Integrates SRRE programs and implementation schedules to achieve State source reduction, recycling, and composting mandates.

Nondisposal Facility Element (NDFE)

- Each City and County is required to prepare, adopt, and submit a Nondisposal Facility Element (NDFE) to CalRecycle
 - Describes waste diversion, recycling, and compost facilities that recover at least 5% of the total volume diverted by the jurisdiction
 - Diversion facilities currently used by the jurisdiction
 - Inside of the jurisdiction
 - Outside of the jurisdiction
 - Existing facilities suitable for expansion
 - Properties suitable for development of new facilities
 - Describes transfer stations located within and outside the jurisdiction which recover less than five percent of the material received.
- NDFE must be consistent with implementation of the jurisdiction's Source Reduction and Recycling Element (SRRE).

Household Hazardous Waste Element

- Each City and County is required to prepare, adopt, and submit a Household Hazardous Waste Element (HHWE) to CalRecycle
 - The HHWE identifies a comprehensive program for the safe collection, recycling, treatment, and disposal of household hazardous wastes.
 - Evaluates household hazardous waste collection alternatives.
 - Identifies program implementation, monitoring, and evaluation methods.
 - Estimates household hazardous waste program costs and identifies revenue sources to support household hazardous waste program(s).
 - Provides a master implementation schedule for all tasks related to the household hazardous waste program.
 - Describes public outreach programs to promote source reduction, reuse, recycling, and safe disposal of household hazardous waste.

**Attachment B
California State Laws
Guiding Task Force Work**

California Public Resources Code
[Codes: Code Search \(ca.gov\)](#)

DIVISION 30. WASTE MANAGEMENT.....	40000-49654
PART 1. INTEGRATED WASTE MANAGEMENT.....	40000-40520
CHAPTER 1. General Provisions.....	40000-40063
ARTICLE 1. Findings and Declarations.....	40000-40004
ARTICLE 2. General Provisions.....	40050-40063
CHAPTER 2. Definitions.....	40100-40201
CHAPTER 3. Department of Resources Recycling and Recovery.....	40400-40520
ARTICLE 1. General Provisions.....	40400-40403
ARTICLE 2. Staff.....	40430-40432
ARTICLE 3. Powers and Duties.....	40501-40512
ARTICLE 4. Debris Cleanup and Removal.....	40520
PART 2. INTEGRATED WASTE MANAGEMENT PLANS.....	40900-41956
CHAPTER 1. Plan Preparation.....	40900-40977
ARTICLE 1. Legislative Findings.....	40900-40901
ARTICLE 1.5. Board Assistance in Local Planning.....	40910-40913
ARTICLE 2. Local Task Forces.....	40950
ARTICLE 3. Regional Agencies.....	40970-40977
CHAPTER 2. City Source Reduction and Recycling Elements.....	41000-41260
ARTICLE 1. Requirements.....	41000-41003
ARTICLE 2. Waste Characterization Component.....	41030-41033
ARTICLE 3. Source Reduction Component.....	41050-41054
ARTICLE 4. Recycling Component.....	41070-41075
ARTICLE 5. Composting Component.....	41200-41204
ARTICLE 6. Education and Public Information Component.....	41220
ARTICLE 7. Funding Component.....	41230
ARTICLE 8. Special Waste Component.....	41250
ARTICLE 9. Facility Capacity Component.....	41260

Attachment B

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ARTICLE 1. Requirements.....	41300-41303
ARTICLE 2. Waste Characterization Component.....	41330-41333
ARTICLE 3. Source Reduction Component.....	41350-41354
ARTICLE 4. Recycling Component.....	41370-41375
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ARTICLE 2. Tentative Reservations.....	41710-41712
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ARTICLE 2. Plan Approval.....	41760
ARTICLE 3. Plan Revision.....	41770
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ARTICLE 1. Waste Diversion.....	41780-41783.1
ARTICLE 1.5. Rural Assistance.....	41787-41787.5
ARTICLE 2. Board Review.....	41790-41794
CHAPTER 7. Approval of Local Planning.....	41800-41851
ARTICLE 1. Board Approval.....	41800-41802
ARTICLE 2. Deficiencies.....	41810-41813
ARTICLE 3. Other Provisions.....	41820.5-41822
ARTICLE 4. Review and Compliance Orders.....	41825
ARTICLE 5. Enforcement and Penalties.....	41850-41851
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CHAPTER 9. Unlawful Acts.....	41950-41956
ARTICLE 1. Generally.....	41950-41956

Countywide Integrated Waste Management Plan (Plan)
Review/Report Staff & Task Force Overview

Staff, Task Force, and County Responsibilities

- Staff prepare Plan review report template (based on Cal Recycle guidance & State law).
- Staff prepare and present Five-Year Review Report to Task Force for comments.
- Task Force reviews and comments on Five-Year Review Report any specifies any necessary revisions to the Plan.
- Staff complete Five-Year Review Report within 45 days of receiving Task Force comments.
- County determines if Plan revisions are necessary.
- Staff informs Task Force of County's determination. If Plan revisions are required, the Five-Year Review Report submitted to Cal Recycle will include a Plan revision schedule.
- Staff submits completed Five-Year Review Report to CalRecycle.
- Within 90 days of submission, CalRecycle's Board will approve or disapprove Five-Year Review Report and will inform County of its decision.

Overview

Title 14, California Code of Regulations section 18788 states that prior to the fifth anniversary of CalRecycle's approval of the countywide waste management plan [March 2024], the Local Task Force shall complete a review of the waste management plan to assure that the county's waste management practices remain consistent with the State's waste management hierarchy defined in Public Resources Code section 40051:

1. Source reduction
2. Recycling & composting
3. Environmentally safe transformation and environmentally safe land disposal.

