



**SANTA CRUZ COUNTY
INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE**
Thursday, December 5, 2024, 3:03 – 4:23 pm
Santa Cruz County Government Center
701 Ocean Street
Santa Cruz CA 95060
Community Room 020
(Accessed from Government Center Basement Hallway)



Meeting Minutes

- 1) **Welcome and Quorum Verification:** Quorum present in the room and Chair Cummings called the meeting to order at 3:03. Staff called roll and meeting attendance was noted as follows:
 - Voting Members/Alternates Present: Justin Cummings (County, chair), Ramon Gomez (County, alternate), Jacob Guth (County, citizen rep), Bob Nelson (Santa Cruz), Leslie O'Malley (Santa Cruz, alternate).
 - Non-voting Alternates Present: Bogart Marquez (County, citizen rep – alternate)
 - Members/Alternates Absent: Felipe Hernandez (County, Vice-Chair), Sandy Brown (County, alternate), Scott Newsome (Santa Cruz), Rene Golder (Santa Cruz, alternate), Jessica Kahn (Capitola), Alexander Pedersen (Capitola, alternate), Allan Timms (Scotts Valley), Rodolfo Onchi (Scotts Valley, alternate), Eduardo Montesino (Watsonville), Will Smith (Watsonville), Tami Stolzenthaller (Watsonville, alternate), Danielle Green (Watsonville, alternate).
 - Task Force Staff Present: Beau Hawksford (County), Kasey Kolassa (County), Darcy Pruitt (County)
 - Agency Staff Present: Mary Ann LoBalbo (County), Christina Horvat (County), Bret Williamson (County), Erika Senyk (Capitola online).
 - Guests Present: Alessandra Arif (CalRecycle online), Priya Balasubramaniam (CalRecycle online), Laura Chain (CalRecycle online), Colida Johnson (GreenWaste Recovery online), Laura Moreno (CalRecycle online), Kelly Murray (Grey Bears online), Sally-Christine Rodgers (Trash Talkers), Claudia Villalta-Mejia (Environmental Innovations), Bob (online).
- 2) **Oral communications – Public:** Sally-Christine Rodgers of Trash Talkers (TT) provided an update to the commissioners outlining the 2024 work of the organization to make Santa Cruz the cleanest county in California. In 2024, TT worked with partners to install litter abatement signs to encourage waste reduction, recycling, and decrease illegal dumping. TT also worked closely with Santa Cruz County Recycling and Solid Waste Services to install cameras at illegal dumping hot spots to catch and enforce against illegal dumpers. TT is planning a 2025 public relations campaign to advertise the penalties for dumping illegally. Other plans for 2025 include obtaining a Clean California state designation to raise awareness of the importance of waste reduction and litter abatement. Outreach efforts in 2025 will focus on school partnerships to get the organics diversion message out to a broader community, focusing on why it is important for the climate to compost organic waste and keep it out of the landfill to reduce greenhouse gas emissions. TT will continue to organize countywide cleanups and asked the County to review the feasibility of opening the landfill and transfer station on Sundays and to determine whether seven (7) day access to disposal sites would save money on cleanup of illegal dump sites.
- 3) **Oral communications - Task Force members/alternates:** Ramon Gomez thanked Sally-Christine Rodgers for her work with TT to reduce litter and coordinate local and countywide cleanups. Justin Cummings asked County staff to work with GreenWaste, the County's franchise hauler, to ensure they are providing all the services they are contracted to provide to their customers. Chair Cummings observed that many restaurants began using disposable service ware during the Covid-19 pandemic

and have not returned to reusables. Chair Cummings asked the commission to consider outreach to restaurants to encourage them to go back to using reusable dishes, silverware, and glassware for eat-in dining.

- 4) **Approve September 5, 2024 Meeting Minutes** – Bob Nelson made a motion to approve the Task Force’s September 5, 2024 meeting minutes, Ramon Gomez seconded the motion. Bob Nelson, Ramon Gomez, and Jacob Guth voted to approve the meeting minutes. Leslie O’Malley and Chair Cummings abstained, as they were not present during the September meeting. Meeting minutes approved by a majority on the members present.
- 5) **Guest Presentation** – Priya Balasubramaniam and Laura Moreno provided an overview of the SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act Needs Assessment process and answered questions. The slide deck of their presentation is provided as **Attachment A**.
- 6) **Annual Report** – Members received the draft annual report and reviewed the materials at the same time as the in-person and on-line audience members received the materials for review. There were a few questions about the content of the report and a question about the attendance log. Staff responded to those questions and said that the attendance log would be updated to reflect December’s meeting attendance. Ramon Gomez made a motion to approve the Task Force’s Annual Report and Attendance Log, Jacob Guth seconded the motion. The motion was passed unanimously. (See **Attachment B**)
- 7) **Jurisdictional Updates** – Staff provided a brief overview of AB 2346 that amended the state’s climate laws affecting landfill diversion and recycled organic procurement products (SB 1383). The two keys to the new law are that (1) more procurement products will county to fulfill the State mandated procurement goal and (2) if a local waste characterization study meets CalRecycle’s SB 1383 criteria, then local procurement requirements could be reduced (versus the standard set using CalRecycle’s statewide study).
- 8) **Select 2025 Meeting Schedule** – Task Force members discussed continuing to meet on a quarterly schedule. Bob Nelson made a motion to meet on Thursday March 6th, June 5th, September 4th, and December 4th from 3:00-5:00pm. Ramon Gomez seconded the motion and the motion to approve the 2025 meeting schedule was passed unanimously. Staff agreed to send meeting invitations for each of the meetings within the week to ensure members and alternates have all of the 2025 dates on their calendars.
- 9) **Staff Updates – CalRecycle Planned CRV Redemption Locations (Attachment C)** – County staff provided an update on the new CRV redemption locations in Santa Cruz County. Four new locations were identified. One reverse vending machine is located at the following Safeway Stores on Mission in Santa Cruz, Morrissey in Santa Cruz, Mt. Hermon in Scotts Valley, and on 41st Ave in the Unincorporated County in Soquel. The public asked questions about the operation of reverse vending machines but staff did not have the information on speed or style of the collection machinery. Public concern was expressed that past reverse vending machines were inefficient and often resulted in the abandonment of CRV items that ended up as litter.
- 10) **Countywide Waste Characterization Study (Attachment D)** – Staff provided an overview of waste characterization study uses in managing individual jurisdiction and countywide reporting to CalRecycle. Staff focused primarily on compliance mandates required by climate laws to divert organics from landfill disposal (SB1383). Staff also outlined the value of local waste characterization studies to assess program success and manage outreach and enforcement activities based on study data. Commissioners discussed and asked questions about frequency, costs, and coordination with local jurisdictions and CalRecycle. Ramon Gomez made a motion to direct staff to investigate

methodology and costs and to report back to commissioners on a multi-jurisdictional waste characterization study. Jacob Guth seconded the motion, and it passed unanimously.

- 11) **Legislative Update** Staff provided an update on the status of bills the Task Force followed this year. A full update was provided in the December meeting agenda packet and Staff reported on the following bills during the meeting:

SB 707 Responsible Textile Recovery Act – Law passed. Regulations expected in 2028.

SB 1046 - CalRecycle directed to prepare a Programmatic Environmental Impact Report to evaluate statewide impacts of organic compost facility development to reduce environmental burden on jurisdictions developing facilities locally. Approved and filed 9/22/2024

SB 1066 Marine flare Extended Producer Responsibility (EPR) – In Senate for reconsideration after Governor's veto.

