

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

Thursday, October 5, 2023, 3:00 – 5:00 pm

Santa Cruz Civic Auditorium

Tony Hill Room

307 Church Street

Santa Cruz CA 95060

Hybrid Meeting Information

Zoom link: <https://us02web.zoom.us/j/89319949592>

Meeting ID: 893 1994 9592

One tap mobile

+16694449171,,89319949592# US

+16699006833,,89319949592# US (San Jose)

Dial by your location

• +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

Please note: Members/alternates attending remotely cannot vote or count toward a quorum unless arranged in advance with “just cause.”]



AGENDA

- 1) Welcome and Quorum Verification
- 2) Oral communications - Public
- 3) Oral communications - Task Force members/alternates
- 4) Approval – June 1, 2023 meeting minutes (Attachment A)
- 5) Guest presentation – Environmental Innovations will share new Green Business resources: free energy upgrades provided by PG&E Simplified Savings and free reusable food ware via Turn the Tide campaign. Provide updates on Recognition Events, Green Schools Program, and Novembrewery Challenge.
- 6) Staff presentation 5-Year Plan Update – Review staff prepared Review/Report Outline and preliminary report update analysis. Discuss 2024 Task Force meeting schedule to manage statutory approval schedule. (Attachment B)
- 7) Staff update and Commission Discussion - Debris Management, Climate Change, and Climate Action Plan Collaboration
- 8) Staff presentation - Summer beach litter abatement.
- 9) Staff presentation – Styrofoam recycling
- 10) Legislative Update (Attachment C) – Discussion on influencing State legislation.

- 11) Call for September agenda items
- 12) Adjourn

Attachment A
June 1, 2023 Meeting Minutes



SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE

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

Above the Watsonville Main Library

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



Virtual Meeting Information

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

Zoom Meeting ID: 850 2683 7143

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

+16694449171,,85026837143# US

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

Voting Members Present: Justin Cummings (County, chair), Jacob Guth (County alt), Bob Nelson (SC), Leslie O’Malley (SC alt), Allan Timms (SV), Will Smith (Wat), Danielle Green (Wat alt).

Alternates Present: Tami Stolzenthaler (Wat alt).

Absent: Felipe Hernandez (County, vice-chair) Jessica Kahn (Cap), Alexander Pedersen (Cap alt), Scott Newsome (SC), Rene Golder (SC alt), Chris Lamm (SV alt.) Eduardo Montesino (Wat).

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

Agency Staff: Christina Horvat (County), Mary Ann LoBalbo (County), Ray Martin (Watsonville).

Guests: Sally-Christine Rodgers (Trash Talkers – via Zoom), Lowell Hurst (Watsonville resident and former Task Force member).

Welcome:

- Quorum present, Chair Cummings started Task Force meeting at 3:03 PM.

Swearing In Ceremony:

- Juliette Burke, Santa Cruz County Clerk, appeared via Zoom to administer oath of office to all members and alternates present.
- The County Clerk’s Office will send paperwork to those sworn via DocuSign to complete official oath of office certification forms (**Attachment A**).
- The Clerk’s Office will also follow up with absent members and alternates to complete their swearing in ceremony and forms in the most expeditious manner.

Oral communications from the public:

- Lowell Hurst, resident of Watsonville and former Task Force commissioner, addressed the current commissioners on the importance of the commission’s work. He focused on the need to understand the costs associated with waste disposal, the reasons for the high costs, and to raise public awareness on green alternatives that will reduce waste disposed to landfills.
- Sally-Christine Rodger, resident of 4th district and member of Watsonville Trash Talkers Coalition. Ms. Rodgers provided the commission with an update on Trash Talkers’ progress to make Santa Cruz County the cleanest county in the state. Outreach is continuing and

Attachment A
June 1, 2023 Meeting Minutes

includes press releases to get the pitch in message out as the summer beachgoing season begins. Signs ordered for placement at trash sensitive sites throughout the County. Trash Talker website is online with local volunteer opportunities and resources listed. Trash Talkers continues to engage with County staff, community leaders, schools, and the public at large.

Oral communications from Task Force members/alternates:

- Chair Cummings provided information to other commissioners on the County's efforts to ban filtered cigarettes in the County. Chair Cummings stated that discarded cigarette filters are the largest single source of ocean pollution. The County is drafting an ordinance to ban the sale of filtered cigarettes within the unincorporated County aimed at eliminating the source of cigarette pollution reaching the Monterey Bay National Marine Sanctuary.

Meeting Minutes - March 2, 2023:

- Timms moved approval of the March 2023 Task Force minutes. Smith seconded.
- Roll call voice vote resulted in unanimous approval of the minutes.

Waste Management Facility Tour Update & Attendance Confirmation

- Staff collected information from members/alternates present regarding their attendance at the June 6th & 7th Special Meeting tours of countywide waste facilities. Staff used this information to plan final tour arrangements with host organizations.
- Staff fielded questions about the tour itineraries and provided information on how tour survey responses guided tour planning efforts.
- Smith requested details on whether commissioners would have an opportunity to visit the out of county waste facilities at ReGen Monterey and the GreenWaste Recovery Charles Street Materials Recovery Facility (MRF). Staff responded that information was gathered to arrange the out-of-country tours and it is possible to arrange a special tour to these additional waste facilities. However, survey responses showed little interest to visit these facilities.

Summary of Laws that Guide Task Force Work

- Chair Cummings requested staff provide a brief presentation on the agenda packet materials.
- Staff provided an overview of state laws governing the Task Force's role and responsibilities for Integrated Waste Management within the County. The agenda packet materials provide a direct link to relevant state laws found on the California Legislature's website. Staff also assembled an Integrated Waste Management table of contents as an overview to the laws within the subject matter governing Task Force responsibilities. Staff explained the table of contents and offered to provide training assistance to individual members in the practical use of the California Legislature's website to review these laws and other tools available on the website on an as needed basis.

5-Year Plan Update – Staff & Task Force Responsibilities & Overview

- Chair Cummings asked staff for an overview of the 5-Year Plan update tasks and schedule.
- Staff summarized the roles and responsibilities outlined in the agenda packet materials and discussed the elements where the Task Force weighs in on staff developed recommendations.
 - Staff prepares a review report outline based on CalRecycle's template and relevant changes in Solid Waste laws where jurisdictional collaboration is either required or would be beneficial. (e.g., SB1383 Edible Food Recovery & Procurement.)
 - Staff presents its review report outline and its analysis of updates required to the

Attachment A
June 1, 2023 Meeting Minutes

existing plan along with a schedule for making the necessary update to the commission and receives feedback from the commissioners.

- Staff incorporates commissioner feedback into the review report within 45 days, presents the final review report and schedule to County Board of Supervisors, and submits the County approved review report and schedule to CalRecycle during March 2024.
- Commissioner Timms commented on the amount of work required and asked staff if this timeline is feasible.
- Staff responded that it will be a challenge for staff to complete all of the work given that staff has not yet located all of the required elements of the existing plan. However, because the review report does not require the preparation of all the plan revisions, only a schedule for the plan update, staff believes it can complete the work and give commissioners adequate review time during and after its December 2023 meeting.
- Staff also discussed the need to rearrange the commission's 2024 meeting schedule to complete the tasks within the legally mandated 45-days after receiving Task Force comments and before CalRecycle's March 2024 submission date.
 - Because the plan review report must be submitted in March 2024, the commission will need to meet in February 2024 instead of March 2024 to allow staff the necessary 45-day timeframe to meet the legally required plan approval steps before the March 2024 submission deadline.
- Staff committed to providing a Plan update at the next Task Force meeting and to submit the final Draft review report and schedule at the December 2023 Task Force meeting. This schedule should give Task Force members adequate time to review staff prepared materials and ask clarifying questions of Task Force Staff and knowledgeable agency staff at their home jurisdictions prior to final comments on the Plan review report & schedule in February 2024.
- Chair Cummings thanked staff for the summary and said the Task Force would address the 2024 schedule change at a future meeting.

Virtual Waste Management Facility Tours (see Attachment B)

- Chair Cummings introduced the item and turned the presentation over to staff to guide commissioners through the virtual tour PowerPoint slides.
- Individual staff members from each jurisdiction provided live commentary to illustrate daily activities at the different waste handling facilities used by various jurisdictions within the County as a whole.
 - Leslie O'Malley, City of Santa Cruz Waste Reduction Manager introduced the City's Dimeo Lane Resource Recovery Facility and explained the way the City MRF operates and the differences between the City's food waste collection and disposal practices and the rest of the county jurisdictions. The City's food waste is collected separately from other green waste in a six-gallon food waste collection container and is processed into a mash that can be used for animal feed or converted to biofuel. Other green waste is composted locally by Rodoni Farms. The City landfill has 36-years of remaining capacity at current disposal rates. The site also has a household hazardous waste acceptance location operated by Santa Cruz County staff every Saturday during landfill operating hours.
 - Mary Ann LoBalbo, Santa Cruz County Zero Waste Program Coordinator, introduced the County's Ben Lomond Transfer Station. The transfer station opened in the early 1990s to replace the County's former landfill when it reached capacity in 1992. The facility accepts

Attachment A
June 1, 2023 Meeting Minutes

recycling and CRV at a recycling center run by Grey Bears; organic materials and food waste at a green waste transfer facility run by Keith Day Company. Refuse and large diverted recyclable materials (mattresses, carpet, tires, appliances, etc.) are accepted and sorted on the main tipping floor. The facility also has a household hazardous waste collection site operated by the County staff. All materials are sorted on site then transferred off site for recycling, composting, or disposal.

- Darcelle Pruitt, Santa Cruz County Resource Planner, described the Grey Bears Chanticleer recycling, e-waste, and food recovery operations with the assistance of Ms. O'Malley, who serves on Grey Bears Board of Directors. Grey Bears began recycling to support its main mission to provide food and create community for seniors throughout the County. However, during the pandemic, Grey Bears expanded its operation to help provide food security to people of all ages at risk of going hungry. Grey Bears Chanticleer campus collects recyclable materials for sale to support its food programs; runs an e-waste collection center to both refurbish electrical equipment for sale in its thrift store and for reimbursement under the state's Covered Electronic Waste diversion program; densifies Styrofoam for later recycling to keep it out of local landfills; and operates one of the largest food recovery programs in the County. Grey Bears' food recovery program diverts edible food for human consumption and delivers groceries to seniors; runs a free farmers market where program participants can select their own healthy groceries; and serves a hot lunch five days a week to program participants and volunteers.
- Christina Horvat, Santa Cruz County Zero Waste Outreach Coordinator, provided an overview of the County's Buena Vista Landfill & Recycling Center. The Buena Vista site includes a recycling center run by Grey Bears; an organic materials and food waste preprocessing facility run by Keith Day Company; and a landfill gas recovery cogeneration plant run by Ameresco that produces electricity from landfill gas collected from the Buena Vista Landfill and the neighboring Watsonville City Landfill. Buena Vista also receives refuse and large diverted recyclable materials (mattresses, carpet, tires, appliances, etc.) that are accepted and sorted at the tipping area and either buried at the landfill or shipped off site for further processing to recover and recycle valuable commodities (metal, fibers, rubber, glass, etc.) that are reused. The facility operates a household hazardous waste collection center run three days per week by County staff. The Buena Vista Landfill is reaching capacity and will be redeveloped as a transfer station, similar to Ben Lomond with recycling and diversion facilities necessary to continue to manage the County's waste in compliance with existing and future waste management regulations.
- Tami Stolzenthaler, Watsonville Senior Environmental Project Analyst introduced the commissioners to waste collections and disposal facilities in the Watsonville area including the Watsonville City Landfill and Watsonville Drop-off Center. Ms. Stolzenthaler provided information on the staffing and materials management at each of the Watsonville sites and discussed the importance of education and training to improve local community compliance with changing state law requirements. Watsonville is currently transferring materials to ReGen Monterey but intends to develop a new cell at the Watsonville City Landfill for additional on-site disposal. The city also runs a drop-off center where city residents bring their presorted waste materials for recycling, diversion, and disposal. Mr. Ray Martin, Integrated Waste Supervisor provided details about the city's timeline for further development of the City Landfill.
- Ms. Pruitt introduced the GreenWaste Recovery Material Recovery Facility (MRF) at

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Charles Street in San Jose. The unincorporated county, Capitola, and Scotts Valley send mixed recyclable to the Charles Street MRF for sorting and sale. A brief video tour of the MRF in action was shown during the meeting: <https://youtu.be/zmMAIYMfw9k>

- Ms. Pruitt also provided a summary of the many facilities located at the ReGen Monterey facility in Marina California. The unincorporated county, Capitola, Scotts Valley, and Watsonville send refuse to the Monterey Peninsula Landfill, the landfill accepts 200,000 tons of refuse per years and has 100 years of capacity remaining at its current disposal rate. The unincorporated county, Capitola, Scotts Valley and Watsonville also send their mixed food and yard waste to the ReGen Facility for composting in windrows. A video tour of the Marina Compost Facility run by Keith Day Company was shown during the meeting: <https://youtu.be/te3JxqFn9TE>.
- Chair Cummings opened the floor for questions from the public and then the Task Force.
- Smith asked which jurisdictions send recyclable to San Jose's GreenWaste Recovery facility? Staff responded that the unincorporated county, Capitola, and Scotts Valley, all jurisdictions that contract waste collection service from GreenWaste Recovery, send their recyclables to San Jose for processing, recovery, and sale.
- Chair Cummings asked where people can take their CRV bottles and cans? Staff responded that there are currently three locations for CRV in Santa Cruz County including Grey Bears run CRV at Ben Lomond Transfer Station; A&S Metals and Watsonville Metals, both located in Watsonville. CalRecycle acknowledges that CRV is a broken program and has a pilot program to test new CRV collection strategies.
- Guth said that it was important to have CRV collection programs to increase recycling and reduce litter. Staff provided some additional information regarding the issue of CRV poaching that can increase litter and the costs of waste collection. Poaching is when recycling bins are dumped to recover CRV items. Litter and cleanup costs result if the remaining recycling is not returned to the bin after CRV items are taken.

