



A Public Agency

## SBWMA LEGISLATIVE COMMITTEE MEETING

MONDAY DECEMBER 5, 2022 at 2:00 p.m.

IN PERSON OR VIA ZOOM

Place:  
RethinkWaste Offices  
610 Elm Street Suite 202  
San Carlos, CA 94070

Join Zoom Meeting:  
<https://us02web.zoom.us/j/82257704196?pwd=WHFH3VQSUV6OWNOL2tTejZWeFAwdz09>  
Dial in: 1 669 444 9171  
Meeting ID: 822 5770 4196  
Passcode: 121755

Pursuant to Government Code Section 54953, and SBWMA Resolution 2022-43, this meeting will be held both in person and virtually. The public may participate in person or by joining the zoom meeting:

<https://us02web.zoom.us/j/82257704196?pwd=WHFH3VQSUV6OWNOL2tTejZWeFAwdz09>

### Public Comment:

Live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the “raise hand” feature (for those joining by phone, press \*9 to “raise hand”) during the public comment period for the agenda item you wish to address. The CHAIR will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees. Please clearly state your full name for the record at the start of your public comment

Written public comments for the record may be submitted in advance by 12:00 p.m. on the meeting date by email to: [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org) and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following: 1) Clearly indicate the Agenda Item No. or specify “Public” in the Subject Line for items not on the agenda and 2) Include the submitter’s full name

Pursuant to Ralph M. Brown Act, government code section 54953, all votes shall be by roll call if any members of the board of directors are participating by teleconference and/or video conference.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Cyndi Urman at (650) 802.3510 or [curman@rethinkwaste.org](mailto:curman@rethinkwaste.org). Notification in advance of the meeting will enable the Authority to make reasonable arrangements to ensure accessibility to this meeting.

### AGENDA

#### 1. Call to Order/Roll Call

#### 2. Public Comment

Persons wishing to address the Board on matters NOT on the posted agenda may do so. Each speaker is limited to three minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Board Meeting. If the item you are speaking on is not listed on the agenda, please be advised that the Board may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Board’s general policy is to refer items to staff for attention, or have a matter placed on a future Board agenda for a more comprehensive action or report and formal public discussion and input at that time. *Speakers may also submit comments via email prior to the meeting by sending those comments to [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org).*

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#### MEMBER AGENCIES

BELMONT \* BURLINGAME \* EAST PALO ALTO \* FOSTER CITY \* HILLSBOROUGH \* MENLO PARK \* REDWOOD CITY  
\* SAN CARLOS \* SAN MATEO \* COUNTY OF SAN MATEO \* WEST BAY SANITARY DISTRICT

November 28, 2022

**3. Executive Director's Report (Verbal Update)**

**p. 3**

**4. Approval of Consent Calendar**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Board, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Approval of the Minutes from the August 29, 2022, Legislative Committee Meeting

**ACTION p. 7**

B. Approval of the RethinkWaste Legislative Committee 2023 Meeting Calendar

**ACTION p. 11**

**5. Legislative Committee Review and Recommended Approval of a Resolution Approving the 2023-2024 RethinkWaste Legislative and Regulatory Platform**

**ACTION p. 15**

**6. Discussion of RethinkWaste 2023 Legislative Priorities**

**p. 25**

**7. Committee Member Comments**

**8. Adjourn**

**Attachments:**

PowerPoint Presentation by Staff and EEC on:

Agenda Item 5: RethinkWaste 2023 Legislative and Regulatory Platform AND

Agenda Item 6: RethinkWaste 2023 Legislative Priorities

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**MEMBER AGENCIES**

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November 28, 2022



# EXECUTIVE DIRECTOR'S UPDATE

Agenda Item 3 is a verbal report only at the  
12/05/2022 SBWMA Legislative Committee Meeting





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# CONSENT CALENDAR



**DRAFT MINUTES**

**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE LEGISLATIVE COMMITTEE**

August 29, 2022 2:00PM  
Via Zoom Tele or Video Conference

**Call To Order: 2:03PM**

**1. Roll Call**

Member	Present	Absent
Michael Brownrigg	X	
Adam Rak	X	
Carole Groom	X	
Fran Dehn	X	

SBWMA Staff Members Present: Joe La Mariana, Julia Au, Cyndi Urman, Hilary Gans, Jean Savaree  
Others Present: Kayla Robinson, Environmental and Energy Consulting; Reed Addis, Environmental and Energy Consulting

**2. Public Comment**

Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the Committee may do so, and the comments shall be limited to the Special Meeting notice topic(s). Speakers may join the Zoom meeting via the meeting link and using the “raise hand” feature and the Clerk of the Board will call on people.

