

**SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE
Thursday, June 5, 2025, 3:00 – 5:00 pm
Santa Cruz South County Offices at Westridge – Community Room
500 Westridge Watsonville CA 95076**



Hybrid Meeting Information:

Zoom Meeting Link: <https://us02web.zoom.us/j/82339766965>

Meeting ID: 823 3976 6965

One tap mobile

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Meeting ID: 823 3976 6965

Find your local number: <https://us02web.zoom.us/j/82339766965>

Please note: Members/alternates attending remotely cannot vote or count toward a quorum unless arranged in advance with “just cause” and approved by a quorum present in the room.

Agenda

- 1) **Welcome and Quorum Verification**
- 2) **Oral communications – Public:** *Informational item* for members of the public to raise issues not on the agenda and within the commission’s subject matter jurisdiction. State law prevents the commission from addressing issues in detail that are not included on the meeting agenda, but it can direct staff to provide a brief answer or schedule the issue for inclusion on a future agenda.
- 3) **Oral communications - Task Force members/alternates:** *Informational item* for commission members and alternates to report on issues of interest within the commission’s subject matter jurisdiction.
- 4) **Review Meeting Minutes (Attachment A) – Motion to approve** March 6, 2025 meeting minutes.
- 5) **Jurisdictional Updates – Informational item** for staff members to provide brief updates on issues within the commission’s subject matter jurisdiction.
- 6) **Green Waste Recovery Services provided in Santa Cruz County – Presentation/Q&A - Juan Castillo**, General Manager of Green Waste Recovery will give an overview of Green Waste Recovery services and answer questions.
- 7) **Countywide Waste Characterization Study – Informational Item - Report and possible Motion providing direction to staff** additional information on details for Santa Cruz County countywide waste characterization study.
- 8) **Code Update – Bag Ban Revisions (Attachment B) – Report and possible motion providing direction to staff** on SB 1053 (Blakespear 2024) replaces existing California state law with new carryout bag regulations. Beginning 1/1/2026, the state of California has banned the use of film plastic carryout bags. Beginning 1/1/2028 all paper carryout bags must be made with 50% post-consumer recycled materials. Local code updates will be required to ban the use of film plastic carryout bags and come into compliance with the new 50% recycled paper carryout bag requirement.

- 9) **California Redemption Value (CRV)** – *Staff Update* on Ben Lomond Transfer Station County CRV reimbursement program.
- 10) **Legislative Update (Attachment C)** - *Staff update* to provide overview of bills introduced in the 2025/2026 legislative cycle affecting solid waste, recycling, edible food, organic waste, waste diversion, universal waste, hazardous materials management, and related topics.
- 11) **Call for meeting agenda items**
- 12) **Adjourn**



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

Thursday, March 6, 2025, 3:00 – 4:12 pm

Watsonville Civic Plaza – City Council Chambers

275 Main Street Watsonville CA 95076

Enter from top floor of building or parking structure



Meeting Minutes

- 1) **Welcome and Quorum Verification:** Quorum present in the room and County alternate Sandy Brown; acting chair called the meeting to order at 3:00. Staff called roll and meeting attendance was noted as follows:
 - Voting Members/Alternates Present: Sandy Brown (County, alternate/acting chair), Felipe Hernandez (County, vice-chair (arrived late) elected 2025 chair), Jacob Guth (County, citizen rep (arrived late), Bob Nelson (Santa Cruz), Leslie O'Malley (Santa Cruz, alternate), Will Smith (Watsonville), Tami Stolzenhaller (Watsonville, alternate).
 - Non-voting Members/Alternates Present: Allan Timms (Scotts Valley, online no "just cause"), Ari Parker (Watsonville, not yet sworn, elected 2025 vice-chair), Erika Senyk (Capitola, not yet sworn), Antonio Banderas (Watsonville, alternate not yet sworn).
 - Members/Alternates Absent: Justin Cummings (County), Ramon Gomez (County, alternate), Scott Newsome (Santa Cruz), Rene Golder (Santa Cruz, alternate), Alexander Pedersen (Capitola, alternate), Rodolfo Onchi (Scotts Valley, alternate).
 - Task Force Staff Present: Beau Hawksford (County), Kasey Kolassa (County), Darcy Pruitt (County)
 - Agency Staff Present: Mary Ann LoBalbo (County), Christina Horvat (County), Bret Williamson (County), Carolyn Burke (County online), Julian Gonzalez (Watsonville).
 - Guests Present: Juan Castillo (GreenWaste Recovery), Laura Chain (CalRecycle online), Claudia Reyes (GreenWaste Recovery online), Claudia Villalta-Mejia (Environmental Innovations online), Jackeline Castorena (Environmental Innovations online).
- 2) **Select 2025 Officers:** Members discussed nomination of officers. A. Parker put forward Felipe Hernandez as Chair for 2025. T. Stolzenhaller put forward A. Parker as Vice-Chair for 2025. S. Brown called for other nominations. No other nominations were forthcoming. S. Brown called for a joint motion to elect Felipe Hernandez Chair and Ari Parker Vice-Chair. T. Stolzenhaller made the motion and S. Brown seconded. S. Brown called for a voice vote confirmed the unanimous election of Felipe Hernandez as Chair and Ari Parker as Vice-Chair for 2025. F. Hernandez, who arrived during the election of officers, took over chair duties from S. Brown.
- 3) **Oral communications – Public:** No public communications were received from meeting participants either in the room or online.
- 4) **Oral communications - Task Force members/alternates:** No communications were received from Task Force members or alternates either in the room or online.
- 5) **Approve Meeting Minutes** – B. Nelson made a motion to approve the December 5, 2024 meeting minutes, T. Stolzenhaller seconded the motion. Chair Hernandez called for a voice vote from members present at the December meeting. The minutes were unanimously approved.
- 6) **Jurisdictional Updates** – County staff provided an update on the Buena Vista Landfill Redevelopment project outlining the need for the project to continue waste handling activities at the

Attachment A
March 6, 2025 Task Force Meeting Minutes

Buena Vista site and the timeline for projected landfill closure, which could be as early as 2028. The County's Environmental Impact Report is in preparation and is expected to be released for review in late summer 2025.

County staff announced the award of two CalRecycle grants to County and partner jurisdictions.

- (1) County, City of Santa Cruz, and Santa Cruz Harbor received a \$100K grant to be managed by California Product Stewardship Council (CPSC) to collect and dispose of explosive marine flares. CPSC will also educate boaters and provide incentives to replace single use explosive marine flares with reusable marine electronic distress signals.
- (2) County received a \$158K grant to replace failing hazardous materials storage buildings at the Ben Lomond and Buena Vista Household Hazardous Waste (HHW) facilities owned by the County and shared with the cities of Capitola, Santa Cruz, and Scotts Valley.

- 7) **Staff presentation on AB 2346 Organic Waste Reduction Regulations (Attachment B)** – Tami Stolzenhaler, Watsonville Public Works Senior Environmental Projects Analyst provided an overview on the changes that AB 2346 will make to SB1383 procurement compliance. Under SB 1383, only four procurement products were identified to fulfill local procurement targets (mulch, compost, renewable gas, and electricity from biomass conversion). AB 2346 expands the procurement options by allowing procurement credit for five additional reuse methods (mandates for 3rd party use of recycled organic waste, on farm/community compost production, on-site mulch production and use (with ordinance), food recovery, investments in compost and mulch infrastructure (through 2035)). AB 2346 also allows jurisdiction to alter their procurement compliance reporting from annual reporting to 5-year reporting. Presentation slides are provided as **Attachment A**.
- 8) **Countywide Waste Characterization Study** – County staff provided a summary on the uses of waste characterization studies and the possibility to use local study results to change edible food and organic waste capacity requirements under SB 1383 and/or procurement targets under AB 2346. Staff outlined CalRecycle study methodology requirements if jurisdictions want to make adjustments under either SB 1383 or AB 2346. County staff also provided some cost and methodology information on the County's 2018 study for perspective, including areas where the required CalRecycle methodology to make capacity planning and procurement adjustments are likely to be more costly than the County's 2018 study. Members asked questions about study timeline. Staff responded that there is no required timeline, but the County's franchise agreement includes cost recovery that would reduce costs for County. Members discussed the potential for countywide collaboration and directed staff to obtain additional information and discuss collaboration on a waste characterization RFP at a staff level. Presentation slides are provided as **Attachment B**.
- 9) **CRV Update** – County staff provided further information on CRV changes related to SB 1013 implementation: including labeling requirements for beverage containers added to the program by SB 1013 (effective date 7/1/2025) and the 60 days beverage dealers have to establish a dealer cooperative or to redeem CRV in store once the store is no longer served by a CRV redemption center (effective 1/1/2025 and the date CRV Redemption center closes). Presentation slides are provided as **Attachment C**.
- 10) **Code Update Discussion** – Implementation of SB 1053 (Blakespear 2024). Staff provided an update on changes after passage of SB 1053 that will affect bag reduction ordinances in the county after State law that will change the definition of a "recycled paper bag" to contain 50% post-consumer recycled materials on 1/1/2028. This replaces the State's current definition of 40% post-consumer recycled content. The law also will eliminate the use of all film plastic bags within California. Presentation slides are provided as **Attachment D**.

Attachment A
March 6, 2025 Task Force Meeting Minutes

- 11) **Legislative Update (Attachment D)** – County staff provided a brief overview of new bills introduced in the 2025/2026 legislative cycle affecting solid waste, recycling, edible food, organic waste, waste diversion, universal waste, hazardous materials management, and related topics. Staff highlighted proposed bills on end-of-life EV Battery management as well as proposals related to composting and carbon sequestration.
- 12) **Call for next meeting agenda items:** Members suggested the following items for future meetings -
- a. Presentation from GreenWaste Recovery on the services they provide as franchise hauler and other roll off services.
 - b. Recycling markets and what really happens to items sent for recycling.
 - c. Report back on staff research/discussion re countywide waste characterization collaboration.
- 13) **Chair Hernandez adjourned the meeting at 4:12.**



AB 2346 Organic Waste Reduction Regulations: Procurement of Recovered Organic Waste Products

Santa Cruz County Integrated Waste Management Local Task Force
March 6, 2025

AB 2346: SB 1383 Procurement Compliance Adjustments



AB 2346 amends SB 1383 procurement compliance requirements to provide jurisdictions with additional pathways to meet their procurement targets

- Aligns procurement targets with local, rather than statewide diversion rates
- Developed by a group of Bay Area Counties, JPAs, Composters, and Compost Advocacy Groups
- Signed into law on September 30, 2024



AB 2346 Presentation courtesy of Jack Steinmann
at San Mateo County

AB 2346: Key Impacts



Procurement Credit without Direct Service Provider Agreement (in some cases)

- Procurement credit allocated to jurisdiction when they mandate third parties procure Recycled Organic Waste Products
- Model Water Efficient Landscape Ordinances



New Compost Sources

- On-farm Compost
 - Community Compost
 - Vermicompost
 - Mushroom Compost



- Credit Cannot be double counted
- Records must still be kept

Credit for Onsite Mulch and Recovered Food



- Credit cannot exceed 10% of targets
- Ordinance for mulch required
- 1 ton of recovered food equals 1 ton of procurement credit



Credit for Investments



- Only through 12/31/35
- No more than 10% of target per year
- Investments can include
 - Improvements at composting facilities serving a jurisdiction
 - Investments to establish or expand community composting
 - Spreading equipment
 - Compost hubs

5-Year Procurement Target



- Starting January 2027
- Jurisdictions can choose to opt for a 5-year target over 1-year annual target



A vision for a sustainable county

Option to calculate target based on local data



- Jurisdictions may calculate their own procurement targets based on local waste characterization studies
- Neighboring Bay Area Counties estimate roughly a 40-60% reduction
- Waste Characterization must be done every 5 years
- Unclear if CalRecycle will set up specific methodology for Study
- Potential for regional collaboration as soon as next year.

