

SB 1383 COMPLIANCE PLAN

South Bayside Waste Management Authority

November 12, 2020

FINAL (REVISED)



Prepared by
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- Regulatory overview and summary of compliance gaps
- Compliance planning process
- Summary of compliance approach
- Compliance plans for key initiatives
- Cost and staffing estimates

Attachment A: Collection and processing options analysis

Attachment B: Compliance gaps and compliance options considered

ABBREVIATIONS

- CALGreen – California Green Building Standards Code, CCR, Title 24, Part 11
- C&D – Construction and demolition debris
- FROs – Food recovery organizations
- FRSs – Food recovery services
- MA – Member agency
- MFD – Multi-family dwelling
- MOUs – Memorandums of Understanding
- NOVs – Notices of violations
- O2E – Organics-to-energy facility
- SBWMA – South Bayside Waste Management Authority
- T1 – Tier One commercial edible food generator
- T2 – Tier Two commercial edible food generator
- WELO – Water Efficient Landscaping Ordinance
- WWTP – Waste Water Treatment Plant

REGULATORY OVERVIEW AND SUMMARY OF COMPLIANCE GAPS



SB 1383 HIGHLIGHTS



2030 Statewide Goals



A white icon of a factory with two smokestacks emitting plumes of smoke.	Black Carbon	A white downward-pointing arrow. 50%
A white icon of a flame.	Methane	A white downward-pointing arrow. 40%
A white icon of a spray can with particles being emitted from the nozzle.	HFC Gasses	A white downward-pointing arrow. 40%

SB 1383 TIMELINE



January 1, 2020

State to achieve 50% reduction of organics disposal (2014 baseline)



January 1, 2022

Jurisdictions must have organics recycling programs in place

Enforceable regulations take effect

Jurisdictions must implement ordinance or other enforceable mechanisms



January 1, 2024

Jurisdictions must take progressive enforcement actions against non-compliant regulated entities:

- Generators
- Haulers
- Processors



January 1, 2025

State to achieve 75% reduction in organics disposal (2014 baseline)

State to recover a minimum of 20% of disposed edible food for human consumption

SBWMA AND MA COMPLIANCE NEEDS



Collection & Processing

Programs established through franchise, but may need large expansion for MFD/commercial organics, depending on which SB 1383 compliance approach is taken.



Monitoring & Enforcement

On-going contamination monitoring, compliance monitoring, and enforcement program will need to be developed and implemented.



Product Procurement

Extensive compost, mulch, renewable gas, or electricity procurement requirements need to be met; recycled-content paper procurement likely compliant for many MAs.



Ordinances & Policies

Mandatory organics, food recovery, and enforcement ordinances needed for MAs. C&D ordinances and WELO policies needed, if MAs not already compliant.



Food Recovery

Food recovery programs required. No SBWMA programs in place; however, SBWMA can collaborate with County to expand their existing programs.



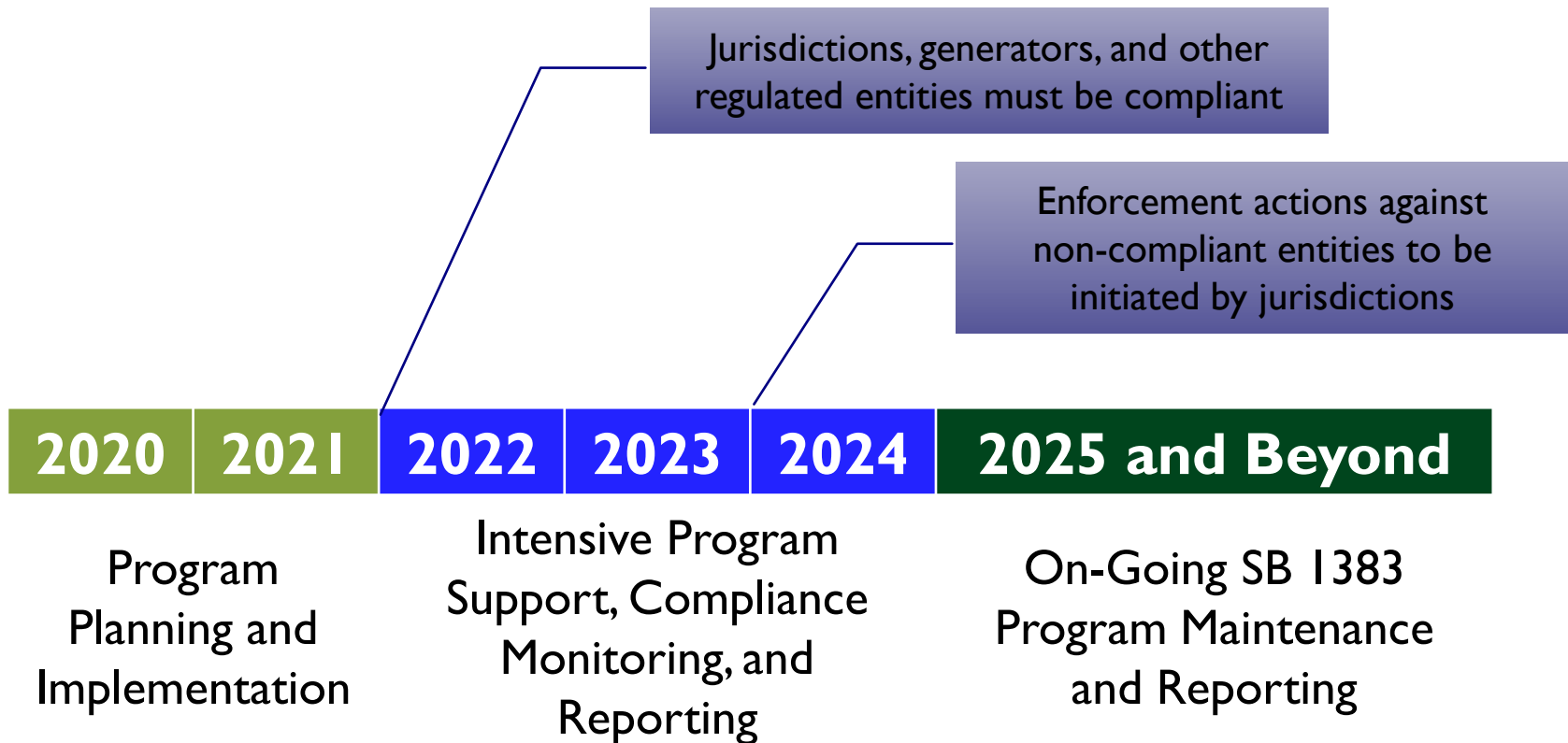
Other

Self-haul, education, recordkeeping, and reporting requirements are among other items that need to be addressed.

COMPLIANCE PLANNING PROCESS



COMPLIANCE PLANNING: FOCUS ON 2020-2024



COMPLIANCE RESPONSIBILITIES



Jurisdictions Ultimately Responsible for Compliance

- Jurisdictions may delegate SB 1383 responsibilities to public or private entity(ies)
- Exception that the authority to impose civil penalties may only be delegated to public agency

Compliance Team

- MAs
- SBWMA
- Other jurisdictions (e.g., County DEH)
- Recology/SBR
- Other contractors

General Compliance Strategy

- SBWMA leads compliance for majority of requirements
- MAs lead compliance for ordinance/policy adoption, C&D and WELO programs, enforcement, and some procurement compliance
- County possible lead on food recovery program capacity

PLAN LIMITATIONS



Preliminary approach reflects October 2020 SB 1383 regulations and best available information

Planning-level cost estimates are provided and should be revised with results of the O2E pilot, costs resulting from negotiations with service providers, and to address other changes

Future interpretation and implementation of regulations may further impact compliance approach

SUMMARY OF COMPLIANCE APPROACH



ORDINANCES & POLICIES



SBWMA

- Enter into MOUs or agreement with MAs for SBWMA to take on some SB 1383-related responsibilities
- Develop model ordinance and procurement policy for MAs to customize and adopt

Member Agencies

- Delegate certain responsibilities to SBWMA via MOU/agreement
- Adopt/amend ordinances and policies
 - Mandatory ordinance with enforcement provisions
 - CALGreen-compliant C&D ordinance
 - WELO policy
 - Organics product procurement policy
- Repeal of any provisions/policies that restrict organics recycling in accordance with SB 1383

COLLECTION AND PROCESSING: SUMMARY PLAN



SBWMA

- Provide SB 1383 compliant collection services
- Use processing facilities that meet SB 1383 organics recovery standards
- Conduct testing of O2E, refine pro forma, engage with WWTP to determine future role
- Update the costs for the 3-container collection option
- Negotiate changes to collection and processing agreements;
- Use O2E to process MFD/commercial solid waste and organics (contingent on reevaluation following the pilot)
- Develop self-haul/back-haul and hauler registration and monitoring system (**optional**)