To facilitate this review, Task Force staff prepares the draft review report following a template provided by Cal Recycle and supplemented by local jurisdictions. Staff present the draft review report to the Task Force to facilitate the local task force's review and comment on any necessary revisions to the plan. Staff completes the report for submission to the County. County determines if Plan revisions are required. Cal Recycle accepts or rejects County determination.

At a minimum the review report must include [14 California Code of Regulations § 18788(a)(3)(A-H)]:

- (A) changes in demographics in the county;
- (B) changes in quantities of waste within the county;
- (C) changes in funding sources for administration of the Siting Element and Summary Plan;
- (D) changes in administrative responsibilities;

Attachment C

(E) programs that were scheduled to be implemented but were not, a statement as to why they were not implemented, the progress of programs that were implemented, a statement as to whether programs are meeting their goals, and if not, what contingency measures are being enacted to ensure compliance with Public Resources Code section 41751;

“The countywide integrated waste management plan shall include a summary of significant waste management problems facing the county.... The plan shall provide an overview of the specific steps that will be taken by local agencies, acting independently and in concert, to achieve the purposes of this division. The plan shall contain a statement of the goals and objectives set forth by the countywide task force...” PRC 41751

(F) changes in permitted disposal capacity, and quantities of waste disposed of in the county or regional agency;

(G) changes in available markets for recyclable materials; and

(H) changes in the implementation schedule.

The Cal Recycle Countywide Integrated Waste Management Plan – Review Report Template is provided on the following pages as guidance to fulfill State requirements outlined in 14 California Code of Regulations § 18788.

Attachment C

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

Five-Year CIWMP/RAIWMP Review Report Template

Public Resources Code (PRC) Sections 41770 and 41822, and Title 14, California Code of Regulations (CCR) Section 18788 require that each countywide or regional agency integrated waste management plan (CIWMP or RAIWMP), and the elements thereof, be reviewed, revised if necessary, and submitted to the Department of Resources Recycling and Recovery (CalRecycle) every five years. CalRecycle developed this Five-Year CIWMP/RAIWMP Review Report template to streamline the Five-Year CIWMP/RAIWMP review, reporting, and approval process.

A county or regional agency may use this template to document its compliance with these regulatory review and reporting requirements and as a tool in its review, including obtaining Local Task Force (LTF) comments on areas of the CIWMP or RAIWMP that need revision, if any. This template also can be finalized based on these comments and submitted to CalRecycle as the county or regional agency’s Five-Year CIWMP or RAIWMP Review Report.

The [Five-Year CIWMP/RAIWMP Review Report Template Instructions](#) describe each section and provide general guidelines with respect to preparing the report. Completed and signed reports should be submitted to the CalRecycle’s Local Assistance & Market Development (LAMD) Branch at the address below. Upon report receipt, LAMD staff may request clarification and/or additional information if the details provided in the report are not clear or are not complete. Within 90 days of receiving a *complete* Five-Year CIWMP/RAIWMP Review Report, LAMD staff will review the report and prepare their findings for CalRecycle consideration for approval.

If you have any questions about the Five-Year CIWMP/RAIWMP Review Report process or how to complete this template, please contact your LAMD representative at (916) 341-6199. Mail the completed and signed Five-Year CIWMP/RAIWMP Review Report to:

Dept. of Resources Recycling & Recovery
Local Assistance & Market Development, MS-9
P. O. Box 4025
Sacramento, CA 95812-4025

To edit & customize this template, the editing restrictions (filling in forms) must be disengaged. Select the Review tab, Protect Document, and then Restrict Formatting and Editing (uncheck editing restrictions). There is no password (options). Please contact your LAMD representative at (916) 341-6199 with related questions.

General Instructions: Please complete Sections 1 through 7, and all other applicable subsections. Double click on shaded text/areas () to select or add text.

SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name		County(s) [if a RAIWMP Review Report]	
Authorized Signature		Title	
Type/Print Name of Person Signing	Date	Phone () -	
Person Completing This Form (please print or type)	Title	Phone () -	
Mailing Address	City	State	Zip
E-mail Address			

Attachment C

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

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Attachment C

STATE OF CALIFORNIA
CalRecycle 709 (Rev. 03/19)

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

SECTION 2.0 BACKGROUND

This is the county’s first Five-Year Review Report since the approval of the CIWMP.

The following changes have occurred since the approval of the county’s planning documents or the last Five-Year CIWMP Review Report (whichever is most recent):

- Diversion goal reduction
- New regional agency
- Changes to regional agency
- New city (name(s) _____)
- Other _____

Additional Information (optional)

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP and finalized its comments
 - at the _____ LTF meeting.
 - electronically (fax, e-mail)
 - other (Explain): _____
- b. The county received the written comments from the LTF on _____.
- c. A copy of the LTF comments
 - is included as Appendix _____.
 - was submitted to CalRecycle on _____.

SECTION 4.0 TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 18788 (3) (A) THROUGH (H)

The subsections below address not only the areas of change specified in the regulations, but also provide specific analyses regarding the continued adequacy of the planning documents in light of those changes, including a determination on any need for revision to one or more of the planning documents.

Section 4.1 Changes in Demographics in the County or Regional Agency

When preparing the CIWMP Review Report, the county or regional agency must address at least the changes in demographics.

