

Gridley City Council – Special City Council Meeting Agenda

Thursday, June 9, 2022; 6:00 pm
Gridley City Hall, 685 Kentucky Street, Gridley, CA 95948

“Our purpose is to continuously enhance our community’s vitality and overall quality of life. We are committed to providing high quality, cost-effective municipal services and forming productive partnerships with our residents and regional organizations. We collectively develop, share, and are guided by a clear vision, values, and meaningful objectives.”

The Public is encouraged to attend and participate in person. Comments from the public on agenda items will be accepted until 4 pm on June 9th, 2022, via email to csantana@gridley.ca.us or via the payment/document drop box at Gridley City Hall and will be conveyed to the Council for consideration.

You may attend via Zoom:

<https://us06web.zoom.us/j/85638869133?pwd=Wlk3N2tWaCtsT1VWS0NhRDYvQU0xQT09>

Passcode: 839128

Meeting ID: 856 3886 9133

OR

Call-in using one of the following numbers, and the above ID and passcode:

1-(253) 215-8782

1-(720) 707-2699

To make a public comment during the Community Participation Forum or during the public portion of any agenda item, use the ‘raise hand’ feature and you will be called on when it’s your turn to speak.

CALL TO ORDER - Mayor Johnson

ROLL CALL

PLEDGE OF ALLEGIANCE – Councilmember Sanchez

INVOCATION - None

PROCLAMATIONS - None

INTRODUCTION OF NEW OR PROMOTED EMPLOYEES – None

COMMUNITY PARTICIPATION FORUM - *Members of the public may address the City Council on matters not listed on the agenda. The City Council may not discuss nor take action on any community participation item brought forward by a member of the community. Comments are requested to be limited to three (3) minutes.*

CONSENT AGENDA - None

ITEMS FOR COUNCIL CONSIDERATION

1. Second Reading and Adoption of Ordinance 837-2022 by Title Only: Adding Chapter 8.05 to Title 8 of the Gridley Municipal Code Relating to Solid Waste and Organic Waste Disposal Reduction

CITY STAFF AND COUNCIL COMMITTEE REPORTS - *Brief updates from City staff and brief reports on conferences, seminars, and meetings attended by the Mayor and City Council members, if any.*

POTENTIAL FUTURE CITY COUNCIL ITEMS - (Appearing on the Agenda within 30-90 days):

Adopt Housing Element Introduction 2022-2030	6/20/2022
Edler Estates	7/19/2022

CLOSED SESSION – None

ADJOURNMENT – adjourning to a regular meeting on June 20th, 2022

NOTE 1: POSTING OF AGENDA- This agenda was posted on the public bulletin board at City Hall at or before 6:00 p.m., June 8th, 2022. This agenda along with all attachments is available for public viewing online at www.gridley.ca.us and at the Administration Counter in City Hall, 685 Kentucky Street, Gridley, CA.

NOTE 2: REGARDING UNSCHEDULED MATTERS – In accordance with state law, it shall be the policy of this Council that no action shall be taken on any item presented during the public forum or on unscheduled matters unless the Council, by majority vote, determines that an emergency situation exists, or, unless the Council by a two-thirds vote finds that the need to take action arose subsequent to the posting of this agenda.

City Council Agenda Item #1
Staff Report

Date: June 9, 2022
To: Mayor and City Council
From: Cliff Wagner, Administrator

	Regular
X	Special
	Closed
	Emergency

Subject: Second Reading and Adoption of Ordinance 837-2022 By Title Only Adding Chapter 8.05 to Title 8 of the Gridley Municipal Code Relating to Solid Waste and Organic Waste Disposal Reduction

Recommendation

Staff respectfully request the City Council to adopt Ordinance 837-2022 adding Chapter 8.05 to, Title 8 of the Gridley Municipal Code Relating to Solid Waste and Organic Waste Disposal Reduction which was first read by title only at the May 16, 2022 City Council Meeting.

