Adopting A Commercial Recycling Ordinance – How to Get Started

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• Non-profit research arm of the League of California Cities and California State Association of Counties

• Program Areas
  – Climate Change
  – Healthy Communities
  – Intergovernmental Conflict Resolution
  – Land Use and Environment
  – Local Government 101
  – Public Engagement and Collaborative Governance
  – Public Service Ethics
Adopting A Commercial Recycling Ordinance – How to Get Started

Welcome
Yvonne Hunter, Program Director, California Climate Action Network, Institute for Local Government

CalRecycle Regulatory Update
Howard Levenson, Assistant Director, CalRecycle

Questions and Discussion

Tips for Getting Started in Ordinance Development:

- Engaging the Business Community
  Brian Moura, Assistant City Manager, San Carlos

- Engaging Haulers and Recyclers
  Johnnie Perkins, West Region Director of Municipal Services, Republic Services

Questions and Discussion
Mandatory Commercial Recycling Regulation

Howard Levenson
June 30, 2010
CalRecycle
Statewide Commercial Overall Disposal, 2008

- Commercial self-hauled: 17.2%
- Residential self-hauled: 3.3%
- Single-family residential: 21.6%
- Multi-family residential: 8.4%
- Commercial: 49.5%
• **Goal:** Reduction of 5 million metric tons CO$_2$E
  - 27 million tons disposed by commercial sector
  - Will need to recycle about 3 millions tons by 2020

• **Flexible for jurisdictions and businesses**
  - Does not specify which materials must be diverted
  - Allows jurisdictions to design program
  - Allows businesses various ways to recycle depending on local infrastructure

• **Builds on existing AB 939 processes**
Joint CalRecycle/ARB Process

• Scoping Plan designates CalRecycle as lead
• Joint Rulemaking & Implementation Plan
• CIWMB approved regulatory concept Dec 2009
• ARB will consider formal adoption of regulation
• ARB retains ultimate oversight authority
Business Requirements

- Businesses and Multifamily (5 units or more) that generate 4 cubic yards of waste and/or recyclables per week must:
  - Subscribe to recycling service, or
  - Send materials to a mixed waste processing facility, or
  - Self-haul recyclables
Jurisdictions must implement commercial recycling program that consists of education, outreach, and monitoring by July 2012

- Regardless of meeting 50% per capita disposal target
- Can use existing programs
- Can decide how – e.g., ordinance, policy, existing franchise agreement
- Flexibility to phase in program components
- Enforcement not mandatory
- Report to CalRecycle in Electronic Annual Report
Draft Regulatory Approach: CalRecycle Responsibilities

- Review jurisdictions’ implementation upon receipt of Annual Reports in 2013
- For jurisdictions on 2-year cycle, evaluation begins in 2014 and continues every two years
- For jurisdictions on 4-year cycle, evaluation begins in 2016 and continues every four years.
Draft Regulatory Approach: CalRecycle Responsibilities

- Measure emission reductions statewide
  - Statewide baseline based on 2011 disposal
  - Emissions factors being developed by ARB
  - Waste characterization studies conducted in 2014-15 and 2019-20
  - Determine if met GHG reduction goal
Commercial Cost Study

- Cost to local governments and businesses is key
- Regulation is flexible for jurisdictions, allowing local design based on local conditions
- Cost study being finalized
Additional Issues

- Transformation
- Mixed waste processing
- Rural exemptions
## Timeline

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<tr>
<th>Initial Informal Stakeholder Feedback</th>
<th>Draft Regulation Development</th>
<th>Additional Informal Stakeholder Workshop</th>
<th>Formal Rule Making</th>
<th>Adoption/Implementation</th>
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More Information

- CalRecycle’s web page at http://www.calrecycle.ca.gov/Climate/Recycling/default.htm
- Tracey Harper
  - Tracey.harper@calrecycle.ca.gov or 916-341-6531
- Marshalle Graham
  - Marshalle.graham@calrecycle.ca.gov or 916-341-6270
Questions?
Adopting a Mandatory Commercial Recycling Ordinance

Brian Moura
Assistant City Manager
bmoura@cityofsancarlos.org
June 28, 2010
Why Adopt a Local Ordinance?