The following resources are provided to facilitate this analysis:

1. Demographic data, including population, taxable sales, employment, and consumer price index by jurisdiction for years up to 2006, are available at: <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram/AdjustmentFactors>. Data for years beyond 2006 can be found on the following websites:
 - Population: [Department of Finance](#) E-4 Historical Population Estimates for Cities, Counties, and the State
 - Taxable Sales: [Board of Equalization](#)

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- Employment: [Employment Development Department](#) Click on the link to Local Area Profile, select the county from the drop down menu, then click on the "View Local Are Profile" button.
 - Consumer Price Index: [Department of Industrial Relations](#)
2. The [Demographic Research Unit](#) of the California Department of Finance is designated as the single official source of demographic data for State planning and budgeting (e.g., find E-5 City/County Population and Housing Estimates under Reports and Research Papers and then Estimates).
 3. The Department of Finance's Demographic Research Unit also provides a list of [State Census Data Center Network Regional Offices](#).

Analysis

Upon review of demographic changes since double-click here:¹

- The demographic changes since the development of the CIWMP do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- These demographic changes since the development of the CIWMP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.2 Changes in Quantities of Waste within the County or Regional Agency; and Changes in Permitted Disposal Capacity and Waste Disposed in the County or Regional Agency

A number of tools to facilitate the analysis and review of such changes in the waste stream are available from the following CalRecycle sources:

1. Various statewide, regional, and local disposal reports are available at <http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Default.aspx>.
 - a. CalRecycle's [Disposal Reporting System](#) tracks and reports the annual estimates of the disposal amounts for jurisdictions in California; additional California solid waste [statistics](#) are also available.
 - b. CalRecycle's Waste Flow by [Destination](#) or [Origin](#) reports include solid waste disposal, export, and alternative daily cover. They show how much waste was produced within the boundaries of an individual city, or within all jurisdictions comprising a county or regional agency. These data also cover what was disposed at a particular facility or at all facilities within a county or regional agency.
2. The [Waste Characterization Database](#) provides estimates of the types and amounts of materials in the waste streams of *individual California jurisdictions* in 1999. For

¹ The year of the data included in the planning documents, which is generally 1990 or 1991.

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background information and more recent statewide characterizations, please see <https://www2.calrecycle.ca.gov/WasteCharacterization/>

3. CalRecycle's [Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report](#) provides both summary and detailed information on compliance, diversion rates/50 percent equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are available at <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram>

Together, these reports help illustrate changes in the quantities of waste within the county or regional agency as well as in permitted disposal capacity. This information also summarizes each jurisdiction's progress in implementing the Source Reduction and Recycling Element (SRRE) and complying with the 50 percent diversion rate requirement (now calculated as the 50 percent equivalent per capita disposal target), see [Per Capita Disposal and Goal Measurement \(2007 and Later\)](#) for details

- The county or regional agency (if it includes the entire county) continues to have adequate disposal capacity (i.e., equal to or greater than 15 years).
- The county does not have 15 years remaining disposal capacity within its physical boundaries, but the Siting Element does provide a strategy² for obtaining 15 years remaining disposal capacity.
- The county does not have 15 years remaining disposal capacity and the Siting Element does not provide a strategy² for obtaining 15 years remaining disposal capacity. See Section 7 for the revision schedule(s).

Analysis

- These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- These changes in quantities of waste and changes in permitted disposal capacity since the development of the CIWMP warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

² Such a strategy includes a description of the diversion or export programs to be implemented to address the solid waste capacity needs. The description shall identify the existing solid waste disposal facilities, including those outside of the county or regional agency, which will be used to implement these programs. The description should address how the proposed programs shall provide the county or regional agency with sufficient disposal capacity to meet the required minimum of 15 years of combined permitted disposal capacity.

Section 4.3 Changes in Funding Source for Administration of the Siting Element (SE) and Summary Plan (SP)

Since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent), the county experienced the following significant changes in funding for the SE or SP:

- _____

Analysis

- There have been no significant changes in funding for administration of the SE and SP or the changes that have occurred do not warrant a revision to any of the countywide planning documents. Specifically, _____.
- These changes in funding for the administration of the SE and SP warrant a revision to one or more of the countywide planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.4 Changes in Administrative Responsibilities

The county experienced significant changes in the following administrative responsibilities since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

- _____

Analysis

- There have been no significant changes in administrative responsibilities or the changes in administrative responsibilities do not warrant a revision to any of the planning documents. Specifically, _____.
- These changes in administrative responsibilities warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.5 Programs that Were Scheduled to Be Implemented, But Were Not

This section addresses programs that were scheduled to be implemented, but were not; why they were not implemented; the progress of programs that were implemented; a statement as to whether programs are meeting their goals; and if not, what contingency measures are being enacted to ensure compliance with Public Resources Code Section 41751.

1. Progress of Program Implementation

- a. SRRE and Household Hazardous Waste Element (HHWE)
 - All program implementation information has been updated in the CalRecycle Electronic Annual Report (EAR), including the reason for not implementing specific programs, if applicable.
 - All program implementation information has not been updated in the EAR. Attachment _____ lists the SRRE and/or HHWE programs selected for implementation, but which

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have not yet been implemented, including a statement as to why they were not implemented.