CalRecycle given additional flexibility



- CalRecycle may set new rules to incentivize local compost use. This could look like procurement credit done locally providing additional credit.



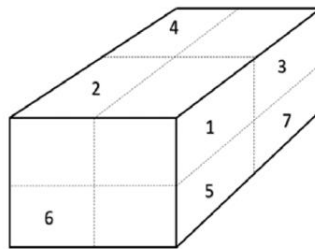
Questions?
Thank you!



Countywide Waste Characterization Multi-Jurisdiction Discussion

March 6, 2025

Numbered Cells for Targeted Waste Loads



Waste Characterization Study Requirements



Local Waste Characterization Studies are used to assess state law compliance and identify local program improvement needs.

- Provides local information to evaluate waste services
- Can assess different service types to focus needed interventions
 - Single Family, Multi-Family, Commercial, Agency
- Provides program feedback to plan outreach/education
- Provides local data to compare against Statewide studies
- Can be used to evaluate SB 1383 capacity planning waste categories and adjust for local conditions.
- Can reset SB 1383 Organics Procurement Targets under AB 2346

Waste Characterization Study Requirements



Local Waste Characterization Study must be comparable to the most recently published CalRecycle statewide waste study.

SB 1383 Waste Recycling Capacity Planning Requirements:

1. Local study must be performed within the last five years,
2. Include at least the same categories of organic waste as the Department's most recent waste characterization study that was available at the time the local study/studies were performed, and,
3. Include a statistically significant sampling of solid waste disposed by the jurisdiction conducting the study.

14 CCR Section 18992.1(a)(1)(B)

Waste Characterization Study to Reset Procurement Targets



CalRecycle will review Local Waste Characterization Study to determine its adequacy before resetting Local Procurement Targets:

CalRecycle will assess and approve/disapprove:

1. Study design to ensure compliance with PRC 42652.5(m),
2. Study data and corresponding calculations, and
3. Recalculated procurement targets for each jurisdiction that participated in the study

Waste Characterization Study Methodology – Best Practices



1. Representative of waste from each participant jurisdiction(s),
2. Representative to control for seasonal waste disposal variation,
3. Use/attempt to use the **material type list** from CalRecycle's 2021 *Disposal Facility-based Characterization of Solid Waste in California* study
 - a) Materials list used must align with local study goals and CalRecycle's materials type list so CalRecycle can compare local results to statewide results
4. Demonstrate sufficient sampling is done to achieve a 90% confidence interval for the materials sampled.
5. Follow ASTM D 5231-92 "Standard Test Method for Determination of the Composition of Unprocessed Municipal Solid Waste"
(California Public Resources Code section 42652.5(m))

Waste Characterization Study Prior Study and Costs – 2018

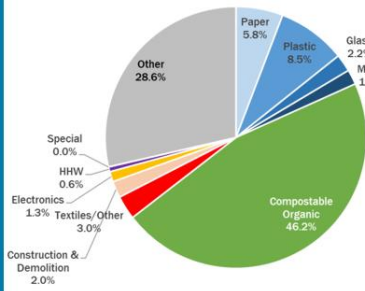


- County issued Waste Characterization RFP in June 2018
SCS Engineers won the bid with a proposal costing \$64,400
- Waste Characterization Study conducted in fall 2018
- Single Family Residential Waste
 - Multi-Family Residential Waste
 - Commercial Waste
- Study Methodology
- Sampled a total of 44 – 200 pound grab samples
 - Samples collected over a 5-day period
 - Samples sorted into 35 materials categories
- Adjusted by CPI, same study would cost \$80,000 in 2024.

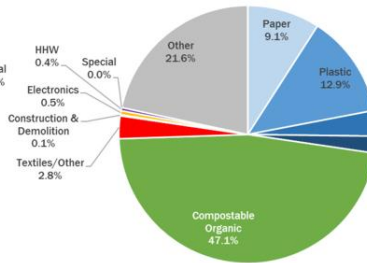
Waste Characterization Study 2018 Unincorporated County Results



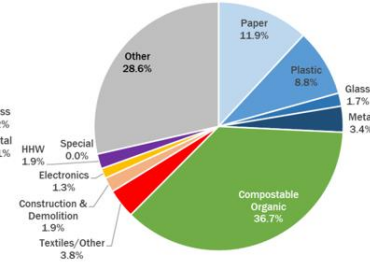
Single-Family



Multi-Family



Commercial



Questions?
Thank you!

California Redemption Value (CRV) SB 1013 Implementation Update for 2025



California Beverage Container Recycling and Litter Reduction Act

CRV Changes – January 1, 2025



Dealers in a convenience zone with no redemption location for more than 60 days, must redeem in-store or operate a dealer cooperative redemption plan.

- A dealer that has demonstrated to the department that the dealer has gross annual sales (does not include sales of fuel) of less than \$1.5 million or is less than 5,000 square feet is exempted from these requirements.
- Registration of dealers will begin prior to this date to facilitate these exemptions. (*PRC [14578](#) and [§14578.5](#).*)



SB 1013 CRV Changes – January 1, 2025



Removes option for dealers to pay CalRecycle \$100 per day instead of redeeming beverage containers when in a convenience zone where no recycling location has been for more than 60 days (previously referred to as “Option B”). (PRC [14578](#) and former [§14571.6](#).)



SB 1013 CRV Changes – July 1, 2025



- **Sunsets Plastic Market Development Payment Program** – State will no longer provide financial incentives to entities that process recycled empty plastic beverage containers and manufacturers using recycled plastic to produce new products within the state.
- **CRV label exemption ends** – all beverage containers in the Beverage Container Recycling Program are required to meet program labelling standards.





County and Municipal Code Update SB 1053 Bag Ban Discussion

March 6, 2025

SB 1053 Solid waste: recycled paper bags: standards: carryout bag prohibition.



SB 1053 ([Blakespear 2024](#)) Changes Carryout Bag Rules Statewide:

- Regulated businesses must comply with new rules
- The new 50% post consumer paper bag rule conflicts, at least in part, with local bag ordinances 40% post consumer content in:
 - County Code
 - Capitola Municipal Code
 - Santa Cruz Municipal Code
 - Watsonville Municipal Code
- California Public Resources Code section 42280(e)(3)(A) will require recycled paper bags to contain 50% post consumer recycled content starting 1/1/2028.

SB 1053 Solid waste: recycled paper bags: standards: carryout bag prohibition.



SB 1053 ([Blakespear, 2024](#)) Changes the Carryout Bag Rules Statewide to 50% postconsumer paper in paper carryout bags beginning 1/1/2028. Other provisions take effect beginning 1/1/2026.

- Do we want to work together to implement a code update that is consistent with state law and the same in all cities and County?
- If so, do we also want to consider other provisions not driven by state law that may be important in our County?

Questions?
Thank you!

Attachment B

SB 1053 Blakespear. Solid Waste: Recycled Paper Bags: Standards: Carryout Bag Prohibition.

SECTION 1. Article 1 (commencing with Section 42279) is added to Chapter 5.3 of Part 3 of Division 30 of the Public Resources Code, to read:

Article 1. Legislative Findings and Declarations

42279. (a) The Legislature finds and declares both of the following:

(1) In November 2016, voters approved Proposition 67, a statewide referendum to uphold Senate Bill 270 (Chapter 850 of the Statutes of 2014) that banned single-use carryout bags. As a result, most grocery stores, retail stores with a pharmacy, convenience food stores, foodmarts, and liquor stores no longer provide single-use, lightweight, plastic carryout bags to their customers at the point of sale.

(2) Senate Bill 270 (Chapter 850 of the Statutes of 2014) allowed the use of thicker plastic carryout bags that were deemed reusable if they met specified standards. These thicker plastic carryout bags were not generally reused by consumers and resulted in an increased amount of plastic and plastic waste.

(b) It is the intent of the Legislature to do all of the following:

(1) Support and reflect the will of California voters who voted to ban the distribution of plastic carryout bags at stores.

(2) Incentivize California consumers to bring their own reusable bag for carrying out store purchases, with stores encouraging and supporting this practice, which will reduce the costly and wasteful practice of relying on store-provided carryout bags.

(3) Support sustainable and thriving communities and natural environments that are not burdened with pollution from plastic production nor littered with plastic waste.

(4) Eliminate plastic film carryout bags from grocery store distribution and increase the recycling of paper carryout bags.

(5) Reduce the proliferation of plastic pollution by eliminating the existing provision of law that allows plastic film carryout bags to be distributed as reusable bags under the state's bag ban.

...

SEC. 4. Section 42280 is added to the Public Resources Code, to read:

42280. For purposes of this chapter, the following definitions apply:

(a) (1) "Carryout bag" means a bag of plastic, paper, or other material that is provided by a store to a customer at the point of sale for the purpose of carrying purchased goods and that is not a recycled paper bag.

(2) A carryout bag does not include any of the following:

(A) A bag provided by a pharmacy pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code to a customer purchasing a prescription medication.

(B) A nonhandled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag or a compostable plastic bag.

(C) A precheckout bag, as defined in subdivision (b) of Section 42281.2.

Attachment B

SB 1053 Blakespear. Solid Waste: Recycled Paper Bags: Standards: Carryout Bag Prohibition.

(D) A nonhandled bag that is designed to be placed over articles of clothing on a hanger, such as a garment bag used in dry cleaning or laundry services.

(b) “Department” means the Department of Resources Recycling and Recovery.

(c) “Point of sale” means a place where purchased goods may be transferred to a customer, including, but not limited to, a checkout counter, self-checkout kiosk, in-store pickup, curbside delivery, and home delivery.

(d) “Postconsumer recycled material” means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

(e) “Recycled paper bag” means a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:

(1) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.

(2) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the percentage of postconsumer content.

(3) (A) Contains a minimum of 50 percent postconsumer recycled materials.

(B) The requirement in subparagraph (A) applies on and after January 1, 2028.

(f) “Store” means a retail establishment that meets any of the following requirements:

(1) A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more that sells a line of dry groceries, canned goods, or nonfood items, and some perishable items.

(2) Has at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.