Member Agencies

- Amend franchise agreement



COLLECTION AND PROCESSING: PREFERRED STRATEGY



Standard Compliance Approach with O2E

Plan to rely on existing collection system

- 3-container system for single-family and limited commercial generators
- 2-container system for other multi-family and commercial generators

Pilot O2E project

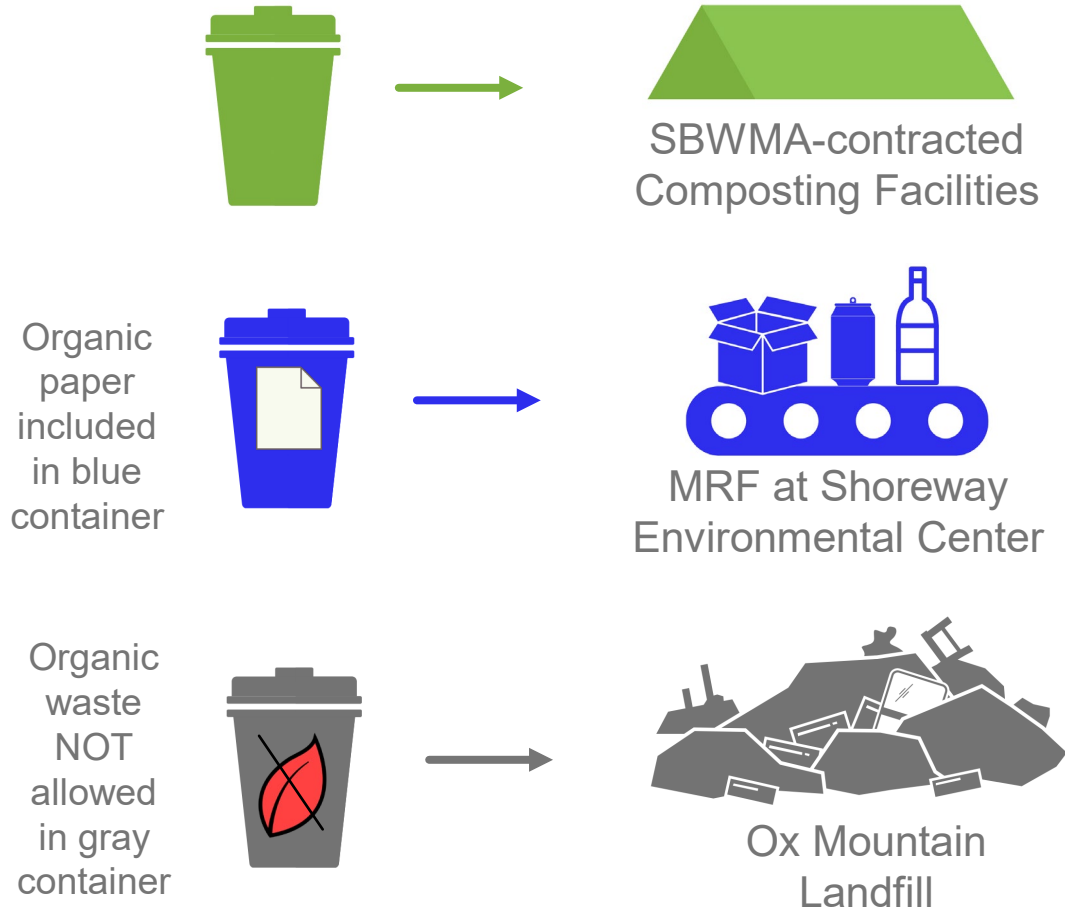
- Test O2E organics recovery rate
- Assess capabilities to meet SB 1383 high diversion facility standards
- Refine costs based on testing and understanding of final regulations

Reassess ability of Option 2 to meet SB 1383 requirements

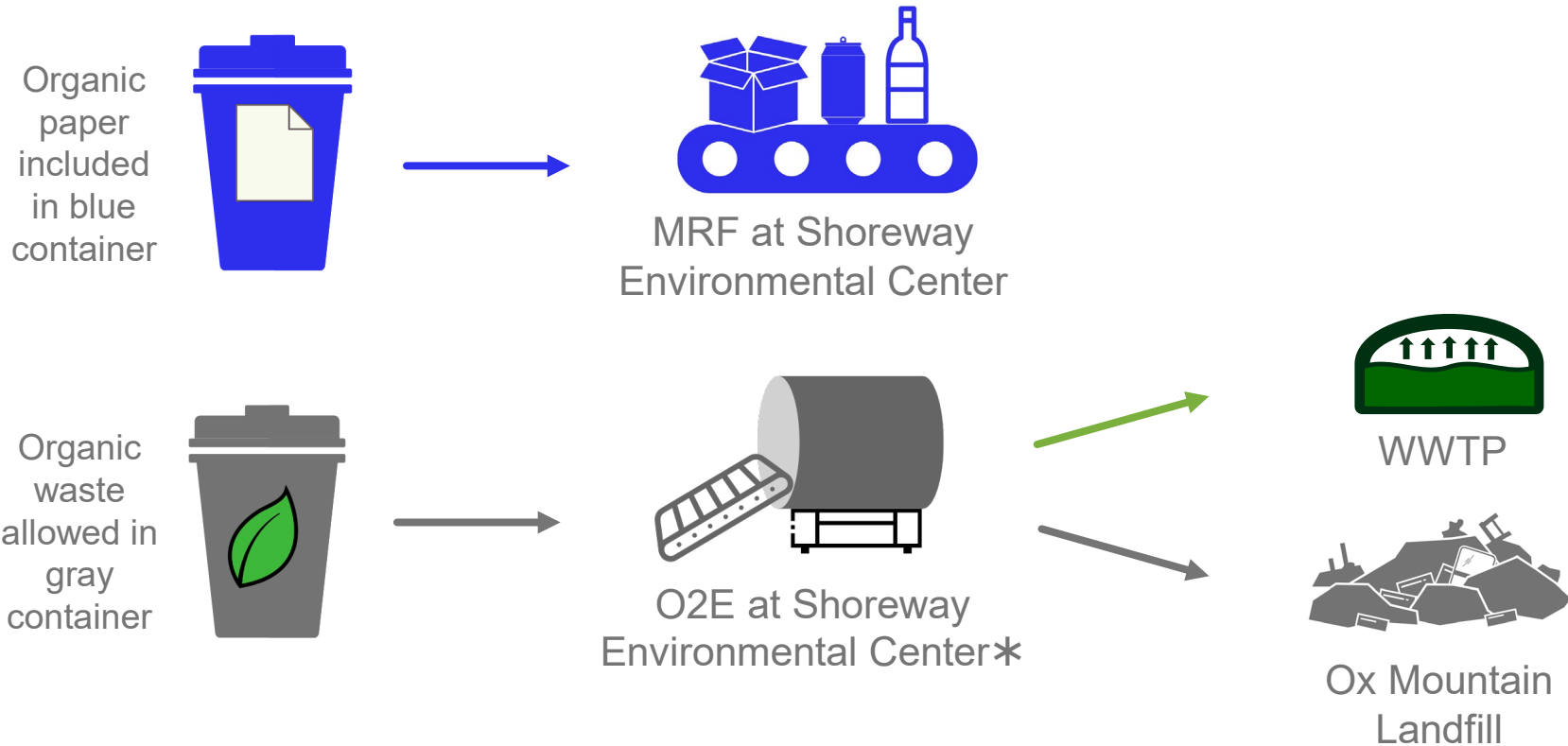
- Proceed with Option 2 or adjust collection and processing strategy, if needed (e.g., shift to Option 1 or 3)

Note: Option 2 was identified as the preferred strategy based on analysis, cost benefit, and input from SBWMA Board and Technical Advisory Committee in 2019 and 2020.

COLLECTION AND PROCESSING (CONT): SINGLE-FAMILY APPROACH



COLLECTION AND PROCESSING (CONT): MULTI-FAMILY / COMMERCIAL APPROACH



* O2E must meet SB 1383 High Diversion Organic Waste Processing Facility requirements including organic waste recovery rate of =>50% by 1/1/2022 and =>75% by 1/1/2024.

