



A Public Agency

OLD BUSINESS



To: SBWMA Board Members
From: Cliff Feldman, Recycling Programs Manager
Date: September 11, 2014 Special Board of Director's Meeting
Subject: Discussion Only on Ordinance Implementing a Recycling Reporting System for Commercial Recycling Haulers

Recommendation

This staff report is for discussion purposes only and no formal action is requested of the Board of Directors.

Analysis

Per discussion at the July 24, 2014 Board meeting, staff finalized its working list of recycling haulers and shared it with the Board on August 28, 2014. Board Members were encouraged to get feedback from businesses potentially subject to the ordinance such as haulers and backhaulers and to share this feedback at the next Board meeting. Depending on the Board discussion, a final ordinance may be brought back to the September 25, 2014 Board meeting for consideration.

Overview

The primary rationale for adopting this Ordinance is to enable RethinkWaste to develop a more complete picture of existing diversion efforts for the commercial sector, since the only diversion information currently available is provided by the Member Agencies franchised service provider, Recology San Mateo County (Recology). The actual overall commercial diversion rate is likely significantly higher once we factor in diversion data from non-franchised haulers, as evidenced by Staff's initial stakeholder engagement to obtain data voluntarily.

This SBWMA-wide Ordinance would implement reporting requirements for non-franchised commercial recycling haulers (e.g., paper recycling companies, scrap metal haulers, construction and demolition debris haulers, businesses that backhaul recyclables and/or compost materials to distribution centers, etc.) in an effort to begin collecting diversion data that is currently unavailable. The Ordinance would become effective on January 1, 2015 and the haulers would be required to commence providing reports for the first quarter of 2015 by April 30, 2015. The haulers will be requested to provide data by Member Agency if available. Obtaining such data is critical for future waste diversion planning purposes, including completion and implementation of the SBWMA Long Range Plan; staff can't adequately evaluate alternative commercial diversion programs without understanding what the actual existing commercial diversion rates. However, collecting the data is not required for complying with State mandated recycling laws (e.g., AB 939, AB 341, etc.).

Alternatives to an Ordinance

- Staff can proceed with the Long Range Planning effort without the data sought. Assumptions can be used in lieu of actual data, but this will result in significantly lower confidence in the diversion and cost models presented.
- Staff can continue to attempt to obtain data voluntarily; however, Staff's recent attempt to obtain data voluntarily was far from cost effective as the return on investment of this effort returned few results as explained to the Board at the July meeting. Further, staff does not have time budgeted in the current fiscal year to conduct such a data gathering effort.

Background

Staff reports and presentations on this proposed ordinance were provided to the Board on May 23, 2013, October 24, 2013, February 27, 2014, March 27, 2014 and July 24, 2014 meetings and this item was discussed in detail with the TAC at its November 7, 2013, February 13, 2014 and March 13, 2014 meetings.

Fiscal Impact

The approved FY1415 budget includes \$25,000 to hire a consultant to assist Staff with the stakeholder engagement and implementation of an SBWMA-wide Ordinance.