Understanding California’s Proposed Commercial Recycling Regulations: What Local Agencies Need to Know About the Education, Outreach and Monitoring Requirements

May 2, 2011 – 2:00 to 3:30 p.m.

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About the Institute

Who:
• Founded 1955
• 501(c)(3) Research and Education Arm of:
  – League of California Cities
  – California State Association of Counties

Mission:
• Promoting good government at the local level
Today’s Agenda

Welcome and Introductions
• Yvonne Hunter, Program Director, Climate Change Program, Institute for Local Government

Speaker
• Cara Morgan, Branch Chief, Local Assistance and Market Development, CalRecycle, State of California
• Howard Levenson, Deputy Director, Materials Management and Local Assistance Division, CalRecycle, State of California

Discussion Panel
• Randy Murphy, Deputy Director, Planning and Public Works Department, Glenn County
• Lisa Rapp, Public Works Director, City of Lakewood
• Rogelio Gamino, Associate Civil Engineer, Environmental Programs Division, Los Angeles County Dept. of Public Works

Tools to Help Local Agencies
• Yvonne Hunter, Program Director, Institute for Local Government
• Amity Lumper, Senior Associate, Cascadia Consulting Group, Inc.

Questions and Discussion

www.ca-ilg.org
What Local Agencies Need to Know About the Proposed Commercial Recycling Regulation Requirements

Cara Morgan and Howard Levenson, CalRecycle
Businesses, public entities, and multifamily units of 5 or more that dispose of 4 cy/week of solid waste are required to recycle using any combination of the following:

- Using the franchise hauler(s), arranging for pick-up, self-hauling, and/or using mixed waste processing
- Businesses, including public entities and multifamily units of 5 or more, that dispose of 4 cy of solid waste/week
Draft Regulatory Requirements

- Jurisdictions must implement a commercial recycling program that consists of:
  - **Education/Outreach**—informing businesses of state requirement and how to recycle in the jurisdiction
  - **Monitoring**—identifying businesses that aren’t recycling and informing them of the State requirement

- Jurisdictions must report annually to CalRecycle
  - Electronic Annual Report
  - Commencing with 2012 Annual Report
Flexibility! Flexibility! Flexibility!

Jurisdictions have the flexibility to conduct education/outreach/monitoring that meets their needs:

- Can utilize existing programs, communication modes
- Can implement an ordinance, policy or enforcement
Phasing in Education/Outreach/Monitoring

- Educate and monitor in the first year the multifamily complexes that have 16 units or greater
  - By law these complexes have on-site managers
- For business owners located in other areas--
  - Send letter informing owner of requirement to recycle
- Target a percentage of largest businesses each year
Education/Outreach: Electronic

- One or more electronic media activities that could be done to inform businesses:
  - Send out electronic notifications
  - Utilize your existing social media
  - Coordinate with local business groups, e.g., Chamber, Apartment Association, to post info on their website or distribute information to members
  - Place information on the website
Recycling Regulations and Compliance

The StopWaste Partnership can help Alameda County businesses, non-profits and institutions stay informed about current landfill bans, policies and ordinances related to proper collection and recycling of resources and hazardous wastes. Our goal is to provide links to current information so that you can operate your organization most efficiently.

Some regulations apply within Alameda County, others apply only to operations within certain cities, and some affect all commercial accounts within California.

ALAMEDA COUNTY

Measure D
In 1990 Alameda County voters overwhelmingly approved Measure D, the Alameda County Waste Reduction and Recycling Act, with the ambitious goal of reducing waste by 75% by 2010. Because a large portion of the waste stream in Alameda County is generated by businesses, StopWaste.Org created the StopWaste Partnership program to stimulate business sustainability, promote resource conservation and reduce company costs.

Plant Debris Landfill Ban
In 2010 Alameda County enacted a new law that prohibits the disposal of plant debris in landfills. The Landfill Ban applies to landscapers and other large producers of yard trimmings (such as property managers, municipalities and institutions) in Alameda County. Plant debris (such as grass, leaves, shrubbery, vines and tree branches) must be separated from other contaminants, and must be diverted to the designated clean green areas of Alameda County disposal facilities. For more information visit www.LandfillBan.org, or call the Landfill Ban Hotline at (888) 893-9929.
Sacto Sustainable
@SactoSustain Sacramento, California
Sacramento Area Sustainable Business program is a free service that promotes businesses that take voluntary actions to conserve resources & prevent pollution
http://www.sacramentoareasustainablebusiness.org

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580 Tweets 97 Following 236 Followers 11 Listed

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Education/Outreach: Print

- Utilize existing brochures, letters, newsletters
  - Add information about the state requirement and how to recycle in the jurisdiction
  - Utilize ILG’s model brochure and cover letter
- Recommend sending out information in print form annually:
  - Can be phased in
  - Rurals
Commercial Recycling Made Easy!