(3) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(4) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of goods intended to be consumed off the premises, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(5) If not otherwise subject to paragraph (1), (2), (3), or (4), if the retail establishment voluntarily agrees to comply with the requirements imposed upon a store pursuant to this chapter, irrevocably notifies the department of its intent to comply with the requirements imposed upon a store pursuant to this chapter, and complies with the requirements established pursuant to Section 42284.

(g) This section shall become operative on January 1, 2026.

...

Attachment B

SB 1053 Blakespear. Solid Waste: Recycled Paper Bags: Standards: Carryout Bag Prohibition.

SEC. 10. Section 42283 is added to the Public Resources Code, to read:

42283. (a) Except as provided in subdivisions (b) and (c), a store shall not provide, distribute, or sell a carryout bag at the point of sale.

(b) (1) A store may make available for purchase at the point of sale a recycled paper bag but shall not sell a recycled paper bag for less than ten cents (\$0.10) in order to ensure that the cost of providing a recycled paper bag is not subsidized by a consumer who does not require that bag.

(2) Notwithstanding any other law, a store that makes recycled paper bags available for purchase at the point of sale shall provide a recycled paper bag at no cost at the point of sale to a customer using a payment card or voucher issued by the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code or an electronic benefit transfer card issued pursuant to Section 10072 of the Welfare and Institutions Code.

(c) A store may provide at the point of sale a carryout bag that meets the requirements of subparagraph (A), (B), or (D) of paragraph (2) of subdivision (a) of Section 42280.

(d) A store shall not require a customer to use, purchase, or accept a recycled paper bag or a compostable bag as a condition of sale of any product.

(e) This section shall become operative on January 1, 2026.

...

SEC. 12. Section 42283.5 is added to the Public Resources Code, to read:

42283.5. (a) A store, as defined in paragraph (5) of subdivision (f) of Section 42280, shall comply with the same requirements of Section 42283 that are imposed upon a store, as defined in paragraphs (1) to (4), inclusive, of subdivision (f) of Section 42280.

(b) This section shall become operative on January 1, 2026.

...

SEC. 15. Section 42284 is added to the Public Resources Code, to read:

42284. (a) A retail establishment not specifically required to comply with the requirements of this chapter is encouraged to reduce its distribution of carryout bags.

(b) Pursuant to the provisions of paragraph (5) of subdivision (f) of Section 42280, any retail establishment that is not a "store," that provides the department with the irrevocable written notice as specified in subdivision (c), shall be regulated as a "store" for the purposes of this chapter.

(c) The irrevocable written notice shall be dated and signed by an authorized representative of the retail establishment, and shall include the name and physical address of all retail locations covered by the notice. The department shall acknowledge receipt of the notice in writing and shall specify the date the retail establishment will be regulated as a "store," which shall not be less than 30 days after the date of the department's acknowledgment. The department shall post on its internet website, organized by county, the name and physical location or locations of each retail establishment that has elected to be regulated as a "store."

(d) This section shall become operative on January 1, 2026.

Attachment C
Legislative Update
Bills relating to waste management, recycling, and hazardous materials

Battery Management

AB 696, as amended, Ransom. Lithium-ion vehicle batteries: emergencies: advisory group. Existing law requires the Secretary for Environmental Protection, until January 1, 2027, to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion batteries sold with motor vehicles in the state, and requires the secretary to appoint members to the committee from specified departments, vocations, and organizations. Existing law, the California Emergency Services Act, establishes the Office of Emergency Services within the Governor’s office, under the supervision of the Director of Emergency Services, and makes the office responsible for the state’s emergency and disaster response services for natural, technological, or manmade disasters and emergencies. This bill would require the Director of Emergency Services, on or before December 31, 2026, to convene the Lithium-Ion Car Battery Advisory Group to review, and advise the Legislature on, policies pertaining to the handling and disposal of lithium-ion vehicle batteries in an emergency capacity. The bill would require the director to appoint members to the advisory group from specified departments, vocations, and organizations. The bill would require the advisory group to meet at least quarterly until July 1, 2028, and to consult with universities and research institutions that have conducted research in the area of battery recycling, with manufacturers of electric and hybrid vehicles, and with the recycling industry. The bill would require the group to develop standards, on or before July 1, 2028, based on local, state, and national guidance and research, aimed at ensuring that best standards and practices are created that allow first responders to respond to lithium-ion vehicle battery emergencies in a safe and efficient manner. The bill would repeal these provisions on January 1, 2029.

AB 762, as amended, Irwin. Disposable, battery-embedded vapor inhalation device: prohibition. (1) Existing law regulates the manufacture, sale, and disposal of various single-use products, including single-use foodware accessories and condiments and single-use carryout bags. Existing law prohibits a store from, among other things, providing, distributing, or selling a carryout bag at the point of sale, except as specified. Existing law defines terms for these purposes. This bill would prohibit, beginning January 1, 2026, a person from selling, distributing, or offering for sale a new or refurbished disposable, battery-embedded vapor inhalation device in this state. The bill would define a “disposable, battery-embedded vapor inhalation device” to mean a vaporization device that is not designed or intended to be reused, as specified. Existing law authorizes a city, county, city and county, or the state, to impose civil liability on a person or entity that knowingly violated, or reasonably should have known that it violated, provisions relating to the above-described carryout bag prohibition in specified fine amounts, including \$1,000 per day for the first violation. Existing law requires any civil penalties collected to be paid to whichever office brought the action, as specified, and authorizes the Attorney General to expend any penalties it collects, upon appropriation by the Legislature, to enforce those provisions. This bill would authorize a city, a county, a city and county, or the state, to enforce the above-described disposable, battery-embedded vapor inhalation device prohibition and to impose civil liability on a person or entity in violation of the prohibition in specified fine amounts, including \$500 for the first violation. The bill would require any civil penalties collected to be paid to whichever office brought the action, as specified, and would authorize the Attorney General to expended any penalties it collects, upon appropriation by the Legislature, to enforce these provisions. The bill would specify that any remedies provided pursuant to these provisions are not exclusive and are in addition to the

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials remedies that may be available pursuant to specified provisions relating to unfair competition. The bill would make any person who violates the above-described disposable battery-embedded vapor inhalation device prohibition guilty of an infraction punishable by a fine of not more than \$500. By expanding the scope of an infraction, this bill would impose a state-mandated local program.

(2) Existing law, the Cigarette and Tobacco Products Licensing Act of 2003, provides for the licensure and regulation of manufacturers, importers, distributors, wholesalers, and retailers of cigarettes and tobacco products by the State Board of Equalization. Existing law requires every person desiring to engage in the sale of cigarettes or tobacco products as, among other things, a wholesaler to file with the board an application for a license, as specified. Existing law authorizes the California Department of Tax and Fee Administration to suspend or revoke a license described above, as specified, of any importer or any manufacturer that has failed to comply with specified provisions relating to monthly reporting of distributors and wholesale costs. This bill would authorize the department to revoke or suspend any license to engage in the sale of cigarettes or tobacco products, as defined, of any person with a license who is in violation of the above-described prohibition for a disposable, battery-embedded vapor inhalation device containing a tobacco product.

(3) The Control, Regulate and Tax Adult Use of Marijuana Act (AUMA), an initiative measure approved as Proposition 64 at the November 8, 2016, statewide general election, authorizes a person who obtains a state license under AUMA to engage in commercial adult-use cannabis activity pursuant to that license and applicable local ordinances. Existing law, the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA), among other things, consolidates the licensure and regulation of commercial medicinal and adult-use cannabis activities, including retail commercial cannabis activity. MAUCRSA establishes the Department of Cannabis Control within the Business, Consumer Services, and Housing Agency to administer the act. MAUCRSA authorizes the department to issue state licenses only to qualified applicants, and authorizes the department to revoke or suspend a license if, among other things, a licensee fails to actively and diligently pursue requirements for a license. This bill would authorize the department to revoke or suspend a license issued by the department of any person with a license who is in violation of the above-described prohibition for a disposable, battery-embedded vapor inhalation device containing a cannabis product, as defined. The bill would specify that any penalty described above is in addition to the other penalties authorized by the bill. The bill would require costs incurred by a state agency in carrying out these provisions to be recoverable by the Attorney General, upon the request of the agency, from the liable person or persons.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

SB 615, as amended, Allen. Vehicle traction batteries. Existing law requires the Secretary for Environmental Protection to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Existing law also requires the advisory group to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion vehicle batteries in the state are reused or recycled at end of life in a safe and cost-effective manner. The hazardous waste control laws require the Department of Toxic Substances Control to regulate the handling and management of hazardous waste. A

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials violation of the hazardous waste control laws is a crime. This bill would require a battery supplier, as defined, to be responsible for, among other duties, ensuring the responsible end-of-life management of a vehicle traction battery if it is removed from a vehicle that is still in service, as provided, or if the vehicle traction battery is offered or returned to its battery supplier, and reporting information regarding the sale, transfer, or receipt of a vehicle traction battery or battery module to the department, as provided. The bill would impose related duties on a secondary user, as defined, and a secondary handler, as defined, including, among other duties, ensuring the responsible end-of-life management for a vehicle traction battery or returning a vehicle traction battery to the battery supplier, and reporting information regarding the sale, transfer, or receipt of a vehicle traction battery or battery module to the department, as provided. The bill would also require an auctioneer, as defined, and salvage disposal auction, as defined, to report similar information regarding a vehicle traction battery to the department. This bill would require the battery supplier to pay the department's actual and reasonable regulatory costs to implement and enforce these provisions. The bill would establish the Vehicle Traction Battery Recovery Fund (fund) in the State Treasury and would require the department to deposit all moneys received from the battery supplier into the fund, as specified. Moneys in the fund would be available, upon appropriation by the Legislature, to implement and enforce these provisions. The bill would authorize, upon appropriation by the Legislature, the Director of Finance to make a loan from the Greenhouse Gas Reduction Fund to the fund to meet regulatory and startup costs of the department's activities pursuant to these provisions. The bill would require, upon appropriation by the Legislature, moneys in the fund to be expended to reimburse loans made from other funds for those purposes. The bill would require the department to conduct a study to determine whether there is evidence of abandonment of orphaned batteries leading to environmental and health and safety hazards and, on or before January 1, 2030, and every 5 years thereafter, to post the results of its findings on its internet website. The bill would authorize the department to impose civil or administrative penalties for a violation of these requirements. The bill would exempt a violation of these requirements from the criminal penalties imposed pursuant to the hazardous waste control laws, but would require that all reports and records provided to the department pursuant to these provisions be provided under penalty of perjury. By expanding the scope of crimes, the bill would impose a state-mandated local program. The bill would restrict public access to certain information collected for the purpose of administering this program. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Biofuels

SB 377, as amended, Grayson. Biomethane procurement targets. Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including gas corporations. Existing law requires the commission, in consultation with the State Air Resources Board, to consider adopting specific biomethane procurement targets or goals for each gas corporation and core transport agent, as specified. Existing law requires, if the commission adopts specific biomethane procurement targets or goals for each gas corporation and core transport agent, the