None

**3. Executive Director’s Welcome**

Joe welcomed everyone and noted that Staff Au and the EEC team have good legislative news to share, so he wanted to get right to legislative discussion.

**4. Approval of Consent Calendar**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Committee, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

- A. Approval of the Minutes from the May 2, 2022, Legislative Committee Meeting
- B. Approval of the Minutes from the June 6, 2022 Legislative Council Meeting

Motion/Second: Groom/Rak

Roll Call Vote: 4-0-0-0

Member	Yes	No	Abstain	Absent
Michael Brownrigg	X			
Adam Rak	X			
Carole Groom	X			
Fran Dehn	X			

#### 5. Update on SBWMA's Co-Sponsored Bills

- AB 2440 Responsible Battery Recycling Act of 2022
- SB 1215 Electronic Waste Recycling Act: Battery-Embedded Products
- AB 1985 Organic Waste: recovered organic waste product procurement targets

Kayla Robinson gave the latest updates on the Agency's three co-sponsored bills.

AB 1985: Organic Waste: recovered organic waste product procurement targets. This bill has passed both houses and is already on the Governor's desk with bi-partisan support. It gives a two-year phase in to the SB 1383 procurement requirements, and while staff had hoped for a lot more from CalRecycle on procurement solutions, it was a great lesson to come to the table through a legislative vehicle with CalRecycle.

Executive Director La Mariana acknowledged that the bill isn't exactly what was hoped for. What hasn't been addressed is the sheer largeness in the amount of material required by the procurement requirements in SB 1383. But it does buy a period of time to have extended conversations with CalRecycle.

Member Brownrigg asked if staff has been in touch with farmers on the coast side to see if they can use the compost to meet the procurement requirements for SB 1383.

Executive Director La Mariana noted that we are currently in the middle of a 3-year pilot program where compost from the facilities the SBWMA uses for processing is being taken to a designated farming area for scientific study in the farming community on the coast to make sure it's not contaminated and see how it affects the soil.

Staff Au added that this project started a year ago, and that staff is doing another project with the Resource Conservation District that is regional, and all of the Member Agencies are getting SB 1383 procurement credit for that project.

Member Brownrigg asked if there was a way to use the compost material as clean fill for construction projects.

Executive Director La Mariana answered that clean fill is typically non-remediated native dirt, and Agency compost is more of a soil amendment, and he wasn't sure this would qualify as clean fill.

Kayla Robinson then gave an update on the two battery bills, noting that this is the year they are finally going to pass.

SB 1215: Electronic Waste Recycling Act: Battery-Embedded Products, has passed out of the Assembly with bi-partisan support and will be back in the Senate, and they feel really confident that they have the 2/3 votes to pass the senate as well.

AB 2440: Responsible Battery Recycling Act of 2022, related to EPR for loose batteries has gone up to the wire, two remaining opposition groups remain opposed to the bill, but they are going to be able to live with the bill. This bill is eligible as of today, and she thought both bills would be on the Governor's desk by the end of the week.

The committee discussed the 4 years that it has been since initially trying to create a legislative solution to batteries, noting that this is a much better bill than the original bill put forward three years ago, and to remind the committee that once the next big initiative is determined it takes time to get things done.

## 6. Legislative Updates from EEC and Committee Discussion

Kayla Robinson then discussed other legislation that Agency is either in support of or watching.

**SB 1013** which amends the bottle bill to include wine containers, it had to go back to committee due to some amendments, but it will be back on the floor shortly and likely to pass.

Executive Director La Mariana added that this is plus revenue for the Agency without doing any extra work because it's already being done for the nonalcoholic containers.