FOOD RECOVERY



SBWMA

- Identify and educate T1/T2 commercial edible food generators as defined by SB 1383
- Maintain public list of food recovery organizations/services
- Work with County to expand food recovery capacity, including possible provision of financial support or grants
- Provide technical assistance to T1/T2 commercial edible food generators **(optional)**

Member Agencies

- Comply with food recovery requirements for large events and venues

PRODUCT PROCUREMENT



SBWMA

- Research procurement of renewable natural gas or electricity generated by WWTP from digestion of O2E slurry
- Research other options (compost, mulch, renewable natural gas, and/or electricity from other sources)
- Finalize and implement procurement program
- Contract with involved entities
- Coordinate compost and mulch distribution with MAs, if materials are part of the compliance approach

Member Agencies

- Support implementation of selected procurement program, which may involve use, sale, or donation of compost/mulch and/or support use of electricity or RNG
- Purchase recycled-content paper to meet SB 1383 specs
- Maintain records for above programs



MONITORING & ENFORCEMENT



SBWMA

- Contract with Recology to perform contamination monitoring route inspections through franchise amendment
- Engage County DEH to conduct T1/T2 and FRO/FRS inspections
- Conduct annual desktop compliance reviews of MFD/commercial generators that generate two cubic yard or more of solid waste and organic waste per week
- Inspect edible food generators and waiver recipients
- Investigate complaints and more
- Identify and educate non-compliant entities
- Report non-compliant entities to MAs

Member Agencies

- Use existing code enforcement team for enforcement commencing January 1, 2024; hire more, if needed*
- Issue NOVs and assess penalties for non-compliant entities

* SB 1383 regulations do not authorize MAs to delegate its authority to impose civil penalties, or to maintain an action to impose civil penalties, to a private entity.



OTHER



SBWMA

- Hire additional staff and/or contractors
- Implement record keeping and reporting system
- Educate generators and other regulated entities
- Maintain records, produce reports, share information with MAs
- Support County capacity planning efforts for organics processing and edible food recovery capacity

Member Agencies

- Manage CALGreen-compliant C&D program
- Implement WELO policies to support compost and mulch use
- Submit Initial Compliance Report and Annual Reports to CalRecycle, with the SBWMA providing a substantial portion of the data needed



SUMMARY OF MEMBER AGENCY RESPONSIBILITIES

- Delegation of some responsibilities to SBWMA
- Organics reduction ordinance adoption
- C&D ordinance, monitoring, and reporting
- WELO ordinance, monitoring, and reporting
- Organic waste product procurement policy and on-going procurement
 - Compost/mulch use
 - Recycled-content paper procurement
 - Electricity or renewable natural gas
- Enforcement
- Reporting

COMPLIANCE PLANS FOR KEY INITIATIVES

ABBREVIATIONS IN CENTER COLUMNS OF THE FOLLOWING TABLES:

S = SBWMA

M = MEMBER AGENCIES

C = COUNTY

R = RECOLOGY

T = TBD

COLOR CODING OF THE TIMELINE IN THE FOLLOWING TABLES:

Planning

Implementation

Monitoring

ORDINANCES & POLICIES PLAN



			2020	2021	2022	2023	2024
Mandatory Ordinance (a)							
IA	SBWMA drafts model ordinance(s)	S					
IB	MAs adopt/amend ordinance(s)	M					
Organics Product Procurement Policy (b)							
2A	SBWMA drafts model policy(ies)	S					
2B	MAs adopt/amend policy(ies)	M					
C&D Ordinance and WELO Policy							
3A	MAs amend/adopt C&D ordinance and WELO policies (if not already compliant)	M					
3B	MAs develop and implement procedures for on-going compliance and allocate/hire staff	M					
Repeal Locally-Adopted Standards and Policies							
4	MAs review current policies for conflicts with SB 1383; repeal or amend as needed	M					

(a) Education of regulated entities is covered on the Education Plan.

(b) Procurement of organics waste products is covered on the Organic Waste Product Procurement Plan.

COLLECTION PLAN



			2020	2021	2022	2023	2024
	Collection of All Required Organic Wastes						
1	Confirm list of recyclables/organics collected covers all SB 1383 organics to be collected	S					
2	Assess performance of bulky collection program to determine if it results in landfill disposal reduction of all organic wastes (including paper products and printing and writing paper as defined by SB 1383)	S					
3	Reevaluate Options 1 and 2 after O2E pilot						
4	Amend Recology agreement to add SB 1383 requirements and, if Option 2 is not pursued, to implement for Option 1 (a)	S M					
5	Implement and maintain program changes (b)	R					

- (a) Additional franchise agreement changes are described on the Contamination Monitoring Plan and Education Plan.
- (b) Program changes may include: provision of three-container service to all single-family residents; expansion of the list of materials collected to cover all organic waste to be collected under SB 1383; modification of the bulky collection program to separately recovery and process organic wastes, etc. If following the O2E pilot program and reevaluation of cost impacts for Options 1 and 2, Option 1 becomes the preferred compliance option, negotiate changes with Recology for implementation of Option 1.

PROCESSING PLAN



			2020	2021	2022	2023	2024
Shoreway Facility Transfer and Processing							
1A	Negotiate with SBR for SB 1383-required waste evaluations, incompatible mtl limits, etc.	S					
Composting and Other Organics Processing							
2A	Negotiate with composting contractor(s) for waste evaluations and <20% organics in materials disposed by 1/1/22 and 1/1/2024	S					
2B	Procure compost facility capacity at end of Recology-Grover agreement (a)	S					
2C	Procure compost facility capacity at end of Republic-Newby agreement (a, b)	S					
2D	Pursue O2E project and WWTP partner (c)	S					
2E	Provide organics capacity info to County	S					

- (a) Procurement of composting capacity will occur by the SBWMA regardless of SB 1383; therefore, the costs for the procurement process are not included in the Compliance Plan (anticipating this effort is a regular part of the SBWMA budget).
- (b) Timing of procurement at the end of the Republic-Newby Island agreement is to be determined. Agreement expires 12/31/2022 unless extended 1 or 2 years.
- (c) The O2E project is contingent on the results of the pilot program, full-scale program costs, and partnership arrangements with a WWTP.

CONTAMINATION MONITORING PLAN



			2020			2021			2022			2023			2024		
Container Inspections (a)																	
1	Negotiate Recology amendment for container inspections (contingent on Recology providing service cost effectively)	S R															
2	If Recology is not engaged to perform inspections, hire SBWMA route inspector(s) or engage with another contractor	S R															
3	Develop protocol for inspections for Board approval, including policies for contamination processing fees (if any), refusal to collect, and disposal of contaminated materials	S R															
4	Conduct inspections of randomly-selected containers on all routes annually (b)	R															
5	Notify generator if contamination is found and maintain records of notices; assess contamination processing fees (if any)	R															

- (a) SB 1383 allows for use of an alternative contamination minimization approach that involves waste evaluations at a solid waste facility. This option was evaluated, anticipated to be more costly and logistically more challenging, and, thus, not pursued.
- (b) Contamination monitoring must commence by April 1, 2022. Plan anticipates Recology will conduct container inspections; however, if negotiations are not successful, then SBWMA to determine if it will employ route inspector(s) or engage another contractor.

NON-FRANCHISE HAULER AND SELF-HAULER OVERSIGHT PLAN



			2020			2021			2022			2023			2024		
Non-Franchise Hauler Oversight (a)																	
IA	Adopt ordinance (see Ordinance Plan)	M															
IB	Develop non-exclusive franchise or permit system for non-franchise haulers (b)	S				■	■	■	■								
IC	Develop reporting system; track reports (c) (optional)	S				■	■	■	■	■		■			■		
Self-Hauler Oversight (d)																	
2A	Adopt ordinance for MFD/commercial self-haulers (see Ordinance Plan) (b)	M															
2B	Develop reporting system; track reports (c) (optional)	S				■	■	■	■	■		■			■		

- (a) Non-franchise hauler oversight covers oversight of haulers collecting commercial recyclable; its excludes oversight of haulers delivering organic waste to community composting sites (if applicable) and C&D haulers.
- (b) Education of non-exclusive haulers and self-haulers is covered in Education Plan.
- (c) If a reporting system is pursued, development of various reporting systems to occur concurrently (non-franchise haulers, self-haulers, edible food generators, etc.).
- (d) Self-haulers includes back haulers pursuant to the SB 1383 definition of self-hauler.

FOOD RECOVERY PLAN



			2020	2021	2022	2023	2024
General Compliance (a)							
IA	Update list of T1/T2 edible food generators	S					
IB	Update list of food recovery org/services	C					
IC	Inspect T1/T2 edible food generators and food recovery org/services (see Enforcement Plan)	T					
ID	Work with County to define roles; adopt MOUs between SBWMA, County, MAs	S M C					
IE	Support County food recovery capacity planning	S C					
IF	Provide financial support (optional) ; monitor	S					
Edible Food Generator Support and Reporting							
2A	Provide technical assistance (optional)	S					
2B	Develop reporting system; track rpt (c) (optional)	S					

- (a) Education of generators is covered in the Education Plan. Tracking reporting from FROs/FRSs is covered in the Reporting Plan. Annual inspections and enforcement are covered on the Compliance Monitoring and Enforcement Plans.
- (b) Capacity building anticipates County will take the lead, and the SBWMA will provide annual financial contribution or grant funds.
- (c) Development of various reporting systems are to occur concurrently (non-franchise haulers, self-haulers, T1/T2 generators, etc.).