Legislative Update

- Staff provided a written updated summary showing bill revisions since the Task Force's March 2023 meeting (updates printed in blue) as part of the June Agenda packet.
- Chair Cummings opened the floor to questions about the bills.
- Smith asked for clarification on SB 806, a bill to require manufacturers of certain sized drop boxes intended for placement in public streets to include reflective markings. Smith wanted to know if the bill would require retrofitting existing drop boxes of the same dimensions. Staff responded that the bill as currently drafted does not include a retrofit provision, but that could change as the bill advances through the legislative process.
- Smith asked for clarification of the legislative intent related to the two solar panel bills (AB 2 & AB 1238). Staff provided summary background on the general intent of the solar panel recycling legislation to both improve manufacturing processes to make recycling easier and to divert more solar panel components from landfill disposal. The two bills are necessary because two state agencies regulate solar panels as universal waste: Cal Recycle (the waste & recycling aspects) and the Department of Toxic Substances Control (DTSC – the hazardous materials aspects.)
- Smith asked for information on SB 777 changes to the existing reusable bag laws.

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Modifications to the law require retailers to spend bag charge money on recycling reusable bags, along with the current law's requirement to encourage the use of reusable bags. It also requires CalRecycle to audit retailer's bag take back collection and recycling programs. There was a robust discussion about whether this state law would impact local bag ordinance charges that are greater than 10 cents/bag, however, the legislation is written with 10 cents as the floor and adds requirements for the ways in which those funds must be spent by the retailer.

- Staff also provided an update on AB1705, the bill that would have restricted certain EMSW conversion facilities within defined health protection zones. The bill was revised to remove all references to health protection zones and instead prohibits development or expansion of EMSW conversion facilities until the state reaches its 75% waste diversion goals. "EMSW conversion facility" is a facility where municipal solid waste is "transformed" through incineration, pyrolysis, distillation, or biological conversion.
- Guth asked for contacts to other commissioners to confer on legislative and other items between Task Force meetings. Staff provided a brief overview of the Ralph M. Brown Act that requires the public decision-making process, including most communications on matters that could come before the commission, to take place in meetings that are open to the public. Staff explained that the Brown Act rules cover a variety of communications between commissioners, including email. Staff agreed to provide a link to the California Cities guide to the Brown Act as an overview of the rules that cover the Task Force members: open-public-v-revised-2016.pdf (calcities.org). Chair Cummings recommended that Commissioners communicate items directly to Task Force staff for information/distribution to others as needed.

Call for September 7th Agenda Items

- Provide further California legislative updates on solid waste management of other bills relevant to the Task Force making their way through the State Senate and Assembly. Include information on how the Task Force and its members can influence the legislative process as bills move forward.
- Approaches to address/collaborate on climate change hazards and resulting debris.
- Present a summer beach waste collection report to the commission.
- Invite representatives from Santa Cruz Mountains Stewardship Network's Biomass team to discuss the challenges and opportunities facing land managers in disposing of wood debris from the CZU Fire and from land management activities necessary to make the forests more resilient to climate change.
- Provide 5-Year Plan update to commission. Update should include: final draft of proposed review report template, progress report on tasks necessary to complete items on the report template, and a rough draft of the plan update schedule.
- Items recommended for the September Agenda after the meeting:
 - Styrofoam recycling informational item

Adjourn: Chair Cummings thanked staff and adjourned the meeting at 4:42pm

June 1, 2023 Meeting Minutes:
Attachment A – County Oath of Office Form

Appointment and Oath of Office for
Boards, Commissions and Special Districts

STATE OF CALIFORNIA
County of Santa Cruz

I, Carlos J. Palacios, County Administrative Officer of the County of Santa Cruz and exofficio Clerk of the Board of Supervisors of said County, do hereby certify that at a meeting of said Board, held on the ____ day of _____, _____, _____ was appointed a member of the _____ for a term to expire on _____.

In Witness Whereof, I have hereunto affixed my hand and the official seal of said Board of said County, this ____ day of _____, _____.

Carlos J. Palacios, Clerk of the Board of Supervisors

By _____
Juliette Burke, Chief Deputy Clerk of the Board

STATE OF CALIFORNIA
County of Santa Cruz

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

(Signature of Appointee)

Subscribed and sworn before me on this ____ day of _____, _____.

(Signature of person administering the oath)

(Title)

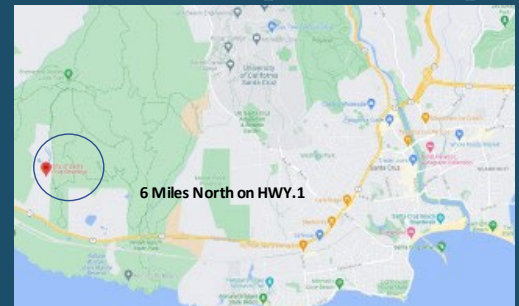


Countywide Integrated Waste Management Plan

Integrated Waste Management Task Force

Virtual Facility Tour

City of Santa Cruz Resource Recovery Facility



Facilities Located on Site

Landfill- Remaining Capacity, approximately 36 years

Landfill Gas to Energy

Single Stream MRF

Drop Off Collection -Mattresses, carpet, E waste, batteries, appliances, scrap metal, tires

County Run HHW Collection Center

Food Scrap pre-processor

Yard waste, clean wood



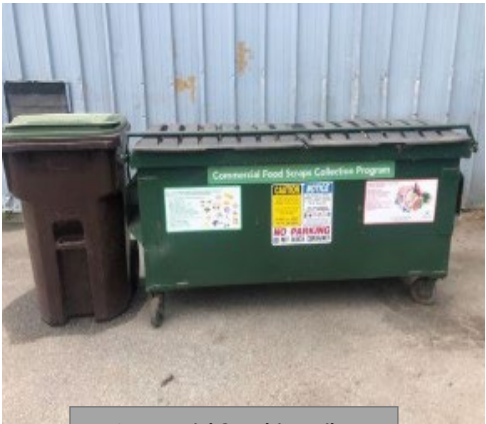
Single Stream Sortation



Single & Multi Family Residential
Commercial Collection within
City of Santa Cruz Boundary



Food Scrap Collection



Commercial & Multi Family



Single Family Residential

Food Scraps collected separately from other organics

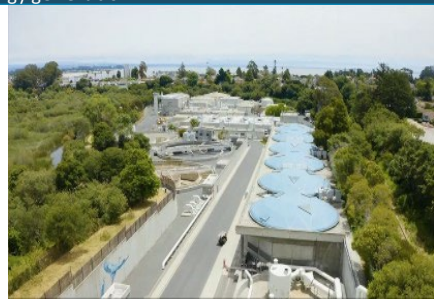
Food Scrap Pre-Processor



Approximately 3540 tons of food scraps are collected and processed weekly. The end product is a brown Mash the consistency of applesauce.



The Mash is taken every 10 days to Sustainable Organics Solutions in Santa Clara for further processing. Eventually, the Mash will go to the City's Wastewater Treatment Facility to be used for energy generation.



About the Ben Lomond Transfer Station

Ben Lomond Transfer Station was developed as Landfill reached capacity & closed in 1992. The closed landfill is monitored to meet state and federal regulations.

Facilities Located On Site

- Solid Waste Processing & Transfer,
- Recycling & CRV (Grey Bears),
- Organics Diversion & Preprocessing (Keith Day Company),
- Other Diverted Items, and
- Household Hazardous Waste (HHW – Thursdays only)
- Landfill gas collection & flare.



Ben Lomond Transfer Station

Located in the beautiful
Santa Cruz Mountains



Ben Lomond Scale House

Back of Scale house



Drive onto the scale,
declare the materials in
your load, pay according to
the fee schedule, and follow
the painted colored line to
your disposal location as
instructed by the cashier.



Recycling Center Run by Grey Bears

Customers may
drop off glass,
scrap metal,
cans cardboard,
plastic bottles,
paper, batteries
& e-waste.



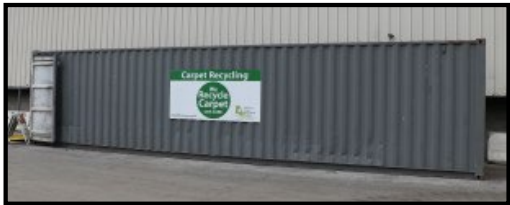


Grey Bears– California Redemption Value (CRV)

- Hours 10am to 3:30pm Monday –Saturday
- Wednesday open 10am –2:30pm.
- Remember to presort your recyclables.



Diversion Area



Many diverted items are separated for special handling during recycling



Tipping Area



Upper tipping floor for small household loads



Lower tipping floor for large & commercial loads



Household Hazardous Waste (HHW)



Ben Lomond
HHW only on
Thursdays
from
7:30 to 3:30
Drive through



Free to
households, but
small quantity
business
generators pay
to dispose of
hazardous waste



Boxes stored in back ready for pick-up





Ben Lomond Organics

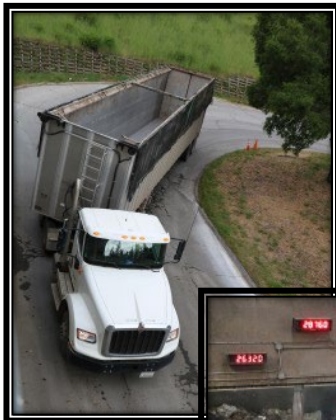
- Site for organic waste collection.
- Organics include food scraps, yard waste, and clean wood waste.
- Organics are loaded into transfer trucks and taken to Keith Day Company at ReGen Monterey for processing.



- Remember to separate your food scraps and organics from your trash.
- Dispose of organics here to help prevent methane in the landfill.



Transfer Truck Transports Waste



- Transfer Trucks move approximately 16 -20 tons per load.
- Mirrors help front loader operator distribute waste in trailer.
- Scales are used to distribute the load evenly over the axles.



Transfer Truck Leaving the Transfer Station



- Driver inspects the load to ensure safe transport.
- Driver closes the screen tarp to keep trash from flying out while load is in transit to the disposal site.



Summary of Ben Lomond Transfer Station

- Ben Lomond Recycling & CRV [by Grey Bears]
 - Recycling 1,391 tons per year
 - CRV 47 tons per year
 - 2 to 3 Grey Bears employees
- Ben Lomond Organics Diversion & Preprocessing
 - Organics 12,261 tons per year
 - 1-2 Keith Day Company employees
- Ben Lomond Transfer Station Materials Diversion
 - Other diverted items 3,028 tons per year
 - 4 to 6 employees
- Ben Lomond Waste Disposal toReGen Monterey
 - 15,809 tons per year
 - 2 to 3 transfer truck drivers



Grey Bears Chanticleer Campus Santa Cruz, CA – Soquel Drive & Chanticleer



Facilities on Site Available to Everyone*

Thrift Store (Materials Reuse)

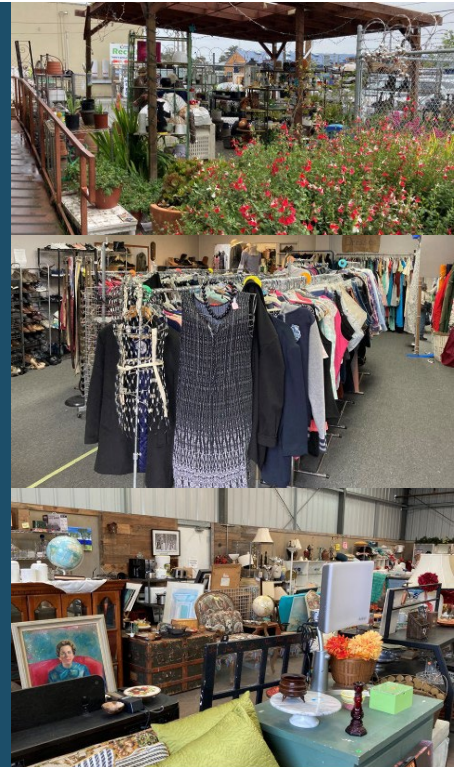
Edible Food Recovery – food shop, meals, and groceries (55+)*

Food Waste Compost

Recycling Center

E-Waste Recycling

Styrofoam Densification (ends June 30, 2023)



Edible Food Recovery



Grey Bears recovers edible food for daily hot meals, grocery shopping and delivery for volunteers and people in need.