**SB 1046** requires produce bags to be recyclable or compostable by 2025 and is already on the Governor's desk.

**SB 1256** requires small propane cylinders to be reusable/refillable is already on the Governor's desk.

Executive Director La Mariana noted that these canisters are very dangerous in the facility, they can cause explosions and fires.

Staff Au added that this bill is only for the one-pound canisters and would ban non-refillable canisters, but that refillable one pound canisters are already on the market.

Member Rak asked if there was actually infrastructure in place to refill these containers in a reasonable way.

Staff Au answered that California Product Stewardship Council (CPSC) has been working on this issue for the last 5-years, and places like U-hall will refill them for you similar to the five-pound tanks for barbecues.

Member Rak suggested that if a company sells them, they must be able to refill them.

**AB 2208** is on the Governor's desk and bans florescent bulbs, which wasn't a huge priority for the SBWMA, but was supported.

**SB 54** has passed, and the ballot initiative has been pulled, in order to get the ballot initiative pulled in time, they put a bill forward that wasn't perfect, and now they are in the process of doing clean up. There have and will be changes and there is a budget trailer and an additional bill trying to make sure that all the commitments that were agreed to are accounted for. After 72 hours what is in print is it, and changes cannot be made until January of next year.

**Climate Bill Updates** – About a month ago the Governor urged the legislature to take some bold action on climate and two of the bills are relevant to the SBWMA about reducing greenhouse gas emissions.

- **AB 2133** – Increases California's 2030 targets to 50% below the 1990 levels has not passed out of Assembly or Senate yet but is looking to pass.
- **AB 1279** – Codifies California's goals to reach carbon neutrality by 2045.

### **Budget Updates –**

- A couple of months ago there was \$180M allocated for SB 1383 assistance for local governments.
- As of yesterday, the Governor and the legislature have come to an agreement on the \$19.3B climate package.
- A \$7M composting pilot program that will be housed at CalRecycle is in the budget
- \$10M related to co-digestion infrastructure is also in the budget.

She added that it's important to go back year after year and keep making requests for assistance and reminding legislators how far it is to go to meet these climate targets.

### **7. Legislative Committee Member Comments**

Members Rak and Brownrigg thanked Kayla Robinson and the EEC team for their work this year and noted that it's nice to be able to think of the Agency as being at the forefront, and that the Agency should be leaders.

Member Rak commented that he'd like to see policy around wasteful plastic campaign signs that aren't recyclable given today's markets.

Member Groom noted that there are several ordinances that the county has passed that they've asked every city to pass regarding campaign signs, so amending that to paper signs only. She said she would have staff find the ordinance and work on getting it amended at the County before moving it forward to the cities.

Member Brownrigg said this fall with signs up is the time to move this forward.

The committee also discussed amending the ordinances so that signs can't be on public property.

### **8. Adjourn 2:51PM**



## STAFF REPORT

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**To:** SBWMA Legislative Committee Members  
**From:** Cyndi Urman, Board Secretary  
**Date:** December 5, 2022 Legislative Committee Meeting  
**Subject:** Approval of 2023 Legislative Committee Meetings Calendar

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### **Recommendation**

It is recommended that the SBWMA Legislative Committee approve a 2023 Legislative Committee regular meeting calendar.

### **Summary**

The SBWMA Legislative Committee is a standing committee of the SBWMA. As such, the committee is required to follow Brown Act regulations, and have a posted schedule of regular meetings. It is recommended that the SBWMA Legislative Committee adopt a calendar with regular monthly meetings beginning in February 2023.

Additional Special Legislative Committee meetings may be necessary for review of SBWMA legislative related matters, and meetings may also be cancelled should there be no agenda items to discuss.

Staff recommends continuing to meet on the first Monday of each month from 2 to 3PM for 2023. Per resolution 2022-53 by the SBWMA Board of Directors SBWMA Legislative Committee meetings will be held in hybrid format and committee members may attend in person or by zoom until further notice.

### **Fiscal Impact**

There is no fiscal impact associated with approving a regular meeting calendar for 2023. Should meetings resume in person, and the conference room at the SBWMA offices not accommodate the number of attendees there is a small fee of \$65 per meeting charged to use the San Carlos library meeting room.