SB 1143 Paint EPR – State expanded paint EPR recycling requirements. Approved and filed 9/29/2024

AB 817 Subsidiary body teleconferencing – If approved commissions without direct decision-making authority, like the Task Force, would be allowed to participate in remote meetings so long as there is a staffed physical location where the public can attend, view, and participate. Failed passage, reconsideration granted.

- 12) **Call for next meeting agenda items:** Members suggested the following items for future meetings -

- CRV updates as developments continue.
- Presentation from GreenWaste Recovery on the services they provide as franchise hauler and other roll off services.
- Legislative update for 2025.
- Report on methodology and costs for multi-jurisdictional waste characterization study.
- Report that correlates costs to operate waste facilities on a 7 day schedule and any savings made from fewer illegal dumping clean ups.

- 13) **Chair Cummings adjourned the meeting at 4:23.**

SB 54 Needs Assessment

December 5, 2024

Priya Balasubramaniam & Laura Moreno

CalRecycle

Packaging EPR Section & Knowledge Integration Section

Disclaimer

This communication is neither intended to, nor does it constitute definitive legal counseling, conclusions, or advice in any way. Instead, the contents of this communication and any analysis, guidance, or other information is intended to objectively address the question(s) presented based on the current existing, known facts and legal authority as described to and understood by the author and/or CalRecycle at the time of this communication. Please be advised that any relevant facts or legal authority or authorities that are undisclosed or unknown at the time of this communication may affect or alter any analysis, guidance, or other information herein. Please be further advised that any analysis, guidance, or other information herein may be subject to change and/or correction based on changed facts or legal authority, actual or understood, subsequent to the time of this communication. No analysis, guidance, or other information herein should be construed as a waiver of any rights or remedies available to CalRecycle. Recipients of this communication are encouraged to seek the assistance of legal counsel to comply with applicable state law based on current facts and circumstances.

Agenda

- Overview of Needs Assessment purpose, progress, and timeline
- Overview of Needs Assessment studies:
 - Source Reduction Baseline
 - Collection, Processing, & End Markets
 - Source Reduction and Material Design
 - Consumer Education and Access
- Open forum for discussion and feedback

Note: We are unable to address any topics pertaining to ongoing rulemaking or current contract solicitations at this time.

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CalRecycle 

SB 54 (Allen, Chapter 75, Statutes of 2022)
is a landmark new law that seeks to reduce
plastic pollution and increase recycling.

The law establishes:

- An Extended Producer Responsibility (EPR) Program for single-use packaging and single-use plastic food service ware
- Recycling rate targets for plastic covered material
- Source reduction targets for plastic covered material
- Industry requirements to pay for environmental mitigation



Requirements by 2032

**For All
Single-Use Packaging and
Plastic Food Service Ware**



**100%
Recyclable or Compostable**

**For Plastic
Single-Use Packaging
and Plastic Food Service Ware**



25% Less Overall



65% Recycled

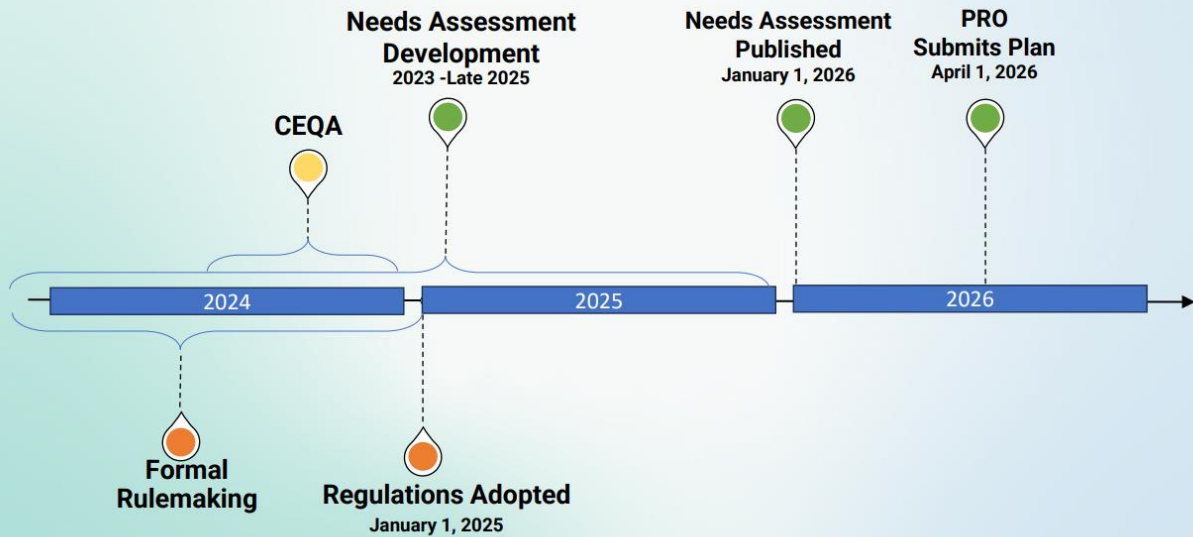
SB 54 Updates

- CalRecycle [released revised proposed regulations](#) for a 15-day written comment period:
 - The comment period ends December 17th.
 - Please visit our rulemaking webpage for more information and instructions on how to submit written comments.
- Upcoming January 1, 2025 Milestones
 - Source Reduction Baseline
 - Update to Covered Material Category List

*See PRC Section 42067 for more information on NA requirements.



Partial Timeline for SB 54 Implementation



Needs Assessment Study Breakdown

Study Name	Budget	Contract Progress
#1: Source Reduction Baseline Study	\$500,000	DRR24011 - Contract executed.
#2: Collection, Processing, and End Markets Study	\$2,200,000	RFP Released (DRR24043) – Proposals due January 6 th
#3: Source Reduction and Material Design Study	\$1,200,000	RFP in development
#4: Consumer Education and Access Study	\$100,000	RFP in development

Source Reduction Baseline Study

- Source reduction baseline (PRC 42057)
 - Estimate the total weight and number of plastic components of plastic covered material for the baseline year of 2023
- Baseline and report to be released by January 1, 2025

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Collection, Processing, and End Markets Study (1/2)

Study Details

- Request for Proposals (RFP) is currently open - \$2.2 million

Study Objectives

- Evaluate the current state of the recycling system for SB 54 covered materials
- Determine the barriers to transform California's recycling system and the actions, timeline, and requisite funding required to ensure that:
 - All covered materials are recyclable or eligible to be labeled "compostable" by 2032; and
 - Plastic covered material achieves a recycling rate of at least 30%, 40%, and 65% by, respectively, 2028, 2030, and 2032.

**Will cover recycling, including composting and other forms of organics recycling*

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Collection, Processing, and End Markets Study (2/2)

- Data collection and analysis will be conducted to evaluate:
 - Access to on-premises collection for recycling and composting;
 - Processing capacity and infrastructure;
 - Market conditions and end markets;
 - Factors contributing to contamination;
 - Technologies, enhancements, and other expansions needed to meet requirements of SB 54;
 - Mitigating risks/impacts to environmental and public health; and
 - Consumer education needs.
- Engagement with local jurisdictions, haulers, recycling service providers and other interested parties will be conducted as part of data collection.

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Source Reduction and Material Design Study (1/2)

Study Details

- Contract Solicitation to be released soon (\$1.2 million)

Study Objectives

- Evaluate the current access that California consumers have and their experience in using reuse and refill systems.
- Determine the expansion and investments needed for reuse and refill systems to achieve the 25% source reduction goal.
- Provide recommendations for large-scale or industry-wide source reduction strategies.

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Source Reduction and Material Design Study (2/2)

Study Objectives (cont.)