Santa Cruz County residents from all jurisdictions use Grey Bears services

Recycling & Compost



Grey Bears runs its own and the County's recycling centers to support its edible food mission. Food waste is made into compost and sold in repurposed feed bags.



Santa Cruz County residents from all jurisdictions use Grey Bears facilities

E-Waste Reuse & Recycling



Grey Bears Accepts, Repairs, Resells, Reclaims, and Recycles Used Electrical Equipment Diverted from the Landfill.



Residents of all Santa Cruz County jurisdictions can use Grey Bears facilities to dispose of ewaste

Buena Vista Landfill & Recycling Center



About Buena Vista Landfill

The Buena Vista Recycling and Solid Waste Facility is the backbone of Santa Cruz County's waste diversion and disposal system, processing 350 tons of refuse daily. Located in the unincorporated County near Watsonville, it is a Class III municipal solid waste landfill.

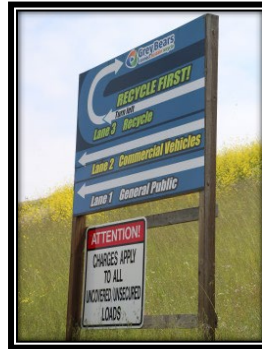
Facilities Located On Site

- Solid Waste Processing & Burial,
- Landfill Gas Cogeneration Facility (AMERESCO),
- Recycling (Grey Bears),
- Organics Diversion & Preprocessing (Keith Day Company)
- Other Diverted Items,
- Household Hazardous Waste (HHW – Wednesday, Friday & Saturday)
- Environmental Monitoring
- Heavy Equipment Maintenance Shop

With the landfill nearing capacity, the facility will undergo improvements to meet the County's next generation waste disposal needs for waste transfer, recycling, organics processing, hazardous waste management, and other materials diversion requirements.



Buena Vista Landfill



Grey Bears recycling bins seen as you enter Direction signs



Buena Vista Recycling Center

FREE AREA- Customers drive in and drop off recycling before they go to the scale house

- Metal – cans, scrap metal, including bicycle frames & more
- Plastic – clean plastic bottles, jugs & jars
- Glass – clean bottles & jars
- Paper – office paper, books & newsprint
- Corrugated cardboard
- E-waste
- Car batteries



Scale House

- Customers declare the composition of their loads.
- Cashier may come check load if cameras don't provide enough detail.
- Cashiers take payment and provide direction to tipping and diversion areas.



Household Hazardous Waste (HHW)



Buena Vista HHW Facility is open from 7:30 -3:30 on Friday & Saturday and on Wednesday from 7:30 -2:30 during normal landfill operations.

HHW is **FREE OF CHARGE** to residents of:

- Unincorporated Santa Cruz County
- Capitola,
- Scotts Valley, and
- Santa Cruz

Small business generators pay a fee to dispose of hazardous waste.



Organics Site

Keith Day Company collects, processes and transports County organics (landscape materials, food scraps, & unpainted wood - nails ok) to the compost facility at ReGen Monterey. They compost organics in windrows and grind wood into chips for mulch. Composting keeps the carbon in the products they make to help prevent climate change.



Landfill Diversion Area



- Mattresses
- Carpet and padding
- Appliances
- Monitors/TVs
- Clean concrete
- Drywall & gypsum board
- Hard plastics
- Propane tanks
- Tires & rims
- Aluminum windows
- Asphalt, tile, rock, brick & porcelain





Tipping Area



- Customers drive to the tipping area.
- Spotters monitor the tipping area and show customers where to unload .
- Heavy equipment operators move, compact, and bury waste.



AMERESCO – Landfill Gas to Energy

Ameresco Corporation works as an intermediary between landfills, nearby facilities, local utilities, and local governments to develop landfill gas to energy projects. The cogeneration facility at Buena Vista capture methane gas and converts it to 3 megawatts of electricity, enough to power 3,000 homes annually. This turns a harmful source of greenhouse gas into beneficial renewable energy.



Cogeneration facility



Methane collection pipe

Behind the Landfill



Landfill Office & Shop Building



Large Equipment Repair Shop



Secondary Flares

Many skilled people ensure Buena Vista operates to a high standard of excellence in operations, maintenance, & long-term environmental monitoring, to meet County waste management goals



Old Buena Vista Landfill – Closed & Monitored



Summary of Buena Vista Landfill

- Buena Vista Recycling [by Grey Bears]
 - Recycling 1,877 tons per year
 - 2 to 3 Grey Bears employees
- Organics Diversion & Preprocessing
 - Organics 28,638 tons per year
 - 3 - 4 Keith Day Company employees
- Buena Vista Materials Diversion & Landfill Operations
 - Other diverted items 23,777 tons per year
 - Refuse disposal 78,177 tons per year
 - 20 - 23 employees
- Buena Vista Equipment Support
 - 4 to 5 mechanic shop staff
- Buena Vista HHW & Environmental Compliance
 - 5-6 environmental employees



City of Watsonville Solid Waste Division Public Works & Utilities Department

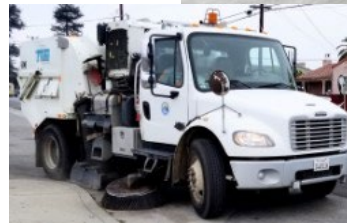


City of Watsonville Collections



City of Watsonville Collections

- Organics, Recycling and Trash
- 11,300 Residential Customers
- 580 Commercial Customers
- 95 Multifamily Complexes
- 13 Routes Daily
- Street Sweeping 80 Miles
- 16 Drivers, 2 Supervisors
- Processing at ReGen



City of Watsonville Recycling & Waste Center



City of Watsonville Waste and Recycling Drop Off Center

- 9 Staff

In 2022

- Mattresses: 3,795 units
- Tires: 1,708 units
- Appliances: 3,502 units
- Food Waste: 38,433lbs
- HHW: 111,752lbs
- Clean Wood: 256,580lbs
- Yard Waste: 812,900lbs
- Metal: 120,000lbs
- E-waste: 74,542lbs
- Tv's: 4020 units
- Garbage: 6,887,580lbs

- Free Community Compost Give Back
- Treasure Corner Reuse Store
- Upcycling with the Science Workshop



City of Watsonville Landfill



City of Watsonville Landfill

- Cells 1 –3: Open 1962–2020
- Phase 4 Opening 2024: 25–30 years capacity
- Long Term Monitoring:
Leachate, Methane
- 103 acres
- Permitted Maximum
Tonnage: 275 Tons per Day;
71,600 Tons per Year
- Staff 1; 2024: 5



City of Watsonville Waste Reduction Programs

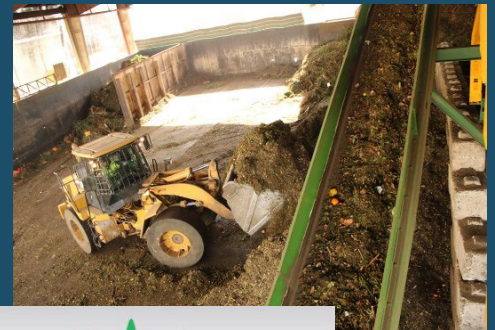


City of Watsonville – Waste Reduction Programs

- Bilingual Outreach
- Plastic Free Ordinances
- Residential & Commercial Audits
- Watsonville Green Business Program
- Food Recovery Program



GreenWaste Recovery Materials Recovery Campus San Jose, CA – 33 miles north of Santa Cruz CA



Facilities Located on Site

Single Stream Recyclables MRF – 85% recovery rate

Garbage and Mixed Materials MRF – 75% recovery rate

Food Waste & Yard Trimmings – 98% recovery rate





Single Stream Recyclables

Santa Cruz County Jurisdictions
Sending Recyclables to Charles
Street Single Stream MRF
Capitola
Scotts Valley
Unincorporated County



Single Stream Materials Recovery Facility (MRF)



Video Tour

Link to Recycling Materials Recovery Facility (MRF) video tour: <https://youtu.be/zmMAIYMfw9k>



ReGen Monterey

Marina CA – 16 miles south of Watsonville CA

Facilities Located on 461 Acre Site
Monterey Peninsula Landfill
Materials Recovery Facility (MRF)
Franchise Collection Facility
Compost Facility
Organics to Energy
Landfill Gas to Energy
Hazardous Waste Collection
Last Chance Mercantile



ReGen Monterey: Monterey Peninsula Landfill

Santa Cruz County Jurisdictions
Sending Waste to Marina CA
Capitola
Scotts Valley
Watsonville
Unincorporated County



Monterey Peninsula Landfill
Buries 200,000 tons/year
Remaining Capacity – 100 years
at current disposal rates



Marina Compost Facility– Video Tour Keith Day Company



Santa Cruz County Jurisdictions Sending Compostables to Marina CA: Capitola, Scotts Valley, Watsonville, & Unincorporated County

Link to Food and Yard Waste Compost Facility Video Tour: <https://youtu.be/te3JxqFn9TE>

Questions?

Thank You



Contact Task Force Staff with Questions: darcelle.pruitt@santacruzcounty.us

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DRAFT 5-year Review Report Template

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

DEPARTMENT OF RESOURCES RECYCLING
AND RECOVERY (CalRecycle)

Five-Year CIWMP/RAIWMP Review Report Template

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

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

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

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

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

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

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

SECTION 1.0 COUNTY OR REGIONAL AGENCY INFORMATION			
I certify that the information in this document is true and correct to the best of my knowledge, and that I am authorized to complete this report and request approval of the CIWMP or RAIWMP Five-Year Review Report on behalf of:			
County or Regional Agency Name County of Santa Cruz		County(s) [if a RAIWMP Review Report] Santa Cruz	
Authorized Signature		Title Recycling & Solid Waste Services Manager	
Type/Print Name of Person Signing Kasey Kolassa	Date	Phone (831) 454-2160	
Person Completing This Form (please print or type) Darcelle Pruitt	Title Resource Planner IV	Phone (831) 454-2970	
Mailing Address 701 Ocean Street, Room 410	City Santa Cruz	State CA	Zip 95060
E-mail Address darcelle.pruitt@santacruzcounty.gov			

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SECTION 2.0 BACKGROUND

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

- | | |
|---|--|
| <input type="checkbox"/> Diversion goal reduction
<input type="checkbox"/> New regional agency
<input type="checkbox"/> Changes to regional agency
<input type="checkbox"/> New city (name(s) _____) | <input checked="" type="checkbox"/> Other <u>State Law Increase to Diversion Goal(s) and less than 15 years of permitted landfill disposal capacity available within the county.</u> |
|---|--|

Additional Information (optional)

Senate Bill 1383 added organics diversion goals, edible food recovery goals, and organic waste procurement targets.

SECTION 3.0 LOCAL TASK FORCE REVIEW

- a. In accordance with Title 14 CCR, Section 18788, the Local Task Force (LTF) reviewed each element and plan included in the CIWMP and finalized its comments

☒ at the February 2024 LTF meeting. ☐ electronically (fax, e-mail) ☐ other (Explain): _____

- b. The county received the written comments from the LTF on 02/XX/2024.

- c. A copy of the LTF comments

☒ is included as Appendix A.
☐ was submitted to CalRecycle on ____.

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

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

Section 4.1 Changes in Demographics in the County or Regional Agency

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

POPULATION			
Population For Each Jurisdiction	1990	2023	% Change
City of Capitola Population	10,171	9,625	-5.37
City of Santa Cruz Population	49,711	63,224	27.18
City of Scotts Valley Population	8,667	11,859	36.83
City of Watsonville Population	31,099	49,876	60.38
Unincorporated Population	130,086	127,467	-2.01
Countywide Population	229,734	262,051	14.07

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EMPLOYMENT			
Employment Factor For Each Jurisdiction	1990	2023	% Change
Countywide Employment	126,800	130,100	2.60

TAXABLE SALES TRANSACTIONS			
Taxable Sales Factor For Each Jurisdiction	1990	2022-2023	% Change
City of Capitola Taxable Sales	303,753,000	508,058,669	67.26
City of Santa Cruz Taxable Sales	480,315,000	1,102,747,253	129.59
City of Scotts Valley Taxable Sales	138,614,000	218,890,476	57.91
City of Watsonville Taxable Sales	284,337,000	916,961,813	222.49
Unincorporated County Taxable Sales	442,424,000	4,795,865,250	984.00
Countywide Taxable Sales Transactions	1,833,560,000	7,542,523,461	311.36

Consumer Price Index			
Statewide Consumer Price Index	1990	2023	% Change
	135	332.04	145.96

Dwelling Information

Jurisdiction	Single Family Dwellings			Multi-family Dwellings			Mobile Homes		
	1990	2020	% change	1990	2020	% change	1990	2020	% change
Capitola	2,282	2,260	-0.96	2,229	2,521	13.10	771	773	0.26
Santa Cruz	12,718	15,854	24.66	6,240	7,751	24.21	406	349	-0.14
Scotts Valley	2,100	3,200	52.38	675	774	14.67	797	765	-0.04
Watsonville	6,320	8,711	37.83	2,832	4,385	54.84	757	1,130	49.27
Uninc. County	42,272	46,392	9.75	7,053	7,359	4.34	4,426	3,911	-11.64

The following resources are provided to facilitate this analysis:

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

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

Analysis

Upon review of demographic changes since 2019:¹

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

Additional Analysis (optional)

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

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

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

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

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2. The [Waste Characterization Database](https://www2.calrecycle.ca.gov/WasteCharacterization/) provides estimates of the types and amounts of materials in the waste streams of *individual California jurisdictions* in 1999. For background information and more recent statewide characterizations, please see <https://www2.calrecycle.ca.gov/WasteCharacterization/>
3. CalRecycle's [Countywide, Regionwide, and Statewide Jurisdiction Diversion Progress Report](#) provides both summary and detailed information on compliance, diversion rates/50 percent equivalent per capita disposal target and rates, and waste diversion program implementation for all California jurisdictions. Diversion program implementation summaries are available at <https://www2.calrecycle.ca.gov/LGCentral/DiversionProgram>

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

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

Analysis

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

Additional Analysis (optional)

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

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

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

■ _____

Analysis

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

Additional Analysis (optional)

Section 4.4 Changes in Administrative Responsibilities

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

■ _____

Analysis

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

Additional Analysis (optional)

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

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

1. Progress of Program Implementation

a. SRRE and Household Hazardous Waste Element (HHWE)

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

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

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

Analysis

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

Additional Analysis (optional)

Section 4.6 Changes in Available Markets for Recyclable Materials

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

Analysis

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

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Additional Analysis (optional)

Section 4.7 Changes in the Implementation Schedule

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

Analysis

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

Additional Analysis (optional)

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

SECTION 5.0 OTHER ISSUES OR SUPPLEMENTARY INFORMATION (optional)

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

Analysis

SECTION 6.0 ANNUAL REPORT REVIEW

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

Analysis

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

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Task Force staff have determined that the Summary Plan needs to address the export of waste materials outside of the county and Senate Bill 1383's requires Santa Cruz County jurisdictions to collaborate on edible food recovery funding.