### **Attachments:**

Attachment A – 2023 Legislative Committee Draft Meeting Calendar



**SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
2023 LEGISLATIVE COMMITTEE MEETING SCHEDULE**

via Zoom Tele or Video Conference or in the  
SBWMA Offices at 610 Elm Street Suite 202 San Carlos, CA or  
at the San Carlos Library 2<sup>nd</sup> floor conference room at 610 Elm Street Room A/B San Carlos, CA  
Please refer to each agenda for exact location information.

Meetings are held on the first Monday of the month from 2:00 pm to 3:00 pm unless otherwise noted.

February	6	2023
March	6	2023
April	3	2023
May	1	2023
June	5	2023
July	NO MEETING	
August	28*	2023
September	NO MEETING	
October	2	2023
November	7	2023
December	4	2023

\*Due to the first Monday of September being the Labor Day holiday The August and September meetings fall on 8/28/23



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**Legislative Committee Review  
and Recommended Approval of  
a Resolution Approving the  
2023-2024 RethinkWaste  
Legislative and Regulatory  
Platform**





## STAFF REPORT

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**To:** SBWMA Legislative Committee Members  
**From:** Julia Au, Sr. Outreach, Education and Compliance Manager  
**Date:** December 5, 2022 Legislative Committee Meeting  
**Subject:** Review and Recommend Approval of a Resolution Approving the SBWMA 2023-2024 Legislative and Regulatory Platform

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### Recommendation

It is recommended at the SBWMA Legislative Committee recommend Resolution No. 2023-XX attached hereto recommending the approval of the 2023-2024 Legislative and Regulatory Platform to the SBWMA Board of Directors.

### Summary

Adopting a legislative and regulatory platform of important topics for the SBWMA will enable the agency to be heard in Sacramento and statewide with a loud and preemptive voice, act more swiftly on pressing and emerging legislative and regulatory issues that need prompt action, as well as help the agency prioritize our legislative resources. The 2023-2024 Legislative and Regulatory Platform (Platform) language is purposefully broad enough so that issues of importance that are not currently conceived, which may unexpectedly arise that the agency and its members may need to contribute to during this California legislative session, can still be addressed in a promptly manner. This Platform will cover one California legislative session, which covers two calendar years. If approved, Platform will be brought to the SBWMA Board of Directors for approval at the January 26, 2023 meeting.

### Analysis

The proposed Platform identifies 14 key topic areas of importance to the agency and our member agencies to guide the identification of critically relevant bills and regulatory action that need attention during the legislative session. This document was developed by staff in conjunction with the agency's legislative and regulatory lobbyist firm, Environmental and Energy Consulting (EEC).

Each year, numerous bills are proposed for legislative consideration and many more industry-specific regulations are proposed for statutory implementation; therefore, bill and regulation identification and tracking are a critically important step in the process.

Based on the approved Platform, the Executive Director and staff will work with Committee Members, EEC and partners to identify a list of industry-specific bills to track and to determine which bills to take a position on, alongside any potential co-sponsored legislation. To better meet the needs and time of the Committee, Board, staff and our lobbyists, the Platform will be updated every legislative session or every two years.

### Background

The SBWMA Board last approved a Legislative and Regulatory Platform for 2021-2022.

**Fiscal Impact**

There is no additional fiscal impact for development of this Legislative and Regulatory Platform.

**Attachments:**

DRAFT Resolution 2024-XX

Attachment A – SBWMA 2023-2024 Legislative and Regulatory Platform



# RESOLUTION NO. 2024-XX

## RESOLUTION OF THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD OF DIRECTORS AUTHORIZING THE APPROVAL OF THE SBWMA'S 2023-2024 LEGISLATIVE AND REGULATORY PLATFORM

**WHEREAS**, the SBWMA's adopted mission is to serve as solid waste industry leaders in public health, safety and environmental stewardship by providing our ratepayers with innovative cost-effective zero waste programs and Member Agency climate action plan alignment through education, engagement, infrastructure, and policy development;

**WHEREAS**, the goals of the SBWMA and the environmental quality of life of our Member Agencies' community members are strongly served by the establishment of a legislative and regulatory platform on important issues; and

**WHEREAS**, the adoption of a legislative platform gives the SBWMA a strong, preemptive voice in on pressing and emerging legislative and regulatory issues and it allows staff to functionally work with agency partners and legislative and regulatory contacts to affect change that aligns with agency goals; and

**NOW, THEREFORE BE IT RESOLVED** that the South Bayside Waste Management Authority hereby approves the SBWMA 2023-2024 Legislative and Regulatory Platform.