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials commission to, among other things, ensure that the biomethane available for any procurement program is either delivered to California through a dedicated pipeline, or through a common carrier pipeline and meets 2 specified requirements related to the injection of the biomethane and specified environmental benefits, as prescribed. This bill would instead require that biomethane delivered to California through a common carrier pipeline meet either of the specified requirements, rather than both. The bill would also add the displacement of conventional natural gas that results in a reduction in greenhouse gas emissions as one of the specified environmental benefits, as specified. Existing law requires the commission to consider options to promote the in-state production and distribution of biomethane, including whether to allow recovery in rates of the costs of investments to (1) facilitate direct investment in the procurement and installation of utility infrastructure necessary to achieve interconnection between the natural gas transmission and distribution pipeline network and biomethane generation and collection equipment and of gathering lines for a dairy cluster biomethane project, (2) provide for the installation of utility infrastructure to achieve interconnection with facilities that generate biomethane, and (3) ensure that these investments for infrastructure are prudent and reasonable and provide a direct benefit to, and are in the interests of, all classes of ratepayers. This bill would require, on or before June 1, 2026, the commission to allow recovery in rates of the costs of those investments. Under existing law, a violation of the Public Utilities Act or an order, decision, rule, direction, demand, or requirement of the commission is a crime. Because the provisions of this bill would be part of the act and because a violation of a commission action implementing its requirements would be a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Carbon Capture

SB 285, as amended, Becker. Net zero greenhouse gas emissions goal: carbon dioxide removal: regulations. The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. Existing law requires the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond. Existing law, the California Climate Crisis Act, declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. This bill would, for the purpose of meeting, or tracking progress against, any state requirement to achieve net zero emissions of greenhouse gases, authorize only qualified carbon dioxide removal, as defined, to be used to counterbalance the state's or an entity's greenhouse gas emissions and would require qualified carbon dioxide removal used for those purposes to meet certain requirements, as specified. Existing law requires the state board to establish a Carbon Capture, Removal, Utilization, and Storage Program to, among other things, evaluate the efficacy,

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials safety, and viability of carbon capture, utilization, or storage technologies and carbon dioxide removal technologies and facilitate the capture and sequestration of carbon dioxide from those technologies, where appropriate. In furtherance of the objectives of that program, existing law authorizes the state board, by January 1, 2024, to adopt protocols to support additional methods of utilization or storage of captured carbon dioxide. This bill would indefinitely authorize the state board to adopt those protocols, and protocols to support methods of utilization or storage of removed carbon dioxide.

Composting and Organic Waste Recycling

AB 411, as amended, Papan. Livestock carcasses: disposal: composting. Existing law prohibits a dead animal hauler or any other person from transporting a dead animal to any place, other than to certain specified facilities or destinations, unless a certain waiver is granted by the State Veterinarian, as specified. Existing law requires the Department of Resources Recycling and Recovery to adopt and revise minimum standards for solid waste handling, transfer, composting, transformation, and disposal, as prescribed. Pursuant to this authority, the department has adopted a regulation that prohibits the composting of unprocessed mammalian tissue except when received from certain sources. This bill would, notwithstanding those prohibitions, authorize any part of a livestock carcass resulting from a routine livestock mortality event or on-farm processing to be composted if certain requirements are met, including, among others, that the composting is conducted in accordance with best management practices for livestock composting adopted by the Secretary of Food and Agriculture, as specified.

AB 436, as amended, Ransom. Composting facilities: zoning. Existing law provides that the Office of Land Use and Climate Innovation serves the Governor and the Governor's Cabinet as staff for long-range planning and research, and constitute the comprehensive state planning agency. In that capacity, existing law requires the office to, among other things, assist local governments in land use planning. Existing law, the California Integrated Waste Management Act of 1989, establishes the Department of Resources Recycling and Recovery to administer an integrated waste management program. Existing law establishes a goal that statewide landfill disposal of organic waste be reduced from the 2014 level by 75% by 2025. This bill, on or before June 1, 2027, would require the Office of Land Use and Climate Innovation, in consultation with the Department of Resources Recycling and Recovery, to develop and post on the office's internet website, a technical advisory, as provided, reflecting best practices to facilitate the siting of composting facilities to meet the organic waste reduction goals. The bill would require the office to consult with specified entities throughout the development of the technical advisory. The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element that designates the proposed general distribution and general location and extent of the uses of the land for housing, business, solid and liquid waste disposal facilities, and other categories of public and private uses of land, as prescribed. This bill, upon a substantive revision of the land use element, as specified, on or after January 1, 2029, would require a city, county, or city and county to consider, among other things, the best practices, sample general plan, and model ordinance reflected in the technical advisory and to consider updating the land use element to identify areas where composting facilities may be appropriate as an allowable use. By increasing duties on a city, county, or city and county, the bill would impose a state-mandated local program.

Attachment C
Legislative Update
Bills relating to waste management, recycling, and hazardous materials

SB 279, as amended, McNerney. Solid waste: compostable materials. Existing law requires the Department of Resources Recycling and Recovery to adopt and revise regulations setting forth minimum standards for composting, in accordance with law. Existing regulations require all compostable materials handling activities to obtain a permit prior to commencing operations and to comply with specified requirements. Existing regulations specify 4 regulatory tiers for composting operations, with different requirements for each tier. The 4 tiers are excluded, enforcement agency notification, registration permit, and full solid waste facility permit. In the excluded tier, existing regulations specify the “excluded activities” that do not constitute compostable material handling operations or facilities and, therefore, are not subject to permit requirements or other regulatory requirements. One of the excluded activities is the composting of green material, agricultural material, food material, and vegetative food material, alone or in combination, if the total amount of feedstock and compost onsite at any one time does not exceed 100 cubic yards and 750 square feet. This bill would require that the total amount of feedstock and compost onsite at any one time not exceed 500 cubic yards instead of the 100 cubic yards and 750 square feet in the regulations. The bill would also require the composting of agricultural materials and residues that are from a large-scale biomass management event at an agricultural facility that does not otherwise operate as a solid waste facility to be an excluded activity, as specified. Existing regulations prohibit a composting operation from giving away or selling more than 1,000 cubic yards of compost product annually if it is in the excluded tier or if it is an agricultural material composting operation in the enforcement agency notification tier, its feedstock is both green material and agricultural material, and the operation is located on land zoned for agricultural uses. This bill would authorize those composting operations to give away or sell up to 5,000 cubic yards of compost product annually.

SB 725, as introduced, Dahle. Recycling: organic byproducts. Existing law requires the California Environmental Protection Agency, in coordination with the department, the State Water Resources Control Board, the State Air Resources Board, the Department of Food and Agriculture, and the Department of Forestry and Fire Protection, to develop and implement policies to aid in diverting organic waste from landfills by promoting the use of agricultural, forestry, and urban organic waste as a feedstock for compost and by promoting the appropriate use of that compost throughout the state to improve the state’s soil organic matter. This bill would express the intent of the Legislature to enact future legislation that would promote the recycling of organic byproducts by increasing the opportunities for organic byproducts to be recycled into livestock feed.

Edible Food

AB 337, as introduced, Bennett. Greenhouse Gas Reduction Fund: grant program: edible food. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law requires the Department of Resources Recycling and Recovery, upon appropriation, to administer a grant program to provide financial assistance to promote the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste,

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials sort and aggregate or process organic and other recyclable materials into new, value-added products, or divert items from disposal through enhanced reuse opportunities. Existing law requires the grant program to provide eligible financial assistance for certain activities, including activities that expand and improve organic waste diversion and recycling, including, but not limited to, the recovery of food for human consumption and food waste prevention. Existing law specifies eligible infrastructure projects for purposes of the program, including, but not limited to, the construction of facilities to help develop, implement, or expand edible food waste recovery operations. This bill would expand the grant program to provide financial assistance for the recovery of edible food, as specified. The bill would specify that eligible infrastructure projects includes the construction or expansion of facilities to help develop, implement, or expand edible food waste recovery operations. The bill would require the department to consider the increased amount of edible food recovery capacity that the project will create when awarding a grant for edible food recovery.

AB 643, as amended, Wilson. Climate change: short-lived climate pollutants: organic waste reduction. Existing law establishes methane emissions reduction goals that include a target to reduce landfill disposal of organics by 75% of the 2014 level of the statewide disposal of organic waste by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations to achieve the organic waste reduction goals. Existing law authorizes a local jurisdiction to count compost produced and procured from specified compost operations towards its recovered organic waste procurement target. This bill would make a nonsubstantive change to the provision related to the authority of local jurisdictions. This bill would authorize a local jurisdiction to include organic material used as a beneficial agricultural amendment towards its recovered organic waste procurement target if the material is processed at a facility authorized by the department using specified approved technologies, and if the material is licensed for end use as an agricultural fertilizer by the Department of Food and Agriculture.

AB 1046, as amended, Bains. Short-lived climate pollutants: recovered organic waste product: agricultural crop preparation service. Existing law requires the State Air Resources Board to implement a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40% below 2013 levels by 2030. Existing law requires the methane emissions reduction goals to include 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 Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided. The regulations, among other things, require a commercial edible food generator, as defined, to have a contract or written agreement with a food recovery organization, as defined, to recover the maximum amount of edible food that would otherwise be disposed, as provided. The regulations also require a commercial edible food generator to keep certain records regarding the recovery of edible food. This bill would exempt from these requirements an agricultural crop preparation service, as defined, that demonstrates to the department that it has not disposed of organic waste in a landfill on or after January 1, 2016.

Hazardous Waste Management

Attachment C
Legislative Update
Bills relating to waste management, recycling, and hazardous materials

AB 864, as amended, Ward. Hazardous waste: solar photovoltaic modules.

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. Existing regulations define surplus materials, as provided, and specify that surplus material is not a recyclable material. This bill would exempt solar photovoltaic modules not identified as hazardous waste and treated, except as provided, as universal waste, as defined, from state hazardous waste regulations, if transferred to a designated recycler for legitimate recycling, as described, and if the facility meets specified criteria relating to registration permits, as provided. The bill would make the universal waste designation applicable to a solar photovoltaic module that is intended for recycling and cannot otherwise be resold, reused, or refurbished only until the department adopts regulations implementing alternative management standards for solar photovoltaic modules. The bill would also designate a solar photovoltaic module that can be resold, reused, or refurbished as surplus material. The bill would make a conforming change.

AB 872, as amended, Blanca Rubio. Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

(1) Existing law, known as the Green Chemistry program, requires the Department of Toxic Substances Control to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered as being chemicals of concern. Existing law requires the regulations to include criteria by which chemicals and their alternatives may be evaluated by the department, as provided. Existing law requires the department, following the completion of an alternatives analysis, to provide a regulatory response that may include, but is not limited to, not requiring any action and restricting or prohibiting the use of the chemical of concern in the consumer product. This bill would, beginning January 1, 2028, prohibit a person from distributing, selling, or offering for sale a covered product, as defined, that contains intentionally added PFAS, as defined, unless the department has issued a regulatory response for the covered product pursuant to the Green Chemistry program or the prohibition is preempted by federal law. The bill would authorize a manufacturer of a covered product to petition the department to evaluate a covered product and would require the department to evaluate and provide a regulatory response for a covered product under the Green Chemistry program, as specified. This bill would require the department, on or before January 1, 2028, to adopt regulations to carry out these provisions. The bill would require the department to analyze and comment on the presence of PFAS in industrial processes and products, as specified. The bill would authorize the department to identify and categorize commercially active PFAS present in products distributed in California, as specified. The bill would authorize the department to report on other issues relating to products containing PFAS and emissive compounds.