SECTION 7.0 REVISION SCHEDULE (if required)

March 2025 - Countywide Integrated Waste Management Summary Plan revisions to address: 1) additional State mandated diversion requirements for organics and edible food recovery and 2) jurisdictions with less than 15 years of permitted disposal capacity.

September 2023 Legislative Update

Blue Text Shows Relevant Additions and Amendments since February 2023

Green Text Shows Relevant Additions and Amendments since May 2023

Purple Text Shows Amendments since September 2023 and Enrolled Laws

[links provided to show how new laws amend existing statutes]

Battery Recycling

AB 495, as introduced, Hoover. Battery recycling: records retention. The Rechargeable Battery Recycling Act of 2006 requires every retailer, as defined, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. The act requires each July 1, the Department of Toxic Substances Control to survey battery handling or battery recycling facilities, or both, and to post on its internet website the estimated amount, by weight, of each type of rechargeable battery returned for recycling in California during the previous calendar year. Existing law makes the act inoperative on September 30, 2026, and repeals the act on January 1, 2027. This bill would require the department to continue to post that information on its internet website on and after October 1, 2026. This bill would declare that it is to take effect immediately as an urgency statute.

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. This bill would repeal those requirements. The bill would instead require vehicle traction batteries, as defined, in the state to be recovered and reused, repurposed, or remanufactured and eventually recycled at the end of their useful life in a motor vehicle or any other application. The bill would also require a vehicle manufacturer, dealer, automobile dismantler, automotive repair dealer, and nonvehicle secondary user to be responsible for ensuring the responsible end-of-life management of a vehicle traction battery once it is removed from a vehicle or other application to which the vehicle traction battery has been used. The bill would make a vehicle or battery manufacturer responsible for collecting a stranded battery, as defined, and repurposing the battery, if possible, but would require the manufacturer to ensure the battery is recycled if it cannot be reused. The bill would require, by January 1, 2025, a battery supplier, as described, to be responsible for the development of a core exchange program for replacing a battery, module, or cell removed from a vehicle, as specified. The bill would also require a battery supplier to annually submit a report to the Department of Toxic Substances Control, as provided. The bill would require a qualified facility, as defined, buying removed batteries to submit a report containing specified information to the department and would require specified entities that remove a battery from a vehicle that is still in service to participate in the core exchange program. The bill would make a secondary user that purchases a battery that was removed from a vehicle responsible for ensuring the battery is sent to a qualified facility at the end of the battery's useful life and reporting specified information to the department. The bill would include a related statement of legislative findings and declarations and a statement of policy regarding end-of-life management of vehicle traction batteries.

Beverage Containers

AB 348, as introduced, Ting. Beverage containers: producer responsibility score. Under existing law, the California Beverage Container Recycling and Litter Reduction Act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to

the California Redemption Value to report to the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Existing law requires the department to post this information on its internet website within 45 days. *This bill would instead require the department to post this information on its internet website within 30 days.*

AB 891, as amended, Irwin. Beverage container recycling: nonpetroleum materials. (1) The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resource Recovery and Recycling, is established to promote beverage container recycling. The act requires a beverage manufacturer to pay to the department a processing fee for each beverage container sold or transferred and requires the department to distribute those fees, with other moneys, as processing payments to processors and recycling centers. Beginning January 1, 2025, this bill would require the department to provide a 10% reduction in the processing fee applicable to the percentage of a beverage container, by weight, that derives from nonpetroleum biomaterials, not to exceed 50% of the total beverage container weight sold. The bill would require an independent third party to certify the recyclability and percentage of nonpetroleum biomaterials used in beverage containers, as specified. The bill would require the department to charge a fee to cover its reasonable costs of implementing these provisions. (2) The act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the department the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. Existing law requires the department to post this information on its internet website within 45 days. This bill would also authorize a beverage manufacturer to report to the department, in pounds and by resin type, the amount of virgin plastic derived from nonpetroleum biomaterials for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year.

SB 353, Dodd. Beverage containers: recycling. (1) The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires a distributor to pay a redemption payment for every beverage container sold or offered for sale in the state. The act defines the term “beverage container” to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and which 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. The act defines “beverage” to include certain types of products in liquid, ready-to-drink form, including carbonated fruit drinks and noncarbonated fruit drinks that contain any percentage of fruit juice, but not 100% fruit juice in 46-ounce containers or larger or vegetable juice containers with more than 16 ounces. This bill would expand the application of the act to any size container of 100% fruit juice and any size container of vegetable juice, beginning January 1, 2024. Since the additional payments for the beverage containers that this bill would make subject to the act would be deposited in a continuously appropriated fund, the bill would make an appropriation. The bill would impose a state-mandated local program by creating new crimes under the act relating to the regulation of beverage containers. (2) The act defines a “beverage manufacturer” as a person who bottles, cans, or otherwise fills beverage containers, or imports filled beverage containers,

for sale to distributors, dealers, or consumers. This bill would amend the definition of “beverage manufacturer” to mean the same as above, except that for a beverage container containing beer, wine, or distilled spirits, the “beverage manufacturer” would be the person who holds the license from the Department of Alcoholic Beverage Control authorizing the manufacture of the beer, wine, or distilled spirits, regardless of whether that person contracts with a third party to bottle, can, or otherwise fill the beverage container, so long as the beverage container is provided for sale to a distributor, dealer, or consumer by the holder of the license. (3) The act requires plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic. The act provides for periodic increases in the required percentage, but authorizes the Director of Resources Recycling and Recovery to lower the required percentage, based on specified criteria. The act imposes an administrative penalty on a beverage manufacturer that fails to include the required percentage of postconsumer recycled plastic in its plastic beverage containers. This bill would exempt beverage containers of 46 ounces or more of 100% fruit juice and beverage containers with more than 16 ounces of vegetable juice from consideration in calculating the required percentage of postconsumer recycled plastic for a beverage manufacturer until January 1, 2026. (4) The act requires a beverage manufacturer to label a beverage container sold or offered for sale by that beverage manufacturer in the state with one of several specified redemption value messages. The act prohibits a person from offering to sell, or selling, to a consumer a beverage container that has not been labeled as required by the act. The act exempts a beverage container included within the scope of the act beginning on January 1, 2024, from the act’s labeling requirements until July 1, 2025. This bill would additionally exempt from the act’s labeling requirements a beverage container included within the scope of the act beginning on January 1, 2024, that was filled and labeled before January 1, 2024, and a beverage container with 46 ounces or more of 100% fruit juice or more than 16 ounces of vegetable juice that was filled and labeled before July 1, 2024. (5) Existing law requires a dealer, as defined, to separately identify the amount of any redemption payment imposed on a beverage container on the shelf labels of the dealer’s establishment, as specified. This bill would exempt from this shelf labeling requirement until January 15, 2024, a beverage container included within the scope of the act beginning on January 1, 2024. (6) The act requires a beverage manufacturer to pay to the Department of Resources Recycling and Recovery a processing fee for each beverage container sold or transferred and requires the department to distribute those fees, with other moneys, as processing payments to processors and recycling centers. The act requires the department to calculate the processing payment annually and authorizes quarterly adjustments, both based on the prior 12-month scrap value. This bill would authorize the department to adjust the processing payment quarterly, based on the lower of either the applicable preceding 12-month or 3-month average scrap value instead of only the prior 12-month scrap value. The bill would require a processing payment equal to the processing payment applied to HDPE beverage containers to be applied to a beverage container that is a box, bladder, pouch, or similar container, containing wine or distilled spirits. This bill would require the department to pay to a recycling center in a rural area, as specified, in addition to a processing payment, a transportation, operations, and logistics payment for glass beverage containers, as specified, until January 1, 2030. The bill would continuously appropriate moneys in the California Beverage Container Recycling Fund to the department for this purpose, thereby making an appropriation. (7) The act requires a beverage distributor to pay to the department a redemption payment for a beverage container sold or offered for sale in the state by the distributor, as specified. The act exempts any lodging, eating, or drinking establishment, licensed

wine or distilled spirits tasting room, or soft drink vending machine operator from the definition of dealer, as specified. This bill, commencing January 1, 2024, would exempt a beverage distributor from being required to pay a redemption payment for a beverage container that is used solely to pour wine, beer, or distilled spirits at a licensed wine, beer, or distilled spirits tasting room. The bill would additionally exempt a licensed beer tasting room from the definition of dealer. (8) The act requires the department, not less than once every 6 months, to post on its internet website an updated condition statement for the California Beverage Container Recycling Fund, and other specified information, for the current fiscal year and budget year and to provide a written copy of that information to specified committees of the Legislature. This bill would instead require the department to notify certain committees of the Legislature of the posting of the above-described information. (9) Existing law provides that the Division of Recycling in the department succeeds to and is vested with specified authority, duties, powers, purposes, responsibilities, and jurisdiction that once belonged to the Department of Conservation regarding the act. This bill would provide that the department, instead of the division within the department, succeeds to and is vested with the specified authority, duties, powers, purposes, responsibilities, and jurisdiction that once belonged to the Department of Conservation regarding the act. (10) 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. (11) This bill would declare that it is to take effect immediately as an urgency statute.

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Climate Change

AB 585, Robert Rivas. Climate change: infrastructure and clean energy projects: assessments. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (state board) as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. Existing law vests the Public Utilities Commission (PUC) with regulatory jurisdiction over public utilities, including electrical corporations, as provided. Existing law requires the PUC and the State Energy Resources Conservation and Development Commission (Energy Commission) to undertake specified actions to advance the state's clean energy and pollution reduction objectives. Existing law requires various state entities responsible for the state's energy, climate change, and air quality goals to produce various reports relating to those duties. Existing law finds and declares that the California Council on Science and Technology (CCST) was organized as a nonprofit corporation at the request of the Legislature for the specific purpose of offering expert advice to the state government on public policy issues significantly related to science and technology. Existing law creates the Governor's Office of Business and Economic Development, known as "GO-Biz," and requires GO-Biz to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law authorizes GO-Biz to undertake various activities relating to economic development, including the provision of prescribed information. This bill would request the CCST, in its discretion, every 3 years, to assess the infrastructure project types, scale, and pace necessary to achieve the state's energy, climate change, and air quality goals, as specified. The bill would also require GO-Biz, in consultation with the Energy Commission, the PUC, and the state board, to prepare an

assessment of the barriers, challenges, and impediments limiting the deployment and development of clean energy projects, as specified. The bill would require GO-Biz to submit this assessment to the Legislature on or before January 1, 2026. The bill would also require the assessment to be considered and incorporated into the work carried out by the Infrastructure Strike Team convened by the Governor. This bill would declare that it is to take effect immediately as an urgency statute.

[Bill Text - AB-585 Climate change: infrastructure and clean energy projects: assessments. \(ca.gov\)](#)

Electronic Waste

SB 568, Newman. Electronic waste: export. Existing law, the Electronic Waste Recycling Act of 2003, enacts a comprehensive system for the reuse, recycling, and proper and legal disposal of covered electronic devices, as provided. The act requires a person who exports covered electronic waste, or covered electronic devices, except as specified, intended for recycling or disposal, to a foreign country, or to another state for ultimate export to a foreign country, to notify the Department of Toxic Substances Control of certain matters concerning the waste or device to be exported. Existing law requires the exporter to include with those notifications specified demonstrations, including a demonstration that exportation of the waste or device will be managed within the country of destination only at facilities whose operations meet or exceed specified recommendations and guidelines of the Organization for Economic Cooperation and Development. The act defines a “covered electronic waste recycler” as a person or manufacturer that engages in certain activities for purposes of the reuse or recycling of covered electronic devices. The act becomes inoperative if certain conditions are met. A violation of the act is a crime. This bill would add to the requirements for export of covered electronic waste or a covered electronic device a requirement for the person to demonstrate that they attempted to locate an in-state covered electronic waste recycler and that the waste or device could not be managed by an in-state covered electronic waste recycler. The bill would impose a state-mandated local program by creating a new crime. 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.