- b. Nondisposal Facility Element (NDFE)
 - There have been no changes in the use of nondisposal facilities (based on the current NDFEs and any amendments and/or updates).
 - Attachment _____ lists changes in the use of nondisposal facilities (based on the current NDFEs).
 - c. Countywide Siting Element (SE)
 - There have been no changes to the information provided in the current SE.
 - Attachment _____ lists changes to the information provided in the current SE.
 - d. Summary Plan
 - There have been no changes to the information provided in the current SP.
 - Attachment _____ lists changes to the information provided in the current SP.
2. Statement regarding whether Programs are Meeting their Goals
- The programs are meeting their goals.
 - The programs are not meeting their goals. The discussion that follows in the analysis section below addresses the contingency measures that are being enacted to ensure compliance with [PRC Section 41751](#) (i.e., specific steps are being taken by local agencies, acting independently and in concert with _____, to achieve the purposes of the California Integrated Waste Management Act of 1989) and whether the listed changes in program implementation necessitate a revision to one or more of the planning documents. _____

Analysis

- The aforementioned changes in program implementation do not warrant a revision to any of the planning documents. Specifically, _____.
- Changes in program implementation warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.6 Changes in Available Markets for Recyclable Materials

The county experienced changes in the following available markets for recyclable materials since the approval of the CIWMP or the last Five-Year CIWMP Review Report (whichever is most recent):

Analysis

- There are no significant changes in available markets for recycled materials to warrant a revision to any of the planning documents. Specifically, _____.
- Changes in available markets for recycled materials warrant a revision to one or more of the planning documents. Specifically, _____. See Section 7 for the revision schedule(s).

Additional Analysis (optional)

Section 4.7 Changes in the Implementation Schedule

The following addresses changes to the county's implementation schedule that are not already addressed in Section 4.5:

Analysis

- There are no significant changes in the implementation schedule to warrant a revision to any of the planning documents. Specifically, _____.
- Changes in the implementation schedule warrant a revision to one or more of the planning documents. Specifically, _____.

Additional Analysis (optional)

Note: Consider for each jurisdiction within the county or regional agency the changes noted in Sections 4.1 through 4.7 and explain whether the changes necessitate revisions to any of the jurisdictions' planning documents.

SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)

The following addresses any other significant issues/changes in the county and whether these changes affect the adequacy of the CIWMP to the extent that a revision to one or more of the planning documents is needed:

Analysis

SECTION 6.0 ANNUAL REPORT REVIEW

- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP elements. No jurisdictions reported the need to revise one or more of these planning documents.
- The Annual Reports for each jurisdiction in the county have been reviewed, specifically those sections that address the adequacy of the CIWMP (or RAIWMP) elements. The following jurisdictions reported the need to revise one or more of these planning documents, as listed.

Analysis

The discussion below addresses the county's evaluation of the Annual Report data relating to planning document adequacy and includes determination regarding the need to revise one or more of the documents:

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SECTION 7.0 REVISION SCHEDULE (if required)

June 2023 Legislative Update

Blue Text Shows Relevant Additions and Amendments since February 2023

Climate Change

AB 585, as amended, Robert Rivas. California Global Warming Solutions Act of 2006:—literature review and progress report. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law vests the Public Utilities Commission (PUC) with regulatory jurisdiction over public utilities, including electrical corporations, as provided. Existing law requires the PUC and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake specified actions to advance the state’s clean energy and pollution reduction objectives. Existing law also establishes an Independent System Operator (ISO) as a nonprofit public benefit corporation and requires the ISO to ensure efficient use and reliable operation of the electrical transmission grid, as specified. Existing law requires various state entities responsible for the state’s energy, climate change, and air quality goals to produce various reports relating to those duties. Existing law finds and declares that the California Council on Science and Technology (CCST) was organized as a nonprofit corporation at the request of the Legislature for the specific purpose of offering expert advice to the state government on public policy issues significantly related to science and technology. *This bill would request the CCST, in its discretion, every 2 years, to perform a literature review, including source materials, to assess the infrastructure project types, scale, and pace necessary to achieve the quantities of renewable energy, and the distribution and transmission networks necessary, to achieve the state’s energy, climate change, and air quality goals, as specified. The bill would also require, on an annual basis, the State Clearinghouse at the Office of Planning and Research to provide to the Joint Legislative Committee on Climate Change, with the assistance of the Energy Commission, the PUC, the state board, and the ISO, a progress report regarding the number of permit applications, the number of permitted projects approved, and the number of projects commissioned, for each of the infrastructure categories identified in the CCST report, as provided. The bill would provide that the funding required for these purposes would be provided upon appropriation by the Legislature, as specified.*

Electronic Waste

SB 568 – as amended Newman. Electronic Waste: Export.

Existing law, the Electronic Waste Recycling Act of 2003, enacts a comprehensive system for the reuse, recycling, and proper and legal disposal of covered electronic devices. The act requires a person who exports covered electronic waste, or covered electronic devices, except as specified, intended for recycling or disposal, to a foreign country, or to another state for ultimate export to a foreign country, to notify the department of certain matters concerning the waste or device to be exported. Existing law requires the exporter to include with those notifications specified demonstrations, including a demonstration that exportation of the waste or device will be managed within the country of destination only at facilities whose operations meet or exceed specified recommendations and guidelines of the Organization for Economic Cooperation and Development. The act becomes inoperative if certain conditions are met. A violation of the act is a crime. *This bill would add to the requirements for export of covered electronic waste or a covered electronic device a requirement for the person to state that they attempted to locate an in-state e-waste recycling facility before exporting the waste or device and would subject the person to a fine of up to \$1,000 for a false statement.*

Extended Producer Liability

AB 863 – as amended Aguiar-Curry. Carpet recycling: carpet stewardship organizations: fines: succession: procedure. Existing law establishes a carpet stewardship program to increase the amount of