EDUCATION PLAN



			2020			2021			2022			2023			2024		
1	Provide general SB 1383 compliance information annually to all generators	S															
2	Conduct education for roll-out of three-container service to single-families without service or without recycling or organics	S R															
3	Conduct education for MFD/commercial generators without two-container service or without recycling service	S R															
4	Perform annual noticing of T1/T2 edible food generators by February 1 of each year (a)	S															
5	Notice all residential and commercial property owners annually of SB 1383 requirements	S															
6	Comply with SB 1383 multi-lingual requirements	S															

(a) Education of T1/T2 commercial edible food generators may be included with general SB 1383 education materials or other general education information distributed to generator.

ORGANIC PRODUCT PROCUREMENT PLAN



		2020	2021	2022	2023	2024
Organic Product Procurement (a)						
IA	Evaluate WWTP electricity or RNG option for Recology collection vehicles (a)	S				
IB	Explore compost/mulch procurement option	S				
IC	Finalize procurement strategy	S				
ID	Negotiate necessary contracts	S				
IF	Implement WWTP electricity or RNG use for Recology fleet (if applicable) or other procurement strategy	S R T				
IE	Develop/implement MA compost/mulch use and distribution plan (if applicable)	S M				
Recycled-Content Paper Procurement						
2A	Modify policies (if needed) and/or implement recycle-content paper procurement program	M				

(a) Use of electricity or RNG for the Recology collection fleet is contingent on the O2E project and delivery of O2E slurry to WWTP; WWTP sale of electricity/RNG to SBWMA; and WWTP meeting SB 1383 conditions. Alternatively, the SBWMA or MAs could explore purchasing SB-1383-qualifying RNG or electricity through a wheeling agreement.

COMPLIANCE MONITORING PLAN



			2020	2021	2022	2023	2024
Compliance Reviews and Inspections (a)							
1	Perform compliance “desk” review of MFD/commercial accounts annually	S					
2	Inspect T1/T2 generators, FROs, and FRSs annually (b)	C					
3	Verify non-franchise/self-hauler compliance	S					
4	Investigate complaints of non-compliance with SB 1383	S					
5	Plan/implement MFD/commercial waiver program for de minimis and space constraints	S					

- (a) Contamination monitoring is covered on the Contamination Monitoring Plan.
- (b) Inspections of Tier 2 commercial edible food generator inspections do not need to begin until January 1, 2024.

ENFORCEMENT PLANNING AND IMPLEMENTATION



			2020			2021			2022			2023			2024		
Enforcement Program																	
1	Hire compliance/enforcement manager or consultant	S															
2	Define general compliance and enforcement approach and roles	S M															
3	Plan additional staff resources and develop procedures and training	S M															
4	Hire and train inspection/monitoring staff	M															
5	Supply education materials to non-compliant entities on SB 1383 requirements (a)	S															
6	Evaluate enforcement program options; define roles of SBWMA and MAs; select strategy	S M															
7	Design and implement enforcement program	S M															
8	Issue NOVs to and take enforcement actions against non-compliant entities (a)	M															

(a) SB 1383 specifies that jurisdictions provide education materials to non-compliant entities on SB 1383 requirements from January 1, 2022 through December 31, 2023 and commence with NOVs and penalties beginning January 1, 2024.

REPORTING PLAN



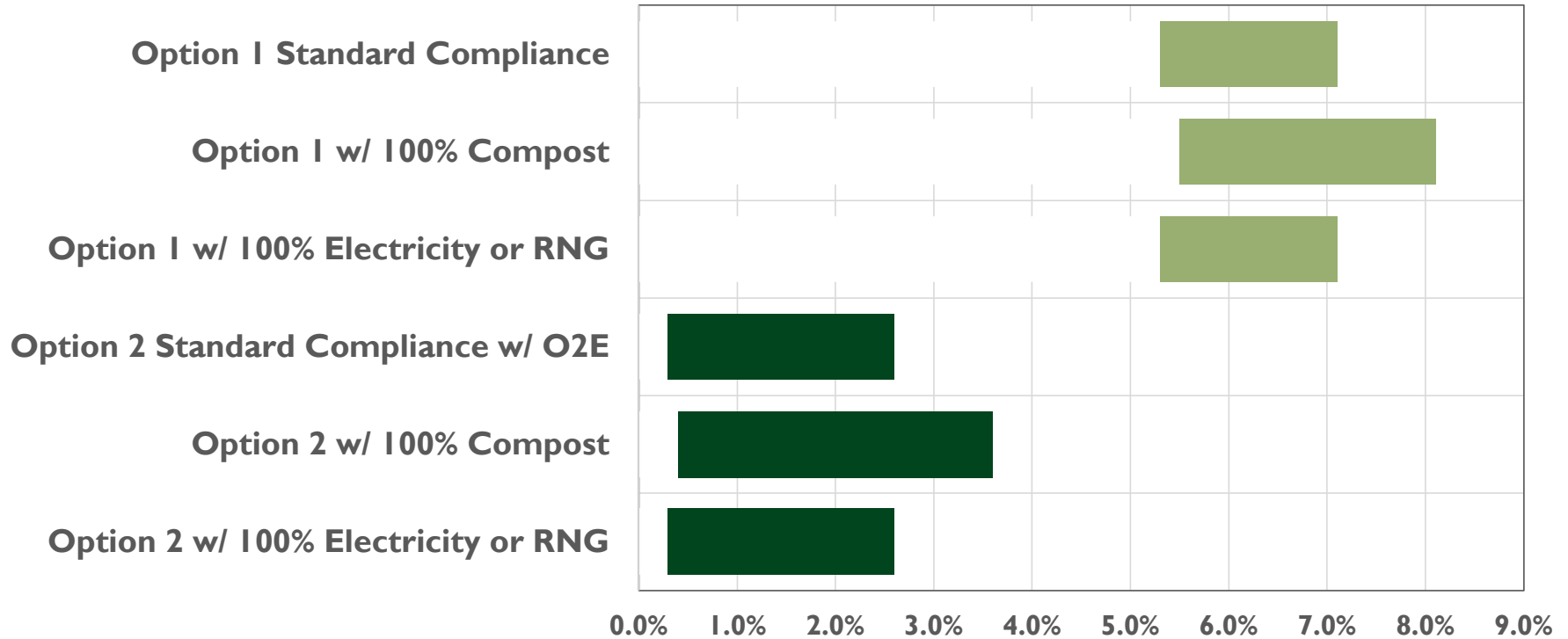
			2020	2021	2022	2023	2024
SBWMA Reporting							
IA	Develop reporting strategy, procure software solution (optional), and implement system	S					
IB	Plan/maintain Implementation Record, including coordination with MAs and all contractors to maintain and provide records	S M					
IC	Provide MAs data for MA submittal of Initial Compliance Reports and Annual Reports	S					
Member Agency Reporting							
2A	Maintain/submit CALGreen and WELO data	M					
2B	Maintain/submit organic procurement data	M					
2C	Maintain/submit recycled-content paper data	M					
2D	Maintain/submit enforcement action data	M					
2E	Submit Initial Compliance Report and Annual Reports to CalRecycle (b)	M					

(a) Initial Compliance Report is due April 1, 2022; Annual Reports are due October 1 commencing October 1, 2022.

PLANNING-LEVEL ESTIMATES OF REVENUE REQUIREMENT IMPACT, COSTS, AND STAFFING NEEDS



ESTIMATED SBWMA-WIDE ANNUAL REVENUE IMPACT



Notes: The SBWMA’s ability to arrange for a “100% Electricity or RNG” option using “SB 1383 qualifying electricity or RNG” and to do so at a cost comparable to the diesel-powered fleet is uncertain. Other options will be explored, and the financial impacts will be different than shown here. Option 2 scenarios are based on the O2E pilot program cost estimates, and the full-scale program costs could be significantly different.