[Bill Text - SB-568 Electronic waste: export. \(ca.gov\)](#)

Extended Producer Liability

AB 863 – as amended Aguiar-Curry. Carpet recycling: carpet stewardship organizations: fines: succession: ~~procedure~~. training. Existing law establishes a carpet stewardship program to increase the amount of postconsumer carpet that is diverted from landfills and recycled into secondary products. Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted to the carpet stewardship organization and may be expended to carry out the organization’s carpet stewardship plan. Existing law requires the carpet stewardship plan to provide sufficient funding to carry out the plan, including for grants to state-approved apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices. Existing law

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

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

SB 707 – as amended Newman. Responsible Textile Recovery Act of 2023. The California

Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act establishes stewardship programs for various products, including, among others, carpet, mattresses, and pharmaceutical and sharps waste. This bill would enact the Responsible Textile Recovery Act of 2023, which would require producers, as defined, either individually or through the creation of one or more stewardship organizations, to establish a stewardship program for the collection and recycling of a covered product. ~~Theis~~ bill would define a “covered product” to include any ~~apparel, textile, or textile article that is unsuitable for reuse by a consumer in its current state or condition~~ postconsumer apparel or postconsumer textile article that is unwanted by a consumer, except as specified. The bill would require a program operator, as defined, to submit a complete stewardship plan to the department for review and approval, disapproval, or conditional approval. The bill would require the program operator to review the plan at least every 5 years after approval. The bill would also require a program operator to submit an annual report to the department. The bill would require all reports and records provided to the department to be provided under penalty of perjury. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill would restrict public access to certain information collected for the purpose of administering a stewardship program. This bill would require the department to post on its internet website a list of producers that are in compliance with the requirements of the program. The bill would require the department to adopt regulations governing the program, and would authorize, beginning January 1, 2032, the department to ~~reassess the adopted regulations to include adjusting the minimum required collection sites, establishing a minimum recycling efficiency rate for covered products collected and recycled by program operators, or establishing other criteria for the program.~~ The bill would require program operators to pay fees to the department, not to exceed the department’s actual and reasonable regulatory costs to implement and enforce the provisions of the act. The bill would establish the Textile Stewardship Recovery Fund in the State Treasury for the deposit of all moneys received from program operators and would make the moneys in the fund available to the department, upon appropriation by the Legislature, for purposes of the program. The bill would also authorize the department to impose administrative civil penalties for a violation of the program’s requirements, not to exceed \$10,000 per day, or not to exceed \$50,000 per day for an intentional, knowing, or reckless violation, as specified. The bill would create the Textile Stewardship Recovery Penalty Account in the fund for the deposit of penalties, which would be available for expenditure upon appropriation by the Legislature.

SB 854, as amended, Smallwood-Cuevas. Carpet recycling: carpet stewardship. Existing law requires a manufacturer of carpets sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery, and requires the department to approve or disapprove the plan. Existing law imposes a carpet stewardship assessment per unit of carpet sold in the state that is remitted by carpet manufacturers to the carpet stewardship organization and may be expended to carry out the organization’s carpet stewardship plan. Existing law requires the carpet stewardship plan to provide sufficient funding to carry out the plan, including for grants to state-approved apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices. This bill would, commencing with the July 1, 2024, fiscal year require a carpet stewardship organization to make available up to 10% percent of the assessments collected for the sale of carpet for use in California for grants to

apprenticeship programs for training apprentice and journey-level carpet installers in proper carpet recycling practices, as provided.

Food Waste

AB 660, as amended, Irwin. Food *and beverage products*: labeling: quality dates, safety dates, and sell by dates: *recycling*. (1) Existing law requires the Department of Food and Agriculture, in consultation with the State Department of Public Health, to publish information to encourage food manufacturers, processors, and retailers responsible for the labeling of food products to voluntarily use specified uniform terms on food product labels to communicate quality dates, as defined, and safety dates, as defined. Existing law also requires the Department of Food and Agriculture to encourage food distributors and retailers to develop alternatives to consumer-facing “sell by” dates, defined to mean a date on a label affixed to the packaging or container of food that is intended to communicate primarily to a distributor or retailer for purposes of stock rotation and that is not a quality date or a safety date. The Food and Agricultural Code provides that, unless a different penalty is expressly provided, a violation of any provision of that code is a misdemeanor. *This bill would instead require, on and after January 1, 2025, a food manufacturer, processor, or retailer responsible for the labeling of food items for human consumption that chooses, or is otherwise required by law, to display a date label to communicate a quality or safety date on a food item manufactured on or after January 1, 2025, to use one of the specified terms on the date label, as provided.* The bill would, ~~on and after January 1, 2025,~~ prohibit a person from selling or offering for sale in the state a food item for human consumption *manufactured on or after January 1, 2025*, that displays a *quality or safety* date label that is not labeled in accordance with these terms. The bill would, ~~on and after January 1, 2025,~~ prohibit a person from selling or offering for sale in the state a food item for human consumption *manufactured on or after January 1, 2025*, that is labeled with the phrase “sell by,” as specified. The bill would also require the State Department of Public Health to make certain updates to its regulations involving the California Retail Food Code, as provided. The bill would specify that, unless otherwise required by law, nothing in these provisions shall be construed to require the use or display of a date label on a food item for human consumption unless the food item displays a date label, and would provide that these provisions do not prohibit a label that allows consumers to view online information about a food item for human consumption. The bill would not apply the above-mentioned provisions to infant formula, *eggs, and pasteurized in-shell eggs*. By creating new requirements regarding the labeling of food items, the violation of which would be a crime, the bill would impose a state-mandated local program.

(2) Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for retail food facilities for regulation by the State Department of Public Health, and requires local enforcement agencies to enforce those provisions. Existing law, located within the California Retail Food Code, requires a food facility that packages food using a reduced-oxygen packaging method and *Clostridium botulinum* to have an approved plan, as specified, that, among other things, limits the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time product is maintained frozen, or the original manufacturer’s “sell by” or “use by” date, whichever occurs first. This bill would retain that requirement before January 1, 2025, and, on and after January 1, 2025, would limit the refrigerated shelf life to no more than 30 calendar days from packaging to consumption, except the time the product is maintained frozen, or the original safety date, as specified, whichever

occurs first. Existing law, located within the California Retail Food Code, requires raw shucked shellfish to be obtained in nonreturnable packages that bear a legible label that identifies the name, address, and certification number of the shucker-packer or repacker of the molluscan shellfish, and a “sell by” date or a “best if used by” date for packages with a capacity of less than 1/2 gallon, or the date shucked for packages with a capacity of 1/2 gallon or more. This bill would retain the “sell by” date or “best if used by” date requirements before January 1, 2025, and, on and after January 1, 2025, would require specified terms to communicate quality dates and safety dates, as provided. A violation of the California Retail Food Code is generally a misdemeanor. By revising the standards that are enforced by local health agencies and by expanding the scope of existing crime, this bill would constitute a state-mandated local program.

(3) The California Beverage Container Recycling and Litter Reduction Act, of which a violation is a crime, requires the plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic. The act imposes an administrative penalty on a beverage manufacturer that fails to include the required percentage of postconsumer recycled plastic in its plastic beverage containers. The act annually requires, on or before March 1, a manufacturer of a beverage sold in a plastic beverage container subject to the California Redemption Value to report to the Division of Recycling in the Department of Resources Recycling and Recovery the amount of virgin plastic and postconsumer recycled plastic used by the manufacturer for plastic beverage containers subject to the California Redemption Value for sale in the state in the previous calendar year. This bill would authorize a beverage manufacturer registered with the state to agree with another beverage manufacturer to be responsible for compliance with the above requirements, including the submission of a combined report with aggregated information in lieu of separate reports for each beverage manufacturer. The bill would provide that certification under penalty of perjury by each beverage manufacturer of the existence of the agreement is sufficient to qualify for filing a combined report. By requiring certification under penalty of perjury, this bill would expand the crime of perjury and impose a state-mandated local program.

(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 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.

Franchise Agreements/Labor Disputes

SB 751, Padilla. Franchise agreements: solid waste handling services: labor dispute.

Existing law contains various provisions relating to franchise agreements between a local jurisdiction and a service provider for the provision of services such as utilities, waste hauling, and cable television. This bill would prohibit any franchise contracts, licenses, or permits for solid waste handling services, as defined, entered into or substantially amended, as defined, by a local agency on or after January 1, 2024, from containing a force majeure provision that excuses the service provider from complying with the franchise contracts, licenses, or permits in the event of a work stoppage associated with a labor dispute, as defined. The bill would require specified provisions to be included in any exclusive franchise contract, license, or permit for solid waste

handling services entered into or substantially amended by a local agency on or after January 1, 2024, and would require these provisions to apply in the event of service being disrupted by a work stoppage associated with a labor dispute. By imposing new duties on local governments with respect to the franchise contracts, licenses, or permits for solid waste handling services, the bill would impose a state-mandated local program. 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, 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.

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SB 752, as amended, Padilla. Solid waste: collection service: disruptions. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. The act requires solid waste handling services, which includes the collection and transportation of solid waste, to be provided by a local agency, a solid waste enterprise, or both. This bill would require a provider of solid waste handling services to provide timely notice to its customers of a potential labor dispute that will disrupt the collection of solid waste. The bill would require a provider of solid waste handling services to provide a timely refund to customers following a failure to collect solid waste. The bill would also require the Attorney General to adopt regulations to enforce these provisions and to assess administrative penalties, as specified.

Hazardous Waste

AB 347 – as amended, Ting. Household product safety; toxic substances; testing and enforcement. Existing law prohibits a person from distributing, selling, or offering for sale in the state food packaging, as defined, that contains perfluoroalkyl and polyfluoroalkyl substances (PFAS). *Existing law requires a manufacturer of specified cookware that contains certain chemicals in the handle of the product or in any cookware surface that comes in contact with food, foodstuffs, or beverages to post on an internet website for the cookware a list of those chemicals, among other information. Existing law requires, beginning January 1, 2024, the product label for this cookware to list those chemicals, among other information. Existing law prohibits this cookware from being sold, offered for sale, or distributed in the state unless the cookware and the manufacturer of the cookware comply with these provisions.* This bill would require the Department of Toxic Substances Control to adopt guidance regarding the PFAS prohibition and the internet posting and labeling requirements for cookware, and to post that guidance on its internet website by January 1, 2025. By July 1, 2026, the bill would require the department to select and test at least 100 but no more than 200 random samples of food packaging and cookware for compliance with those PFAS prohibitions and the manufacturers' labeling and internet posting duties. The bill would authorize the department to select and test samples after July 1, 2026, upon appropriation by the Legislature. The bill would authorize the department to assess administrative fines against manufacturers of food packaging that is tested by the department and found to contain PFAS, as provided. The bill would require the department to ensure compliance with the product labeling requirements and would authorize the department to assess administrative fines against manufacturers of cookware that does not comply with the labeling and internet posting duties. The

bill would require all fines collected pursuant to this bill to be deposited into the Chapters ~~12.5 and 15~~ Fine Account, which the bill would create in the State Treasury, to be available for expenditure by the department upon appropriation by the Legislature, as specified. The bill would require the department to receive complaints from consumers concerning PFAS in these ~~regulated~~ products that are sold in this state. ~~The bill would authorize the department to adopt guidance regarding the PFAS prohibition.~~ *The bill would require the department, by July 1, 2027, to submit a report to the Legislature regarding the testing and enforcement actions taken pursuant to the bill's provisions.*

AB 909, as amended, Hoover. Solid Waste Disposal and Codisposal Site Cleanup Program. The Solid Waste Disposal and Codisposal Site Cleanup Program, administered by the Department of Resources Recycling and Recovery, pays for the cleanup of solid waste disposal sites and for the cleanup of solid waste at codisposal sites, as specified. This bill would authorize the department, beginning July 1, 2024, and upon appropriation by the Legislature, to collect and properly manage illegally disposed hazardous waste and household hazardous waste, as defined, regardless of whether they were codisposed with nonhazardous solid waste. The bill would require the department to annually seek up to \$500,000 from the Department of Toxic Substances Control in reimbursement for grants awarded and program costs incurred. The bill would also prohibit the department from expending funds from the Integrated Waste Management Fund for purposes of this program in excess of the amount reimbursed by the Department of Toxic Substances Control.

