SB 1383 Organic Waste Regulations

Hank Brady – CalRecycle
Presentation Overview

- SB 1383 Timeline and Targets
- Overview of Provisions Pertinent to Waste Water Industry
  - Activities defined as recovery or landfill disposal
  - Procurement requirements
  - Other provisions
Organic Waste Is the Largest Waste Stream in California


California's Waste Stream:
- Paper 18%
- Food 18%
- Non-Organic Waste 33%
- Lumber 12%
- Other Organics 19%

In California, millions are food insecure:
- 1 in 8 Californians
- 1 in 5 children

California throws away more than 6 million tons of food waste every year!
Landfilled Organic Waste Emits Methane Gas—
A Super Pollutant More Powerful than CO2

Methane Gas Contributes to Climate Change in California

CALIFORNIA is already experiencing the impacts of CLIMATE CHANGE

IN 2015 THE DROUGHT COST THE AGRICULTURE INDUSTRY IN THE CENTRAL VALLEY AN ESTIMATED $2.7 BILLION & 20,000 JOBS
<table>
<thead>
<tr>
<th>Year</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>50 PERCENT REDUCTION IN LANDFILLED ORGANIC WASTE (11.5 Million Tons Allowed Organic Waste Disposal)</td>
</tr>
<tr>
<td>2022</td>
<td>REGULATIONS TAKE EFFECT</td>
</tr>
<tr>
<td>2025</td>
<td>75 PERCENT REDUCTION IN LANDFILLED ORGANIC WASTE (5.7 Million Tons Allowed Organic Waste Disposal)</td>
</tr>
<tr>
<td>2025</td>
<td>20 PERCENT INCREASE IN RECOVERY OF CURRENTLY DISPOSED EDIBLE FOOD</td>
</tr>
</tbody>
</table>
SB 1383 Key Implementation Dates

- SB 1383 Adopted: September 2016
- Jan. 2019: Two Years of Informal Rulemaking Ends. Formal Rulemaking Begins
- Late 2019: Regulations Adopted
- Jan. 1, 2020: 50 Percent Reduction in Organic Waste Disposal
- Jan. 1, 2022: Regulations Take Effect and State Enforcement Begins
- Jan. 1, 2024: Regulations Require Local Governments to Take Enforcement
- January 1, 2025: 75% Reduction in Organics Disposal
- 20% Increase in Edible Food Recovery
### Types of Compliance Responses

<table>
<thead>
<tr>
<th>Types of Compliance Responses</th>
<th>% of Organic Waste by Facility Type</th>
<th>2025 Tons (Projected)</th>
<th>2030 Tons (Projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compost</td>
<td>29.6%</td>
<td>9,582,927</td>
<td>9,968,337</td>
</tr>
<tr>
<td>Anaerobic Digestion</td>
<td>15.7%</td>
<td>5,090,088</td>
<td>5,294,803</td>
</tr>
<tr>
<td>Chipping and Grinding</td>
<td>10.3%</td>
<td>3,344,281</td>
<td>3,478,783</td>
</tr>
<tr>
<td>Recycling</td>
<td>14.7%</td>
<td>4,761,082</td>
<td>4,952,565</td>
</tr>
<tr>
<td>Source Reduction</td>
<td>5.5%</td>
<td>1,781,235</td>
<td>1,852,873</td>
</tr>
<tr>
<td>Food Recovery</td>
<td>2.1%</td>
<td>676,724</td>
<td>703,941</td>
</tr>
<tr>
<td>Land Application</td>
<td>2.0%</td>
<td>661,200</td>
<td>687,793</td>
</tr>
<tr>
<td>Biomass Conversion</td>
<td>0.9%</td>
<td>306,387</td>
<td>318,710</td>
</tr>
<tr>
<td>Emerging Technologies</td>
<td>2.0%</td>
<td>646,487</td>
<td>672,488</td>
</tr>
<tr>
<td>Disposal</td>
<td>16.9%</td>
<td>5,473,945</td>
<td>5,694,099</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>100.0%</td>
<td>32,324,358</td>
<td>33,624,392</td>
</tr>
</tbody>
</table>

#### 2025 & 2030 Disposal Projections

- A significant amount of material is projected to go to anaerobic digestion annually.
- A significant amount of digestate and biosolids will need to be managed as a result of increased digestion and co-digestion.
Activities that Count as Recovery

- Recycling
- Composting
- In-Vessel Digestion
- Biomass Conversion
- Soil Amendments*
- Land Application*
- Animal Feed
- Food Recovery
- Activities Verified under Section 18983.2

*Soil amendments and land application must comply with additional standards to limit the potential for anaerobic conditions and methane generation*
Activities that Count as Landfill Disposal

- Landfill Disposal
- Landfill Cover
- Any Other Activity not Identified as Recovery
Procure Recycled and Recovered Organic Products

**SB 1383 IN ACTION**

**PROCUREMENT REQUIREMENTS**

**COMPOST, RNG & ELECTRICITY**
- Minimum Procurement

**PAPER PROCUREMENT REQUIREMENTS**
- Recycled Content
- Recyclability

**JURISDICTION REQUIREMENTS**

Procurement of Recycled and Recovered Organic Products

Close the Loop

01 Collection
02 Recycling/Recovery
03 Procurement
04 End-Use
Cities and Counties May Count Gas Procured From POTWS

- Certain conditions must be met
  - The POTW must not send more than 25 percent of its biosolids to landfill disposal
  - The POTW must **actively** receive organic waste from a solid waste facility such as a transfer station or compost facility
  - POTW must receive Anaerobically Digestible Material (ADM) for the purposes of co-digestion in a manner that conforms with **14 CCR § 17896.6**
    - ADM received must be pumped or off-loaded into a leak proof covered container
    - The POTW Treatment Plant has developed a Standard Operating Procedures (SOP) for acceptance of ADM and that the POTW has notified the SWRCB of these SOPs and has a Standard Provision (permit condition) reflecting the acceptance of ADM
    - The only ADM received is, inedible kitchen grease, food material or vegetative food material (as defined in applicable statute and reg)
    - If any type of material (other than the three noted above) is received from a solid waste facility, approval must be received from CalRecycle in consultation with the SWRCB and California Department of Food and Ag.
ARTICLE 6

POTWs are not subject to the following:

- Organic waste generator requirements
- Organic waste recovery efficiency measurements
- Solid waste facility record keeping requirements

Material received at a POTW in a manner that does not comply with 14 CCR § 17896.6 is considered disposed.

ARTICLE 9

Local ordinances cannot prohibit, or otherwise unreasonably limit or restrict processing and recovery of organic waste.

- Designed to protect the ability of facilities and generators to recover organic waste through methods identified as recovery in the regulations (e.g. anaerobic digestion, land application, etc.)
SB 1383 Key Upcoming Dates

- Draft EIR Comment Period Closes on September 13, 2019
- Third draft of regulatory text – September 2019 (followed by a 15-day comment period)

Find out more here: https://www.calrecycle.ca.gov/Laws/Rulemaking/SLCP/