



## SB 1383 Enforcement Ordinance Success Story

### StopWaste - Alameda County

#### Enforcement Ordinance

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StopWaste Website: [stopwaste.org](http://stopwaste.org)

County Population: 1.6M (2018 Census estimate)

StopWaste (Alameda County Waste Management Authority) is governed by a Joint Powers Agreement comprised of 17 member agencies: 14 cities; 2 sanitary districts; and, Alameda County.

#### SB 1383 Requirements

*“By January 1, 2022, a jurisdiction shall adopt enforceable ordinance(s), or similarly enforceable mechanisms that are consistent with the requirements of this chapter, to mandate that organic waste generators, haulers, and other entities subject to the requirements of this chapter that are subject to the jurisdiction’s authority comply with the requirements of this chapter.”*

– California Code of Regulations, Title 14, Section 18981.2.a

#### Ordinance Synopsis

StopWaste’s Mandatory Recycling Ordinance (MRO) requires certain businesses, institutions, and multi-family properties to subscribe to recycling and organics collection service. Businesses and institutions are also required to sort properly their discarded materials. StopWaste uses field inspectors to monitor compliance and provides outreach support and technical assistance to regulated entities.

#### Enforcement Ordinance and State Regulation Milestones

**2012** MRO adopted; Phase 1 of enforcement efforts focused on commercial recycling.

**2014** Phase 2 enforcement efforts broadened to include commercial food scraps collection.

**2016** Nearly all StopWaste member agencies participating in MRO.

**2020** StopWaste begins assessment of how MRO will be updated to align with SB 1383.

## Ordinance Adoption Process

- Prior to the adoption of the MRO, StopWaste provided free technical assistance to businesses to help with implementation of recycling or organics service.
- StopWaste realized that the voluntary approach was not yielding significant diversion; at the same time (2012), AB 341 was adopted. These two factors positioned the agency to pursue the adoption of an MRO that would give StopWaste the regulatory framework to meet its aggressive diversion goals.

## Ordinance Language

*“The purpose of this Ordinance is to reduce the amount of recyclable and organic solid wastes deposited in landfills from businesses, multi-family residences, and self haulers.”*

Link to ordinance information: [RecyclingRulesAC.org](http://RecyclingRulesAC.org)

## Enforcement Process

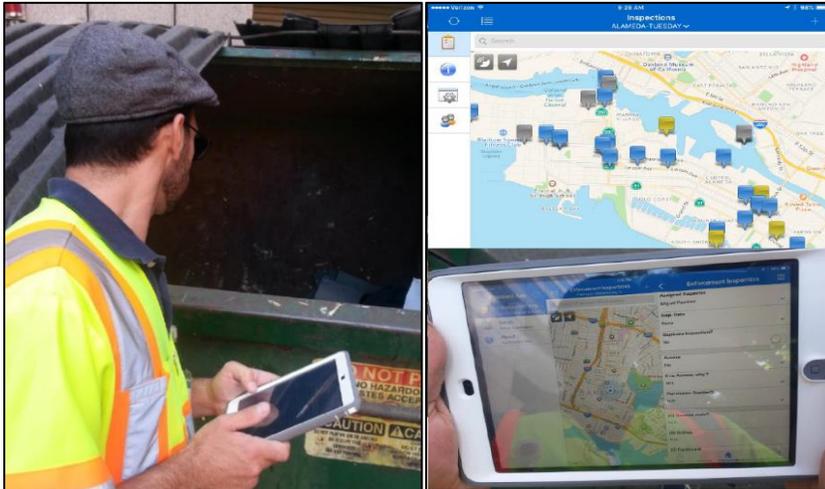
- Two in-house field inspectors determine whether commercial customers have recycling and organics service; inspectors also check for contamination in solid waste, recyclables, and organics containers.
- Field inspectors use a tablet application to document their observations; that application syncs to a customized customer relationship management (CRM) system.
- Regulated parties receive two notice letters before StopWaste issues a citation and fine.

## Lessons Learned

- StopWaste gave member agencies the option to postpone or opt out of the adoption of the MRO; some did because they did not have the proper infrastructure in place. These provisions slowed the implementation process and created some inefficiencies (e.g., instead of sending out notification letters to all businesses at once, StopWaste had to send the notification letters to businesses by jurisdiction). As of 2019, all member agencies have opted in.
- Before StopWaste issues a citation, several people must review it; while the process facilitates a thorough review, it is very time-intensive.
- Going forward, StopWaste may need to streamline the citation issuance process.

## Next Steps

- After the SB 1383 regulations are finalized, StopWaste will assess how they will amend their MRO so it aligns with SB 1383 and AB 1826 requirements.
- With respect to SB 1383's edible food recovery enforcement requirements, StopWaste will be coordinating with member agencies and various partners to determine how to best implement monitoring and enforcement of commercial edible food generators.



StopWaste field inspectors use a tablet application to document contamination and note any lack of (organics, recycling) services. Photos: StopWaste

## By The Numbers

StopWaste's MRO

**13,000**

Commercial accounts in inspection pool (1+ cubic yard of garbage/week)

**75%**

Commercial accounts with recycling service (pre-MRO baseline unknown)

**6,000+**

Inspections per year

**2,200+**

Citations issued since 2013

**\$100-\$150**

Fine per violation (first citation)