AB 1716, Committee on Environmental Safety and Toxic Materials. Hazardous wastes and materials: certified unified program agencies. (1) Existing law, as part of the hazardous waste control laws, requires any waste identified by the Department of Toxic Substances Control as hazardous or extremely hazardous to be managed in accordance with permits, orders, and regulations issued or adopted by the department. Existing law authorizes the department to grant a variance from these requirements for certain wastes, including recyclable materials, as defined, under specified conditions. Existing law provides that a recyclable material shall be excluded from classification by the department as a waste only if the recyclable material is held in a container or tank that is labeled, marked, and placarded in accordance with department requirements, the owner or operator of the business location where the recyclable material is located has a business plan, as specified, and the recyclable material is stored and handled in accordance with all local ordinances and codes. This bill would revise the requirements for the exclusion of a recyclable material from classification by the department as a waste by requiring, among other things, that the material be held in a container, tank, containment building, or waste pile that is labeled, marked, and placarded in accordance with the department's hazardous waste labeling, marking, and placarding requirements applicable to generators, as provided. The bill would also require that the material be managed in accordance with specified regulations. Existing law requires a person who recycles more than 100 kilograms per month of recyclable material under a claim that the material qualifies for exclusion or exemption to provide specified information in writing every 2 years to the local officer or agency authorized to enforce those provisions. Existing law also authorizes the local officer or agency to exempt a person who operates an antifreeze recycling unit or solvent distillation unit, as specified, from that requirement or to require less information from that person than existing law requires pursuant to that provision. The bill would require a person who generates more than 100 kilograms of a material in any month under the claim that the material qualifies for exemption or exclusion as a recyclable material to submit, in the first month

that more than 100 kilograms of the material is generated, specified information to the statewide information management system, as provided. The bill would require a person who is not the generator, and who accumulates, manages, or recycles the recyclable material identified by the generator as exempt or excluded, to submit the information to that system. The bill would also require these persons to submit the information to the system within 60 days of the date when the generation, accumulation, management, or recycling of the material is permanently discontinued. The bill would require a person who generates, accumulates, manages, or recycles more than 100 kilograms of recyclable material in any month to resubmit the required information, as described, by July 1 of each even-numbered year. The bill would eliminate the authority of the local officer or agency to exempt a person who operates an antifreeze recycling unit or solvent distillation unit from some or all of these information requirements. A violation of the hazardous waste control laws is a crime. By expanding the scope of crimes, the bill would impose a state-mandated local program. (2) Existing law regulates the disposal of hazardous waste aerosol cans. Existing law defines an “aerosol can” to mean a container in which gas under pressure is used to aerate and dispense any material through a valve in the form of a spray or foam. Among other things, existing law requires that a container used to accumulate or transport universal waste aerosol cans, or the contents removed from a universal waste aerosol can or processing device, unless the contents have been determined to not be hazardous waste, to be, among other things, closed, structurally sound, and compatible with the contents of the universal waste aerosol can, and show no evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. Existing law authorizes a universal waste handler to process a universal waste aerosol can to remove and collect the contents of the universal waste aerosol can if the handler meets certain requirements, including that the handler ensures that the processing operations are performed safely by developing and implementing a written operating procedure detailing the safe processing of universal waste aerosol cans. This bill would revise the definition of an aerosol can to refer to a nonrefillable receptacle containing a gas compressed, liquefied, or dissolved under pressure, the sole purpose of which is to expel a liquid, paste, or powder and fitted with a self-closing release device allowing the contents to be ejected by the gas. The bill would require the container used to accumulate or transport universal waste aerosol cans or the contents removed from a universal waste aerosol can or processing device to additionally be protected from sources of heat. The bill would also require universal waste aerosol cans that show evidence of leakage be packaged in a separate closed container or overpacked with absorbents, or immediately punctured and drained, as specified. The bill would revise and expand the duties of a universal waste handler by requiring the written procedure to be maintained onsite at all times and the handler to maintain a copy of the manufacturer’s specifications and instructions for the device used to puncture and drain the aerosol cans. The bill would additionally require the procedure to include protocols to minimize, mitigate, prevent, control and clean up any unauthorized release, and would require the handler to recycle the empty punctured aerosol cans, as described. Because the bill would expand the scope of existing crimes and impose a higher level of service on local public officers, the bill would impose a state-mandated local program. (3) The Aboveground Petroleum Storage Act generally regulates aboveground storage tanks that contain petroleum and that meet certain requirements. This bill would add specification regarding certain terms and would make a nonsubstantive change in the language of the act. (4) Existing law requires the Secretary for Environmental Protection to implement a unified hazardous waste and hazardous materials management regulatory program, known as the unified program. Existing law requires every county to apply to the secretary to be certified to implement the unified program, and authorizes a city or local agency that meets

specified requirements to apply to the secretary to be certified to implement the unified program, as a certified unified program agency, or CUPA. Existing law defines “unified program agency,” or UPA, to mean the CUPA or its participating agencies, as provided. Existing law authorizes a unified program agency to issue an administrative order requiring that a violation of any law, regulation, permit, information request, order, variance, or other requirement that a unified program agency is authorized to enforce or implement be corrected and imposing various administrative penalties for certain types of violations. Existing law prescribes the procedures applicable to this process, including an appeal by a unified program facility of the issuance of an administrative order. Existing law authorizes a UPA to suspend or revoke the permit, or an element of a permit, of a unified program facility for not paying the fee or a fine or penalty associated with the permit in accordance with specified procedures. Existing law requires the unified program facility, in the event of suspension or revocation, to immediately discontinue operating that facility or function of the facility to which the permit element applies until the permit is reinstated or reissued. This bill would specify that a person who violates the unified program laws shall be liable for a civil or administrative penalty of not more than \$5,000 for each day on which the violation continues. The bill would authorize a unified program agency, in addition to suspending or revoking a permit or permit element, to withhold a permit or permit element if a unified program facility fails to pay a permit fee or a fine or penalty in accordance with specified procedures, or fails to comply with an administrative order issued by a unified program agency. The bill would additionally require a unified program facility that does not have a valid permit or permit element to immediately discontinue operating that facility or function of the facility to which the permit element applies until the unified program agency issues, reinstates, or reissues the permit. By making changes to provisions enforced by unified program agencies, the bill would impose a state-mandated local program. (5) Existing law requires a unified program agency, for any stationary source with one or more covered processes, as defined, to make a preliminary determination as to whether there is a significant likelihood that the use of regulated substances by a stationary source may pose a regulated substances accident risk. If the unified program agency determines that there is a significant likelihood of a regulated substances accident risk, as provided, it must require the stationary source to prepare and submit a risk management plan, or it may reclassify the covered process. If the unified program agency determines that there is not a significant likelihood of a regulated substances accident risk, existing law authorizes it to require the stationary source to prepare and submit a risk management plan, but provides that it need not impose that requirement if it determines that the likelihood of a regulated substances accident risk is remote, unless otherwise required by federal law, or, in the alternative, authorizes it to reclassify the covered process. This bill would authorize a unified program agency to make a determination, rather than require it to make a preliminary determination, as to whether there is a significant likelihood that the use of a regulated substance by a stationary source may pose a regulated substances accident risk. The bill would require, if a unified program agency determines that there is a significant likelihood of a regulated substances accident risk and reclassifies a covered process to a higher program level, a stationary source to comply with the requirements applicable to the higher level program within 12 months of reclassification. The bill would, if the unified program agency determines that there is not a significant likelihood of a regulated substances accident risk, authorize the unified program to exempt a stationary source from certain requirements. The bill would authorize a unified program agency to revoke the exemption, as provided, and would require, in that event, a unified program facility to comply with specified requirements.

Existing law requires a stationary source that is required by a unified program agency to prepare and submit a risk management plan to submit the plan in accordance with the schedule established by the unified program agency, and prohibits a unified program agency from requiring the risk management plan to be submitted except within a certain period. Existing law provides that a knowing violation of these requirements after reasonable notice of the violation is a crime.

This bill would instead require a stationary source to submit a risk management plan to the unified program agency before the date on which the regulated substance is first present in a process above a listed threshold quantity. By expanding the scope of a crime, and by making changes to provisions enforced by unified program agencies, the bill would impose a state-mandated program.

(6) Existing law declares that, in order to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. Existing law requires a business to establish and implement a business plan, containing certain elements, for emergency response to a release or threatened release of a hazardous material if the business meets specified conditions at any unified program facility, including that the business handles a hazardous material or a mixture containing a hazardous material in a quantity at any one time during the reporting year that exceeds specified thresholds. Existing law exempts from this requirement certain hazardous materials, including propane that is for on-premises use or storage, as specified. This bill would revise the scope of the requirement, including by adding to the list of hazardous materials exempt from the requirement a liquid or gaseous fuel in fuel tanks on vehicles or motorized equipment, if the fuel tank is integral to the operation of the vehicle or motorized equipment, and treated wood and treated wood waste, as specified. The bill would also revise the content requirements for business plans by requiring some of the elements of a business plan to be included on the site map only if they are present on the site. By making changes to provisions enforced by unified program agencies, the bill would impose a state-mandated local program. (7) Existing law defines, for purposes of laws related to the underground storage of hazardous substances, an “emergency generator tank system” as an underground storage tank system that provides power supply in the event of a commercial power failure, stores diesel fuel or kerosene, and is used solely in connection with an emergency system, legally required standby system, or optional standby system, as defined. This bill would recast the defined term as “emergency tank system,” redefine the term to mean an underground storage tank system that stores diesel fuel or kerosene solely for use by one or more stationary emergency devices, and add to the emergency devices already covered certain fire suppression systems and steam generation pressure tanks. (8) 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 specified reasons.

Bill Text - AB-1716 Hazardous wastes and materials: certified unified program agencies. (ca.gov)

Illegal Dumping – Cleanup

SB 367, as amended, Seyarto. *Farm, ranch, and public lands cleanup and abatement: grant program.* Existing law establishes the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program, administered by the Department of Resources Recycling and Recovery, to award grants to public entities, defined as cities, counties, or resource conservation districts, and Native American tribes for purposes of cleaning up and abating the effects of solid waste that is illegally disposed of on farm or ranch property. Existing law creates the Farm and Ranch Solid Waste

Cleanup and Abatement Account in the General Fund to include money appropriated from specified revenue sources, including tire recycling and used oil recycling fees, and authorizes the department to expend the money in the account for the grant program upon appropriation by the Legislature in the annual Budget Act. This bill would rename the grant program the Farm, Ranch, and Public Lands Solid Waste Cleanup and Abatement Grant Program and extend its purposes to cleaning up and abating the effects of solid waste that is illegally disposed of on public lands owned by the state or federal government. The bill would create the Public Lands Solid Waste Cleanup and Abatement Account in the General Fund and would authorize the department to expend the moneys in the account for these extended grant program purposes upon appropriation by the Legislature in the annual Budget Act.

Microparticles

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

Organics

AB 573, as amended, Garcia. Organic waste: meeting recovered organic waste product procurement targets. Existing law [requires](#) the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, that provide for, among other things, the calculation by the department of recovered organic waste product procurement targets for each local jurisdiction, and that may include penalties to be imposed by the department for noncompliance. This bill would require the department, [for purposes of those regulations](#), to allow a local jurisdiction, until December 1, [2031](#), in procuring recovered organic waste products to meet the target procurement requirements, to use California-derived recovered organic waste that the local jurisdiction sends for processing at a facility or operation outside of the state that meets certain conditions, as provided.

SB 613, Seyarto. Organic waste: reduction goals: local jurisdictions: low-population waiver. Existing law requires the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a certain reduction in statewide emissions of methane, including a goal of a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations that achieve those targets for reducing organic waste in landfills that may include, among other things, different levels of requirements for local jurisdictions and phased timelines based upon their progress in meeting the organic waste reduction goals, and penalties to be imposed by the department for noncompliance. This bill would, for a local jurisdiction, as defined, waive those requirements and regulations until December 31, 2028, if the local jurisdiction does not qualify for other specified waivers, disposed of fewer than 5,000 tons of solid waste in 2014, and has fewer than 7,500 people, as provided. Beginning January 1, 2027, the bill would authorize the department, in its discretion, to renew the waiver, as provided.

Bill Text - SB-613 Organic waste: reduction goals: local jurisdictions: low-population waiver.