- Data collection and analysis will be conducted to evaluate:
 - Access and availability consumers and businesses have to reuse and refill systems, including barriers and opportunities for improving access
 - Distribution of reuse and refill infrastructure
 - Current models of reuse and refill infrastructure
 - Market share of products that have high source reduction potential
- Engagement with local jurisdictions, retailers, manufacturers, the PRO, and other interested parties will be conducted as part of data collection.

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Consumer Education and Access Study

• Study Details

- Contract solicitation to be released soon (\$100,000)

• Study Objectives

- CalRecycle is designing survey questions to understand:
 - The current state of consumer knowledge, perceptions, and access to recycling;
 - Consumer education needs;
 - Perceptions of source reduction strategies and reuse/refill systems
- The Contractor will administer the statewide survey to collect representative information on consumer education and access to recycling, composting, source reduction, and reuse and refill systems

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Further Opportunities to Engage

- SB 54 Webpage (<https://calrecycle.ca.gov/packaging/packaging-epr/>)
- Have feedback or data related to the Needs Assessment? [Use SmartComment](#)
 - Accepting comments and information related to the Needs Assessment on an ongoing basis
- For SB 54 Regular updates, sign up for our Listserv: <https://public.govdelivery.com/accounts/CALRECYCLE/signup/41143>
- Questions? Email the Packaging Inbox (packaging@calrecycle.ca.gov)

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Discussion

- Actions and investments needed to: (1) increase recycling rate; (2) improve recyclability and compostability; and (3) increase source reduction, including reuse and refill.
- Current collection, processing, recycling, composting, and reuse and refill systems and potential for increasing capacity;
 - Any specific challenges or opportunities for Santa Cruz County
 - Any existing or potential opportunities for large-scale systems for reuse, including secondary and tertiary packaging.
- Known available data or information that should be considered in the needs assessment;
- Input on consumer education and outreach needs;
- Other feedback related to needs assessment.

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**Integrated Waste Management Local Task Force
2024 Annual Report**

Recommended Action(s)

(1) Approve Santa Cruz County Integrated Waste Management Local Task Force (Task Force) Annual Report and Attendance Log

Executive Summary

This board letter is the required annual report from the Santa Cruz County Integrated Waste Management Local Task Force (Task Force) summarizing Task Force work in 2024. The Task Force is a state required commission charged with overseeing the Countywide Integrated Waste Management Plan and coordinating countywide waste management efforts of regional concern. This year the Task Force oversaw countywide collaborations on a variety of waste management, organic waste diversion, edible food recovery improvements, organics capacity planning efforts, and tracked state legislative proposals on waste management programs. The Task Force also heard proposals on waste to energy projects, received updates on state law governing Plastic Packaging Recycling mandates, California Redemption Value program changes, and received a visit from CalRecycle staff to discuss preparation for upcoming CalRecycle inspection and enforcement of the State's organic waste management and climate laws.

Discussion

The Santa Cruz County Integrated Waste Management Local Task Force (Task Force) is an advisory commission to the Board of Supervisors on waste management policy. Established by the Integrated Waste Management Act of 1989 (AB 939), AB 939 requires countywide collaboration on waste management planning efforts of regional concern.

Task Force Composition and Meeting Schedule

The Task Force was established in 1990 and has met since that time as a nine (9) member commission with representatives from each local jurisdiction within Santa Cruz County. Staff from the Community Development and Infrastructure Department, Recycling and Solid Waste Section serve as staff to the Commission. Representation is roughly proportional to each jurisdiction's population.

- County of Santa Cruz - three (3) representatives, including two members of the Board of Supervisors and one citizen representative designated by the Board,
- City of Santa Cruz - two (2) representatives,
- City of Watsonville - two (2) representatives,
- City of Capitola - one (1) representative, and
- City of Scotts Valley - one (1) representative.

The Task Force meets quarterly, usually on the first Thursday of March, June, September and December. However, because of regulatory deadlines related to the March 2024 submission of the Five-Year Review Report to CalRecycle, the Task Force met in February, June, September, and December of 2024.

The Task Force oversees staff monitoring the Countywide Integrated Management Plan, makes recommendations to the Board on solid waste management issues of regional concern, facilitates the development of multi-jurisdictional waste management arrangements, and to the extent feasible, resolves conflicts and inconsistencies between local jurisdictions when implementing statewide waste management laws.

Task Force meetings are hosted by a different member jurisdiction each quarter at a location of their choosing. Meetings during 2024 were held in person with a hybrid option added to increase participation by public and member agency staff. Under California state law AB 2449 remote meeting participation is allowed under narrow circumstances for members and alternates when “just cause” is present. One member utilized the just cause exemption at the commission’s September 6, 2024, meeting to participate from a remote location after approval by a majority of the quorum of members physically present at the Santa Cruz Civic Auditorium, where the in-person meeting was held. Additional Task Force information, including bylaws, membership roster, agendas, and approved meetings minutes are found at: [Local Task Force](#)

Annual Report

The Task Force considered the following topics and took the actions outlined below:

- Installation of commissioners and election of officers:
 - New members and alternates were nominated to fill vacancies, added to the roster, and sworn in as commissioners by Santa Cruz County Clerk of the Board.
 - Chair Justin Cummings and Vice-Chair Felipe Hernandez were elected for 2024
 - Rodolfo Onchi (Scotts Valley), Sandy Brown (County), Ramon Gomez (County) and Bogart Marquez (County) filled vacant alternate positions for the commission during the 2024 meeting year.
 - Reviewed and approved 5-Year Countywide Integrated Waste Management Plan Review Report and recommended Santa Cruz County Board of Supervisors submit to CalRecycle as required by State statute. Santa Cruz County Board of Supervisors accepted Task Force recommendations and directed staff to submit 5-Year Review Report to CalRecycle in March 2024.
 - CalRecycle accepted Santa Cruz County 5-Year Review Report as complete.
- Considered Multi-Jurisdictional Waste Characterization Study
 - Members discussed and asked staff to research the pros and cons of collaborating on a multi-jurisdictional study.
 - Members have yet to direct staff on a course of action re. collaboration on a waste characterization study.
- Commissioners received a guest presentation on plastic conversion technology from Clean Oceans International.
 - The proposal was to investigate the feasibility using pyrolysis technology locally.

- The presentation discussed the plastic waste problem and the opportunity to convert certain types of plastic wastes into their molecular components using pyrolysis for reuse as fuel additives or plastic waxes for new plastic products
- Commissioners received several updates and are following the rule-making progress of SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act intended to shift the costs of recycling single use plastics from municipalities to packaging producers.
 - Commissioners received quarterly updates on the selection of the Producer Responsibility Organization (Circular Action Alliance), appointment of the Advisory Board, Rulemaking, and the Needs Assessment process.
 - Staff presented Needs Assessment background, including the steps needed to evaluate the costs to increase recycling/composting of mandated materials.
 - CalRecycle attended the December 2024 Task Force meeting to make a detailed presentation on the Needs Assessment process and answered questions from members.
- SB 1383 Grant and Countywide Edible Food Recovery Collaboration
 - Task Force member agencies reported on the successful collaboration between the jurisdictions to increase edible food recovery compliance and to create and distribute SB1383 bilingual educational materials by funding and awarding a countywide service agreement to Second Harvest Food Bank that supports local jurisdictions with their State regulated reporting requirements.
 - The jurisdictions also collaborated to share capacity planning reporting responsibilities that gathered additional survey data to increase local support for the food insecure.
 - The County successfully submitted the capacity planning information collected on behalf of the local jurisdictions as required by state law.
 - Together, all local jurisdictions combined have adequate edible food recovery capacity and recycled organic waste capacity.
- Commission received updates on California Redemption Value (CRV) so they would be fully informed about the changes that CalRecycle has made to the program statewide. Staff also provided information on how local redemption programs are changing in response.
 - CalRecycle has located four grant funded CRV reverse vending machines at Safeway stores in Santa Cruz, Scotts Valley, and Soquel.
 - The County is closing its CRV redemption center at the Ben Lomond recycling center. All other Ben Lomond recycling and waste management services will remain open.