Background

Senate Bill (SB) 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery ("CalRecycle") to adopt regulations to reduce organic waste statewide by 50% from its 2014 baseline level by 2020 and 75% by 2025. SB 1383 also requires the regulations to recover, for human consumption, at least 20 percent of edible food that is currently thrown away. The purpose of SB 1383 is to reduce methane and greenhouse gas emissions resulting from landfilled organic waste, and the impact on climate change. The regulations promulgated by CalRecycle to implement SB 1383 (the "SB 1383 Regulations") were finalized in late 2020 and took effect on January 1, 2022. The SB 1383 Regulations require the City to adopt and enforce an ordinance to implement the SB 1383 Regulations (this "SB 1383 Ordinance").

Discussion:

The SB 1383 Ordinance will require all residents and businesses to subscribe to organic waste collection services and source separate organic waste from solid waste and recyclables. The Ordinance requires education and outreach to individuals and businesses who generate waste on how they can properly sort materials for collection, the implementation of an edible food recovery program, inspections to ensure compliance with the SB 1383 Regulations, and enforcement for non-compliance with the SB 1383 Regulations.

Mandatory Subscription to Organic Services

All residents and businesses will be required to subscribe to organic waste collection services beginning January 1, 2022. Commercial businesses and multi-family properties with 5 or more units were already required to subscribe to organic waste services, SB 1383 builds upon Assembly Bill (AB) 1826 (Chapter 727, Statutes of 2014), which required any business generating two (2) or more cubic yards of solid organic waste per week, and multi-family properties with five or more units, to recycle their organic waste. (Under AB 1826, multi-family properties are only required to recycle yard waste.)

Waste Management currently provides solid waste collection services within the City under an exclusive franchise. The SB 1383 Regulations require Waste Management to provide, and all residents and businesses to subscribe to, organic waste collection services. Waste generators must source separate materials in the appropriate color-coded collection container to avoid contaminating the containers and the different waste streams. Waste Management currently provides organic waste collection services to both residents and businesses in the City, so there would be minimal impact to Waste Management's operations to implement this collection requirement.

Waste Management provides solid waste collection services to residential customers, through a three-container service: Trash (Gray Lid), Recycling (Blue Lid), Green and Food Waste (Brown Lid). Waste Management also provides trash, recycling and organics collection services to businesses, and the rates vary depending on the size of the container and the frequency of collection.

Waiver from Certain SB 1383 Requirements Related to Collection

Under the SB 1383 Regulations, a local jurisdiction may qualify for a low population waiver for a waiver from certain organic waste collection requirements if the local jurisdiction disposed of less than 5,000 tons of solid waste in 2014 as reported in the Disposal Reporting System and has a population less than 7,500. The City of Gridley met both of these requirements and received the low population waiver. Low population waivers are valid for a period up to five years.

The City submitted a low population waiver to CalRecycle for an exemption from some of requirements under the SB 1383 Regulations, specifically Article 3 (relating to organic collection services) of Chapter 12 of Title 14 of the California Code of Regulations. Since Waste Management already provides organic waste collection services to residential and commercial businesses, this Ordinance requires residents and businesses to assist the City in meeting state organic waste diversion goals by subscribing to organic waste collection service. The benefit of the City applying for a low population waiver is that it would waive certain requirements related to collection that the City would otherwise have to satisfy beginning January 1, 2022. These requirements include: recordkeeping requirements, certain monitoring requirements to ensure container contamination minimization, and container color and label requirements that identify what materials may be placed in each container.

City-Issued Waivers From Organics Waste Collection and Recycling

The City must review requests from businesses and/or multi-family buildings for waivers from organic waste collection and recycling requirements, and grant waivers when criteria are met. The City can issue a:

- de minimus waiver to a business if the business does generate a low volume of combined solid waste, recyclables, and organic waste and little organic waste or recyclables;
- physical space waiver if there are physical limitations for collection containers at a place of business or a multi-family property with 5 or more units; and,
- any additional waivers allowed under the law.