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postconsumer carpet that is diverted from landfills and recycled into secondary products. Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted to the carpet stewardship organization and may be expended to carry out the organization's carpet stewardship plan. Existing law requires a carpet stewardship organization to include in the plan a description of the process by which the carpet stewardship organization will transfer assessment funds to a successor carpet stewardship organization in the event that should become necessary. Existing law requires a carpet stewardship organization in possession of assessment funds to, as directed by the department, transfer those funds to a successor carpet stewardship organization with an approved plan. Existing law authorizes the department to administratively impose civil penalties on any person who is in violation of any provision of the carpet stewardship laws, of up to \$5,000 per day or \$10,000 per day if the violation is intentional, knowing, or negligent. *This bill would increase those penalty amounts to \$10,000 per day or \$50,000 per day, respectively.* The bill would make a carpet stewardship organization that violates a provision of the carpet stewardship law 3 times ineligible to act as an agent on behalf of manufacturers to design, submit, and administer a carpet stewardship plan and would apply, in that event, the successorship process. *This bill would require a carpet stewardship organization, as part of its carpet stewardship plan, from the assessments received for carpets sold for use in California, to expend at least 95% on activities to carry out the carpet stewardship plan within California, and at least 10% for grants to apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, including the installation and removal techniques that maximize the recyclability of carpet. The bill would authorize the department, if it determines that a carpet stewardship organization or manufacturer has not complied with one or more of the requirements of the carpet stewardship laws, to adopt regulations that establish requirements for carpet stewardship organizations or manufacturers to take specific actions to bring those entities into compliance with those laws.*

SB 560 – as amended Laird, ~~Solid waste: extended producer responsibility.~~ gas cylinders: stewardship program. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would establish a stewardship program for gas cylinder products, as defined, and would authorize producers of those products to establish one more producer stewardship organizations for that purpose. *The bill would require each producer or producer stewardship organization to submit a gas cylinder stewardship plan to the department that details, among other things, convenient and accessible opportunities for the recovery of gas cylinders used by consumers. The bill would prohibit gas cylinder producers that are not participating in a department-approved stewardship plan from supplying, selling, or offering for sale gas cylinders in the state.* The bill would impose recordkeeping and reporting requirements on producers and producer stewardship organizations with department-approved stewardship plans and would require those producers to pay all administrative and operational costs associated with establishing and implementing the stewardship plan in which it participates, including the cost of collection, transportation, recycling, and the safe and proper management of recovered gas cylinders. The bill would require the department to set, review, and revise necessary convenience and performance standards and ensure appropriate data metrics for the gas cylinder stewardship program.

SB 707 – as amended Newman. Responsible Textile Recovery Act of 2023. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes

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stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. *This bill would enact the Responsible Textile Recovery Act of 2023, 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 a covered product. This bill would define a “covered product” to include any apparel, textile, or textile article that is unsuitable for reuse by a consumer in its current state or condition.* The bill would require a program operator, as defined, to submit a complete stewardship plan to the department for review and approval, disapproval, or conditional approval. The bill would require the program operator to review the plan at least every 5 years after approval. The bill would also require a program operator to submit an annual report to the department. The bill would require all reports and records provided to the department to be provided under penalty of perjury. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill would restrict public access to certain information collected for the purpose of administering a stewardship program. *This bill would require the department to post on its internet website a list of producers that are in compliance with the requirements of the program.* The bill would require the department to adopt regulations governing the program, and would authorize, beginning January 1, 2032, the department to *reassess the adopted regulations to include adjusting the minimum required collection sites, establishing a minimum recycling efficiency rate for covered products collected and recycled by program operators, or establishing other criteria for the program.* The bill would require program operators to pay fees to the department, not to exceed the department’s actual and reasonable regulatory costs to implement and enforce the provisions of the act. The bill would establish the Textile Stewardship Recovery Fund in the State Treasury for the deposit of all moneys received from program operators and would make the moneys in the fund available to the department, upon appropriation by the Legislature, for purposes of the program. *The bill would also authorize the department to impose administrative civil penalties for a violation of the program’s requirements, not to exceed \$10,000 per day, or not to exceed \$50,000 per day for an intentional, knowing, or reckless violation, as specified.* The bill would create the Textile Stewardship Recovery Penalty Account in the fund for the deposit of penalties, which would be available for expenditure upon appropriation by the Legislature.

Food Waste

AB 660AB 660, as amended, Irwin. Food labeling: quality dates, safety dates, and sell by dates. Existing law requires the Department of Food and Agriculture, in consultation with the State Department of Public Health, to publish information to encourage food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use specified uniform terms on food product labels to communicate quality dates, as defined, and safety dates, as defined. Existing law also requires the Department of Food and Agriculture to encourage food distributors and retailers to develop alternatives to consumer-facing “sell by” dates, defined to mean a date on a label affixed to the packaging or container of food that is intended to communicate primarily to a distributor or retailer for purposes of stock rotation and that is not a quality date or a safety date. The Food and Agricultural Code provides that, unless a different penalty is expressly provided, a violation of any provision of that code is a misdemeanor. *This bill would instead require the Department of Food and Agriculture to, in consultation with the State Department of Public Health, before require, on or before January 1, 2025, publish information to assist food manufacturers, processors, and retailers responsible for the labeling of food products to use specified terms on food product labels to communicate quality dates and safety dates, as provided. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item for human consumption that displays a food product date label that is not labeled in accordance with these terms. The bill would, on and after January 1, 2025, prohibit a person from selling or offering for sale in the state a food item for human consumption that is labeled with the phrase “sell by,” as*

specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. The bill would specify that, unless otherwise required by law, nothing in these provisions shall be construed to require the use or display of a date label on a food item for human consumption unless the food item displays a date label, and would provide that these provisions do not prohibit a label that allows consumers to view online information about a food item for human consumption. The bill would not apply the above-mentioned provisions to infant formula. By creating new requirements regarding the labeling of food items, the violation of which would be a crime, the bill would impose a state-mandated local program.