ANNUAL COST ESTIMATE

Program Description		Option 1 - Standard Compliance with 3-Container System		Option 2 - Standard Compliance Approach with O2E	
		Estimated Annual Cost (\$/yr) (a)		Estimated Annual Cost (\$/yr) (a)	
		Low	High	Low	High
1	Edible Food Recovery	\$ 90,000	\$ 230,000	\$ 90,000	\$ 230,000
2	Reporting	\$ 130,000	\$ 230,000	\$ 130,000	\$ 230,000
3	Compliance Monitoring	\$ 90,000	\$ 200,000	\$ 90,000	\$ 200,000
4	Education and Outreach	\$ 70,000	\$ 150,000	\$ 70,000	\$ 150,000
5	Contamination Monitoring	\$ 80,000	\$ 130,000	\$ 80,000	\$ 130,000
6	Enforcement	\$ 50,000	\$ 80,000	\$ 50,000	\$ 80,000
7	Non-Franchise Hauler Program	\$ 30,000	\$ 70,000	\$ 30,000	\$ 70,000
8	Self-Haul/Back-Haul Program	\$ 40,000	\$ 60,000	\$ 40,000	\$ 60,000
9	Ordinances and Policy Changes	\$ 20,000	\$ 40,000	\$ 20,000	\$ 40,000
10	Process Facility Compliance Monitoring	\$ -	\$ 10,000	\$ -	\$ 10,000
11	Other (Contract Negotiations)	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
12	Subtotal	\$ 610,000	\$ 1,210,000	\$ 610,000	\$ 1,210,000
13	Recyclables/Organics Collection and Processing	\$ 4,670,000	\$ 5,780,000	\$ (340,000)	\$ 1,370,000
14	Total Standard-Compliance Approach	\$ 5,280,000	\$ 6,990,000	\$ 270,000	\$ 2,580,000
15	Impact on Annual Revenue Requirement (with estimated franchise fees)		5.3% 7.1%		0.3% 2.6%

* Excludes organic waste procurement program.

** Option 2 scenarios are based on the O2E pilot program cost estimates and the full scale program costs could be significantly different.

Note: The estimated costs and revenue requirement impacts may be different than shown here as some conditions have changed since the estimate was prepared.

Annual SBWMA Staffing Estimates

Program Description (a)		Option 1 - Standard Compliance with 3-Container System		Option 2 - Standard Compliance Approach with O2E	
		SBWMA Only		SBWMA Only	
		Estimated Annual FTE		Estimated Annual FTE	
		Low	High	Low	High
1	Ordinances and Policy Changes	0.0	0.1	0.0	0.1
2	Organics Collection and Processing	0.2	0.4	0.0	0.0
3	Self-Haul/Back-Haul Oversight Program	0.1	0.2	0.1	0.2
4	Hauler Oversight Program for Non-Franchised	0.1	0.3	0.1	0.3
5	Edible Food Recovery	0.4	0.6	0.4	0.6
6	Education & Outreach	0.1	0.2	0.1	0.2
7	Contamination Monitoring (b)	0.2	0.2	0.2	0.2
8	Compliance Monitoring (c)	0.5	1.2	0.5	1.2
9	Enforcement (d)	0.4	0.6	0.4	0.6
10	Organic Waste Product Procurement	0.3	0.4	0.3	0.4
11	Reporting	0.8	1.1	0.8	1.1
12	Processing Facility Compliance Monitoring	0.0	0.1	0.0	0.1
13	Other (Contract Negotiations) (e)	0.0	0.0	0.0	0.0
14	Total Standard-Compliance Approach	3.1	5.3	2.9	5.0

Note: Estimate anticipates that Recology performs contamination inspections; County performs inspections of edible food generators; and Member Agencies conduct enforcement. Staff time for these activities is not included.

OPTION 1 WITH PROCUREMENT SCENARIOS

	Scenario 1: 100% Electricity of Renewable Natural Gas		Scenario 2: 100% Compost	
	Estimated Annual Cost (\$/yr) (a)		Estimated Annual Cost (\$/yr) (a)	
	Low	High	Low	High
Option 1: Standard-Compliance Approach with 3-Container System	\$ 5,280,000	\$ 6,990,000	\$ 5,280,000	\$ 6,990,000
Compost			\$ 140,000	\$ 1,010,000
Electricity or RNG Fuel for Recology Fleet	\$ -	\$ -		
Total	\$ 5,280,000	\$ 6,990,000	\$ 5,420,000	\$ 8,000,000
Impact on SBWMA-Wide Annual Revenue Requirement (with estimated franchise fees)	5.3%	7.1%	5.5%	8.1%

Notes:

1. The SBWMA's ability to arrange for a "100% Electricity or RNG" option using "SB 1383 qualifying Electricity or RNG" and to do so at a cost comparable to the diesel-powered fleet is uncertain. Other options will be explored, and the financial impacts may be different.
2. The estimated costs and revenue requirement impacts may be different than shown here as some conditions have changed since the estimate was prepared.

OPTION 2 WITH PROCUREMENT SCENARIOS

	Scenario 1: 100% Electricity or Renewable Natural Gas		Scenario 2: 100% Compost	
	Estimated Annual Cost (\$/yr) (a)		Estimated Annual Cost (\$/yr) (a)	
	Low	High	Low	High
Total Standard-Compliance Approach with O2E, 2-Container System MFD/Comm	\$ 270,000	\$ 2,580,000	\$ 270,000	\$ 2,580,000
Compost			\$ 140,000	\$ 1,010,000
Electricity or RNG for Recology Fleet	\$ -	\$ -		
Total	\$ 270,000	\$ 2,580,000	\$ 410,000	\$ 3,590,000
Impact on Annual Revenue Requirement (with estimated franchise fees)	0.3%	2.6%	0.4%	3.6%

Notes:

1. The SBWMA's ability to arrange for a "100% Electricity or RNG" option using "SB 1383 qualifying Electricity or RNG" and to do so at a cost comparable to the diesel-powered fleet is uncertain. Other options will be explored, and the financial impacts may be different.
2. The estimated costs and revenue requirement impacts may be different than shown here as some conditions have changed since the estimate was prepared.

MEMBER AGENCY ENFORCEMENT

	Small-Size Agency		Medium-Size Agency		Large-Size Agency	
	Low	High	Low	High	Low	High
Total SFD accounts	3,000	3,000	7,000	7,000	19,000	19,000
% of accounts requiring additional enforcement	0.5%	1.0%	0.5%	1.0%	0.5%	1.0%
# of accounts requiring additional enforcement	15	30	35	70	95	190
Total MFD/Commercial accounts	15	15	700	700	2,400	2,400
% of accounts requiring additional enforcement	10.0%	20.0%	10.0%	20.0%	10.0%	20.0%
# of accounts requiring additional enforcement	2	3	70	140	240	480
Code enforcement hours/account	1	4	1	4	1	4
Estimated staff cost/year (excl franchise fees)	\$ 1,000	\$ 3,000	\$ 8,000	\$ 32,000	\$ 27,000	\$105,000
Estimated staff time/year (FTE)	0.0	0.0	0.1	0.3	0.3	0.9

CASH FLOW PROJECTIONS

			★		★	
	19/20	20/21	21/22	22/23	23/24	24/25
Ordinances and policies - Develop and adopt	\$174,000	\$174,000	\$0	\$0	\$0	\$0
Collection - Onboard all SFD	\$0	\$64,000	\$47,000	\$47,000	\$47,000	\$47,000
Collection - Process MFD/commercial solid waste	\$0	\$0	\$661,000	\$1,321,000	\$1,321,000	\$1,321,000
Self-Haul/Back-Haul Program	\$0	\$79,000	\$64,000	\$49,000	\$49,000	\$49,000
Non-Franchise Hauler Program	\$0	\$111,000	\$80,000	\$48,000	\$48,000	\$48,000
Food recovery	\$0	\$39,000	\$130,000	\$221,000	\$221,000	\$221,000
Education - MFD/com recycling and organics expansion	\$0	\$0	\$0	\$0	\$0	\$0
Education - Annual generator noticing	\$0	\$0	\$123,000	\$123,000	\$123,000	\$123,000
Contamination monitoring - Container inspections	\$0	\$17,000	\$71,000	\$124,000	\$124,000	\$124,000
Compliance monitoring	\$0	\$65,000	\$160,000	\$189,000	\$189,000	\$189,000
Enforcement	\$0	\$0	\$24,000	\$47,000	\$60,000	\$73,000
Procurement (EXCLUDED)	\$0	\$0	\$0	\$0	\$0	\$0
Reporting	\$0	\$79,000	\$147,000	\$215,000	\$215,000	\$215,000
Contract negotiations - Amend Recology agreement	\$0	\$125,000	\$0	\$0	\$0	\$0
Total	\$174,000	\$753,000	\$1,507,000	\$2,384,000	\$2,397,000	\$2,410,000
Total with Inflation adjustment	\$174,000	\$753,000	\$1,552,000	\$2,456,000	\$2,469,000	\$2,482,000

Notes:

Excludes MA costs such as MA enforcement costs.

Excludes organics product procurement costs.