Waste Management offers businesses the ease and convenience of single stream recycling. All your paper, cardboard, plastic, glass and metals go into a single container. Commercial recycling is included as part of your overall service package at no additional cost.

We have designed this program to be easy to implement, simple to use, and effective. Through this program and with your efforts we will extend the usable life of landfills, preserve natural resources, and improve the quality of our environment.

Program Highlights:
- Free recycling service
- Save money by reducing trash service
- Convenient commingled collection

For more information on the Glenn County commercial recycling services program please call: (600) 479-8101

Waste Management of Glenn County
3281 Hwy 99W
Corning, CA 96021

Glenn County Solid Waste Division
PO Box 1070
125 S. Murdock Ave.
Willows, CA 95986

Think Green. Think Waste Management.

(800) 479-8101
Commercial Fueling

We are known for our waste and recycling services but did you know we also provide integrated fueling solutions for your business?

**Complete Service**

Centrally located in Anaheim, near the junction of the 91 and 57 freeways, our commercial fueling station offers easy access for large fleets including trucks with trailers. As one of our customers you will have access to over 50,000 CFM fueling locations throughout the United States and Canada.

**Comprehensive Reporting**

Automated accounting of your fuel purchases by vehicle showing miles per gallon, cost per mile and total miles driven makes it easy to track your fuel cost.

**Card Lock Fueling**

Automated card lock fueling with a host of customized restrictions including daily fuel consumption, fuel type, time of day and day of week helps you manage your fuel.

**Customer Service**

Customer satisfaction is the hallmark of our fueling business, and service is our number one priority.

Members of the Commercial Fueling Network (CFN)

Diesel CNG LNG Red-Dye

Collection • Recycling
Material Recovery Facility
Transfer • Commercial Fueling
Education/Outreach: Direct Contact

- Jurisdictions may want to use direct contact with businesses to inform them of the state requirement:
  - Community groups
  - Haulers
  - Jurisdiction staff
- Present at business forums, provide information during waste assessments
Monitoring

- Identifying businesses that are not recycling, and notifying businesses that are not in compliance.
- Flexibility to implement monitoring that fits existing programs and resources to maximize resources:
  - Letters, site visits, phone calls, etc.
  - Choose who conducts these activities, staff, hauler, etc.
  - Phase in monitoring over time depending on how many businesses are in the jurisdiction.
Monitoring

- Identify businesses that are not recycling via the hauler(s), jurisdiction staff
  - Either the jurisdiction or the hauler would send a notice to the business
  - Either the hauler or the jurisdiction could follow-up in person or with a phone call
  - The purpose of this follow-up would be to assist the business with identifying how it can recycle in the local jurisdiction.
Monitoring

• Rural jurisdiction suggestions:
  • Hauler informs the jurisdiction
    • Jurisdiction sends out letter that explains the state requirement and how businesses can recycle
  • If there aren’t staff or a hauler to ascertain which businesses are not recycling, then an annual letter to all businesses would suffice.
    • The letter could be sent electronically or hard copy depending upon the rural jurisdiction’s situation.
Questions about what would work

- How can I report in the annual report on the tons recycled by multifamily when all of the material is commingled?
  - CalRecycle will be measuring the effectiveness of the regulation on a statewide basis, using a “macro” statewide characterization approach.
  - So you don’t have to report tons! The proposed regulation does not require businesses or jurisdictions to track and report to CalRecycle actual collected tonnages.

- Jurisdictions report on how they are implementing education/outreach/monitoring:
  - What activities were implemented and why, how many and/or which types of businesses were contacted, how did you track the X number of businesses that aren't recycling and inform them of the requirement, etc.
Questions about what would work

- How will evaluations of effectiveness of programs work if County/Cities are not able to provide data, e.g., on the number of businesses and how many are not recycling?
  - CalRecycle will take into consideration the reasons that data is not available
  - However, jurisdictions should have some data to provide to CalRecycle in the Annual Report to demonstrate that they have conducted education/outreach/monitoring
  - The bottom-line is that if jurisdictions are making a good faith effort to educate/outreach/monitor and there are things outside of their ability to control, e.g., a hauler just won’t provide data, then CalRecycle would take this into consideration.
  - Parallel to the AB939 review regarding implementing the SRRE and HHWE programs, good faith effort is determined on a case by case basis.
  - Again, the amount of tonnage that the regulation is targeting is modest. Because of this modest goal the regulation was developed with flexibility in mind for both businesses and jurisdictions.
Questions about what would work

- If haulers are not a regulated party, how can the County/Cities and businesses be held accountable if the haulers are not required to provide services or report out to the jurisdictions?
  - The requirement is on businesses to recycle by using any combination of recycling options
  - It seems unlikely that a community has no options for businesses to recycle
  - It is possible that if the scenario presented here was a significant statewide issue that we would revisit the regulation, but we don’t believe that this is a current issue
  - Jurisdictions could establish their own requirements on haulers regarding reporting
## Timeline