Franchise Agreements

SB 751, as introduced, Padilla. Franchise agreements: labor dispute. Existing law contains various provisions relating to franchise agreements between a local jurisdiction and a service provider for the provision of services such as utilities, waste hauling, and cable television. *This bill would prohibit any franchise contracts, licenses, or permits for solid waste handling services, as defined, entered into or amended by a local agency on or after January 1, 2024, from excusing the service provider from performance in the event of a labor dispute, as defined.*

Hazardous Waste

AB 347 – Ting, Pollution Prevention and Hazardous Waste Source Reduction and Management Review Act: Enforcement. The Pollution Prevention and Hazardous Waste Source Reduction and Management Review Act requires a generator of hazardous waste every 4 years to complete and conduct a source evaluation review and plan that specifies source reduction measures that the generator will implement and to prepare a hazardous waste management performance report concerning the hazardous waste management approaches implemented by the generator. A generator is required to provide its review and plan or report to the Department of Toxic Substances Control or the unified program agency within 30 days of a request. The act requires the department or the unified program agency to provide the generator with a notice of noncompliance if it determines that the review and plan or report is incomplete. The act requires the generator to correct the deficiencies within 60 days from its receipt of that notice, except that, in response to a written request from the generator for an extension of that 60-day deadline for cause, the act authorizes the department or unified program agency to grant an extension of no more than an additional 60 days. The act authorizes civil penalties against a generator that fails to comply with these requirements. *This bill would instead limit that extension authorization to no more than an additional 30 days.*

Illegal Dumping – Cleanup

SB 367, as amended, Seyarto. *Farm, ranch, and public lands cleanup and abatement: grant program.* Existing law establishes the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, administered by the Department of Resources Recycling and Recovery, to award grants to public entities, defined as cities, counties, or resource conservation districts, and Native American tribes for purposes of cleaning up and abating the effects of solid waste that is illegally disposed of on farm or ranch property. Existing law creates the Farm and Ranch Solid Waste Cleanup and Abatement Account in the General Fund to include money appropriated from specified revenue sources, including tire recycling and used oil recycling fees, and authorizes the department to expend the money in the account for the grant program upon appropriation by the Legislature in the annual Budget Act. *This bill would rename the grant program the Farm, Ranch, and Public Lands Solid Waste Cleanup and Abatement Grant Program and extend its purposes to cleaning up and abating the effects of solid waste that is illegally disposed of on public lands*

owned by the state or federal government. The bill would create the Public Lands Solid Waste Cleanup and Abatement Account in the General Fund and would authorize the department to expend the moneys in the account for these extended grant program purposes upon appropriation by the Legislature in the annual Budget Act.

Methane Emissions

AB 530, as amended, Boerner. Methane emissions. Existing law requires the State Air Resources Board, no later than January 1, 2016, to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state. Existing law requires the state board, no later than January 1, 2018, to approve and begin implementing the comprehensive short-lived climate pollutant strategy to achieve a reduction in the statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Existing law requires the state board to *undertake certain tasks, including consulting with federal and state agencies, independent scientific experts, and any other appropriate entities to gather or acquire the necessary information to carry out a life-cycle greenhouse gas emission analysis of natural gas produced and imported into the state using the best available and cost-effective scientific and technical methods, and to update relevant policies and programs to incorporate this information and other specified information. This bill would additionally require the state board to consult with the aforementioned stakeholders to gather and acquire the necessary information to estimate, using the best available and cost-effective scientific and technical methods, methane emissions from landfills in the state. The bill would require the state board, no later than December 31, 2024, to update relevant policies and programs to incorporate this information. The bill would require the state board to consider additional policies to encourage the use of natural gas produced in the state with the lowest life-cycle emissions.*

Microparticles

AB 234, as amended, Bauer-Kahan. Microparticles. Existing law, the Plastic Microbeads Nuisance Prevention Law, prohibits a person from selling or offering for promotional purposes in the state any personal care products containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. *This bill would enact the Synthetic Polymer Microparticles in Cosmetic and Cleaning Products Prevention Act. The bill would prohibit a synthetic polymer microparticle from being placed on the market in this state as a substance on its own or, where the synthetic polymer microparticles are present to confer a sought-after characteristic, in mixtures in a concentration equal to or greater than 0.01% by weight. The restriction would apply on and after specified dates depending on the type of product, as described, except as otherwise provided. The bill would specify the screening tests and pass criteria to be used for purposes of determining compliance with this prohibition.* The bill would make a person who violates this prohibition liable for a civil penalty not to exceed \$5,000 per day for each violation, in addition to any other penalty established by law. The bill would authorize the civil penalty to be assessed and recovered in a civil action brought by a city attorney, a district attorney, a county counsel, or the Attorney General in any court of competent jurisdiction.