- Commission received legislative updates and provided comments on several waste management issues:
 - Task Force closely followed legislation on textile extended producer responsibility (EPR), hazardous materials EPR, marine flare EPR, and other bills.
 - SB 707 Responsible Textile Recovery Act – Law passed. Regulations expected in 2028.
 - SB 1143 - Haz Mat EPR bill passed as an expanded paint care law, which leaves municipalities to manage the cost of most other household hazardous waste products
 - SB 1066 - Marine Flare EPR bill passed by the legislature and vetoed by the governor.
 - AB 817 – Subsidiary body teleconferencing failed to pass. The bill would have allowed Task Force members to attend all meetings from a remote location so long as a public meeting location is provided and staffed so the public can attend and participate in person.

Task Force makes the following recommendations to the Board of Supervisors

Accept and approve Santa Cruz County Integrated Waste Management Local Task Force (Task Force) Annual Report and Attendance Log for 2024

**Integrate Waste Management Local Task Force
2024 Attendance Log**

Member/Alternate	February	June	September	December
Justin Cummings	O	O	O	X
Felipe Hernandez	X	O	O	O
Jacob Guth	X	X	X	X
Sandy Brown (alt)		X	O	O
Ramon Gomez (alt)		X	X	X
Bogart Marquez (alt)				X
Scott Newsome	O	X	O	O
Bob Nelson	O	X	X	X
Renee Golder (alt)	O	O	O	O
Leslie O'Malley (alt)	X	X	O	X
Jessica Kahn	O	O	X	O
Alexander Pedersen (alt)	O	O	O	O
Allan Timms	O	O	O	O
Rodolfo Onchi (alt)			O	O
Eduardo Montesino	O	O	O	O
Will Smith	X	X	X	O
Tami Stolzenhaler (alt)	X	X	X	O
Danielle Green (alt)	O	X	O	O
Staff				
Beau Hawksford	X	X	X	X
Kasey Kolassa	X	X	X	X
Darcelle Pruitt	X	X	X	X

Legend: X-Present, O-Absent, Blank Box-Not a participant at that time



Department of Community Development and Infrastructure
Recycling and Solid Waste

California Redemption Value Location Update

December 5, 2024

What is California Redemption Value (CRV)?



- California Redemption Value (CRV) is a Statewide program managed by CalRecycle that mandates beverage container recycling by charging and reimbursing consumers when they purchase and recycle beverage containers.
 - Currently, beverage retailers (over 5,000 sq ft or more than \$1.5 million annual sales, excluding fuel) can pay a \$100/day fee to CalRecycle to avoid participating in redemption programs to collect CRV containers or to support a local recycling center.
 - After January 1, 2025, beverage retailers will no longer have the option to pay the fee to not redeem CRV containers.

CalRecycle Expands CRV Redemption Locations



SB 1013, passed in 2022, will make recycling more convenient for consumers. SB 1013 gives beverage retailers located in areas with **no CRV Redemption Center** the choice to either:

- Redeem CRV in-store, or
- Join a dealer cooperative redemption program

Businesses face CalRecycle inspections every 24 months. Administrative fines will increase to \$5,000 for ordinary violations and \$10,000 for intentional or negligent violations.

Expanded CRV Redemption



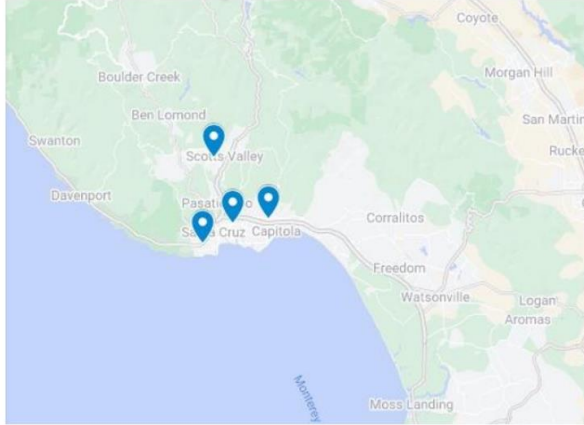
Innovation Grant Recipients

- | | | |
|-----------------|--------------------|---------------------|
| 1. Alameda | 11. Monterey | 21. Santa Cruz |
| 2. Butte | 12. Nevada | 22. Sacramento |
| 3. Contra Costa | 13. Orange County | 23. Santa Barbara |
| 4. Fresno | 14. Placer | 24. SF |
| 5. Imperial | 15. Riverside | 25. San Luis Obispo |
| 6. Lassen | 16. San Bernardino | 26. Solano |
| 7. Los Angeles | 17. San Diego | 27. Sonoma |
| 8. Marin | 18. San Joaquin | 28. Stanislaus |
| 9. Mendocino | 19. San Mateo | 29. Ventura |
| 10. Merced | 20. Santa Clara | 30. Yolo |



According to a news release from the California Department of Resources, Recycling and Recovery, over 250 new recycling sites are coming to 30 counties. Screenshot *Courtesy of CalRecycle*

Santa Cruz County New CRV Reverse Vending Locations



Santa Cruz:

Safeway on Mission
Safeway on Morrissey

Scotts Valley:

Safeway on Mt. Hermon

Soquel:

Safeway on 41st



Countywide Waste Characterization Multi-Jurisdiction Discussion

December 5, 2024

Waste Characterization Study Considerations



Must follow CalRecycle methodology to use local waste study in place of CalRecycle statewide waste study.

- County's 2018 waste study varied significantly from CalRecycle's 2021 statewide waste study, especially for organic waste components

Waste Characterization Studies are expensive to conduct

- County typically conducts a waste study every 8-10 years
- Provides important local data to focus waste diversion goals

Waste Characterization Studies set regulatory compliance targets

- Capacity Planning used statewide waste numbers that could be replaced with local waste study data
 - Local data would be more responsive to local needs
- AB 2346 can use local waste study to reset procurement goals

Waste Characterization Study Requirements



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

SB 1383 Requirements:

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

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



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

Santa Cruz County Integrated Waste Management Local Task Force
December 5, 2024

AB 2346: SB 1383 Procurement Compliance Adjustments



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

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

AB 2346 Presentation courtesy of Jack Steinmann
at San Mateo County



AB 2346: Key Impacts

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

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



New Compost Sources

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



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



Credit for Onsite Mulch and Recovered Food



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



Credit for Investments



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

5-Year Procurement Target



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



A vision for a sustainable county

Option to calculate target based on local data

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

CalRecycle given additional flexibility

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



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

Article 1. Legislative Findings and Declarations

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

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

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

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

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

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

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

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

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

...

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

...

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

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

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

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

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

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

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

...

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

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

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

...

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

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

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

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

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

Attachment C
State Law as Amended by SB 1053
And Communications from Californians Against Waste 24-0959

ADDITIONAL MATERIALS
#36
24-0959

I reviewed the language for [SB 1053](#) and SEC. 4. Section 42280 is added to the Public Resources Code, to read:

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

- (1) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.*
- (2) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the percentage of postconsumer content.*
- (3) (A) Contains a minimum of 50 percent postconsumer recycled materials.*

This would be higher than the 40% PCR content currently required under state law & Santa Cruz County's local ordinance. We would be happy to support any efforts to align SC County's ordinance language, please let us know if there is any interest. **Krystal Raynes, CC'ed, worked on SB 1053 and can provide further clarification if needed.**

I also mentioned that Napa County passed and adopted their [Reusable Foodware and Waste Reduction Ordinance](#) in early December 2024.