SIGNIFICANT COST AND STAFFING VARIABLES

- Customer subscription levels and related collection, processing, and disposal costs
- O2E performance, cost, and partnership arrangements
- Organic waste product procurement strategy for compost, mulch, renewable natural gas, and/or electricity
- Route definition for contamination monitoring
- Market influences on processing costs and revenues from sale of materials
- County role in food recovery capacity building and SBWMA level of support
- Program oversight and compliance monitoring level of effort
- Economic impacts

RECOMMENDATION TO REFINE COST ESTIMATES AND REVENUE IMPACT PROJECTIONS

- Recommend refinement of estimates given significant cost and staffing variables
- Refine estimated cost and revenue requirement impacts when more details of the SB 1383 compliance approach are finalized, particularly in regards to having refined cost information from the O2E pilot, other impacts on Collection Options 1 and 2, and the final organic waste product procurement strategy
- Reevaluate Option 1 and 2 after cost refinements, and adjust compliance strategy if needed

ATTACHMENT A COLLECTION AND PROCESSING OPTIONS ANALYSIS



THREE COLLECTION AND PROCESSING OPTIONS



Option 1: Standard compliance approach

- 3-container system provided to ALL customers
- Limited waivers (space, de minimis)
- Use compliant facilities

Option 2: Standard compliance approach with O2E

- 3-container system for single-family and current commercial organics customers
- 2-container system for multi-family and other commercial customers
- O2E processing of multi-family and commercial solid waste

Option 3: Performance-based compliance

- 90% of generators must subscribe to 3-container system
- Processing facilities must meet organics recovery standards
- Solid waste must contain no more than 25% organic wastes
- Extensive waste composition studies required

COLLECTION AND PROCESSING OPTIONS



Option 1: Standard compliance approach	Option 2: Standard compliance approach with O2E	Option 3: Performance-based compliance approach
<p>Benefits</p> <ul style="list-style-type: none"> • No minimum generator subscription standards • Processing facilities do not need to achieve organics recovery standards • Potential ability to meet 1/1/2022 compliance data 	<p>Benefits</p> <ul style="list-style-type: none"> • Avoid high cost of organics collection for MFD/commercial • “Clean-up” of MFD/commercial organics materials to position for best processing options • Potential procurement of RNG or electricity resulting from organic digestion at WWTP 	<p>Benefits</p> <ul style="list-style-type: none"> • Compliance monitoring, enforcement, and reporting requirements significantly less than Options 1 and 2
<p>Concerns</p> <ul style="list-style-type: none"> • More costly than Option 2 • Monitoring and enforcement more burdensome than Options 2 and 3 	<p>Concerns</p> <ul style="list-style-type: none"> • Uncertainty about ability of O2E to meet high diversion organics processing standards • O2E permitting unknowns • Inability to meet 1/1/2022 compliance date • Enforcement more burdensome than Option 3 	<p>Concerns</p> <ul style="list-style-type: none"> • Inability to meet 90% generator subscription level by 1/1/2022 • Cost/unavailability of composting facilities with $\leq 10\%$ organics disposed • Having no more than 25% organics in solid waste stream • Burden of waste comp. studies

COLLECTION AND PROCESSING: PREFERRED STRATEGY



Standard Compliance Approach with O2E

Plan to rely on existing collection system

- 3-container system for single-family and limited commercial generators
- 2-container system for other multi-family and commercial generators

Pilot O2E project

- Test O2E organics recovery rate
- Assess capabilities to meet SB 1383 high diversion facility standards
- Refine costs based on testing and understanding of final regulations

Reassess ability of Option 2 to meet SB 1383 requirements

- Proceed with Option 2 or adjust collection and processing strategy, if needed (e.g., shift to Option 1 or 3)

Note: Option 2 was identified as the preferred strategy based on analysis, cost benefit, and input from SBWMA Board and Technical Advisory Committee in 2019 and 2020.

COLLECTION AND PROCESSING: O2E-RELATED TIMING CONSIDERATIONS



Collection approach dependent on O2E performance

	O2E Organics Recovery		
	<50%	50%-75%	=> 75%
Expect O2E not operational by 1/1/2022 compliance date; MAs secure 2-year extension through CalRecycle corrective action plan	◆	◆	◆
Proceed with Option 2 including 2-container approach for multi-family/commercial			◆
Proceed with Option 2 including 2-container approach for multi-family/commercial through 12/31/2024; negotiate with Recology to fully implement Option 1 (3-container approach) by 1/1/2025		◆	
Negotiate with Recology to fully implement Option 1 (3-container approach) by 1/1/2022 (1-yr negotiations window)	◆		

ORGANIC PRODUCT PROCUREMENT OPTIONS



Compost



Mulch



Electricity or
Renewable Gas

Cost analysis:

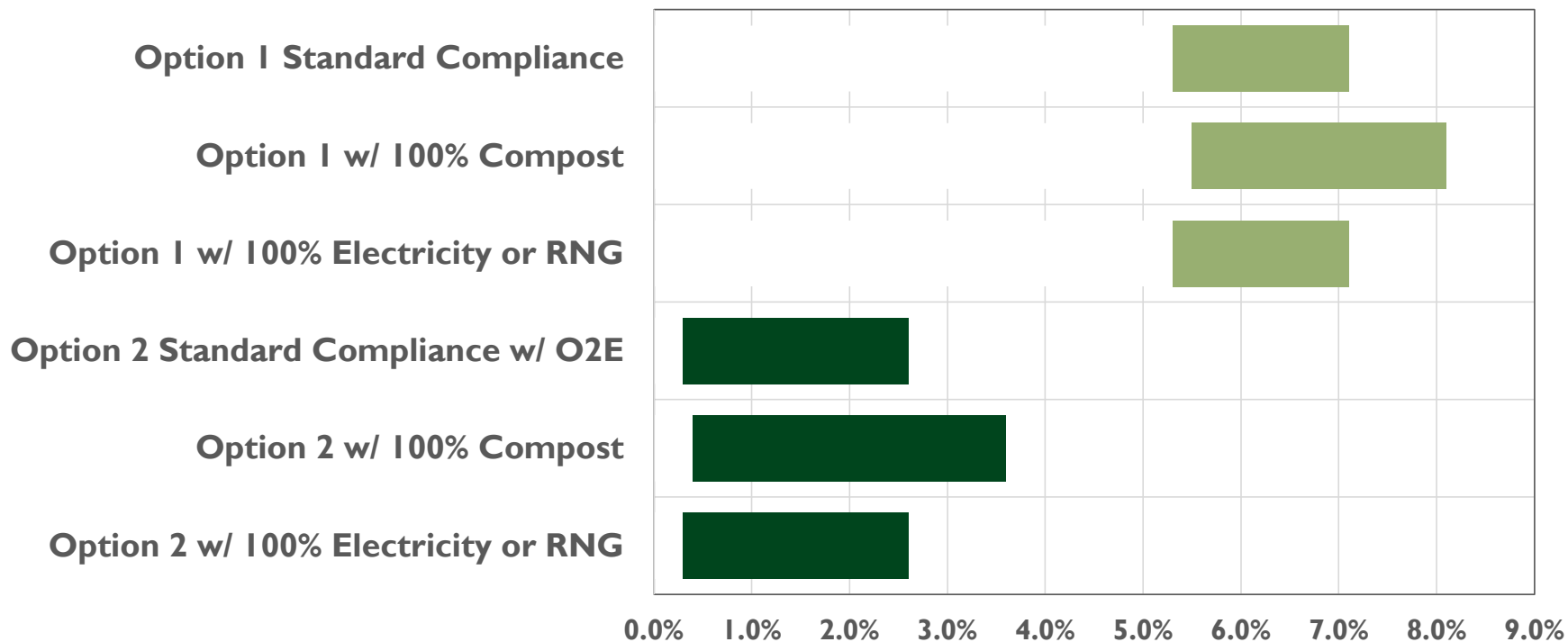
- Scenario 1: 100% electricity or renewable natural gas to fulfill procurement target
- Scenario 2: 100% compost to fulfill procurement target

Photo credit, renewable natural gas:

<https://www.facebook.com/pages/Recology-South-Valley/295973730510383>

Photo credit, mulch: [Paul Green](#) on [Unsplash](#)

ESTIMATED SBWMA-WIDE ANNUAL REVENUE IMPACT



Notes:

1. SBWMA’s ability to arrange for a “100% Electricity or RNG” option using “SB 1383 qualifying electricity or RNG” and to do so at a cost comparable to a diesel-powered fleet is uncertain. Other options will be explored, and the financial impacts will be different than shown here.
2. Option 3, Performance-Based Compliance Approach, is not included at this time because achieving all SB 1383 performance criteria by January 1, 2022 is not realistic and the approach does not allow for use of a 2-container system for MFD and commercial that relies on the O2E facility. SBWMA can pursue Option 3 at a later date, if conditions warrant it.