Organic Recycling

AB 573, as amended, Garcia. Organic waste: meeting recovered organic waste product procurement targets. Existing law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources

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Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. *This bill would require the department's regulations to allow a local jurisdiction, until December 1, 2039, in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided.*

Plastics

AB 348, as introduced, Ting. Beverage containers: producer responsibility score. Under existing law, the California Beverage Container Recycling and Litter Reduction Act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Existing law requires the department to post this information on its internet website within 45 days. *This bill would instead require the department to post this information on its internet website within 30 days.*

AB 1290, as amended, Luz Rivas. Product safety: plastic packaging: substances. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce covered plastic material, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that covered plastic material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Existing law prohibits any person from distributing, selling, or offering for sale in the state any food packaging that contains regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS), as defined, and requires a manufacturer to use the least toxic alternative when replacing regulated PFAS in food packaging to comply with this requirement. Existing law similarly prohibits, beginning July 1, 2025, a person from manufacturing, distributing, selling, or offering for sale in the state any new, not previously owned, textile articles that contain regulated PFAS, except as specified. *This bill would prohibit, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state, (1) opaque or pigmented polyethylene terephthalate bottles, and (2) plastic packaging that contains certain chemicals, pigments, or additives, as specified.* The bill would exclude from that prohibition packaging used for certain medical, drug, and federally regulated products. The bill would authorize the imposition of a civil penalty for a violation of that prohibition, as specified.

SB 303, as amended, Allen. Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of, among other solid waste, plastic packaging containers and single-use foodware accessories. *Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided.* As part of its comprehensive statutory scheme, existing law requires producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that all covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state achieves

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specified recycling rates, as provided. *The act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a producer responsibility organization (PRO), as prescribed, for the source reduction, collection, processing, and recycling of covered material, except as provided.* The act requires the department to establish a producer responsibility advisory board for specified purposes. The act authorizes an affected entity that asserts that specific actions taken to meet the requirements of the act are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements, to bring the concern and evidence supporting that assertion to the advisory board for discussion and to ask the advisory board to conduct a preliminary evaluation of the information. If the evaluation demonstrates that specific actions are disrupting or otherwise adversely affecting existing operations, the act requires the advisory board to submit the concern to the department for further analysis. The act requires the department to analyze the information provided by the advisory board and authorizes the department to offer a recommendation for resolution. *This bill would instead authorize an affected entity that asserts that specific actions taken by the PRO, a producer, or an entity under contract with the PRO are not consistent with specified prohibitions and requirements of the act and are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements to bring that concern and supporting evidence to the advisory board.* The bill would delete the requirement that the board submit the concern to the department for further analysis and would instead require that the advisory board, rather than the department, offer a recommendation for resolution within 90 days of submission of the request for a preliminary evaluation. The bill would thereafter authorize either party to initiate nonbinding arbitration, as specified. *The bill would make the arbitrator's decision in a nonbinding arbitration final unless within 30 days after the arbitrator delivers the decision to the advisory board a party requests that the department conduct a de novo adjudicative proceeding.* The bill would require the arbiter to consider the information provided to the advisory board and any other information provided to the arbiter by the parties, and would authorize the arbiter to order actions to remedy any disrupting or adverse effect determined by the arbiter to exist. The bill would require the department to include any actions taken under these provisions in a specified report submitted to the Legislature. The act authorizes the department to adopt regulations to identify responsible end markets and to establish criteria regarding benefits to the environment and minimizes risks to public health and worker health and safety. The act sets forth definitions for purposes of the act. This bill would instead authorize the department to adopt regulations to establish standards for the PRO regarding responsible end markets for covered material and to establish criteria that prioritizes benefits to the environment and minimizes risks to public health and worker health and safety. The bill would also revise and clarify certain definitions in the act.

SB 665, as introduced, Allen. Plastic waste: single-use plastics alternatives: working group. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food service ware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Existing law vests the California Environmental Protection Agency with authority over various environmental matters and various state agencies, including the Department of Resources Recycling and Recovery (CalRecycle), the State Water Resources Control Board, the Department of Toxic Substances Control, and the Office of Environmental Health Hazard Assessment. Existing law establishes the Ocean Protection Council to coordinate activities of state agencies that are related to, among other

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things, assisting CalRecycle’s adoption of regulations to establish a process, and develop criteria, for determining the types of food service packaging that are reusable, recyclable, or compostable. *This bill would require the California Environmental Protection Agency, by January 1, 2025, to establish a working group of the above-referenced state agencies to establish a framework for evaluating novel material types as they are developed to inform state policy decisions, as provided. The bill would require the working group to, among other things, develop recommendations related to novel material types, including the appropriate marketing of the material, the handling of the material at the end of its useful life, and how the material needs to be treated in relation to existing state policies, rules, and regulations.*

~~Health Protection Zones Solid Waste~~

AB 1705 – as amended McKinnor, Solid Waste Facilities. ~~Health Protection Zones State Policy Goals~~ Existing law provides that is the policy goal of the state that at least 75% of solid waste generated annually be source reduced, recycled, or composted, and that statewide landfill disposal of organic waste be reduced from the 2014 level by 50% on or before 2000 and by 75% on or before 2025. Existing law prohibits a person from establishing or expanding a solid waste facility in a county after a countywide or regional agency integrated waste management plan has been approved unless the solid waste facility is, among other things, a disposal facility, a transformation facility, or an EMSW conversion facility that meets specific criteria. Existing law defines an “EMSW conversion facility” as a facility where municipal solid waste conversion that meets specific requirements takes place and defines “transformation” as incineration, pyrolysis, distillation, or biological conversion, excluding composting, gasification, EMSW conversion, or biomass conversion. Existing law authorizes the department, by regulation, to specify classifications of solid waste facilities that are exempt from these and other facility regulations if the department makes specific findings, including that the nature of the solid wastes poses no significant threat to the public health, the public safety, or the environment. ~~Existing law defines a “health protection zone” as the area within 3,200 feet of a residence, an education resource, a community resource center, a health care facility, live-in housing, or any business building open to the public. This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility within an above-defined health protection zone in the state until the Department of Resources Recycling and Recovery has determined that the state has achieved the above-described solid waste and organic waste policy goals of the state for 3 consecutive years.~~

