Regulations to Implement SB 1383

SB 1383 is legislation to mitigate climate change impacts

Key Requirements of Legislation

- Reduce methane emissions by 40% below 2013 levels by 2030
- Divert 50% of organic waste away from landfills by 2020, based on 2014 volumes
- Divert 75% of organic waste away from landfills by 2025, based on 2014 volumes

Regulations developed by CalRecycle in consultation with the Air Resources Board

Both agencies have been extremely responsive to CASA input as regulations have been developed

- Formal Rulemaking process officially began on January 18, 2019
- Final Regulatory Text and Associated Documents Submitted to Office of Administrative Law (OAL) by January 18, 2020 (expected). OAL has 30 days to approve with adoption shortly thereafter with an effective date of 1/22
- Most major issues have been resolved through a lengthy informal rulemaking effort which included public workshops, informal meetings, and comments through multiple iterations of draft regulations and comments on each iteration of formal rulemaking text.

The Wastewater Sector is counted upon as a key collaborative partner to achieve the mandates of SB 1383

- CASA estimates that 75% of food waste currently being landfilled can be accepted for co-digestion at POTWs
- Relatively minor upgrades will be required (receiving facilities, slurry pumps, paddle finishers, possible digester heating and mixing upgrades)
- CASA has initiated introductory meetings between solid waste and wastewater sectors since we need to form partnerships moving forward and need to understand each others requirements (POTWs: cleanliness of feedstock, Waste Haulers: assurance of suitable home for cleaned organics)

Regulations include many key provisions requested by CASA

- Restricts local ordinances on land application of biosolids to be no more restrictive than federal regulations, statewide General Order, and/or site specific Waste Discharge Requirements (WDRs) – KEY
  - CASA has made recommendations to modify the General Order to be more compliant with EPA
- Requires jurisdictions which divert organic waste to procure products from diversion (i.e., compost or products from biogas). Unfortunately, only biogas produced from diverted organic waste is eligible (not biogas from sludge only digestion)
- Does not prohibit the use or disposal of any organic waste stream at landfills but any use, even as Alternative Daily Cover, will be considered disposal