ATTACHMENT B COMPLIANCE GAPS AND COMPLIANCE OPTIONS CONSIDERED

Note: The SB 1383 regulations and compliance gap analysis presented in Attachment B reflect the October 2020 SB 1383 regulations that were presented to the State Office of Administrative Law for approval. The compliance options presented were considered during the SBWMA's initial SB 1383 planning phase in July 2019.

ATTACHMENT B-1 COLLECTION AND PROCESSING: STANDARD COMPLIANCE

STANDARD COMPLIANCE – COLLECTION AND PROCESSING REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Provide organic waste collection services and recycling (3, 2-, or 1-container system) (§18984.1-18984.3, 18998.1), requiring all generators to participate	
Place compliant labels on new containers or lids (§19894.8)	
Disallow landfilling of organics or use of organics as ADC or AIC. If operator demonstrates that material recovery fines do not include organics, ADC/AIC use of fines will not constitute disposal of organic waste (§19883.1)	
Rely on organics processing facility, operation, or activity that does not constitute landfill disposal (e.g., recycling center, composting, in-vessel, biomass conversion, solid amendment at landfill, land app, animal feed, other approved by State) (§19883.1(b))	Unclear
January 1, 2036 Deadline	
Provide containers to generators that comply with the green, blue, brown, and gray color requirements when replacing containers or by January 1, 2036, whichever occurs first.	



Compliant



Partially Compliant



Non-compliant

COLLECTION AND PROCESSING – POLICY AND IMPLEMENTATION CONSIDERATIONS





■ Collection

- Will the standard compliance approach be pursued?
- If so, what strategies will be used to roll-out service to all generators?

■ Processing

- How will O2E project impact commercial collection services and diversion?
 - Can O2E facility meet high diversion standards if mixed materials processed?
 - Will handling of slurry count as reduction in organics landfill disposal per SB 1383?
- For commercial organics, focus only on O2E project or consider other options?
- For residential organics composting, rebid at the end of contract or consider procuring long-term contract(s) in the near future?

COLLECTION AND PROCESSING – COMPLIANCE METHODS AND COST IMPACT

Program	Estimated Cost Impact	Difficulty level
Collection		
Option 1: Expand recycling and organics to multi-family and commercial currently without service to achieve full implementation of 3-stream system	\$\$	
Option 2: Consider 1- or 2-container approach for MFD and/or commercial	\$\$	
Processing		
Residential: Rebid at end of contract <u>or</u> consider procuring long-term residential organics processing capacity now	\$-\$\$	
Commercial: Limit focus to O2E <u>or</u> consider other options	\$-\$\$	

PROCESSING AND DISPOSAL FACILITY REQUIREMENTS






- Gray Container Waste Evaluations
 - Each transfer/processing facility to conduct
 - For each jurisdiction using that facility
 - Quarterly sampling
 - Number of samples based on prior calendar year tons
 - Remnant organics measured based on 200 lbs. samples (representative and random)
 - Subject to performance in presence of LEA, upon request
 - Maintain records up to 5 years
- Notify self-haulers of requirements for source separation (or processing)

ATTACHMENT B-2 CONTAMINATION MONITORING AND ENFORCEMENT STANDARD COMPLIANCE



STANDARD COMPLIANCE – CONTAMINATION MONITORING REGULATIONS AND GAPS







SB 1383 Regulation (January 1, 2022 Deadline)	Compliance Status
Option 1: Container Inspections	
Conduct route reviews of randomly selected containers for contaminants such that all routes are inspected annually (§18984.5)	
Contact and notify generator of source-separation requirements if contamination is found (§18984.5.b)	
Maintain container contamination notices issued by designee to noncompliant generators (§18984.5.d)	

 **Compliant**
  **Partially Compliant**
  **Non-compliant**

STANDARD COMPLIANCE – ENFORCEMENT REGULATIONS AND GAPS








SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Implement annual inspection and compliance program for organic waste generators, edible food generators, and edible food recovery organizations (§18995.1)	
Provide educational materials to regulated entities not in compliance from January 1, 2022 through January 1, 2024 (§18995.1)	
Verify that businesses granted de minimis or physical constraint waivers meet waiver requirements every 5 years from date of issuance (§18995.1)	Unclear
Investigate and maintain records of all complaints received (§18995.3)	
January 1, 2024 Deadline	
Take enforcement actions, including issuing notices of violations and penalties in compliance with amounts specified in Articles 14 and 16 (§18995.4)	

 **Compliant**
  **Partially Compliant**
  **Non-compliant**

CONTAMINATION AND ENFORCEMENT – COMPLIANCE STRATEGIES AND COST IMPACT





Programs	Estimated Cost Impact	Difficulty level
Contamination Monitoring		
Option 1: Container inspections method	\$	
Option 2: Waste evaluations method	\$\$\$	
Enforcement		
Option 1: Each MA is responsible for all enforcement	\$	
Option 2: SBWMA is responsible for enforcement for some or all MAs	\$\$\$	
Option 3: SBWMA creates a model enforcement program and protocol for all MA; MA responsible for implementation	\$\$	



ATTACHMENT B-3 COLLECTION AND PROCESSING: PERFORMANCE-BASED COMPLIANCE

PERFORMANCE-BASED COMPLIANCE – COLLECTION AND PROCESSING REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Offer 3-container organics collection system to at least 90% of single-family organic waste generators and 90% of multi-family and commercial organic waste generators (§18998.1)	
Transport organics to a “designated source separated organic waste facility” as defined by SB 1383; if a composting facility is used, less than 10% organic waste can be in materials sent to disposal (§18998.1)	Unclear
Ensure organics in gray containers \leq 25% of total solid waste collected annually as measured through periodic waste evaluations (§18998.1)	Unclear
Monitor gray containers for organics content through waste composition studies on a quarterly basis (§18998.1.a.3.B)	



Compliant



Partially Compliant



Non-compliant

ATTACHMENT B-4 CONTAMINATION MONITORING AND ENFORCEMENT PERFORMANCE-BASED COMPLIANCE



PERFORMANCE-BASED COMPLIANCE – GRAY CONTAINER WASTE EVALUATIONS



	Waste Evaluations Requirements
Commencement	July 1, 2022
Frequency	<ul style="list-style-type: none"> • Twice per year for blue and green container materials (§18984.5.c.1.B) • Quarterly for gray container materials (§18984.5.c.1.B)
Sampling	<ul style="list-style-type: none"> • Samples are required separately for each jurisdiction • Samples are required for each route twice annually or quarterly depending on the material type • 200-pound samples are evaluated for contaminants • Approximately 400 200-pound waste evaluations per year for the SBWMA service area



Compliant







Partially Compliant



Non-compliant






PERFORMANCE-BASED COMPLIANCE – INSPECTION AND ENFORCEMENT



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Submit notification to CalRecycle if using the performance-based approach (§18998.3)	
Conduct inspections of Tier One commercial edible food generators, food recovery organizations, and food recovery services (§18995.1, 18998.2)	
January 1, 2024	
Conduct inspections of Tier Two commercial edible food generators (§18995.1, 18998.2)	
Issue notices of violations, conduct follow-up inspections, and commence actions to impose penalties pursuant to Article 16 for non-compliant commercial edible food generators, food recovery organizations, and food recovery services (§18995.4, 18998.2)	

PERFORMANCE-BASED APPROACH – COMPLIANCE METHODS AND COST IMPACT







Programs	Estimated Cost Impact	Difficulty level
Provision of 3-container system for multi-family and commercial generators that do not have service	\$\$	
“Auto” enrollment process for all generators to ensure 90% subscription level is met	\$-\$\$\$	
Blue, green, and gray container monitoring through waste composition studies	\$\$\$\$	
Inspections of edible food generators, food recovery organizations, and food recovery services	\$	
Enforcement against non-compliant commercial edible food generators and food recovery organizations/services	\$	

ATTACHMENT B-5 ORDINANCES AND POLICIES



ORDINANCES & POLICY CHANGES – REGULATIONS AND GAPS





SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Mandatory requirements - Adopt enforceable ordinance(s) or similar mechanism(s) requiring generator, hauler and self-hauler, food recovery organizations and services, and other regulated entities compliance with SB 1383 (§18981.2.a, 18984.9, 18988.1, 18988.3, 18988.3, 18989.1, 18991.1, 18991.3, 18991.5, 18993.1 and 18997.1.b)	
Enforcement ordinance - Adopt an enforcement ordinance or similarly enforceable mechanism to impose penalties in compliance with amounts specified in SB 1383 (§18997.1, 18997.2)	
Waiver policy - May allow limited waivers for de minimus volumes, physical space constraints, and collection frequency waivers; maintain records (§18984.11)	
Hauler regulation/use of allowable facilities - Require organics haulers to identify facilities they will utilize as a condition of contract or agreement authorization (§18988.1)	

 **Compliant**
  **Partially Compliant**
  **Non-compliant**

ORDINANCES & POLICY CHANGES – REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
CALGreen C&D recycling ordinance - Adopt enforceable ordinance or similar mechanism requiring compliance with CALGreen’s C&D recycling requirements and adequate space for multi-family and commercial recycling containers (§18989.1)	
MWELo ordinance - Adopt ordinances or similar mechanisms requiring compliance with the following sections of the State’s Model Water Efficient Landscape Ordinance (MWELo): Sections 492.6.a.3.B (soil amendment use), 492.6.a.3.C (incorporation of compost for landscape installations), 492.6.a.3.D (requirements for use of mulch cover), and 492.6.a.3.G (precedence of organic mulch material from recycled or post-consumer content over inorganic or virgin forest product materials).	