**PASSED AND ADOPTED** by the Board of Directors of the South Bayside Waste Management Authority, County of San Mateo, State of California on the 26th day of January, 2023, by the following vote:

Agency	Yes	No	Abstain	Absent	Agency	Yes	No	Abstain	Absent
Belmont					Redwood City				
Burlingame					San Carlos				
East Palo Alto					San Mateo				
Foster City					County of San Mateo				
Hillsborough					West Bay Sanitary Dist				
Menlo Park									

I HEREBY CERTIFY that the foregoing Resolution No. 2024-XX was duly and regularly adopted at a regular meeting of the South Bayside Waste Management Authority on January 26, 2024.

ATTEST:

\_\_\_\_\_  
Chairperson of SBWMA

\_\_\_\_\_  
Cyndi Urman, Clerk of the Board



# **SBWMA 2023-2024**

## **Legislative & Regulatory Platform**

## Executive Summary

A pre-approved biennial Legislative & Regulatory Platform provides the SBWMA with a clear and concise guiding document from which to focus all targeted activities during each Legislative session to achieve agency goals and best represent its interests. With Legislative Committee oversight, this platform allows staff to strategically direct agency resources and marshal important external partnerships with nimble, yet highly effective urgency to deliver successful outcomes in the fast-paced and complex Sacramento legislative ecosystem.

The elements below provide the overarching direction for the SBWMA's Legislative Committee and staff throughout the entire legislative session in the most time expeditious fashion. The Legislative & Regulatory Platform model is a longstanding tool that has been adopted by numerous governmental agencies, including the County of San Mateo, the City/County Association of Governments (C/CAG), most counties and major cities, transit districts and many special agencies. Upon Board approval, these are the 14 guiding principles that our agency will work diligently to advance during this legislative session:

### 1. Extended Producer Responsibility (EPR)

Extended producer responsibility (EPR) or product stewardship is a strategy that shifts the responsibility for end-of-life management of a product or package to the manufacturer to finance the end-of-life management costs by incorporating it in the price of a product.

Support laws and regulations that require manufacturers to take responsibility for the end-of-life management of problematic (costly to handle, not easily recyclable, and toxic containing) products and packaging that shift costs away from local governments. Support efforts to implement and improve existing EPR regulations to include as well as support new EPR efforts for products, including but not limited to: batteries and solar panels. Support provisions that make EPR laws effective including minimum collection rates, progressively increasing collection targets and no local preemption clause.

### 2. Lithium-Ion (Li-ion) Battery Collection and Recycling

Support and implement legislation, regulations, and programs that ensure the safe collection, management, and processing of Li-ion batteries to reduce the serious fire, health, and safety hazard these batteries pose when improperly disposed of. This includes supporting collection programs related to loose Li-ion batteries and Li-ion batteries embedded in electronic products and zero-emission vehicles.

### 3. Waste Diversion

Support the diversion of recyclables and organics from landfills through implementation of AB 939 (Chapter 809, Statutes of 1989); AB 341 (Chapter 476, Statutes of 2011); AB 1826 (Chapter 727, Statutes of 2014); and SB 1383 (Chapter 395, Statutes of 2016) and support regulations that are practical for local governments to implement. Support new legislative efforts to divert waste away from landfilling and toward recycling, composting, and anaerobic digestion to support the state's 75 percent solid waste diversion goal.

### 4. Recycling and Organics Processing Infrastructure

Support new or additional funding for expanded recycling and organics processing infrastructure which will be needed to fully implement AB 1826 and SB 1383. Support investment in expanded clean

composting, anaerobic digestion, and recyclable materials manufacturing to support diversion, jobs, greenhouse gas (GHG) reduction and the green economy.

## **5. Packaging Reduction**

Support legislation, regulations, and programs that provide a consistent approach to phasing out the sale and distribution of products, materials, and packaging that cause significant land and ocean litter problems, and that are known to be carcinogenic.