Plastics

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

SB 303, Allen. Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of, among other solid waste, plastic packaging containers and single-use foodware accessories. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food

serviceware, as provided. As part of its comprehensive statutory scheme, existing law requires producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that all covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state achieves specified recycling rates, as provided. The act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a producer responsibility organization (PRO), as prescribed, for the source reduction, collection, processing, and recycling of covered material, except as provided. The act requires the department to establish a producer responsibility advisory board for specified purposes. The act authorizes an affected entity that asserts that specific actions taken to meet the requirements of the act are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements, to bring the concern and evidence supporting that assertion to the advisory board for discussion and to ask the advisory board to conduct a preliminary evaluation of the information. If the evaluation demonstrates that specific actions are disrupting or otherwise adversely affecting existing operations, the act requires the advisory board to submit the concern to the department for further analysis. The act requires the department to analyze the information provided by the advisory board and authorizes the department to offer a recommendation for resolution. This bill would instead authorize an affected entity that asserts that specific actions taken by the PRO, a producer, or an entity under contract with the PRO are not consistent with specified prohibitions and requirements of the act and are disrupting or otherwise adversely affecting the sustained operation or commercial viability of solid waste collection programs, solid waste recycling facilities, or composting facilities providing services in accordance with local solid waste handling requirements to bring that concern and supporting evidence to the advisory board. The bill would delete the requirement that the board submit the concern to the department for further analysis and would instead require that the advisory board, rather than the department, offer a recommendation for resolution within 90 days of submission of the request for a preliminary evaluation. The bill would thereafter authorize either party to initiate nonbinding arbitration, as specified. The bill would specify the duties and the authority of the arbitrator, as described, including requiring the arbitrator to transmit the proposed decision to the department and the advisory board. The bill would require the department to review the arbitrator's proposed decision within 60 days of receipt and to make a specified determination. If the arbitrator proposes a revision to an approved producer responsibility plan, the bill would require the department to publicly notice the proposed plan revision on its internet website, as provided. The bill would authorize the department, if the department makes a specified determination, to approve or reject the proposed plan revision. The bill would authorize any party to request that the department conduct a de novo adjudicative proceeding within 60 days after the arbitrator delivers the proposed decision to the department and the advisory board. The bill would deem the arbitrator's proposed decision to be final if no action is taken by the department or other party within 60 days of the arbitrator's proposed decision being submitted to the department and the advisory committee. The bill would require the department to include any actions taken under these provisions in a specified report submitted to the Legislature. The bill would also require an approved producer responsibility plan to remain in effect and be implemented during any action taken pursuant to these new and revised procedures in response

to an assertion described above. The bill would also prohibit initiation of that action from delaying the approval of a proposed plan or plan amendment. The act authorizes the department to adopt regulations to identify responsible end markets and to establish criteria regarding benefits to the environment and minimizes risks to public health and worker health and safety. The act sets forth definitions for purposes of the act. This bill would instead authorize the department to adopt regulations to establish standards for the PRO regarding responsible end markets for covered material and to establish criteria that prioritizes benefits to the environment and minimizes risks to public health and worker health and safety. The bill would also revise and clarify certain definitions in the act. This bill would incorporate additional changes to Section 42041 of the Public Resources Code proposed by AB 1526 to be operative only if this bill and AB 1526 are enacted and this bill is enacted last.

Bill Text - SB-303 Solid waste: Plastic Pollution Prevention and Packaging Producer Responsibility Act. (ca.gov)

AB 1526, Committee on Natural Resources. Public resources... (4) The Plastic Pollution Prevention and Packaging Producer Responsibility Act covers certain single-use packaging and plastic single-use food service ware, as provided. As part of its comprehensive statutory scheme, the act requires producers of those covered materials to reduce and recycle the covered plastic material and to ensure that covered materials that are offered for sale, distributed, or imported in or into the state on or after January 1, 2032, are recyclable or compostable, as provided. The act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a producer responsibility organization (PRO), as prescribed, for the source reduction, collection, processing, and recycling of covered material, except as provided. The act requires the producer responsibility plan to include certain information, including, but not limited to, arrangements with processors or recyclers to ensure that covered materials that are not collected through a curbside collection program are collected and recycled at a viable responsible end market. This bill would instead require a producer responsibility plan to include arrangements with processors or recyclers to ensure that covered materials that are not collected through a curbside collection program or other local collection program are collected and recycled at a viable responsible end market. The bill would require the producer responsibility plan to include a mechanism and schedule for transferring specified fee proceeds to local jurisdictions. The bill would make technical amendments and other revisions to certain components of the act. The act defines “covered material” to include, among others, wraps or wrappers and bags sold to food service establishments. This bill would instead include as “covered material” wraps or wrappers and bags used in the packaging of food offered for sale or provided to customers by food service establishments. The act requires a PRO, commencing in the 2027 calendar year, and until January 1, 2037, to remit a \$500,000,000 surcharge each year, as provided, to the California Department of Tax and Fee Administration (CDTFA) to be deposited into the California Plastic Pollution Mitigation Fund. The act requires the Department of Resources Recycling and Recovery to transmit to the CDTFA by March 1 of each year specified information regarding who is liable for the surcharge and in what amounts. The act requires the surcharge be paid 30 days from the date of CDTFA’s assessment. The act requires a producer that is not in a PRO to pay the surcharge on July 1 of each year. This bill would recast the surcharge as the “environmental mitigation surcharge.” The bill would delete the July 1 date for the requirement for a producer not in a PRO to pay the environmental mitigation surcharge. The bill would

instead require the CDTFA to mail to each person liable for the environmental mitigation surcharge a notice of determination within 90 days of receiving from the Department of Resources Recycling and Recovery the information regarding who is liable for the environmental mitigation surcharge and the amounts to be assessed. (5) The California Integrated Waste Management Act of 1989 establishes the architectural paint recovery program, under which a manufacturer of architectural paint is required, individually or through a stewardship organization, to submit an architectural paint stewardship plan to the Department of Resources Recycling and Recovery to develop and implement a recovery program to reduce the generation of postconsumer architectural paint, promote the reuse of postconsumer architectural paint, and manage the end of life of postconsumer architectural paint. Existing law excludes from the program aerosol spray paint. Existing law requires a manufacturer of architectural paint or a stewardship organization to submit to the department on or before November 1 of each year a report describing its architectural paint recovery efforts. This bill would, among other things, eliminate the exemption from the program of aerosol spray paint and would provide that architectural paint includes aerosol coating products, as defined. The bill would specify that aerosol coating products shall not be regulated under the program until the implementation date of a plan or plan amendment concerning aerosol coating products approved by the department or January 1, 2027, whichever occurs sooner, and would authorize the department to extend that implementation date. The bill would require, on or before July 1, 2026, a manufacturer or stewardship organization to submit an architectural paint stewardship plan or amendment to an approved architectural paint stewardship plan to the department. The bill would change the due date for the annual report to on or before May 15 of each year, would require certain information included in the annual report to be reported based on calendar year, and, commencing with the 2028 report, would require the annual report to include certain information on aerosol coating products. The bill would authorize the department, in coordination with the Department of Toxic Substances Control, to adopt regulations to clarify and implement the architectural paint recovery program. (6) This bill would incorporate additional changes to Section 42041 of the Public Resources Code proposed by SB 303 to be operative only if this bill and SB 303 are enacted and this bill is enacted last. (7) 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.

[Bill Text - AB-1526 Public resources. \(ca.gov\)](#)

AB 1590, as amended, Friedman. Major coastal resorts: coastal development permits: audits: waste. (1) Existing law, the California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or a local government, as provided. This bill would establish the Major Coastal Resorts Environmental Accountability Act, and would define “major coastal resort” for these purposes. The bill would require the commission, with the assistance of a qualified consultant, to every 2 years prepare an audit of a major coastal resort’s compliance with specified provisions, including the coastal development permit, as provided. The bill would require the major coastal resort to provide for the qualified consultant’s compensation for the audit, as provided. The bill would require the commission to document the audit’s investigation

and findings in a public report to be posted on the commission's internet website, as provided. The bill would prohibit the major coastal resort from discriminating or retaliating against any employee or applicant for employment for, among other things, participating in the audit, investigation, or the report. The bill would require any coastal development permit pertaining to a major coastal resort approved after January 1, 2024, to include, in addition to any other permitting requirements, new requirements, including a turf, landscape, and pest management plan, as provided. The bill would require any major coastal resort's coastal development permit, in existence as of January 1, 2024, to be amended to include these new requirements when the permit is renewed or updated. To the extent the bill would create additional duties for local governments, the bill would impose a state-mandated local program. The bill would also prohibit the use of any nonorganic pesticide, as defined, [or fertilizing material, as defined](#), at a major coastal resort. (2) Existing law prohibits lodging establishments from providing a small plastic bottle containing a personal care product to a person staying in a sleeping room accommodation, in any space within the sleeping room accommodation, or within bathrooms shared by the public or guests. This bill would prohibit a major coastal resort from providing to guests specified materials, including single-use plastic bottled beverages. The bill would require a major coastal resort to, among other things, provide at least one recycling bin or container in each guest room, as provided. The bill would require the major coastal resort to maintain records related to these requirements for 3 years. The bill would subject a major coastal resort that violates these requirements to a civil penalty of \$500 per each day the violation continues. (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 378, as introduced, Gonzalez. State parks: state beaches: expanded polystyrene food container and cooler ban. Existing law makes it an infraction punishable by a fine of up to \$25 for a person to smoke on a state beach or in a unit of a state park system. This bill would make it an infraction punishable by a fine of up to \$25 for a person to bring an expanded polystyrene, as defined, food container or cooler on a state beach, as defined, or in a unit of a state park system, as defined, and for improper disposal, as provided. The bill would establish a state-mandated local program by creating a new crime. The bill would provide that a person who violates this provision for the first time shall be subject to a warning by an officer of the state parks. The bill would require the Department of Parks and Recreation to, among other things, develop and post signs at strategic locations, as determined by the Director of Parks and Recreation, of state beaches and units of the state park system operated by the department to provide notice of the expanded polystyrene prohibition. The bill would require an entity operating, pursuant to an agreement with the department, a state beach or unit of the state park system that is not operated by the department to post signs approved by the department at strategic locations, as determined by the operating entity and approved by the department, to provide notice of the expanded polystyrene prohibition. The bill would require the expanded polystyrene prohibition to be enforced at a state beach or unit of the state park system only after appropriate signs have been posted pursuant to these provisions. 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.

Reuse and Repair

AB 625, as amended, Aguiar-Curry. Forest biomass: management: Emissions: energy. (1) Existing law establishes the State Board of Forestry and Fire Protection in (CAL-FIRE), and requires CAL-FIRE to be responsible for, among other things, fire protection and prevention, as provided. Existing law establishes the State Board of Forestry and Fire Protection in CAL-FIRE to represent the state's interest in the acquisition and management of state forests and requires the board to maintain an adequate forest policy. The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the state board. This bill would establish the Forest Waste Biomass Utilization Program to be administered by the state board's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of, and the comprehensive framework to align with the state's wood utilization policies and priorities and focused market strategy of, specified statewide forest management plans, and to develop a workforce training program to complement the workforce needs associated with the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2025, on the progress made on implementing the implementation plan. This bill would require the Natural Resources Agency, in furtherance of the program, to facilitate the integration of recommendations for forest biomass waste utilization in relevant, state climate adaptation plans. (2) The Warren-Alquist State Energy Resources Conservation and Development Act establishes the State Energy Resources Conservation and Development Commission (Energy Commission) and requires the Energy Commission to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives. Existing law requires the Energy Commission, in consultation with specified state and federal agencies and at least every 2 years, to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. Existing law requires the Energy Commission, in consultation with specified entities, to adopt a biennial integrated energy policy report containing certain information. This bill would require the Energy Commission, in furtherance of the Forest Biomass Waste Utilization Program, to prepare and submit a report to the Legislature, on or before December 31, 2024, that evaluates innovative bioenergy technologies that use forest biomass waste, as specified. The bill would also require the Energy Commission to include, as part of the 2025 edition of the integrated policy report, an assessment of the potential for forest biomass waste energy to provide firm renewable power. (3) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board (state air board) as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires the state air board to adopt a statewide greenhouse gas emissions limit, as specified, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act requires the state air board to develop, on or before December 31, 2020, and every 5 years thereafter, a report that assesses greenhouse gas emission associated with wildfire and forest management activities. This bill would require the state air board, in the report developed on or before

December 31, 2025, and every 5 years thereafter, to include, among other things, a methodology to quantify the greenhouse gas and short-lived climate pollutant emissions from wildfire, pile burning, and forest management activities, as specified. (4) Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations. The California Renewables Portfolio Standard Program requires every electrical corporation to file with the PUC a standard tariff for electricity generated by an electric generation facility, as defined, that qualifies for the tariff, is owned and operated by a retail customer of the electrical corporation, and is located within the service territory of, and developed to sell electricity to, the electrical corporation. The PUC refers to this requirement as the renewable feed-in tariff. The renewable feed-in tariff law, in part, requires the PUC to direct the electrical corporations, collectively, to procure at least 250 megawatts of cumulative rated generating capacity from developers of bioenergy projects that commence operation on or after June 1, 2013. Pursuant to this requirement, the PUC has established and revised the Bioenergy Market Adjusting Tariff (BioMAT) program. Existing law authorizes a community choice aggregator to submit eligible projects for cost recovery pursuant to the BioMAT program, as specified. This bill would require the PUC to continue the BioMAT program until the implementation of the provisions authorizing community choice aggregators to participate in the program has been resolved as specified, and adequate time is given to community choice aggregators to participate in the program. Under existing law, a violation of the Public Utilities Act or any order, decision, rule, direction, demand, or requirement of the commission is a crime. Because certain provisions of this bill would be a part of the act and because a violation of a commission action implementing the bill's requirements would be a crime, the bill would impose a state-mandated local program. (5) 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 244, Eggman. Right to Repair Act. Existing law, the Song-Beverly Consumer Warranty Act, provides a comprehensive set of procedures for the enforcement of express and implied warranties on consumer goods, as defined. Under existing law, every manufacturer making an express warranty with respect to an electronic or appliance product, including televisions, radios, audio or video recording equipment, major home appliances, antennas, and rotators, with a wholesale price to the retailer of not less than \$50 nor more than \$99.99 is required to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 3 years after the date a product model or type was manufactured, regardless of whether the 3-year period exceeds the warranty period for the product. Existing law also requires every manufacturer making an express warranty with respect to an electronic or appliance product, as described above, with a wholesale price to the retailer of \$100 or more, to make available to service and repair facilities sufficient service literature and functional parts to effect the repair of the product for at least 7 years after the date a product model or type was manufactured, regardless of whether the 7-year period exceeds the warranty period for the product. This bill would enact the Right to Repair Act. The bill would require, except as specified and regardless of whether any express warranty is made, the manufacturer of an above-described electronic or appliance product, in the above-described circumstances, and in those same circumstances but sold to others outside of direct retail sales, to make available, on fair and reasonable terms, to product owners, service and repair facilities, and service dealers, the

means, as described, to effect the diagnosis, maintenance, or repair of the product, as provided. The bill would also require a service and repair facility or service dealer that is not an authorized repair provider, as defined, of a manufacturer to provide a written notice of that fact to any customer seeking repair of an electronic or appliance product before the repair facility or service dealer repairs the product, and to disclose if it uses replacement parts that are used or from a supplier that is not the manufacturer. The bill would also authorize a city, a county, a city and county, or the state to bring an action in superior court to impose civil penalties on a person or entity for violating the Right to Repair Act, as provided. The bill would make these requirements and enforcement provisions operative on July 1, 2024.