(2) Existing law requires the department, on or before January 1, 2029, to adopt regulations to enforce specified covered perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions, which include prohibitions on the distribution, sale, or offering for sale of certain products that contain specified levels of PFAS. Existing law requires the department, on and after July 1, 2030, to enforce and ensure compliance with those provisions and regulations, as provided. Existing law requires manufacturers of these products, on or before July 1, 2029, to register with the department, to pay a registration fee to the department, and to provide a statement of compliance certifying compliance with the applicable prohibitions on the use of PFAS to the department, as specified.

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials

Existing law authorizes the department to test products and to rely on third-party testing to determine compliance with prohibitions on the use of PFAS, as specified. Existing law requires the department to issue a notice of violation for a product in violation of the prohibitions on the use of PFAS, as provided. Existing law authorizes the department to assess an administrative penalty for a violation of these prohibitions and authorizes the department to seek an injunction to restrain a person or entity from violating these prohibitions, as specified. This bill would require the department to use this existing authority to enforce the prohibition on products that would be prohibited by the provisions in paragraph (1).

(3) Existing law requires the department, in consultation with the Office of Environmental Health Hazard Assessment and all appropriate state agencies, to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, as specified. Pursuant to that authority, the department adopted regulations known as the Safer Consumer Products Regulations. This bill would authorize, but not require, that those regulations evaluate uses of PFAS in products that would be prohibited by the provisions in paragraph (1).

AB 998, as amended, Hadwick. Household hazardous waste: vape pens.

Under existing law, the Department of Toxic Substances Control generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes certain entities to operate household hazardous waste collection facilities, as defined, under permits issued by the department. A violation of the hazardous waste control laws is a crime. Existing law requires hazardous waste transported to a household hazardous waste collection facility to be transported by specified entities, and imposes conditions on the transport of hazardous waste to a household hazardous waste collection facility, including, among others, that the hazardous waste transported not exceed certain volume and weight requirements and that the hazardous waste be transported in closed containers. Existing law defines “household hazardous waste” to mean hazardous waste generated incidental to owning or maintaining a place of residence, and to not include waste generated in the course of operating a business concern at a residence. Under this bill, a vape pen confiscated by a school as contraband is presumed to have been generated by a household and does not lose its status as household hazardous waste when properly managed and disposed of at a household hazardous waste collection facility or through a household hazardous waste collection program. The bill would impose the above-described conditions relating to the transport of hazardous waste on a school, as defined, or its contractor, transporting confiscated vape pens to a household hazardous waste collection facility. The bill would authorize a household hazardous waste collection facility to conduct physical treatment activities involving the disassembly of household hazardous waste to separate batteries, valves, electronic components and other parts containing liquids or gases, including, but not limited to, the disassembly of vape pens, in a manner that does not result in the unauthorized release of hazardous materials. The bill would make related conforming changes.

Existing law authorizes a public agency, or its contractor, to conduct a materials exchange program at a household hazardous waste collection facility to make reusable household hazardous products or materials available to recipients, as a part of its household hazardous waste collection program, if the public agency, or its contractor, complies with specified requirements.

The bill would prohibit a public agency, or its contractor, from including vape pens in a materials exchange program. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

AB 1304, as amended, Schultz. Paint product recovery program: paint recovery: education and outreach. Existing law establishes a paint product recovery program for the purpose of requiring paint manufacturers to develop and implement a stewardship plan to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of postconsumer paint in this state. Existing law defines various terms for the purpose of the program. Existing law requires a stewardship plan to include consumer, contractor, and retailer education and outreach efforts to promote source reduction and recycling products, and authorizes the development and updating of education and outreach materials. This bill would state that the purpose of the program is also to require paint manufacturers to develop and implement a program to recover, reuse, and recycle postconsumer paint. The bill would define “paint recovery” to mean the process of collecting and transporting leftover paint for the purpose of reuse, processing, or recycling to reduce its environmental impact and disposal costs. The bill would require, rather than authorize, the development and updating of education and outreach materials, would require a stewardship plan’s education and outreach efforts to also promote the proper use and handling of paint products, and would require those efforts to include investment in the training of California’s future workforce by working with California apprenticeship programs for training apprentices and journey-level painters.

AB 1325, as amended, Michelle Rodriguez. Lubricants and waste oil: producer responsibility. (1) Under existing law, as part of the hazardous waste control laws, the Department of Toxic Substances Control (DTSC) generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes a public agency, as defined, to operate a household hazardous waste collection facility under permit from DTSC. The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery (CalRecycle), requires a city and a county to prepare and submit to CalRecycle a countywide integrated waste management plan. The act requires the plan to include a household hazardous waste element that identifies a program in each city and county for the safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households. The California Oil Recycling Enhancement Act, administered by CalRecycle, establishes a used oil recycling program to promote and develop alternatives to illegal disposal of used oil. The act imposes a charge for every gallon of lubricating oil sold or transferred in the state, or imported into the state for use in the state, as specified. The act requires these charges to be deposited into the California Used Oil Recycling Fund, which is continuously appropriated to, among others, pay recycling incentives and to implement local used oil collection programs, as provided. This bill would make the act, as amended by this bill, inoperative upon the completion of specified conditions, including that CalRecycle submits a letter to the relevant committees of the Legislature indicating that specified conditions have been met and that CalRecycle is prepared to implement a lubricant and waste oil responsibility program as discussed below. This bill would create a producer responsibility program for lubricants and waste oil and require a producer responsibility organization (PRO) to provide a convenient collection and management system for covered products at no cost to residents or local governments. The bill would define “covered product” to mean a petroleum-based automotive product and other related products, as specified. The bill would require a producer of a covered product to register with the PRO, which would be required to develop and implement a producer responsibility plan for the collection, transportation, and the

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials safe and proper management of covered products. The bill would require CalRecycle, in coordination with DTSC, to adopt regulations to implement the program with an effective date no earlier than July 1, 2028. This bill would require the PRO, within 12 months of the effective date of the regulations, to submit a product responsibility plan to CalRecycle. The bill would require the plan to include specified elements, including a funding mechanism that provides sufficient funding to carry out the plan. The bill would require, within 6 months of receipt of the plan, CalRecycle, in collaboration with DTSC, to approve, approve in part, or disapprove the plan, as specified. The bill would require CalRecycle to notify the PRO of its decision. If CalRecycle does not approve the plan in full, then the bill would require CalRecycle to specify the reasons for disapproval or identify the portions of the partially approved plan that do not comply with the program, as applicable. The bill would require the PRO to submit a revised plan if its plan is not fully approved. The bill would conditionally approve a plan if CalRecycle does not approve, approve in part, or disapprove a plan within one year of receipt of the plan. This bill would require the PRO to implement its plan within 90 days of approval. The bill would require the plan to be fully funded in a manner that equitably distributes the plan's costs among participant producers, as specified. The bill would require the PRO to reimburse local jurisdictions for costs associated with collecting illegally dumped covered products and for providing a convenient collection system for covered products if the PRO's plan relies on local jurisdictions to collect or manage covered products. This bill would require the PRO to prepare and submit to CalRecycle an annual report describing the activities carried out pursuant to the plan. The bill would require the PRO to retain specified documents, annually audit its accounting books, and make documents available to CalRecycle for review, as specified. The bill would require all reports and records provided to CalRecycle pursuant to the program to be provided under the penalty of perjury. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill would require a participant producer, through the PRO, to pay CalRecycle, on an unspecified schedule, an annual administrative charge, as determined by CalRecycle and DTSC. The bill would require the charge be set at an amount that is adequate to cover CalRecycle's and DTSC's actual and reasonable costs of administering and enforcing the program. The bill would provide for the imposition of administrative civil penalties on producers and other specified persons who violate the program. The bill would establish the Lubricant and Waste Oil Producer Responsibility Fund in the State Treasury and would require the administrative charges collected by CalRecycle to be deposited into that fund for expenditure by CalRecycle, upon appropriation by the Legislature, to cover CalRecycle's cost to implement the program. The bill would also establish the Lubricant and Waste Oil Penalty Account in the Lubricant and Waste Oil Producer Responsibility Fund and would require that the civil penalties collected by CalRecycle pursuant to the program be deposited into that account, for expenditure by CalRecycle, upon appropriation by the Legislature, for activities related to the collection, reuse, and recycling of covered products, grants for related purposes, and the administration and enforcement of the program.

(2) Existing law, the Plastic Pollution Prevention and Packaging Producer Responsibility Act, establishes a producer responsibility program designed to ensure that producers of single-use packaging and food service ware covered by that program take responsibility for the costs associated with the end-of-life management of that material and ensure that the material is recyclable or compostable. The act requires producers, either individually or through participation in a producer responsibility organization, to have an approved plan that, among other things, describe how the producer or organization will comply with the act. This bill would exempt a product from the act if the product is included in an approved product responsibility plan pursuant to the lubricant and waste oil producer responsibility program, discussed above.

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials

(3) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

SB 404, as amended, Caballero. Hazardous materials: metal shredding facilities.

Existing law authorizes the Department of Toxic Substances Control (DTSC), in consultation with the Department of Resources Recycling and Recovery, the State Water Resources Control Board, and affected local air quality management districts, to adopt regulations to establish management standards for metal shredding facilities for hazardous waste management activities within the DTSC's jurisdiction, as provided. Existing law provides that treated metal shredder waste that is managed in accordance with those regulations is deemed to be solid waste, and not hazardous waste, as provided. This bill would repeal those provisions. The bill would establish a comprehensive scheme for the regulation of metal shredding facilities that would be administered by the DTSC pursuant to authority separate from laws governing the control of hazardous waste. The bill would prohibit an owner or operator from operating a metal shredding facility, as defined, in the state unless they have a permit from the DTSC or are deemed to have a permit. The bill would prescribe the requirements for obtaining a permit, for being deemed to have a permit, for operating a metal shredding facility, and for transporting certain materials related to metal shredding, as specified. The bill would require, before a decision is made to approve or deny the application, the DTSC to hold a public meeting, as provided. The bill would provide that certain materials related to metal shredding are not hazardous waste if they meet specified requirements. The bill would require any report required to be submitted by a metal shredding facility pursuant to a permit issued to be signed by the owner or operator and be certified under penalty of law, including criminal penalties, as specified. Because the bill would expand the scope of a crime, the bill would impose a state-mandated local program. The bill would require an owner or operator of a metal shredding facility to report to the DTSC certain emergency situations, as specified. The bill would require an owner or operator of a metal shredding facility to submit to the DTSC a closure plan and a cost estimate for closing the metal shredding facility, as specified. The bill would authorize the DTSC to enforce these provisions by revoking permits and by other specified means. The bill would authorize the DTSC to adopt regulations for the operation of metal shredding facilities as necessary to implement the requirements of the bill. The bill would require the DTSC to post information provided by owners and operators regarding a metal shredding facility on the department's internet website in a manner that is readily accessible to the public, except as otherwise required pursuant to existing law. Existing law authorizes the DTSC to collect an annual fee from all metal shredding facilities subject to the requirements of hazardous waste control laws or the DTSC's management standards for metal shredding facilities, as provided. Existing law requires the DTSC to adopt regulations necessary to administer the fee and authorizes the DTSC to adopt those regulations using emergency procedures, as provided. Existing law requires the Controller to establish a separate subaccount in the Hazardous Waste Control Account and for all fees collected to be placed into that subaccount, to be available for expenditure by the DTSC upon appropriation by the Legislature. This bill would instead require the DTSC to impose an annual fee on all metal shredding facilities subject to the provisions of this bill, as specified. The bill would require the

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials

DTSC to adopt regulations necessary to administer the fee and would authorize the DTSC to adopt the regulations using emergency procedures, as specified. The bill would require the Controller to establish a new and separate Metal Shredders Facility Account and would require all fees collected to be placed into that account and made available for expenditure by the DTSC solely for the purpose of implementation and administration of these provisions, upon appropriation by the Legislature. The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

SB 501, as amended, Allen. Household Hazardous Waste Producer Responsibility Act.