## **6. Diversion Funding**

Support new or additional funding sources for implementation of Countywide Integrated Waste Management Plan as well as local grants and funding for local government implementation of AB 939; AB 341; AB 1826; SB 1383 and other solid waste and waste diversion related laws that affect local governments. Support funding for CalRecycle to assist in the implementation of these laws and other efforts to divert organic and recyclable waste from landfill.

## **7. Toxics Reduction / Household Hazardous Waste (HHW)**

Support legislation that will reduce the amount of toxic chemicals released into our environment and that impact worker health. Oppose legislation that preempts or supersedes local control over household hazardous waste programs or supersedes local product stewardship/EPR ordinances and limits the role of manufacturers and producers in product stewardship programs. Oppose state legislation that weakens local ordinances without an adequately funded alternative.

## **8. Food Waste Reduction and Recovery**

Support legislation to enable additional food rescue and recovery of edible food for human consumption, including expansion of good samaritan laws, increasing infrastructure, and support legislation that establishes funding for food recovery programs and develops policies for safe, but consistent food date labeling.

## **9. Market and Economic Development**

Support legislation that promotes innovative economic development policies and programs that create green jobs and promote waste reduction. Support programs to improve California's Beverage Container Recycling Program ("Bottle bill"), including the long-term continuation and expansion of this program as well as ensuring Californians have convenient access to recycling centers. Support efforts to improve markets for compost and mulch and for recycled content products, including increasing recycled product purchasing. Support policies that develop new markets for recycled content materials and compost and policies that establish fees and funding streams for large volume or hard to recycle materials such as tires. Support legislation that promotes market development for wood and other construction and demolition materials.

## **10. Green Purchasing**

Support laws to purchase products and services that reduce the impact on human health and the environment through their lifecycle when compared with competing products serving the same purpose.

## **11. Right to Repair**

Currently, manufacturers design products that are difficult or impossible to repair without damaging the product, often making consumers purchase buy new products and discard old ones. Support Right to Repair legislation that requires manufacturers to provide access to repair information and software, and also sell spare parts and any required tools on fair and reasonable terms to consumers.

## **12. Healthy Soils**

Support measures to advance the development and maintenance of healthy soils (which are expected to decline because of climate change) through the use of natural infrastructure. Support measures to increase use of compost and mulch as appropriate for new and expanded landscapes to improve soil quality and compost socks, blankets and berms as a means of flood and erosion control and soil improvement after fires.

## **13. Climate Adaption and Mitigation**

Support legislation that funds and advances the use of natural vegetation to adapt to flooding, fire, and drought and reduce the impact that urban areas have on the environment. This includes promoting the appropriate use of compost berms, socks and blankets to control soil erosion after fires and to address flooding, as well as the use of native plants and natural landscapes for water conservation. Support measures to expand the use of compost and mulch as ways to improve climate resiliency locally and statewide. Support legislation to reduce organics and recyclables in the landfill as a measure to reduce greenhouse gases.

## **14. California Green Business Program Funding**

Support flexible funding sources, such as Cap and Trade and other funding sources that support local and statewide green business programs that address multiple environmental issues including toxics, energy, water, solid waste, storm water, pollution prevention, and transportation.





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# Discussion of RethinkWaste 2023 Legislative Priorities



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**Agenda Item 6**

**Discussion for RethinkWaste 2023 Legislative Priorities**

**No Staff Report Discussion Item Only**

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**Attachments:**

PowerPoint Presentation by Staff and EEC on:

Agenda Item 5: RethinkWaste 2023 Legislative and Regulatory Platform AND

Agenda Item 6: RethinkWaste 2023 Legislative Priorities



# SBWMA 2022-2023 Legislative & Regulatory Platform

- 1 EXTENDED PRODUCER RESPONSIBILITY
- 2 BATTERY COLLECTION AND RECYCLING
- 3 WASTE DIVERSION
- 4 RECYCLING / ORGANICS INFRASTRUCTURE
- 5 PACKAGING REDUCTION
- 6 DIVERSION FUNDING
- 7 TOXICS REDUCTION / HHW

- 8 FOOD WASTE REDUCTION / RECOVERY
- 9 MARKET AND ECONOMIC DEVELOPMENT
- 10 GREEN PURCHASING
- 11 RIGHT TO REPAIR
- 12 HEALTHY SOILS
- 13 CLIMATE ADAPTATION / MITIGATION
- 14 GREEN BUSINESS PROGRAM FUNDING

- Requires producers to:
  - Source reduce plastic covered material by certain rates/dates.
  - Ensure that covered material by 2032 is recyclable or compostable; and
  - Meet specified recycling rates.
  - PRO required to cover costs associated SB 54 incurred by local jurisdictions.
  