In addition to updating their bag ordinance to align with SB 1053, the updated bag ordinance includes businesses like restaurants, farmers markets that were outside of the scope of SB 270 / 1053 **and included a disposable foodware charge (Chapter 5.80.050)**

- **Food providers shall charge customers \$0.25 for each disposable cup and each disposable takeout container provided. Food providers shall charge customers \$0.25 per order for all other disposable foodware provided.**
- **The maximum charge per order for all disposable foodware shall be \$1.00**
- These charges are required even if the products provided are compostable.

I know Santa Cruz County and several of the incorporated cities have also passed cup charges (\$0.25 per disposable cup), **have there been any studies about waste / litter reduction of single-use cups?**

Lastly, do you know if Santa Cruz County has introduced any ordinances around single-use plastic beverage container / water bottle bans during your time with the County? I am looking to compile a list of all introduced, and enacted legislation surrounding plastic beverage containers / single use beverage containers & would love any insights you have to share.

Thank you and looking forward to staying in touch!



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f t i g

Battery Management

AB 696, as introduced, Ransom. Lithium-ion vehicle batteries: emergencies: advisory group. Existing law requires the Secretary for Environmental Protection, until January 1, 2027, to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion batteries sold with motor vehicles in the state, and requires the secretary to appoint members to the committee from specified departments, vocations, and organizations. This bill would require the secretary, on or before July 1, 2026, to convene the Lithium-Ion Car Battery Advisory Group to review, and advise the Legislature on, policies pertaining to the handling and disposal of lithium-ion vehicle batteries in an emergency capacity. The bill would require the secretary to appoint members to the advisory group from specified departments, vocations, and organizations. The bill would require the advisory group to meet at least quarterly until July 1, 2028, and to consult with universities and research institutions that have conducted research in the area of battery recycling, with manufacturers of electric and hybrid vehicles, and with the recycling industry. The bill would require the group to submit, on or before July 1, 2028, policy recommendations to the Legislature aimed at ensuring that best standards and practices are created that allow first responders to respond to lithium-ion vehicle battery emergencies in a safe and efficient manner. The bill would repeal these provisions on January 1, 2029.

SB 615, as introduced, Allen. Vehicle traction batteries. Existing law requires the Secretary for Environmental Protection to convene the Lithium-Ion Car Battery Recycling Advisory Group to review, and advise the Legislature on, policies pertaining to the recovery and recycling of lithium-ion vehicle batteries sold with motor vehicles in the state. Existing law also requires the advisory group to submit policy recommendations to the Legislature aimed at ensuring that as close to 100% as possible of lithium-ion vehicle batteries in the state are reused or recycled at end of life in a safe and cost-effective manner. The hazardous waste control laws require the Department of Toxic Substances Control to regulate the handling and management of hazardous waste. A violation of the hazardous waste control laws is a crime. This bill would require a battery supplier, as defined, to be responsible for, among other duties, ensuring the responsible end-of-life management of a vehicle traction battery if it is removed from a vehicle that is still in service, as provided, or if the vehicle traction battery is offered or returned to its battery supplier, and reporting information regarding the sale, transfer, or receipt of a vehicle traction battery or module to the department, as provided. The bill would impose related duties on a secondary user, as defined, and a secondary handler, as defined, including, among other duties, ensuring the responsible end-of-life management for a vehicle traction battery or returning a vehicle traction battery to the battery supplier, and reporting information regarding the sale, transfer, or receipt of a vehicle traction battery or module to the department as provided. The bill would also require an auctioneer, as defined, and salvage disposal auction, as defined, to report similar information regarding a vehicle traction battery to the department. This bill would require the battery supplier to pay the department's actual and reasonable regulatory costs to implement and enforce the provisions of the bill. The bill would establish the Vehicle Traction Battery Recovery Fund (fund) in the State Treasury and would require the department to deposit all moneys received from the battery supplier into the fund, as specified. Moneys in the fund would be available, upon appropriation by the Legislature, to implement and enforce the provisions of the bill. The bill would authorize, upon appropriation by the Legislature, the Director of Finance to make a loan from the

Greenhouse Gas Reduction Fund to the fund to meet regulatory and startup costs of the department's activities pursuant to the provisions of the bill. The bill would require, upon appropriation by the Legislature, moneys in the fund to be expended to reimburse loans made from other funds for those purposes. The bill would require the department to conduct a study to determine whether there is evidence of abandonment of orphaned batteries leading to environmental and health and safety hazards and, on or before January 1, 2030, and every 3 years thereafter, to post the results of its findings on its internet website. The bill would authorize the department to impose civil or administrative penalties for a violation of the requirements of the bill. The bill would exempt a violation of these requirements from the criminal penalties imposed pursuant to the hazardous waste control laws, but would require that all reports and records provided to the department pursuant to these provisions be provided under penalty of perjury. By expanding the scope of crimes, the bill would impose a state-mandated local program. The bill would restrict public access to certain information collected for the purpose of administering this program. Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Biofuels

SB 377, as introduced, Grayson. Biomethane procurement targets. Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including gas corporations. Existing law requires the commission, in consultation with the State Air Resources Board, to consider adopting specific biomethane procurement targets or goals for each gas corporation and core transport agent, as specified. Existing law requires, if the commission adopts specific biomethane procurement targets or goals for each gas corporation and core transport agent, the commission to, among other things, ensure that the biomethane available for any procurement program is either delivered to California through a dedicated pipeline, or through a common carrier pipeline and meets 2 specified requirements related to the injection of the biomethane and specified environmental benefits, as prescribed. This bill would instead require that biomethane delivered to California through a common carrier pipeline meet either of the specified requirements, rather than both. The bill would also additionally add the displacement of conventional natural gas that results in a reduction in greenhouse gas emissions as one of the specified environmental benefits. Existing law requires the commission to consider options to promote the in-state production and distribution of biomethane, including whether to allow recovery in rates of the costs of investments to (1) facilitate direct investment in the procurement and installation of utility infrastructure necessary to achieve interconnection between the natural gas transmission and distribution pipeline network and biomethane generation and collection equipment and of gathering lines for a dairy cluster biomethane project, (2) provide for the installation of utility infrastructure to achieve interconnection with facilities that generate biomethane, and (3) ensure that these investments for infrastructure are prudent and reasonable and provide a direct benefit to, and are in the interests of, all classes of ratepayers. This bill would require, on or before June 1, 2026, the commission to allow recovery in rates of the costs of those

investments. Under existing law, a violation of the Public Utilities Act or an order, decision, rule, direction, demand, or requirement of the commission is a crime. Because the provisions of this bill would be part of the act and because a violation of a commission action implementing its requirements would be a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Carbon Capture

SB 285, as introduced, Becker. Net zero greenhouse gas emissions goal: carbon dioxide removal: regulations. The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. Existing law requires the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond. Existing law, the California Climate Crisis Act, declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. Existing law, the Climate Corporate Data Accountability Act, requires, on or before July 1, 2025, the state board to develop and adopt regulations to require a reporting entity to annually disclose to the emissions reporting organization, as defined, or the state board all of the reporting entity's scope 1 emissions, scope 2 emissions, and scope 3 emissions, as defined. This bill would, for the purpose of meeting, or tracking progress against, any state requirement to achieve net zero emissions of greenhouse gases, or for the purpose of reporting offsets against any of a reporting entity's greenhouse gas emissions as part of reporting required pursuant the Climate Corporate Data Accountability Act, authorize only qualified carbon dioxide removal, as defined, to be used to reduce the state's or an entity's greenhouse gas emissions and would require qualified carbon dioxide removal used for those purposes to meet certain requirements, as specified. Existing law requires the state board to establish a Carbon Capture, Removal, Utilization, and Storage Program to, among other things, evaluate the efficacy, safety, and viability of carbon capture, utilization, or storage technologies and carbon dioxide removal technologies and facilitate the capture and sequestration of carbon dioxide from those technologies, where appropriate. In furtherance of the objectives of that program, existing law authorizes the state board, by January 1, 2024, to adopt protocols to support additional methods of utilization or storage of captured carbon dioxide. This bill would indefinitely authorize the state board to adopt those protocols, and protocols to support methods of utilization or storage of removed carbon dioxide.