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<th>Initial Informal Stakeholder Feedback</th>
<th>Draft Regulation Development</th>
<th>Additional Informal Stakeholder Workshops</th>
<th>Formal Rule Making</th>
<th>Adoption/Implementation</th>
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For More Information:

CalRecycle’s web page at:
http://www.calrecycle.ca.gov/Climate/Recycling/default.htm

- Tracey Harper-- Tracey.harper@calrecycle.ca.gov
  916-341-6531
- Marshalle Graham-- Marshalle.graham@calrecycle.ca.gov
  916-341-6270
Discussion Panel Questions

• Randy Murphy, Glenn County
• Lisa Rapp, City of Lakewood
• Rogelio Gamino, Los Angeles County

“My city plans to ...”
“If my county does xyz, will it...?”
“What about this approach?”
Tools to Help Local Agencies
Resources from the Institute for Local Government

- Sample commercial recycling ordinance
- Stories from cities and counties
- Commercial recycling education flyer template
- Webinars about commercial recycling
- Examples of education and outreach materials from local agencies and haulers

Available at: www.ca-ilg.org/commercialrecycling
Commercial Recycling Resource Center

Welcome to the California Climate Action Network’s Commercial Recycling Resource Center. Here you will find:

- Sample Commercial Recycling Ordinance
- Examples of Local Commercial Recycling Ordinances
- Local Agency Websites
- Outreach and Educational Resources
- Commercial Recycling Case Stories
- A Snapshot of Local Agency Commercial Recycling Programs and Policies
- Working with Local Businesses to Increase Recycling (A Whitepaper)
- Increasing Commercial Recycling: Tips for Local Agency Leaders (A Whitepaper)
- A Discussion Forum on Commercial Recycling Ordinances and Programs (log in required)

These resources were developed under a contract with the California Integrated Waste Management Board (now CalRecycle).

FREE - Commercial Recycling Webinar Series

The Institute for Local Government is hosting a series of webinars on adopting commercial recycling ordinances in collaboration with CalRecycle.
Sample Commercial Recycling Ordinance

The sample commercial recycling ordinance was prepared in 2009 by the Institute for Local Government's California Climate Action Network under a contract with the California Integrated Waste Management Board (now CalRecycle).

Adoption and implementation of the sample ordinance by local agencies is voluntary.

The sample ordinance emphasizes policy choices at the local level and is designed to be modified by individual agencies to reflect the unique circumstances in the community. It offers a menu of options to suit local needs and service situations. In addition, it includes extensive commentary that explains the options and provides background explanations for many provisions.

The sample ordinance is available at the right in both Word and pdf versions.
ILG Climate Leadership Stories on Commercial Recycling

Cities and counties are leading by example and undertaking a range of activities to address climate change in this best practice area. These case stories demonstrate the depth and richness of local agency activities and can serve as examples that other agencies can adapt to meet their communities’ unique circumstances.

To view all of the case stories in one document, please see a link to "ILG Climate Leadership Stories on Commercial Recycling - ALL" at right.

Stories about Local Commercial Recycling Programs

- Commercial Recycling - A Snapshot of Local Agency Policies and Programs 2009
- County and City of Sacramento
- County of San Diego
- City of Arcadia
- City of Chula Vista
- City of Fresno
- City of Huntington Beach
- City of Irvine
- City of Kingsburg
- City of Lompoc
- City of Ojai
- City of Poway

Stories about Education and Outreach Activities
Sample Education Flyer Template

Why recycle?
- State law now requires all businesses that generate 4 or more cubic yards of waste weekly to recycle.
- Recycling may provide opportunities for your business to save money.
- Recycling helps conserve resources and extends the life of California’s landfills. It also helps create a healthy environment for our community and future generations.

How to get started
- It's easy to recycle at your business.
- Make sure your business has arranged for recycling services (see below for more information).
- Use the list on the other side of this flyer to help employees learn what items can be recycled.
- Separate recyclable items from trash inside your business.
- Place your recyclable items in external recycling containers for collection.
- Note: Any business or individual may donate used and/or otherwise unsalable for the pickup of recyclable materials.

Where to go for more information
[Option 1: For communities with an exclusive franchise]
To learn more, call [insert local phone number] or visit [insert URL].

Contact [insert name of waste hauler]
at [insert phone #]

Visit [insert URL] for more information from [insert your agency’s name].

For additional general information about recycling and waste reduction, visit the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov.
Free Commercial Recycling Webinars

www.ca-ilg.org/CommercialRecyclingWebinar

Learn from colleagues
Questions and Discussion
Thanks to CalRecycle for supporting the Institute’s work to provide resources to help local agencies increase recycling.
Post Webinar Evaluation

Please be sure to respond to the short evaluation you will receive immediately upon ending the webinar.

Thank you very much.