- **Commercial Sector Need**
  - 2/3 of waste stream in Rethink Waste service area
  - Voluntary program flattened out at 28% level
  - Prior programs focused on single family residential

- **Tie-In with New Service Rollout**
  - Recycling Marketing Blitz = opportunity
  - Leverage excitement/outreach with new ordinance

- **Design Local Ordinance**
  - Involve business community, help shape program

- **Compliance with CARB Rule Making**
  - Program begins 1/1/2012; Implement by 7/1/2012
Our Approach

- **Assemble the Team**
  - City, Rethink Waste, Consultant

- **Key Players in the Process**
  - City Staff
  - Business Community
  - Multi-Family Property Owners

- **Two Phase Outreach Effort**
  - Intro/Education (Fall 2009)
  - Detailed (Early 2010)

- **City Council Involvement**
  - Initial Briefing, Check In after Each Phase, Adoption
Phase I: Education

- **Purpose & Goals**
  - Educate stakeholders, discuss key issues & choices
  - Get stakeholder comments, areas of support/concern

- **Identify Who You Need to Talk With**
  - City Staff, Econ Develop, Code Enforce, City Attny
  - Chamber, Green Task Force, Multi-Family Owners
  - Solid Waste Collection Firm (Allied & Recology)
  - Service Clubs (Rotary, Kiwanis, Lions)

- **Elements of Phase I**
  - Develop list of stakeholders, groups to engage
  - Presentations to stakeholders
  - Telephone & email survey of businesses
Phase I - Results

**Meetings**
- Held 11 group meetings and 4 interviews
- Reached over 140 people

**Survey**
- 185 businesses called, 32 completed survey

**What We Heard**
- Require recycling, but be gentle
- Local ordinance preferred over State regulation
- High interest in outreach & assist to comply
- Emphasize incentives & outreach, not penalties
- Make everyone aware of C&D ordinance
- “Going Green” strengthens our businesses
Phase II: Details & Develop

- **Purpose & Goals**
  - Second round of meetings to discuss draft ordinance
  - Get input and guidance from stakeholders
- **Topics Covered**
  - Why is the City developing a mandatory ordinance?
  - What is current level of recycling in San Carlos?
  - What are drivers (local & state) driving process?
  - Who is affected by proposed ordinance (and not)?
  - When would the ordinance take effect?
  - How would the ordinance be enforced?
Phase II - Results

Meetings
- Held 3 group meetings, reached 36 people

Comments from the Meetings
- How much will this improve the recycling rate?
- What will be done for education and assistance?
- How will you enforce the program?
- Will recycling be easier with new services in 2011?
- Why are residential & business under 2 cu yd exempt?
- Proposed 4 year phase-in is too long, should be faster

Phase II Wrap-Up
- Phase-in process shortened as suggested
- Endorsements from Chamber & Green group
Ordinance Development

- **Review & Report**
  - Review comments & develop report
  - Update definitions section of Muni Code

- **Key Provisions**
  - 2 or more cubic yards per week of collection service
  - Covered accounts required to get recycling services
  - Req. Organics & Food Scraps - Food Service firms
  - 3 Step Enforcement process, fines at Step 3
  - 2 year phase-in process (vs. original 4 year proposal)
  - Contract staff to handle outreach & enforcement

- **Council Action**
  - Approved Ordinance in April, Education starts July 1st
Advice to Agencies

- Consider Extensive Outreach
  - Enabled talking to many players, small meeting setting

- Stage Program for Multiple Check-Ins
  - Commercial outreach = 2 phases (intro & detail)
  - Council discussion: several meetings to insure input

- Modify Program Based on Input
  - Shortened Phase-In Period, Move up Organics

- Review Existing Ordinances
  - Update Solid Waste section of Municipal Code

- Strategy for Outreach & Rollout
  - Resources to publicize, via new programs
Creating A Recycling Attitude Through A Public/Private Partnership
Committed to
Reduction, Reuse, Recycling, Renew
and Responsibility

**Sustainability Policy**

Natural Resource Conservation
Operational Excellence
Social Responsibility
Economic Viability
Understand Customer Base/Needs
Understand Service Needs

Required recycling services:
• Varied collection schedule
• Plastic bottles and jars, paper, newspaper, aluminum cans, cardboard and glass containers
• Approved recycling containers
• Designated collection and storage area

Exemptions:
• Six-cubic yards or less per week of trash including recyclable material
• Container space
• Request in writing every year

Required education:
• Types of recyclable material accepted
• Location of containers
• Tenants responsibility to recycle
• New tenants recycling information
• Tenant recycling information upon change in recycling service
Understand Hauler Services

- Waste Audit
- Education Program
- Education Material
- Customer Outreach
- Program Compliance
Rewards Program

$ Monthly
$ Quarterly
$ Annual
$ Recycling Awards
...Customer Service Priority One...
Questions?
Institute for Local Government
Commercial Recycling Resources

- Sample Commercial Recycling Ordinance
- Educational and other resource materials
- Follow-up resources from this webinar
- Info about future webinars

www.ca-ilg.org/commercialrecycling
Speaker Contact Information

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Please check your email tomorrow for a follow-up survey and links to resources mentioned during the webinar.

Your feedback will aid the planning of future webinars.

Thank you for attending the webinar!