(1) Under existing law, as part of the hazardous waste control laws, the Department of Toxic Substances Control (DTSC) generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes a public agency, as defined, to operate a household hazardous waste collection facility under permit from DTSC. Existing law, the Plastic Pollution Prevention and Packaging Producer Responsibility Act, establishes a producer responsibility program designed to ensure that producers of single-use packaging and food service ware covered by that program take responsibility for the costs associated with the end-of-life management of that material and ensure that the material is recyclable or compostable. This bill would create a producer responsibility program for products containing household hazardous waste and would require a producer responsibility organization (PRO) to ensure the safe and convenient collection and management of covered products at no cost to consumers or local governments. The bill would define “covered product” to mean a consumer product that is ignitable, toxic, corrosive, or reactive, or that meets other specified criteria, except as specified. The bill would require a producer of a covered product to register with the PRO, which would be required to develop and implement a producer responsibility plan for the collection, transportation, and the safe and proper management of covered products. The bill would require DTSC to adopt regulations to implement the program with an effective date no earlier than July 1, 2028. This bill would require the PRO, within 12 months of the effective date of the regulations, to submit a producer responsibility plan to DTSC. The bill would require the plan to include specified elements, including a funding mechanism to fully fund the PRO and the program. The bill would require, within 6 months of receipt of the plan, DTSC to approve, approve in part, or disapprove the plan, as specified. The bill would require DTSC to notify the PRO of its decision. If DTSC does not approve the plan in full, then the bill would require DTSC to specify the reasons for disapproval or identify the portions of the partially approved plan that do not comply with the program, as applicable. The bill would require the PRO to submit a revised plan if its plan is not fully approved. The bill would conditionally approve a plan if DTSC does not approve, approve in part, or disapprove a plan within one year of receipt of the plan. This bill would require the PRO to implement its plan within 90 days of approval. The bill would require the plan to be fully funded in a manner that equitably distributes the plan’s costs among participant producers, as specified. The bill would require the PRO to reimburse local jurisdictions for costs associated with collecting illegally dumped covered products and for providing a convenient collection system for covered products if the PRO’s plan relies on local jurisdictions to collect or manage covered products. This bill would require the PRO to prepare and submit to DTSC an annual report describing the activities carried out pursuant to the plan. The bill would require the PRO to retain specified documents,

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials annually audit its accounting books, and make documents available to DTSC for review, as specified. The bill would require all reports and records provided to DTSC pursuant to the program to be provided under penalty of perjury. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill would require a participant producer, through the PRO, to pay DTSC, on an unspecified schedule, an annual administrative charge, as determined by DTSC. The bill would require the charge be set at an amount that is adequate to cover DTSC's full costs of administering and enforcing the program. The bill would provide for the imposition of administrative civil penalties on producers and other specified persons who violate the program. The bill would establish the Household Hazardous Waste Producer Responsibility Fund in the State Treasury and would require the administrative charges collected by DTSC to be deposited into that fund for expenditure by DTSC, upon appropriation by the Legislature, to cover DTSC's cost to implement the program. The bill would also establish the Household Hazardous Waste Products Penalty Account in the Household Hazardous Waste Producer Responsibility Fund and would require that the civil penalties collected by DTSC pursuant to the program be deposited into that account, for expenditure by DTSC, upon appropriation by the Legislature, for activities related to the collection, reuse, and recycling of covered products, grants for related purposes, and the administration and enforcement of the program. This bill would require the PRO to prepare an initial statewide needs assessment designed to determine the necessary steps and investments needed for covered products to achieve the requirements and purposes of the program, as specified. The bill would provide that certain actions of the PRO or a producer are not violations of the Cartwright Act or certain provisions regulating unfair business practices or unfair competition. (2) Existing law established the Department of Resources Recycling and Recovery (CalRecycle) to, among other things, promote waste management in the order of source reduction, then recycling and composting, and then environmentally safe transformation and environmentally safe land disposal, as provided. Pursuant to that authority, CalRecycle publishes various waste characterization studies. This bill would require CalRecycle, in support of the program, to include in updates to the applicable waste characterization study the amount of covered products that were properly and improperly disposed of, as specified. (3) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. (4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

SB 561, as amended, Blakespear. Hazardous waste: Emergency Distress Flare Safe Disposal Act.

(1) Under existing law, as part of the hazardous waste control laws, the Department of Toxic Substances Control (DTSC) generally regulates the management and handling of hazardous waste and hazardous materials. Except as specified, a violation of the hazardous waste control laws is a crime. This bill would create a manufacturer responsibility program for the safe and proper management of emergency distress flares. The bill would define "covered product" to include certain pyrotechnic devices that meet the criteria for household hazardous waste, as specified. The bill would require a manufacturer of a covered product, individually or through a manufacturer responsibility organization, to develop and implement a manufacturer responsibility plan for the collection, transportation, and the safe and proper management of covered products, as specified. The bill would establish a process and timeline for DTSC to review and approve, disapprove, or

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials conditionally approve a plan and for the implementation of an approved plan. The bill would require that an approved plan be published on DTSC's internet website, except for specified manufacturer data that would not be open to public inspection. The bill would require, on or before January 1, 2027, DTSC to adopt regulations to implement the act. This bill would require a manufacturer or manufacturer responsibility organization to prepare and submit to DTSC and make publicly available an annual report describing the activities carried out pursuant to the plan. The bill would require the annual report to include an application for renewal of the manufacturer's responsibility plan. The bill would require all reports and records provided to DTSC pursuant to the act to be provided under the penalty of perjury. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill would require a manufacturer or manufacturer responsibility organization to pay DTSC all actual and reasonable regulatory costs for DTSC to implement and enforce the act, as provided. The bill would authorize DTSC to use funds appropriated for purposes that are consistent with this act to implement and enforce the act and would require DTSC to repay those funds, as specified below. The bill would establish the Marine Flare Recovery Fund in the State Treasury and would require the charges collected by DTSC to be deposited into that account for expenditure by DTSC, upon appropriation by the Legislature, to cover DTSC's cost to implement and enforce the act and to repay the use of specified funds, as described above. This bill would prohibit a manufacturer, retailer, dealer, importer, or distributor from selling, distributing, offering for sale, or importing a covered product in or into the state that contains perchlorate. By adding new requirements to the hazardous waste control laws, this bill would expand the scope of a crime and would impose a state-mandated local program. (2) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. (3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Illegal Disposal Site Abatement

AB 1153, as amended, Bonta. Solid waste disposal and codisposal site cleanup: illegal disposal site abatement. The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires the department to initiate a program for the cleanup of solid waste disposal sites and for cleanup of solid waste at codisposal sites where no responsible party is available to pay for timely remediation, and where cleanup is needed to protect public health and safety or the environment. Existing law provides that all expenses incurred by the department in carrying out the program are to be paid from the Solid Waste Disposal Site Cleanup Trust Fund, which is continuously appropriated to the department for purposes of the program. Existing law authorizes the department, in administering the program, to expend funds for specified purposes, including providing grants to public entities for the abatement of illegal disposal sites. This bill would additionally authorize the department to expend funds appropriated for the program for removing and disposing of recreational vehicles, as defined, for developing enforcement strategies, and for developing local enforcement teams and illegal dumping enforcement officers, as specified. By authorizing new uses of money in a continuously appropriated fund, this bill would make an appropriation.

Attachment C
Legislative Update
Bills relating to waste management, recycling, and hazardous materials

Landfill Management

AB 28, as amended, Schiavo. Solid waste landfills: subsurface temperatures.

(1) 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, as defined. The act authorizes the department to certify a local enforcement agency and requires the department and certified local enforcement agencies to perform specified functions with regard to the regulation of solid waste management, including issuing and enforcing solid waste facility permits. The act prohibits a person from operating a solid waste facility without a solid waste facilities permit, as provided. The California Global Warming Solutions Act of 2006 charges the State Air Resources Board with monitoring and regulating sources of emissions of greenhouse gases that cause global warming in order to reduce emission of greenhouse gases. The act requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions, as provided.

Pursuant to that authority, the state board adopted regulations governing methane emissions from solid waste landfills. The regulations require an owner or operator of those landfills to install and operate a gas collection and control system that is routed to a gas control device, as provided. The regulations define “gas control device” to mean a device used to dispose of or treat collected landfill gas, including, but not limited to, an enclosed flare. The regulations require a flare to be equipped and be monitored with continuous recording temperature sensors. If the gas temperature is 131 degrees Fahrenheit or higher for longer than 60 days, the this bill would require the operator of the landfill to take specified actions, including filing a corrective action plan. If the gas temperature is 146 degrees Fahrenheit or higher for longer than 60 days, the bill would require additional actions, including, but not limited to, the Department of Resources Recycling and Recovery forming and leading a multiagency coordination group to investigate the subsurface elevated landfill gas temperature and provide advice on how to resolve it. it and the inclusion of that advice in a corrective action plan by the operator or the local enforcement agency, as specified. By requiring a local enforcement agency to perform additional duties, the bill would impose a state-mandated local program. If the gas temperature is 162 degrees Fahrenheit or higher for longer than 60 days, the bill would require additional actions, including, but not limited to, the issuance of a corrective action order. The bill would make it a crime to provide a false certification that a violation subject to a corrective action order is corrected. By expanding the scope of a crime, the bill would impose a state-mandated local program. If an operator of a solid waste landfill fails to incorporate the multiagency coordination group advice into a corrective action plan or fails to provide notice of a sustained gas temperature by the specified due date, the bill would require the department or a local enforcement agency to impose a penalty not to exceed \$10,000 per day. The bill would require the department or local enforcement agency to impose a penalty not to exceed \$1,000,000 for each week that gas temperature is 162 degrees Fahrenheit or higher for longer than 60 days, if specified criteria are met. The bill would require all penalties to be deposited into the Landfill Subsurface Fire Mitigation Account, which the bill would create, to be used upon appropriation by the Legislature to mitigate harm to a person or community adversely affected by a solid waste landfill with a gas temperature of 131 degrees Fahrenheit or higher for longer than 60 days. The bill would require any permit suspended pursuant to these provisions to be reinstated when, among others, gas temperature decreases to below 131 degrees Fahrenheit for 60 days or longer. This bill would require an operator of a solid waste landfill to reimburse public entities for their costs, as specified.