Composting and Organic Waste Recycling

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

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

SB 279, as introduced, McNerney. Solid waste: compostable materials. Existing law requires the Department of Resources Recycling and Recovery to adopt and revise regulations setting forth minimum standards for composting, in accordance with law. Existing regulations require all compostable materials handling activities to obtain a permit prior to commencing operations and to comply with specified requirements. Existing regulations specify 4 regulatory tiers for composting operations, with different requirements for each tier. The 4 tiers are excluded, enforcement agency notification, registration permit, and full solid waste facility permit. In the

excluded tier, existing regulations specify the “excluded activities” that do not constitute compostable material handling operations or facilities and, therefore, are not subject to permit requirements or other regulatory requirements. One of the excluded activities is the composting of green material, agricultural material, food material, and vegetative food material, alone or in combination, if the total amount of feedstock and compost onsite at any one time does not exceed 100 cubic yards and 750 square feet. This bill would require that the total amount of feedstock and compost onsite at any one time not exceed 500 cubic yards instead of the 100 cubic yards and 750 square feet in the regulations. The bill would also require the composting of agricultural materials and residues that are from a large-scale biomass management event at an agricultural facility that does not otherwise operate as a solid waste facility to be an excluded activity, as specified. Existing regulations require composting operations in the enforcement agency notification tier to comply with certain solid waste requirements, including, but not limited to, providing written notice to an enforcement agency before commencing operations, as provided. Under existing regulations, the enforcement agency notification tier includes, but is not limited to, certain agricultural, green material, and biosolids composting operations. This bill would require a composting operation to be included in the enforcement agency notification tier and authorize the operation to accept up to 10% food material by volume for a period not to exceed 5 years before applying for a full solid waste facility permit, if specified conditions are met, including, but not limited to, the operation having between 500 and 12,500 cubic yards of material onsite. Existing regulations prohibit a composting operation from giving away or selling more than 1,000 cubic yards of compost product annually if it is in the excluded tier or if it is an agricultural material composting operation in the enforcement agency notification tier, its feedstock is both green material and agricultural material, and the operation is located on land zoned for agricultural uses. This bill would authorize those composting operations to give away or sell up to 5,000 cubic yards of compost product annually.

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

Edible Food

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

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

AB 1046, as introduced, Bains. Short-lived climate pollutants: recovered organic waste product: food processing establishments. Existing law requires the State Air Resources Board to implement a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40% below 2013 levels by 2030. Existing law requires the methane emissions reduction goals to include a 75% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. Existing law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals that include, among other things, requirements intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025 and that may include penalties to be imposed by the department for noncompliance, as provided. The regulations, among other things, require a commercial edible food generator, as defined, to have a contract or written agreement with a food recovery organization, as defined, to recover the maximum amount of edible food that would otherwise be disposed, as provided. The regulations also require a commercial edible food generator to keep certain records regarding the recovery of edible food. This bill would exempt a food processing establishment, as defined, that does not divert organic waste to landfills from these requirements.

Hazardous Waste Management

AB 754, as introduced, Connolly. Hazardous waste: discarded appliances. Existing law, as part of the hazardous waste control laws, requires a person wishing to operate as a certified appliance recycler to apply to obtain or renew certification from the Department of Toxic Substances Control. Existing law requires the department to review the application and, if the application is complete and meets specified requirements, to issue a numbered certificate to the applicant. Existing law requires the department, upon issuance of a certificate, to transmit the application and certification to the certified unified program agency in whose jurisdiction the person is located. Existing law requires the certified unified program agency to inspect, as soon as is practicable, the certified appliance recycling facility, as specified. This bill would delete the requirement that the inspection be conducted as soon as is practicable and would require a certified unified program agency, following an inspection of a certified appliance recycling facility, to transmit the results of the inspection to the department. By imposing a new duty on certified unified program agencies, the bill would impose a state-mandated local program. The bill would authorize the department to

take any authorized enforcement action based on the results of the inspection and any other pertinent information. The bill would also make nonsubstantive corrections. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

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

Existing law requires the Department of Toxic Substances Control to adopt regulations for the identification and management of hazardous wastes. Existing law authorizes the department to adopt regulations designating end-of-life photovoltaic modules that are identified as hazardous waste as a universal waste and subject to regulations applicable to universal waste management. This bill would exempt solar photovoltaic modules not identified as hazardous waste and treated as universal waste, as defined, from state hazardous waste regulations, if transferred to a designated recycler for legitimate recycling, as described, and if the facility meets specified criteria relating to registration permits, as provided.

AB 872, as introduced, Blanca Rubio. Hazardous materials: green chemistry: consumer products. The hazardous waste control laws require the Department of Toxic Substances Control to regulate the handling and management of hazardous materials and hazardous waste. Existing law, known as the Green Chemistry Program, requires the department to adopt regulations to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered as being chemicals of concern. The department's Safer Consumer Products Program implements the Green Chemistry Program pursuant to regulations adopted by the department known as the Safer Consumer Products Regulations. This bill would state the intent of the Legislature to enact subsequent legislation to authorize the department to adopt regulations to implement use controls on nonessential consumer products under the Safer Consumer Products Program, require the department, in implementing the use controls, to prioritize actions according to risk, as specified, and to require the department to coordinate, when feasible, with the United States Environmental Protection Agency to use information reported to that agency.

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

Under existing law, the Department of Toxic Substances Control generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes certain entities to operate household hazardous waste collection facilities, as defined, under permits issued by the department. A violation of the hazardous waste control laws is a crime. Existing law requires hazardous waste transported to a household hazardous waste collection facility to be transported by specified entities, and imposes conditions on the transport of hazardous waste to a household hazardous waste collection facility, including, among others, that the hazardous waste transported not exceed certain volume and weight requirements and that the hazardous waste be transported in closed containers. Existing law defines "household hazardous waste" to mean hazardous waste generated incidental to owning or maintaining a place of residence, and to not include waste generated in the course of operating a business concern at a residence. Under this bill, a vape pen confiscated by a school as contraband is presumed to have been generated by a household and does not lose its status as household hazardous waste when properly managed and disposed of at a household hazardous waste collection facility or through a household hazardous waste collection program. The bill would impose the above-described

conditions relating to the transport of hazardous waste on a school, as defined, or its contractor, transporting confiscated vape pens to a household hazardous waste collection facility. The bill would authorize a household hazardous waste collection facility to conduct physical treatment activities involving the disassembly of household hazardous waste to separate batteries, valves, electronic components and other parts containing liquids or gases, including, but not limited to, the disassembly of vape pens, in a manner that does not result in the unauthorized release of hazardous materials. The bill would make related conforming changes. Existing law authorizes a public agency, or its contractor, to conduct a materials exchange program at a household hazardous waste collection facility to make reusable household hazardous products or materials available to recipients, as a part of its household hazardous waste collection program, if the public agency, or its contractor, complies with specified requirements. The bill would prohibit a public agency, or its contractor, from including vape pens in a materials exchange program. Because a violation of these provisions would be a crime, the bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

AB 1304, as introduced, Schultz. Paint product recovery program: paint recovery: definition. Existing law establishes a paint product recovery program for the purpose of requiring paint manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the costs and environmental impacts of the disposal of postconsumer paint in this state. Existing law defines various terms for the purpose of the program. This bill would state that the purpose of the program is also to require paint manufacturers to develop and implement a program to recover, reuse, and recycle postconsumer paint. The bill would define “paint recovery” to mean the process of collecting and transporting leftover paint for the purpose of reuse, processing, or recycling to reduce its environmental impact and disposal costs.