- Covered materials include:
  - Single-use packaging
  - Plastic single-use food service ware
  
- The PRO must pay \$500m annually to the Plastic Pollution Mitigation Fund from 2027-2037:
  - 40% for various state agencies to monitor & reduce the environmental impacts of plastics.
  - 60% for various state agencies to monitor and reduce the historical and current environmental justice and public health impacts of plastics.
    - May be used for grants to local jurisdictions, tribes, NGOs, and CBOs.

**5****PACKAGING REDUCTION - SB 54 (ALLEN) TIMELINES**

- July, 2023 – CalRecycle selects members of advisory board.
- January, 2024 – Producers form PRO or choose to comply individually.
- January, 2025 – CalRecycle adopts regulations to implement the legislation.
- January, 2027 – Source reduce no less than 10%.
- January, 2028 – Recycling rate of no less than 30%.
- January, 2030 – Source reduce no less than 20% and recycling rate of no less than 40%.
- January, 2032 – Source reduce no less than 25%, ensure covered products are recyclable or compostable, and recycling rate of no less than 65%.

- By 2028, producers will arrange and pay for the collection of batteries at the following sites:
  - A retailer with five or more locations in the state
  - HHW facilities
  - Any offering entity
  
- “Covered battery” includes:
  - (A) A loose battery that is either sold separately from a product or that is designed to be easily removed from a product; and
  - (B) A battery that is packed with, but not installed in, the product.
  
- Producers must meet the following convenience standards:
  - (1) A minimum of 10 collection sites / county or 1 collection site per 15,000 people, whichever is greater (specified standards for rural counties).
  
- Starting in 2027, producers must meet a minimum recycling efficiency rate of 60% for rechargeable batteries and 70% for primary batteries.

- Expands upon the state's existing Electronic Waste Recycling to include products with embedded batteries.
- "Covered battery-embedded product" means:
  - a new or refurbished product containing a battery that is not intended to be easily removed from the product by the consumer with no more than commonly used household tools.
- CalRecycle will set a fee that retailers are required to collect from the consumer upon the purchase of covered electronic devices. This fee will be set at a price to cover the cost of collection and recycling.
- For existing E-Waste Program, collection mechanisms typically include HHW facilities, local pick-up options, and e-waste collection events.

- April 1, 2025 – (AB 2440) CalRecycle and DTSC adopt regulations to implement the legislation.
- October, 2025 – (SB 1215) CalRecycle / DTSC will set fee for various fees on electronic products.
- 2026 – (AB 2440) Producers submit a proposed stewardship plan / (SB 1215) E-waste fee will kick in at retailers.
- 2027 – (AB 2440) Producers shall have an approved stewardship plan.
- 2028 – (AB 2440) Producers shall fully implement stewardship plan.

# 2023 SBWMA Proposed Priorities

## PUSH THE STATE TO THINK HOLISTICALLY ABOUT SB 1383

- Push the state to grapple with how work at various agencies (i.e. CARB, CalRecycle, and CPUC) is coordinated in the longterm to effectively implement SB 1383.
- Continue to work with CalRecycle on relief related to the procurement requirements.

## GROW SBWMA'S PROFILE IN SACRAMENTO

- Seek partnerships with allies on key legislation to advance SBWMA's platform & continue strategic engagement with broad suite of legislation.
- This includes working on legislation related to electric vehicle battery recycling.

## MONITOR BAAQMD AND SF REGIONAL WATER QUALITY CONTROL BOARD

- Continue to monitor how local agency regulations impact SBWMA.
- In particular, keep an eye on BAAQMD's delayed rules:
  - 13-2: Organic Material Handling Operations
  - 13-3: Composting Operations