 **Compliant**
  **Partially Compliant**
  **Non-compliant**

ORDINANCE OR ENFORCEABLE MECHANISM: SB 1383 REQUIREMENTS



- Mandatory service and enforcement ordinance
 - Generators to subscribe to collection or self-haul of recycling and organics
 - Allowable waivers, if any
 - Inspection and enforcement provisions
 - Non-franchised hauler and self-hauler requirements
 - Commercial edible food generator requirements
 - Food recovery organization and service requirements
- Procurement policy for organic waste products
- C&D recycling ordinance or policy addressing, at a minimum, specific sections of CALGreen identified by SB 1383
- Water Efficient Landscaping Ordinance (WELO) policy addressing, at a minimum, specific sections of the State MWELo identified by SB 1383
- Repeal locally-adopted standards and policies

ORDINANCES & POLICY CHANGES – POLICY AND IMPLEMENTATION CONSIDERATIONS



- Will SBWMA adopt ordinance(s) for the Service Area or will each MA?
 - If SBWMA adopts ordinance(s) for the entire Service Area
 - What will scope be and how will it impact existing MA ordinances/codes?
 - What will the review and approval process look like?
 - If MAs will adopt their own ordinances/modify codes
 - Will SBWMA prepare draft model ordinance(s)?
 - How will this impact ability to efficiently monitor compliance in the Service Area?



ATTACHMENT B-6

ORGANICS PRODUCT PROCUREMENT



PROCUREMENT – REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Annually procure a quantity of recovered organic waste products that meets or exceeds the organic waste product procurement target as determined by CalRecycle (procurement may be satisfied through procurement of compost, mulch, renewable natural gas, or electricity from biomass that meet criteria included in SB 1383; procurement may be fulfilled by direct service providers to the jurisdiction) (§18993.1)	
Procure recycled-content paper products and printing and writing paper consistent with the requirements of Section 22150-22154 of the Public Contracts Code (§18993.3)	



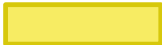

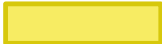




PROCUREMENT – POLICY AND IMPLEMENTATION CONSIDERATIONS



- What can SBWMA do to support MA compliance with requirements?
 - How might SBWMA utilize direct service providers to meet this requirement?
 - What collaboration opportunities exist with Recology?
- What types and quantities of recovered organic waste products are currently procured?
 - If CalRecycle target is higher than current use, can gap be filled by expansion of uses? What new programs could be established?
- How are EPP administered throughout the MAs?
 - What are MA plans for adoption of the SBWMA's Model EPP?
 - What kind of record-keeping system can be used to comply with SB 1383?

ORGANICS PRODUCT PROCUREMENT – COMPLIANCE STRATEGIES AND COST IMPACT



Program Option	Estimated Cost Impact	Difficulty level
Planning		
Option 1: SBWMA creates model EPP for MAs to adopt	\$	
Option 2: Each MA creates and adopts EPP/amends EPP	\$	
Organics Procurement Procurement		
Option 1: Each MA procures organic waste products	\$	
Option 2: SBWMA procures organic waste products on behalf of MAs and sells to others	\$	
Option 3: Recology supports compost procurement	\$	
Option 4: Recology converts collection fleet to RNG	\$	
Option 5: MAs convert agency-funded transportation (agency fleet, public transit, etc.) to RNG	\$\$	




ATTACHMENT B-7 FOOD RECOVERY



Photo credit: CalRecycle, October 2018 NCRA
Edible Food Recovery presentation by Martine Boswell

FOOD RECOVERY – REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Identify Tier One and Tier Two commercial edible food generators; implement an edible food recovery program that educates Tier One and Tier Two commercial edible food generators and increases their access to edible food recovery services and organizations (§18991.1)	
Annually provide businesses that generate edible food waste with information regarding the edible food recovery program, generator requirements, and food recovery organizations (§18985.2.b)	
February 1, 2022 Deadline	
Develop and maintain an online list of food recovery organizations and services (§18985.2.a)	



Compliant



Partially Compliant



Non-compliant





FOOD RECOVERY – POLICY CONSIDERATIONS



- What role will County play in food recovery efforts?
- How will existing food recovery networks be utilized? How will food recovery organizations and services be engaged?
- Which responsibilities will fall on SBWMA, County, and/or MA?
- How will the food recovery program be funded?
- What support will be given to commercial edible food generators, food recovery organizations, and food recovery services?
 - Who will provide the support? SBWMA, County, contractor(s)?
- Will other relevant departments/agencies be engaged? (e.g. Public Health, Human Services)

FOOD RECOVERY – COMPLIANCE STRATEGIES AND COST IMPACT



Programs	Estimated Cost Impact	Difficulty level
Food Recovery Program		
SBWMA plans and implements a food recovery program	\$ - \$\$	
County's food recovery program serves SBWMA Service Area	\$	
County creates food recovery program structure and materials; SBWMA/MAs responsible for local management	\$ - \$\$	
Each MA creates and enforces their own program	\$ - \$\$	

FOOD RECOVERY – COMPLIANCE STRATEGIES AND COST IMPACT



Programs	Estimated Cost Impact	Difficulty level
Commercial Edible Food Generators		
Identify T1/T2 generators (SBWMA or MAs)	\$	<input type="checkbox"/>
Educate T1/T2 generators (SBWMA, MAs, County, Recology)	\$	<input type="checkbox"/>
Inspect T1/T2 generators (SBWMA, MAs, County, Recology)	\$	<input type="checkbox"/>
Enforce T1/T2 generators (SBWMA, MAs, County)	\$	<input type="checkbox"/>
Food Recovery Organizations and Services		
Identify FROs/FRSs (SBWMA, MAs, County)	\$	<input type="checkbox"/>
Educate FROs/FRSs (SBWMA, MAs, County, Recology)	\$	<input type="checkbox"/>
Inspect FROs/FRSs (SBWMA, MAs, County, Recology)	\$	<input type="checkbox"/>
Enforce FROs/FRSs (SBWMA, MAs, County)	\$	<input type="checkbox"/>



ATTACHMENT B-8

OTHER

- Education
- Record keeping and reporting
- Self-haul
- Capacity planning

OTHER – REGULATIONS AND GAPS






SB 1383 Regulation	Compliance Status
January 1, 2022 Deadline	
Education – Annually provide businesses that generate edible food waste with information regarding the jurisdiction’s edible food recovery program, generator requirements, and food recovery organizations (§18985.2.b)	
February 1, 2022 Deadline	
Education, Multi-Lingual Requirement – Consistent with Section 7295 of the Government Code, translate educational materials required by SB 1383 into any non-English language spoken by a substantial number of the public provided organic waste collection services by the jurisdiction (§18985.1.e)	

 **Compliant**
  **Partially Compliant**
  **Non-compliant**

OTHER – REGULATIONS AND GAPS



SB 1383 Regulation	Compliance Status
<p>Record Keeping/Reporting – Submitting an Initial Compliance Report, and, thereafter, an Annual Report; maintain an Implementation Record for which CalRecycle may be able to access within ten (10) business days’ notice (§18994.1, 18994.2, 18995.2, 18981.2, 18984.6, 18984.14, 18998.4, 18985.3, 18988.4, 18991.2, 18993.2, 18993.4)</p>	
<p>Self-haul – Require self-haulers to source separate organic waste and haul to a proper organics processing facility or to haul organic waste to a high diversion facility; require multi-family and commercial generators to keep a record of the amount of organic waste delivered to each facility, including delivery receipts and weight tickets (exempt from weight tickets at unscaled facilities) (§18988.1.b, 18988.3)</p>	
<p>Capacity planning – Support capacity planning assessments by County for organic waste processing and edible food recovery (§18992.1, 18992.2)</p>	



Compliant



Partially Compliant



Non-compliant