SB 501, as introduced, Allen. Household Hazardous Waste Producer Responsibility Act.
(1) Under existing law, as part of the hazardous waste control laws, the Department of Toxic Substances Control (DTSC) generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes a public agency, as defined, to operate a household hazardous waste collection facility under permit from DTSC. Existing law, the Plastic Pollution Prevention and Packaging Producer Responsibility Act, establishes a producer responsibility program designed to ensure that producers of single-use packaging and food service ware covered by that program take responsibility for the costs associated with the end-of-life management of that material and ensure that the material is recyclable or compostable. This bill would create a producer responsibility program for products containing household hazardous waste and would require a producer responsibility organization (PRO) to ensure the safe and convenient collection and management of covered products at no cost to consumers or local governments. The bill would define “covered product” to mean a consumer product that is ignitable, toxic, corrosive, or reactive, or that meets other specified criteria. The bill would require a producer of a covered product to register with the PRO, which would be required to develop and implement a producer responsibility plan for the collection, transportation, and the safe and proper management of covered products. The bill would require DTSC to adopt regulations to

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

(2) Existing law established the Department of Resources Recycling and Recovery (CalRecycle) to, among other things, promote waste management in the order of source reduction, then recycling and composting, and then environmentally safe transformation and environmentally safe land disposal, as provided. Pursuant to that authority, CalRecycle publishes various waste characterization studies. This bill would require CalRecycle, in support of the program, to include in updates to the applicable waste characterization study the amount of covered products that were properly and improperly disposed of, as specified.

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

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

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

(1) Under existing law, as part of the hazardous waste control laws, the Department of Toxic Substances Control (DTSC) generally regulates the management and handling of hazardous waste and hazardous materials. Except as specified, a violation of the hazardous waste control laws is a crime. This bill would create a manufacturer responsibility program for the safe and proper management of emergency distress flares. The bill would define “covered product” to include certain pyrotechnic devices that meet the criteria for household hazardous waste, as specified. The bill would require a manufacturer of a covered product, individually or through a manufacturer responsibility organization, to develop and implement a manufacturer responsibility plan for the collection, transportation, and the safe and proper management of covered products, as specified. The bill would establish a process and timeline for DTSC to review and approve, disapprove, or conditionally approve a plan and for the implementation of an approved plan. The bill would require that an approved plan be published on DTSC’s internet website, except for specified manufacturer data that would not be open to public inspection. The bill would prohibit DTSC from adopting regulations to implement the act with an effective date earlier than July 1, 2029. This bill would require a manufacturer or manufacturer responsibility organization to prepare and submit to DTSC and make publicly available an annual report describing the activities carried out pursuant to the plan. The bill would require the annual report to include an application for renewal of the manufacturer’s responsibility plan. The bill would require all reports and records provided to DTSC pursuant to the act to be provided under the penalty of perjury. By expanding the scope of a crime, the bill would impose a state-mandated local program. This bill would require a manufacturer or manufacturer responsibility organization to pay DTSC all actual and reasonable regulatory costs for DTSC to implement and enforce the act, as provided. The bill would authorize DTSC to use funds appropriated for purposes that are consistent with this act to implement and enforce the act and would require DTSC to repay those funds, as specified below. The bill would establish the Marine Flare Recovery Fund in the State Treasury and would require the charges collected by DTSC to be deposited into that account for expenditure by DTSC, upon appropriation by the Legislature, to cover DTSC’s cost to implement and enforce the act and to repay the use of specified funds, as described above. This bill would prohibit a manufacturer, retailer, dealer, importer, or distributor from selling, distributing, offering for sale, or importing a covered product in or into the state that contains perchlorate. By adding new requirements to the hazardous waste control laws, this bill would expand the scope of a crime and would impose a state-mandated local program. (2) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect. (3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Illegal Disposal Site Abatement

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

Plastics

AB 823, as introduced, Boerner. Solid waste: plastic microbeads.

The Plastic Microbeads Nuisance Prevention Law prohibits a person, as defined, from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product, including, but not limited to, toothpaste. Existing law exempts a product containing less than one part per million (ppm) by weight of plastic microbeads from the prohibition. The Plastic Microbeads Nuisance Prevention Law imposes a civil penalty not to exceed \$2,500 per day for each violation of the prohibition, as provided, and authorizes the Attorney General and local officials to enforce the prohibition. This bill would, on and after January 1, 2027, prohibit a person from selling, distributing, or offering for promotional purposes in this state a cleaning product, as defined, or a personal care product in a rinse-off product, containing one ppm or more by weight of plastic microbeads that are used as an abrasive, as specified. The bill would, on and after January 1, 2028, prohibit a person from selling, distributing, or offering for promotional purposes in this state a coating, as defined, cleaning product, or personal care product, that contains one ppm or more by weight of plastic microbeads that are not used as an abrasive. By adding these prohibitions to the Plastic Microbeads Nuisance Prevention Law, the bill would impose the civil penalty for violations of these prohibitions.

AB 973, as introduced, Hoover. Recycling: plastic packaging and products. (1) The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, creates a program for the recycling of rigid plastic packaging containers. The program defines “rigid plastic packaging container” to mean a plastic package having a relatively inflexible finite shape or form, with a capacity between 8 fluid ounces and 5 fluid gallons, that is capable of maintaining its shape while holding other products, including, but not limited to, bottles, cartons, and other receptacles, for sale or distribution in the state. The program generally requires a rigid plastic packaging container sold or offered for sale in this state to meet one of

specified criteria, including, but not limited to, having been made from 25% postconsumer material or being a reusable package or a refillable package, unless a waiver or an exemption applies. Notwithstanding these provisions, the program deems a manufacturer in compliance with the program if the manufacturer demonstrates that it, or another company under the same corporate ownership, either consumed or arranged for the purchase and consumption of certain amounts of postconsumer material generated in the state for the manufacture of rigid plastic packaging containers or other plastic products or packaging not subject to the program, as provided. The program makes a violation of these provisions a public offense punishable by a fine of not more than \$100,000. The program also subjects a violation of these provisions to a civil penalty of not more than \$50,000, as provided. The program requires the department to deposit all penalties and fines into the Rigid Container Account in the Integrated Waste Management Fund in the State Treasury. The program requires the moneys in the account to be expended by the department, upon appropriation by the Legislature, to assist local governmental agencies to develop and implement collection and processing systems for the recycling of materials covered by the program, for the development of markets for these materials, and for the department's costs of implementing the program. The program requires the department to adopt regulations to implement the program, as provided. This bill would repeal the program and replace it with a new program for recycling plastic packaging and products. The bill would require, on or before July 1, 2026, and annually thereafter, a manufacturer of a covered product, as defined, to pay an annual registration charge and to register with the department, as specified. The bill would require a manufacturer to provide certain information during registration, including, but not limited to, the brand name of each of the manufacturer's covered products. The bill would subject a manufacturer that is not in compliance with the registration requirement to a civil penalty of not more than \$1,000 for each day of a violation, as specified. The bill would, on and after January 1, 2029, require a manufacturer to include, as part of its annual registration, proof of third-party certification of the postconsumer recycled content of each of its covered products. The bill would require the third-party certification to be provided under penalty of perjury. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill would require a manufacturer to meet certain annual minimum postconsumer recycled content percentages for covered products, as specified. The bill would authorize the department to grant a waiver for up to 2 years, upon application, from these requirements, as specified. The bill would require certain information to be included in a waiver application and would require a waiver application charge not to exceed \$1,000. The bill would require the department to assess a civil penalty for a violation on a per-pound basis for each pound of virgin material that was used by a manufacturer in its products instead of the minimum postconsumer recycled content, as specified. The bill would authorize the department to reduce this civil penalty if the manufacturer submits, and the department approves, a corrective action plan, as specified. This bill would require the department to deposit all penalties and fines paid pursuant to the program into the Rigid Container Account, which this bill would continue in existence. The bill would require moneys deposited into the account to be expended by the department, upon appropriation by the Legislature, to assist local governmental agencies to develop and implement collection and processing systems for the recycling of materials that are subject to the program, for the development of markets for these materials, and for the department's actual and reasonable costs of implementing the program. This bill would require, on and after April 1, 2028, a manufacturer to provide to the department, in a format and manner prescribed by the department, an annual report that includes specified information regarding amounts and types of plastics used in covered products. The bill would