[Bill Text - SB-244 Right to Repair Act. \(ca.gov\)](#)

SB 777, Allen. Solid waste: reusable grocery bags and recycled paper bags. 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. Existing law prohibits certain stores from providing a single-use carryout bag to a customer and prohibits those stores from selling or distributing a reusable grocery bag or a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. Existing law requires a store to retain those collected moneys to be used only for costs associated with complying with those provisions, actual costs of providing recycled paper bags or reusable grocery bags, and costs associated with a store's educational materials or educational campaign encouraging the use of reusable grocery bags. Existing law authorizes a city, county, city and county, or the state to impose civil penalties on a person or entity that knows or reasonably should have known it is in violation of those requirements. This bill would require a store to retain the collected moneys to also be used for costs associated with providing consumers with an opportunity for returning reusable grocery bags to the store for recycling, and any other costs associated with ensuring that collected bags are recycled. The bill would require stores to submit an annual report to the department with specified information related to the total costs associated with complying with the act, as specified, and the balance, if any, of remaining funds, in the year. The bill would authorize a chain that owns more than one store to report aggregated data for all of the stores operated under that chain. The bill would authorize an authorized representative of a store with a collective bargaining agreement to review and make copies of those annual reports. The bill would require that these provisions apply only to certain stores, as described.

[Bill Text - SB-777 Solid waste: reusable grocery bags and recycled paper bags. \(ca.gov\)](#)

Single Use Food-Service Ware

AB 1489, Wood. Solid waste: compostable covered materials. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food serviceware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce plastic covered material by 25%, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or compostable, and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Existing law prohibits a person from selling or offering for sale a product, as defined, that is labeled with the term

“compostable” unless the product satisfies an identified ASTM standard specification or, if applicable, another certification. This bill would exempt products that are eligible to be labeled with the term “compostable” from the source reduction requirements of the act.

Bill Text - AB-1489 Solid waste: compostable covered materials. (ca.gov)

SB 552, as introduced, Newman. Solid waste: single-use foodware accessory and single-use food packaging. Existing law prohibits a food facility from providing any single-use foodware accessory or standard condiment, as defined, to a consumer unless requested by the consumer, as provided. This bill would state the intent of the Legislature to enact future legislation that would prohibit a restaurant from providing a dine-in customer with any single-use foodware accessory or single-use food packaging.

SB 665, Allen. Plastic waste: single-use plastics alternatives: working group. Existing law establishes the Plastic Pollution Prevention and Packaging Producer Responsibility Act, which covers certain single-use packaging and plastic single-use food service ware, as provided. As part of its comprehensive statutory scheme, the act requires the producers, as defined, of these covered materials to source reduce plastic covered material, to ensure that covered material offered for sale, distributed, or imported in or into the state on or after January 1, 2032, is recyclable or eligible to be labeled “compostable,” and to ensure that plastic covered material offered for sale, distributed, or imported in or into the state meets specified recycling rates. Existing law vests the California Environmental Protection Agency with authority over various environmental matters and various state agencies, including the Department of Resources Recycling and Recovery (CalRecycle), the State Water Resources Control Board, the Department of Toxic Substances Control, and the Office of Environmental Health Hazard Assessment. Existing law establishes the Ocean Protection Council to, among other things, coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems. Existing law requires CalRecycle to consult with the council regarding its adoption of regulations to establish a process, and develop criteria, for determining the types of food service packaging that are reusable, recyclable, or compostable. Existing law establishes the Department of Food and Agriculture to promote and protect the agricultural industry of the state. This bill would require the California Environmental Protection Agency, by January 1, 2025, to establish a working group of the above-referenced state entities that would establish a framework, by July 1, 2026, for evaluating novel plastic and plastic-alternative material types used to produce single-use products as they are developed, in order to inform state policy decisions designed to create a more sustainable and circular economy, as provided. The bill would require the working group to, among other things, develop recommendations related to novel material types, including the appropriate marketing and labeling of the material, the handling of the material at the end of its useful life, and how the material needs to be treated in relation to existing state policies, rules, and regulations. The bill would repeal these provisions on January 1, 2029.

Bill Text - SB-665 Plastic waste: single-use plastics alternatives: working group. (ca.gov)

SB 728, Limón. Plastic gift cards: prohibition. Existing law regulates the manufacture, sale, and disposal of various plastic products, including, but not limited to, single-use foodware accessories, single-use carryout bags, trash bags, packaging containers, and microbeads. This bill would prohibit, beginning January 1, 2027, a retailer from selling, offering for sale, or

distributing plastic gift cards, except those that are both usable with multiple unaffiliated sellers of goods and that have the expiration date, if any, printed on the card. The bill would authorize a retailer to continue to sell, offer for sale, or distribute an existing stock of plastic gift cards until January 1, 2028, as specified. The bill would authorize various entities to enforce these provisions, and would impose specified civil penalties for violations of these provisions. The bill would specify that its provisions do not apply to a plastic card used to pay public transit fares. https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB728

Solid Waste

AB 895, as amended, Chen. Solid waste: management. 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 that requires each county and city and county to prepare and submit to the department a countywide integrated waste management plan. Existing law requires the State Air Resources Board to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants in the state and to approve and begin implementing the strategy to achieve a reduction in the statewide emissions of methane by 40% below 2013 levels by 2030, among other goals. Existing law requires the methane emissions goals to reduce the landfill disposal of organics by meeting specified targets that include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law authorizes the department, in consultation with the state board, to adopt regulations that achieve the specified targets for reducing organic waste in landfills. Existing law authorizes local jurisdictions to charge and collect fees to recover the local jurisdiction's costs incurred in complying with those regulations. Existing law also requires, no later than July 1, 2020, the department, in consultation with the state board, to analyze the progress that the waste sector, state government, and local governments have made in achieving the specified targets for reducing organic waste in landfills. Existing law authorizes the department, depending on the outcome of that analysis, to amend the regulations to include incentives or additional requirements, as specified. This bill would require the department to analyze the progress that the waste sector, state government, and local governments have made in achieving the organic waste reduction goals for 2020 and 2025 every 5 years. Because existing law authorizes the department to amend the regulations depending on the outcome of the analysis, as described above, the bill would add to the duties of local governments related to organic waste in landfills, thereby imposing 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.

AB 1705 – as amended McKinnor, Solid waste facilities: [state policy goals](#). The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. Existing law provides that is the policy goal of the state that at least 75% of solid waste generated annually be source reduced, recycled, or composted, and that statewide landfill disposal of organic waste be reduced from the 2014 level by 50% on or before 2000 and by 75% on or before 2025. Existing law prohibits a person from establishing or expanding a solid waste facility in a county after a countywide or regional agency integrated waste management plan has been approved unless the

solid waste facility is, among other things, a disposal facility, a transformation facility, or an EMSW conversion facility that meets specific criteria. Existing law defines an “EMSW conversion facility” as a facility where municipal solid waste conversion that meets specific requirements takes place and defines “transformation” as incineration, pyrolysis, distillation, or biological conversion, excluding composting, gasification, EMSW conversion, or biomass conversion. Existing law authorizes the department, by regulation, to specify classifications of solid waste facilities that are exempt from these and other facility regulations if the department makes specific findings, including that the nature of the solid wastes poses no significant threat to the public health, the public safety, or the environment. This bill would prohibit a person from establishing or expanding a transformation facility or an EMSW conversion facility [in the state until the Department of Resources Recycling and Recovery has determined that the state has achieved the above-described solid waste and organic waste policy goals of the state for 3 consecutive years.](#)

SB 806, Archuleta. Trash receptacles and storage containers: reflective markings: enforcement. Existing law requires, commencing January 1, 2025, a manufacturer who sells or provides for compensation, and, commencing January 1, 2026, an owner of, a trash receptacle or storage container that is longer than 3 feet and taller than 4 feet and that is designed to be placed on a roadway or the curb of a roadway in order to be emptied or picked up to mark the receptacle or container with a reflector on each side, as specified. Existing law provides that a violation of these requirements would result in a criminal infraction punishable by a fine, as specified. This bill would replace the criterion for a trash receptacle or storage container to be designed to be placed on a roadway or curb to be emptied or picked up with it being placed on a roadway or curb to be emptied or picked up. The bill would reduce the size of the required reflectors, change the required placement of the reflectors, and expand the types of reflectors that meet the requirement, as specified. The bill would authorize the Attorney General, or the district attorney or city attorney in the location where the violation is observed, to enforce a violation of the above-described provisions. The bill would create the Accident Prevention and Road Safety Fund and would require the fines collected to be deposited into this fund.
[Bill Text - SB-806 Trash receptacles and storage containers: reflective markings: enforcement. \(ca.gov\)](#)

Solar Panels

AB 2 – as amended Ward, Recycling: solar photovoltaic modules. The Electronic Waste Recycling Act of 2003 (act) requires a retailer selling a covered electronic device in this state to collect from a consumer at the time of retail sale a covered electronic waste recycling fee or a covered battery-embedded waste recycling fee, as specified. The act defines “covered electronic device” to include certain video display devices and battery-embedded products. The act requires all charges collected pursuant to the act to be deposited into specified subaccounts within the Electronic Waste Recovery and Recycling Account, and outlines certain other requirements related to the establishment, adjustment, and administration of the charge. Moneys in the subaccounts are continuously appropriated for specified purposes, including, but not limited to, paying covered electronic waste recycling fee refunds and making electronic waste recovery and recycling payments. Moneys in the account may be expended, upon appropriation by the Legislature in the annual Budget Act, for other specified purposes, including the administration of the act by the Department of Resources Recycling and Recovery (CalRecycle) and the

Department of Toxic Substances Control (DTSC) and to provide funding to DTSC to implement and enforce the hazardous waste control laws as they relate to covered electronic devices. Existing law incorporates the requirements and other provisions of the act by reference as requirements and provisions of the hazardous waste control laws. The act also expressly authorizes DTSC to enforce the act, and all regulations adopted pursuant to the act, through the hazardous waste control laws. A violation of the hazardous waste control laws is a crime. This bill would, among other things, expand the definition of “covered electronic device” to include a “customer-owned solar PV module,” as defined, thereby expanding the scope of the act to include covered solar photovoltaic (PV) module products, **for limited purposes**, as provided. The bill would also require, on or before October 1, 2026, and on or before October 1 each year thereafter, CalRecycle to establish a covered solar PV recycling fee based on the reasonable regulatory costs to administer covered electronic waste recycling. The bill would require the charge to be imposed upon a consumer or a service provider serving the consumer for the purchase of a new or refurbished covered solar PV module product. The bill would also require the charge to be adjusted annually based on the California Consumer Price Index. The bill would create the Covered Solar PV Module Recycling Fee Subaccount as a continuously appropriated fund in the Electronic Waste Recovery and Recycling Account. Because the funds deposited to the Covered Solar PV Module Recycling Fee Subaccount would be a new source of funds in the continuously appropriated subaccount within the continuously appropriated Electronic Waste Recovery and Recycling Account, the bill would make an appropriation. By expanding the scope of the act to make it applicable to covered solar PV module products, the bill would expand the scope of a crime, thereby imposing a state-mandated local program. Beginning January 1, 2028, the bill would require a solar photovoltaic module, that is not a customer-owned solar PV module, to be included in a plan that describes how the module will be managed at the end of its useful life, who is responsible for managing it, and how it will be recycled, refurbished, or reused. 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 1238 – as amended Ward, Hazardous Waste: Solar Panels. Existing law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. A violation of the Hazardous Waste Control Law, including a regulation adopted pursuant to that law, is a crime. This bill would require the department to develop **alternative** management standards for **managing photovoltaic modules. The bill would specify parameters for the standards, including, but not limited to, that they promote the safe collection, reuse, and recycling of photovoltaic modules. The bill would require the department to hold at least one public workshop to discuss concepts for the standards with stakeholders before submitting an initial statement of reasons to the Office of Administrative Law.** Because a violation of regulations adopted by the department under these provisions would be a crime, this bill would impose a state-mandated local program. 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.