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason. With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SB 594, as amended, Padilla. Waste discharge permits: landfills.

Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards regulate water quality and prescribe waste discharge requirements in accordance with the Porter-Cologne Water Quality Control Act and the federal national pollutant discharge elimination system permit program established by the federal Clean Water Act. The California Integrated Waste Management Act of 1989 prohibits a regional board from issuing a waste discharge permit for a new landfill, or a lateral expansion of an existing landfill, that is used for the disposal of nonhazardous solid waste if the land has been primarily used at any time for the mining or excavation of gravel or sand, except as specified. This bill would prohibit a state agency from issuing a waste discharge permit for a new Class III landfill, as defined, until after a local enforcement agency has held a separate publicly noticed hearing and has certified to the department that the landfill will not disproportionately impact or harm an environmental justice community, as defined.

Plastics

AB 823, as amended, Boerner. Solid waste: plastic microbeads: plastic glitter.

The Plastic Microbeads Nuisance Prevention Law imposes a civil penalty not to exceed \$2,500 per day for each violation of the prohibition, as provided, and authorizes the Attorney General and local officials to enforce the prohibition. This bill would, on and after January 1, 2029, prohibit a person from selling, offering for sale, distributing, or offering for promotional purposes in this state a personal care product containing plastic glitter, or a personal care product in a non-rinse-off product or a cleaning product containing one ppm or more by weight of plastic microbeads that are used as an abrasive, as specified. The bill would authorize, until January 1, 2030, a person to continue to sell, offer for sale, distribute, or offer for promotional purposes in this state an existing stock of personal care products containing plastic glitter, as specified. By adding these prohibitions to the Plastic Microbeads Nuisance Prevention Law, the bill would impose the civil penalty for violations of these prohibitions.

AB 973, as amended, Hoover. Recycling: plastic trash bags: plastic packaging and products.

(1) The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, creates a program for the recycling of rigid plastic packaging containers. The program defines “rigid plastic packaging container” to mean a plastic package having a relatively inflexible finite shape or form, with a capacity between 8 fluid ounces and 5 fluid gallons, that is capable of maintaining its shape while holding other products, including, but not limited to, bottles, cartons, and other receptacles, for sale or distribution in the state. The program generally requires a rigid plastic packaging container sold or offered for sale in this state to meet one of specified criteria, including, but not limited to, having been made from 25% postconsumer material or being a reusable package or a refillable package, unless a waiver or an exemption

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials applies. Notwithstanding these provisions, the program deems a manufacturer in compliance with the program if the manufacturer demonstrates that it, or another company under the same corporate ownership, either consumed or arranged for the purchase and consumption of certain amounts of postconsumer material generated in the state for the manufacture of rigid plastic packaging containers or other plastic products or packaging not subject to the program, as provided. The program makes a violation of these provisions a public offense punishable by a fine of not more than \$100,000. The program also subjects a violation of these provisions to a civil penalty of not more than \$50,000, as provided. The program requires the department to deposit all penalties and fines into the Rigid Container Account in the Integrated Waste Management Fund in the State Treasury. The program requires the moneys in the account to be expended by the department, upon appropriation by the Legislature, to assist local governmental agencies to develop and implement collection and processing systems for the recycling of materials covered by the program, for the development of markets for these materials, and for the department's costs of implementing the program. The program requires the department to adopt regulations to implement the program, as provided. This bill would repeal the program and replace it with a new program for recycling plastic packaging and products. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer of a covered product, as defined, to pay an annual registration charge and to register with the department, as specified. The bill would require a manufacturer to provide certain information during registration, including, but not limited to, the brand name of each of the manufacturer's covered products. The bill would subject a manufacturer that is not in compliance with the registration requirement to an administrative civil penalty of not more than \$5,000 per day per violation, as specified. The bill would, on and after January 1, 2029, require a manufacturer to include, as part of its annual registration, proof of third-party certification of the postconsumer recycled content of each of its covered products. The bill would require the third-party certification to be provided under penalty of perjury. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill would require a manufacturer to meet certain annual minimum postconsumer recycled content percentages for covered products, as specified. The bill would authorize the department to grant a waiver for up to 2 years, upon application, from these requirements, as specified. The bill would require certain information to be included in a waiver application and would require a waiver application charge not to exceed \$1,000. The bill would require the department to assess an administrative civil penalty for a violation on a per-pound basis for each pound of virgin material that was used by a manufacturer in its products instead of the minimum postconsumer recycled content, as specified. The bill would authorize the department to reduce this administrative civil penalty if the manufacturer submits, and the department approves, a corrective action plan, as specified. This bill would require the department to deposit all penalties and fines paid pursuant to the program into the Rigid Container Account, which this bill would continue in existence. The bill would require moneys deposited into the account to be expended by the department, upon appropriation by the Legislature, to assist local governmental agencies to develop and implement collection and processing systems for the recycling of materials that are subject to the program, for the development of markets for these materials, and for the department's actual and reasonable costs of implementing the program. This bill would require, on and after April 1, 2028, a manufacturer to provide to the department, in a format and manner prescribed by the department, an annual report that includes specified information regarding amounts and types of plastics used in covered products. The bill would exempt confidential and proprietary information, collected by the department from manufacturers for purpose of the program, from disclosure pursuant to the California Public Records Act. This bill would authorize a manufacturer to authorize an organization

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials to act on its behalf in complying with certain requirements, including, but not limited to, registration and annual reporting requirements. The bill would exempt certain covered products from the program, as specified. This bill would require the department to adopt regulations to implement and enforce the program, as specified. The bill would require the department to establish an electronic registration process on its internet website.

(2) The California Integrated Waste Management Act of 1989 requires a manufacturer of certain plastic trash bags to ensure that the recycled plastic postconsumer material in the bag is equal to at least 10% of the weight of the bag, or that at least 30% of the weight of the material used in all of the manufacturer's plastic products is recycled plastic postconsumer material, as provided. Existing law requires a manufacturer of a plastic trash bag to submit an annual report to the Department of Resources Recycling and Recovery certifying compliance with these postconsumer materials requirements, as specified. Existing law requires the department to survey manufacturers and report to the Legislature on, among others, the quantity of recycled plastic postconsumer material provided by suppliers within the state and the quantity of the material provided by suppliers outside the state. Existing law requires a wholesaler of plastic trash bags to annually certify to the department the name and physical location of each manufacturer from whom it purchased plastic trash bags, as provided. Existing law authorizes the department to adopt regulations to implement these provision, as specified. Existing law prohibits a supplier, manufacturer, or wholesaler, as provided, that is not in compliance with these provisions from being eligible for a state contract or subcontract, as provided. This bill would repeal these provisions.

(3) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

AB 1274, as introduced, Gabriel. Recycling: beverage containers. Existing law establishes the California Beverage Container Recycling and Litter Reduction Act, which requires that every beverage container sold or offered for sale in this state have a refund value. The act requires a beverage distributor to pay a redemption payment to the Department of Resources Recycling and Recovery for every beverage container sold or offered for sale in the state to a dealer, and requires the department to deposit those amounts in the California Beverage Container Recycling Fund. This bill would state the intent of the Legislature to enact subsequent legislation to implement policies to encourage the use of in-state collected plastic beverage container materials for reuse in manufacturing and packaging in state.

SB 14, as amended, Blakespear. State agencies: solid waste diversion: single-use plastic bottles.

(1) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires each state agency to divert at least 50% of all solid waste through source reduction, recycling, and composting activities. "State agency" is defined, for purposes of these requirements, to include the California Community Colleges. The act requires each state agency to develop and adopt an integrated waste management plan to reduce solid waste, reuse materials whenever possible, recycle recyclable materials, and procure products with recycled content in all

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials state agency offices and facilities, including any leased locations, as provided. The act requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste by at least 50%, as provided. This bill would require a state agency to include in its integrated waste management plan descriptions of actions to be taken to source reduce certain materials, as specified. The bill would require, on or before July 15, 2027, each state agency to submit an adopted integrated waste management plan to the department for review and approval, and would, on or before January 1, 2028, require the department to complete its review of the plans, as specified. The bill would require a state agency's annual report to include summaries of the state agency's compliance with the requirement to reduce solid waste by 50% and the requirements relating to the adoption of an integrated waste management plan. By imposing new duties on community colleges, the bill would impose a state-mandated local program. This bill would require the department to provide advice to help state agencies and facilities reduce solid waste by at least 50%. The bill would, on or before January 1, 2027, require the department to publish on its internet website a list of products available for purchase by state agencies that would reduce the overall amount of plastic or paper waste generated.

(2) Existing law generally governs the state procurement of materials, supplies, equipment, and services. Existing law also provides various procedures and requirements pertaining to the purchase of recycled items by the state, including minimum content requirements for recycled plastic products. Existing law requires the Department of General Services, in consultation with specified parties, to provide state agencies with information and assistance regarding environmentally preferable purchasing, including, but not limited to, the promotion of environmentally preferable purchasing and the development and implementation of a strategy to increase environmentally preferable purchasing. This bill would, with certain exceptions, prohibit state agencies from entering into, modifying, amending, or renewing a contract, on or after January 1, 2026, to purchase single-use plastic bottles, as defined, made of less than 90% recycled plastic for internal use or resale and would require state agencies to take appropriate steps to replace the use of single-use plastic bottles at food service facilities with nonplastic, recyclable, and reusable alternatives, as specified. The bill would require the Department of General Services to ensure that any new, modified, or renewed agreements, contracts, or procurement undertaken by a food service facility as part of a contract or agreement with the Department of General Services comply with the bill, as specified. The bill would require state agencies to submit a report, on or before January 1, 2027, to the Joint Legislative Budget Committee, confirming its compliance with these requirements. The bill would define a state agency for these purposes to include various agencies.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SB 45, as amended, Padilla. Recycling: beverage containers: tethered plastic caps.

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. The act defines "beverage container" to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and that is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include cups or other similar open or loosely sealed receptacles. A violation of the act is a crime. Existing law authorizes the department, subject to the availability of funds, to pay a

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials quality incentive payment of up to \$180 per ton to qualified recyclers for thermoform plastic containers diverted from curbside recycling programs, as provided. This bill would delete that authorization. The bill would instead require, on and after January 1, 2027, if a beverage is subject to the act and offered for sale in a plastic beverage container with a plastic cap, beverage manufacturers to ensure that the container has a cap that is tethered to the container that prevents the separation of the cap from the container when the cap is removed from the container by the consumer. The bill would exempt, until January 1, 2028, any type of beverage container with a recycling rate of better than 70% for calendar years 2022 and 2023, as determined by the department, from compliance with that requirement. The bill would exempt beverage containers with a capacity of 2 liters or more and beverage containers that contain beer or other malt beverages, wine or distilled spirits, or 100% fruit juice from the scope of the bill. The bill would also exempt a refillable plastic beverage container and a beverage manufacturer that sold or transferred 16,000,000 or fewer plastic beverage containers, as provided, during the previous calendar year from the scope of the bill. By creating a new requirement under the act, a violation of which would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Recycling

AB 80, as amended, Aguiar-Curry. Carpet recycling.