exempt confidential and proprietary information, collected by the department from manufacturers for purpose of the program, from disclosure pursuant to the California Public Records Act. This bill would authorize a manufacturer to authorize an organization to act on its behalf in complying with certain requirements, including, but not limited to, registration and annual reporting requirements. The bill would exempt certain covered products from the program, as specified. This bill would require the department to adopt regulations to implement and enforce the program, as specified. The bill would require the department to establish an electronic registration process on its internet website. (2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. (3) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. This bill would make legislative findings to that effect.

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

SB 45, as amended, Padilla. Recycling: beverage containers: tethered plastic caps. The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resources Recycling and Recovery, is established to promote beverage container recycling. The act defines “beverage container” to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and that is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include cups or other similar open or loosely sealed receptacles. A violation of the act is a crime. Existing law authorizes the department, subject to the availability of funds, to pay a quality incentive payment of up to \$180 per ton to qualified recyclers for thermoform plastic containers diverted from curbside recycling programs, as provided. This bill would delete that authorization. The bill would instead require, on and after January 1, 2027, ~~beverage containers, as defined, intended for sale in this state,~~ *if a beverage is subject to the act and offered for sale in a plastic beverage container with a plastic cap, the container* to have a cap that is tethered to the container that prevents the separation of the cap from the container when the cap is removed from the container by the consumer. The bill would exempt, until January 1, 2028, any type of beverage container with a recycling rate of better than 70% for calendar years 2022 and 2023, as determined by the department, from compliance with that requirement. The bill would exempt beverage containers with a capacity of ~~3~~ 2 liters or more *and beverage containers that contain beer or other malt beverages, wine or distilled spirits, or 100% fruit juice* from the scope of the bill. By creating a new requirement under the act, a violation of which would be a crime, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local

agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

Recycling

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

AB 899, as introduced, Ransom. Buy California Glass Bottle Procurement and Incentive Program. Existing law establishes the Governor's Office of Business and Economic Development (GO-Biz) to serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. This bill would establish the Buy California Glass Bottle Procurement and Incentive Program. The bill would require, upon appropriation by the Legislature, GO-Biz to develop and administer the program in order to promote the production and distribution of wine bottles made in California. The bill would permit a California winery to apply for a grant to purchase wine bottles made in California under the program. The bill would require GO-Biz to develop eligibility criteria, as specified, and, upon appropriation by the Legislature, to use unallocated funds from a specified program for purposes of the grant program.

AB 978, as introduced, Hoover. Department of Transportation and local agencies: streets and highways: recycled materials. The California Integrated Waste Management Act of 1989 requires the Director of Transportation, upon consultation with the Department of Resources Recycling and Recovery, to review and modify all bid specifications relating to the purchase of paving materials and base, subbase, and pervious backfill materials using certain recycled materials. Existing law requires the specifications to be based on standards developed by the Department of Transportation for recycled paving materials and for recycled base, subbase, and pervious backfill materials. Existing law requires a local agency that has jurisdiction over a street or highway, to the

extent feasible and cost effective, to apply standard specifications that allow for the use of recycled materials in streets and highways, except as provided. Existing law requires, until January 1, 2027, those standard specifications to allow recycled materials at or above the level allowed in the department's standard specifications that went into effect on October 22, 2018, for specified materials. This bill would eliminate the feasibility and cost-effectiveness provision described above and would indefinitely require a local government's standard specifications to allow recycled materials at a level no less than the level allowed in the department's specifications for those specified materials. By increasing the duties of local agencies, the bill would impose a state-mandated local program. Existing law requires the Department of Transportation and a local agency that has jurisdiction over a street or highway, to the extent feasible and cost effective, to use advanced technologies and material recycling techniques that reduce the cost of maintaining and rehabilitating streets and highways and that exhibit reduced levels of greenhouse gas emissions through material choice and construction method. This bill would eliminate this requirement. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

SB 45, as introduced, Padilla. Recycling: beverage containers: tethered plastic caps. The California Beverage Container Recycling and Litter Reduction Act, which is administered by the Department of Resources Recycling and Recovery, is established to promote beverage container recycling. The act defines "beverage container" to mean the individual, separate bottle, can, jar, carton, or other receptacle, however denominated, in which a beverage is sold, and that is constructed of metal, glass, or plastic, or other material, or any combination of these materials, but does not include cups or other similar open or loosely sealed receptacles. A violation of the act is a crime. Existing law authorizes the department, subject to the availability of funds, to pay a quality incentive payment of up to \$180 per ton to qualified recyclers for thermoform plastic containers diverted from curbside recycling programs, as provided. This bill would delete that authorization. The bill would instead require, on and after January 1, 2027, beverage containers, as defined, intended for sale in this state, to have a cap that is tethered to the container that prevents the separation of the cap from the container when the cap is removed from the container by the consumer. The bill would exempt, until January 1, 2028, any type of beverage container with a recycling rate of better than 70% for calendar years 2022 and 2023, as determined by the department, from compliance with that requirement. The bill would exempt beverage containers with a capacity of 3 liters or more from the scope of the bill. By creating a new requirement under the act, a violation of which would be a crime, this bill would impose a state-mandated local program.

SB 235, as introduced, McNerney. Recycling: precious metals and critical minerals: report. Existing law establishes in the California Environmental Protection Agency the Department of Resources Recycling and Recovery, which administers various solid waste management and recycling programs. This bill would require the Department of Resources Recycling and Recovery to draft and submit a report to the Legislature on or before January 1, 2028, relating to the in-state collection, recycling, reuse, and stockpiling for domestic consumption of precious metals, critical minerals, as defined, and other similar valuable materials as reasonably decided by the department, contained within products in the state, as specified. The bill would require the department to

provide opportunities for public input and to perform outreach to potentially interested parties, as specified.

Waste Reduction

AB 70, as introduced, Aguiar-Curry. Solid waste: pyrolysis. The California Integrated Waste Management Act of 1989 generally regulates solid waste disposal, management, and recycling. The act requires each city, county, and regional agency to develop a source reduction and recycling element of an integrated waste management plan. The act requires that element to include a 50% solid waste diversion requirement, as specified, and provides that up to 10% may be achieved through biomass conversion under certain conditions, with biomass conversion defined as the production of heat, fuels, or electricity by certain means from specified materials. One of the conditions for using biomass conversion to satisfy a portion of the solid waste diversion requirement is that pyrolysis not be included in the source reduction and recycling element. Pyrolysis is not defined for that purpose or for other purposes in the act. This bill would define pyrolysis as the thermal decomposition of material at elevated temperatures in the absence or near absence of oxygen.