Education and Outreach Requirements

- Businesses and multi-family buildings must acquire and supply an adequate number of labeled, color-specific containers for employees, contractors, tenants, and customers, and educate employees and tenants about proper sorting.
- The education and outreach period is from January 1, 2022, through December 31, 2023, and

educational materials must be provided to generators who do not comply with the requirements.

Edible Food Recovery Program

- The City must develop and implement an edible food recovery program that recovers edible food from commercial edible food generators for human consumption.
- Commercial edible food generators must enter into written agreements with food recovery organizations and services, and the entities must keep specified records.
- Under the SB 1383 Regulations, if the county identifies that new or expanded capacity is required to recover edible food currently disposed of by commercial edible food generators in the county and the local jurisdictions within the county, then each jurisdiction that lacks capacity must submit an implementation schedule to CalRecycle regarding how it will ensure new or expanded capacity. The implementation schedule must include timelines of planning efforts to access new capacity, including, but not limited to, obtaining funding for edible food recovery infrastructure, and identification of facilities, operations and activities within the county that could be used for additional capacity.
- The City and Butte County are coordinating their efforts to develop an edible food recovery program and address capacity planning for edible food recovery to comply with the requirements of the SB 1383 Regulations.
- Discussions regarding the development of edible food recovery capacity are on-going with Butte County, the Cities of Biggs, Oroville, Chico and the Town of Paradise. Staff continues to communicate with the County regarding the SB 1383 Edible Food Recovery requirements.

Inspection and Enforcement

- The City must inspect and enforce the requirements in the Ordinance. The penalties for violations are consistent with the City's penalties for other ordinance violations.
- The City must provide educational materials, issue notice of violations, and issue administrative citations for violations of the Ordinance as specified.
- The focus will be on education and outreach in 2022 and 2023. Penalties for non-compliance will be imposed after January 1, 2024.
- While the City may designate a public or private entity to fulfill some of its SB 1383 regulatory responsibilities by agreement, the City itself remains responsible for its SB 1383 compliance and enforcing other entities' compliance with the SB 1383 regulations through the Ordinance. Under the SB 1383 Regulations, the City is also not allowed to delegate the authority to impose civil penalties for any violation of the Ordinance, or to issue waivers, to a private entity.

Other SB 1383 Requirements

- The SB 1383 Regulations require the City to adopt enforceable requirements to comply with specified provisions of the California Green Building Standards Code (CALGreen) and the State Model Water Efficient Landscape Ordinance, unless they already have such an enforceable mechanism in place.
- The City must procure recycled content paper in accordance with existing state laws, and procure recovered organic waste products (i.e., compost, mulch, electricity generated from biomass conversion, and renewable natural gas) at levels prescribed by the state annually. Staff is currently reviewing options on how to satisfy these requirements. Staff will bring forward a

separate procurement policy at a future Council meeting.

SB 619

Under the SB 1383 Regulations, local jurisdictions that do not adopt enforceable mechanism by January 1, 2022 to implement the SB 1383 Regulations locally are subject to penalties issued by CalRecycle. On October 5, 2021, the Governor signed SB 619 to provide some relief from penalties for jurisdictions that may not be fully compliant with SB 1383 requirements by the January 1, 2022, deadline.

Fiscal Impact

Unknown costs related to implementation and enforcement of the Ordinance, which will depend on whether the City or Waste Management will perform some of the City's responsibilities under the SB 1383 Regulations. Residential customers who subscribe to organic waste collection services for the first time will directly pay Waste Management for services. Unknown costs related to providing capacity for the edible food recovery program under a regional cost sharing plan.