SB 752, as amended, Padilla. ~~California Coastal Commission: powers and duties.~~ Solid waste: collection service: disruptions.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act requires solid waste handling services, which includes the collection and transportation of solid waste, to be provided by a local agency, a solid waste enterprise, or both. *This bill would require a provider of solid waste handling services to provide timely notice to its customers of a potential labor dispute that will disrupt the collection of solid waste. The bill would require a provider of solid waste handling services to provide a timely refund to customers following a failure to collect solid waste.* The bill would also require the Attorney General to adopt regulations to enforce these provisions and to assess administrative penalties, as specified.

SB 806, as amended, Archuleta. Trash receptacles and storage containers: reflective markings. Existing law requires, commencing January 1, 2025, a manufacturer who sells or provides for compensation, and, commencing January 1, 2026, an owner of, a trash receptacle or storage container that is longer than 3 feet and taller than 4 feet and that is designed to be placed on a roadway or the curb of a roadway in order to be emptied or picked up to mark the receptacle or container with a reflector on each side, as specified.

Existing law provides that a violation of these requirements would result in a criminal infraction punishable by a fine, as specified. This bill would make a technical, nonsubstantive change to that provision. This bill would authorize a city counsel or city attorney to enforce a violation of the above-described provisions. The bill would create the Accident Prevention and Road Safety Fund and would require the fines collected to be deposited into this fund.

Solar Panels

AB 2 – as amended Ward, Recycling: Solar Photovoltaic Modules. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. *The bill would specify the required contents of an end-of-life management plan and would require the department to provide guidelines for developing an end-of-life management plan. The bill would require an end-of-life management plan be submitted to the department for approval or disapproval and would require a manufacturer or its agent to implement the plan as approved. The bill would require a manufacturer or its agent to report to the department annually regarding the implementation of its end-of-life management plan, as specified. The bill would require the department to adopt regulations for the implementation of these provisions. The bill would subject a manufacturer that violates the requirements of this bill to an administrative civil penalty of \$500 for the first violation and \$1,000 for a subsequent violation.*

AB 1238 – as amended Ward, Hazardous Waste: Solar Panels. Existing law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. *This bill would require the Department of Toxic Substances Control to develop alternative management standards for managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require the department to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law.* Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program.

Reuse and Repair

AB 625 – Aguiar-Curry, Forest Biomass Waste Utilization Program. Existing law establishes the State Board of Forestry and Fire Protection in CAL-FIRE to represent the state's interest in the acquisition and management of state forests and requires the board to maintain an adequate forest policy. The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the state board. This bill would establish the Forest Waste Biomass Utilization Program to be administered by the state board's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state's wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the workforce needs associated with

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the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2025, on the progress made on implementing the implementation plan. *This bill would require the Natural Resources Agency, in furtherance of the program, to facilitate the integration of recommendations for forest biomass waste utilization in relevant, state climate adaptation plans.*

SB 244 – as amended Eggman. Right to Repair Act. Existing law, the Song-Beverly Consumer Warranty Act, provides a comprehensive set of procedures for the enforcement of express and implied warranties on consumer goods, as defined. Under existing law, every manufacturer making an express warranty with respect to an electronic or appliance product with a wholesale price to the retailer of not less than \$50 nor more than \$99.99 is required to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 3 years after the date a product model or type was manufactured. Existing law also requires electronic or appliance product, as described above, with a wholesale price to the retailer of \$100 or more, to make available sufficient service literature and functional parts to effect the repair of the product for at least 7 years after the date a product model or type was manufactured. *This bill would enact the Right to Repair Act. The bill would require, regardless of whether any express warranty is made, the manufacturer of an above-described electronic or appliance product, in the above-described circumstances, and in those same circumstances but sold to others outside of direct retail sales, to make available, on fair and reasonable terms, to product owners, service and repair facilities, and service dealers, the means, as described, to effect the diagnosis, maintenance, or repair of the product, as provided. The bill would also require a service and repair facility or service dealer that is not an authorized facility or dealer of a manufacturer to provide a written notice containing specified information related to warranties to any customer seeking repair of an electronic or appliance product before the repair facility or service dealer repairs the product. The bill would also authorize a city, a county, a city and county, or the state to bring an action in superior court to impose civil penalties on a person or entity for violating the Right to Repair Act, as provided.*

SB 777 – as introduced Allen. Solid Waste: Reusable Grocery Bags and Recycled Paper Bags. Existing law prohibits certain stores from providing a single-use carryout bag to a customer and prohibits those stores from selling or distributing a reusable grocery bag or a recycled paper bag unless the store makes that bag available for purchase for not less than \$0.10. Existing law requires stores to use the money collected only for costs associated with providing recycled paper bags or reusable grocery bags, and costs associated with encouraging the use of reusable grocery bags and authorizes imposition of civil penalties for known violation of those requirements. *This bill would require a store to retain the collected moneys to also be used for costs associated with providing consumers with an opportunity for returning reusable grocery bags to the store for recycling, and any other costs associated with ensuring that collected bags are recycled, complying with reporting requirements. This bill also authorizes CalRecycle to conduct related store audits.*