(1) 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. The act includes a product stewardship for carpet program and a successor carpet producer responsibility program, and requires the product stewardship for carpet program to become inoperative upon the completion of certain conditions related to the implementation of the successor carpet producer responsibility program. Existing law, the product stewardship for carpet program, requires a manufacturer of carpets sold in this state, individually or through a carpet stewardship organization, to submit a carpet stewardship plan to the department, which is required to include specified elements, including achieving specified carpet recycling rates and a funding mechanism that provides sufficient funding to carry out the plan. Existing law authorizes the department to administratively impose a civil penalty of \$25,000 per day on any person in violation of the program if the violation is intentional, knowing, or negligent. This bill would instead authorize a civil penalty of \$25,000 per day if the violation is intentional or knowing. Existing law requires a carpet stewardship organization to include nonvoting board members with representation from, among others, a retailer that sells carpet. This bill would instead require the stewardship organization to create a governing board for the stewardship program, as specified.

(2) Existing law, the successor carpet producer responsibility program, requires producers of covered products to form and join a single producer responsibility organization (PRO) for the collection and recycling of a covered product. Existing law defines a “covered product” as carpet, as defined, and requires the PRO to develop a producer responsibility plan for the collection, transportation, recycling, and the safe and proper management of covered products in the state. Existing law requires, no later than January 1, 2029, a person who removes a covered product as part of the installation of a covered product to transport, or contract to transport, all of the removed covered product to an approved collection site, as provided. Under existing law, an

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials approved collection site is a solid waste facility that has agreed to be a collection site for the PRO. This bill would exempt a covered product from this transport requirement if certain conditions are met, including that it is returned to the producer. The bill would expand approved collection sites to include certain carpet recycling centers, municipal facilities, and retailers. Existing law requires the governing board of a PRO to include, among others, a nonvoting member representing a nonprofit organization established to promote a circular economy and to address environmental issues. Existing law requires the PRO to submit an annual report to the department on or before July 1 of each year, as provided. Existing law requires a producer to publish on its internet website, for each of its covered products, an environmental product declaration that identifies a covered product's components, as provided. This bill would eliminate the requirement for that nonvoting member to be from an organization established to promote a circular economy and would instead require the nonvoting member to be from an environmental nongovernmental organization, as defined. The bill would require the annual report to be submitted on or before September 1 of each year, instead of July 1 of each year. The bill would instead require a producer to publish on its internet website, for each of its covered products, the components that constitute more than 1% of the product's weight and any component that is a hazardous chemical, as specified. Existing law requires a producer responsibility plan, among other things, to explain how producers will use standardized stamping or some other means to provide a visual mark on the back of a covered product that is a synthetic material to allow expeditious sorting of the carpet, as provided. Existing law requires the department to adopt regulations to implement the program with an effective date no earlier than December 31, 2026. This bill would instead require a producer responsibility plan to explain how producers will use standardized stamping or some other means to provide a visual mark on the back of a covered product that provides the name of the producer, the date of manufacture, and a listing of the types of face fibers and backing materials contained in the product. The bill would instead require the department to adopt the regulations no later than December 31, 2026. Existing law requires a producer responsibility plan in effect as of January 1, 2025, to continue in effect, as provided, until it expires or is revoked, except that the PRO is required to submit an amendment to conform the producer responsibility plan to certain requirements. This bill would eliminate the requirement to submit an amendment to the producer responsibility plan.

AB 473, as introduced, Wilson. Environmental advertising: recyclability. Existing law prohibits a person from offering for sale, selling, distributing, or importing into the state any product or packaging for which a deceptive or misleading claim about the recyclability of the product or packaging is made. Existing law provides that a product or packaging that displays a chasing arrows symbol, among other symbols, statements, or directions, is deemed to be a deceptive or misleading claim unless (1) the product or packaging is considered recyclable in the state pursuant to specified criteria and (2) is of a material type and form that routinely becomes feedstock used in the production of new products or packaging, except as provided. Existing law, notwithstanding specified criteria, provides that a product or packaging is recyclable in the state if the product or packaging is part of, and in compliance with, a program established pursuant to state or federal law governing the recyclability or disposal of that product or packaging, as provided. This bill would delete the latter provision and would, notwithstanding specified provisions, require, before January 1, 2027, that a product or packaging that is a covered material, as defined, be considered recyclable in the state if the producer is approved by a producer responsibility organization to participate in that organization. On or after January 1, 2027, and before January 1, 2032, the bill would require, notwithstanding specified provisions, that a product or packaging that is a covered material be considered recyclable in the state if the producer is, among other things, in compliance

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials
with the requirements of the Plastic Pollution Prevention and Packaging Producer Responsibility
Act.

AB 899, as amended, Ransom. Beverage containers: glass wine bottles: recycled glass: market development. The California Beverage Container Recycling and Litter Reduction Act, a violation of which is a crime, requires a distributor of beverage containers, as defined, to pay to the Department of Resources Recycling and Recovery a monthly redemption payment for every beverage container sold or transferred, as provided. The act requires the department to deposit those amounts into the California Beverage Container Recycling Fund. The fund is continuously appropriated to, among other things, pay refund values and administrative fees to processors that receive empty beverage containers from recyclers. The act authorizes, until January 1, 2028, the department to pay a market development payment to a glass beverage container manufacturer who purchases recycled glass collected within this state for use in manufacturing new beverage containers in this state, as provided. The act requires the department to set the market development payment at an amount not to exceed \$50 per ton. The act continuously appropriates \$60,000,000 annually from the fund to the department to make market development payments. This bill would authorize the department to set the market development payment at an amount not to exceed \$150 per ton. The bill would, on and after January 1, 2028, and until January 1, 2030, authorize the department to expend \$20,000,000 annually from the fund, upon appropriation by the Legislature, for glass market development payments.

AB 978, AB 978, as amended, Hoover. Department of Transportation and local agencies: streets and highways: recycled materials. The California Integrated Waste Management Act of 1989 requires the Director of Transportation, upon consultation with the Department of Resources Recycling and Recovery, to review and modify all bid specifications relating to the purchase of paving materials and base, subbase, and pervious backfill materials using certain recycled materials. Existing law requires the specifications to be based on standards developed by the Department of Transportation for recycled paving materials and for recycled base, subbase, and pervious backfill materials. Existing law requires a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to apply standard specifications that allow for the use of recycled materials in streets and highways, except as provided. Existing law requires, until January 1, 2027, those standard specifications to allow recycled materials at or above the level allowed in the department's standard specifications that went into effect on October 22, 2018, for specified materials. This bill would indefinitely require a local government's standard specifications to allow recycled materials at a level no less than the level allowed in the department's specifications for those specified materials. If a local agency's standard specifications do not allow for the use of recycled materials at a level that is equal to or greater than the level allowed in the department's standard specifications on the basis that the use of those recycled materials at those levels is not feasible, the bill would require the local agency to provide the reason for that determination upon request. By increasing the duties of local agencies, the bill would impose a state-mandated local program. Existing law requires the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. This bill would eliminate this requirement. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by

Attachment C
Legislative Update

Bills relating to waste management, recycling, and hazardous materials the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SB 45, as amended, Padilla. Recycling: beverage containers: tethered plastic caps.

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. The act defines “beverage container” to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and that is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include cups or other similar open or loosely sealed receptacles. A violation of the act is a crime. Existing law authorizes the department, subject to the availability of funds, to pay a quality incentive payment of up to \$180 per ton to qualified recyclers for thermoform plastic containers diverted from curbside recycling programs, as provided. This bill would delete that authorization. The bill would instead require, on and after January 1, 2027, if a beverage is subject to the act and offered for sale in a plastic beverage container with a plastic cap, beverage manufacturers to ensure that the container has a cap that is tethered to the container that prevents the separation of the cap from the container when the cap is removed from the container by the consumer. The bill would exempt, until January 1, 2028, any type of beverage container with a recycling rate of better than 70% for calendar years 2022 and 2023, as determined by the department, from compliance with that requirement. The bill would exempt beverage containers with a capacity of 2 liters or more and beverage containers that contain beer or other malt beverages, wine or distilled spirits, or 100% fruit juice from the scope of the bill. The bill would also exempt a refillable plastic beverage container and a beverage manufacturer that sold or transferred 16,000,000 or fewer plastic beverage containers, as provided, during the previous calendar year from the scope of the bill. By creating a new requirement under the act, a violation of which would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

SB 235, as amended, McNerney. Recycling: precious metals and critical minerals: report.

Existing law establishes in the California Environmental Protection Agency the Department of Resources Recycling and Recovery, which administers various solid waste management and recycling programs. This bill would require the department to draft and submit a report to the Legislature, on or before January 1, 2028, relating to the in-state collection, recycling, reuse, and stockpiling for domestic consumption of precious metals, critical minerals, as defined, and other similar valuable materials as reasonably decided by the department, contained within products in the state, as specified. The bill would require the department to provide opportunities for public input and to perform outreach to potentially interested parties, as specified. The bill also would authorize the department to make recommendations to promote a circular economy for precious metals, critical minerals, and other similar valuable materials within products, including, but not limited to, best practices for product design to optimize the ability to recycle precious metals, critical minerals, and other similar valuable materials at the product’s end of life.

Waste Reduction

Attachment C
Legislative Update
Bills relating to waste management, recycling, and hazardous materials

AB 70, as amended, Aguiar-Curry. Solid waste: organic waste: diversion: biomethane.

(1) The California Integrated Waste Management Act of 1989 generally regulates solid waste disposal, management, and recycling. The act requires each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan. The act requires that element to include a 50% solid waste diversion requirement, as specified, and provides that up to 10% may be achieved through biomass conversion under certain conditions, with biomass conversion defined as the production of heat, fuels, or electricity by certain means from specified materials. One of the conditions for using biomass conversion to satisfy a portion of the solid waste diversion requirement is that pyrolysis not be included in the source reduction and recycling element. Pyrolysis is not defined for that purpose or for other purposes in the act. This bill would define pyrolysis as the thermal decomposition of material at elevated temperatures in the absence or near absence of oxygen.

(2) Existing law requires the Department of Resources Recycling and Recovery, in consultation with the State Air Resources Board, to adopt regulations, as specified, to achieve the reduction in the organic waste disposed of in landfills. The department's regulations provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction and a list of eligible recovered organic waste products for purposes of the procurement targets. This bill would require the department, no later than January 1, 2027, to amend those regulations to include, as a recovered organic waste product attributable to a local jurisdiction's procurement target, pipeline biomethane converted exclusively from organic waste, as specified.