



Legislation Details (With Text)

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Attachments: 1. SB-1383 Reporting

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Report to Mayor and City Council

Tuesday, February 01, 2022

Consent

SUBJECT:

SENATE BILL 1383 INITIAL AND ANNUAL REPORTING REQUIREMENTS (CITY COUNCIL)

I. SUMMARY

This item transmits an informational update to the City Council on the status of the State-mandated reporting requirements for SB-1383.

Waste Resources sent out information about the Organics waste program in their Winter Brochure which was mailed to all Waste Resources customers including residential, commercial, and industrial.

Waste Resources continues to work with City staff to ensure that all compliance requirements are met. The most recent meeting was the week of January 24, 2022. Future brochures from Waste Resources will continue to have outreach information. This will be in addition to staff working on information to include on the City's website.

City staff will complete both the initial and annual CalRecycle reports to: (i) comply with annual State of California mandates pursuant to SB 1383; (ii) continue working with its franchised waste hauler, Waste Resources, to produce all required documentation; and (iii) work collaboratively with CalRecycle to meet the recycling and diversion requirements set

by the State through SB 1383.

An analysis of commercial customers who currently have organic waste bins is ongoing and those that do not already have bins will be provided them by March 1, 2022.

II. RECOMMENDATION

Receive and File.

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate and consistent with California state law and existing agreements with the County of Los Angeles.

IV. BACKGROUND

The Legislature of the State of California enacted AB 939, AB 32, AB 341, AB 1826 and SB 1383 pertaining to the environmental impacts of solid waste. The City is required to comply with these laws and will need to produce bi-annual reports to CalRecycle and Los Angeles County, with supporting data and documentation provided by the City's solid waste franchise hauler. The City's franchised waste hauler will assist the City in meeting its statutory duty providing mandated equipment to subscribers and the assistance in creating reports related to waste reduction and recycling submission requirements.

In December 2021, the City Council approved the Ordinance that helps the City comply with SB1383. This includes:

1. Initial report due by April 1, 2022 shall include a copy of ordinances or other enforceable mechanisms adopted.
2. Initial report due by April 1, 2022 shall include the name, mailing address, phone number, and email address of the employee of the jurisdiction that has been designated as the primary contact person for the purposes of receiving communications regarding compliance with this chapter.
3. The name and address of the agent designated by the jurisdiction for the receipt of service of process from the Department for the purposes of enforcement.

The implementation requirements of SB 1383 establish the regulatory requirements for jurisdictions, generators, haulers, solid waste facilities, and other entities to achieve the organic waste disposal reduction targets.

By January 1, 2022, a jurisdiction shall adopt enforceable ordinance(s), or similarly enforceable mechanisms to mandate that organic waste generators, haulers, and other entities be subject to the requirements. (The City adopted the ordinance in December.)

The City will be responsible for implementing the following to maintain compliance with SB

1383:

- Adopt an ordinance (e.g., the proposed ordinance) to inspect and enforce compliance with SB 1383;
- Provide organic waste collection services to all residents and businesses;
- Establish an edible food recovery program for local food generators;
- Conduct annual outreach to all generators;
- Procure certain levels of recovered organic waste products such as recycled paper, compost, mulch, transportation fuel from anaerobic digestion, electricity from anaerobic digestion, heating from anaerobic digestion, and biomass conversion electricity;
- Coordinate enforcement activities with other CalEPA Departments, CalRecycle and other county level agencies which may influence compliance outcomes with SB 1383 such as Public Health Departments and County Certified Unified Program Agencies (CUPA); and
- Maintain records for SB 1383 compliance, diversion records, vendor agreements and tracking of procurement activities for annual reporting requirements.

Further SB 1383 implementation will entail additional staffing and administrative costs to the City and Waste Resources, as well as capital outlays by Waste Resources and the City, potentially in the form of additional contractual agreements with vendors or cooperative arrangements such as Public-Private Partnerships. At this time, an accurate account of additional costs is not known and will not be known until actual program implementation is undertaken. It is anticipated that a portion of the costs associated with SB 1383 implementation will initially be recovered through a refuse and recycling service rate adjustment to be proposed by Waste Resources in the coming year, and/or the recovery of City-incurred costs through administrative fees to be paid by Waste Resources to the City pursuant to Waste Resources' franchise agreement.

V. FISCAL IMPACT

There are no immediate anticipated fiscal impacts associated with production the Initial Report to CalRecycle, though future unknown fiscal impacts are described above.

VI. EXHIBITS

1. SB 1383 Reporting Presentation

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