Attachment

Ordinance 837-2022

**ORDINANCE ADDING CHAPTER 8.05, ORGANIC WASTE DISPOSAL REDUCTION SECTION TO
TITLE 8, HEALTH AND SAFETY, OF THE GRIDLEY MUNICIPAL CODE (Citywide)**

WHEREAS, Senate Bill (SB) 1383 (Chapter 395, Statutes of 2016) directed the California Department of Resources Recycling and Recovery ("CalRecycle") to adopt regulations to reduce organic waste statewide by 50% from its 2014 baseline level by 2020 and 75% by 2025; and,

WHEREAS, SB 1383 also requires the regulations to recover, for human consumption, at least 20 percent of edible food that is currently thrown away. The purpose of SB 1383 is to reduce methane and greenhouse gas emissions resulting from landfilled organic waste, and the impact on climate change.

WHEREAS, the State of California now requires the City to adopt and enforce an ordinance to implement the SB 1383 Regulations (this "SB 1383 Ordinance").

WHEREAS, the City Council of the City of Gridley duly introduced the ordinance on May 16, 2022 by reading of title only; and,

WHEREAS, the City Council of the City of Gridley ordains as follows:

SECTION 1: Add Chapter 8.05, Organic Waste Disposal Reduction as follows:

CHAPTER 8.05 ORGANIC WASTE DISPOSAL REDUCTION

8.05.020 Purpose and Findings.

8.05.020 Definitions.

8.05.030 Requirements for Single-Family Generators.

8.05.040 Requirements for Commercial Businesses.

8.05.050 Waivers for Generators.

8.05.060 Requirements for Commercial Edible Food Generators.

8.05.070 Requirements for Food Recovery Organizations and Services.

8.05.080 Requirements for Haulers and Facility Operators.

8.05.090 Self-Hauler Requirements.

8.05.100 Inspections and Investigations.

8.05.110 Enforcement.

8.05.010 Purpose and Findings.

The City of Gridley finds and declares:

1. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, places requirements on multiple entities including Jurisdictions, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets.

2. The Final Regulation Text of the SB 1383 Regulations implementing SB 1383 was adopted by CalRecycle on November 3, 2020.
3. The SB 1383 Regulations require Jurisdictions to adopt and enforce an ordinance or enforceable mechanisms 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 relevant provisions of 14 CCR, Division 7, Chapter 12.
4. This ordinance is intended to authorize the City Administrator to make determinations and undertake or arrange for programs and activities required to implement relevant provisions of the SB 1383 Regulations.
5. Nothing in this Ordinance is intended to nor shall it be interpreted or construed as violating 14 CCR Sections 18990.1(b) or 18990.2.

8.05.020 Definitions.

The following terms are defined for the purposes of this chapter:

"Blue Container" has the same meaning as in 14 CCR § 18982.2(a)(5) and shall be used for the purpose of storage and collection of Source Separated Recyclable Materials or Source Separated Blue Container Waste.

"CCR" means the State of California Code of Regulations.

"CalRecycle" means the California Department of Resources Recycling and Recovery.

"City" means the City of Gridley, California.

"Collect" or "Collection" means the act of collecting Solid Waste, Recyclables, or Organic Waste at or near the place of generation or accumulation.

"Commercial" or "Commercial Business" means a business, industrial, commercial establishment, or construction site, and any multiple-family, residential dwelling with five (5) units or more.

"Community Composting" means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR § 17855(a)(4); or, as otherwise defined by 14 CCR § 18982(a)(8).

"Compliance Review" means a review of records by the City to determine compliance with this chapter.

"Container" means a cart, bin, roll-off, compactor or similar receptacle used to temporarily store Solid Waste, Recyclables, or Organic Waste for collection service.

“Container Contamination” or “Contaminated Container” means a Container, regardless of color, that contains Prohibited Container Contaminants, or as otherwise defined in 14 CCR § 18982(a)(55).

“Designated Source Separated Organic Waste Facility” shall have the same definition as 14 CCR § 18982(14.5).

“Designee” means an entity that the City contracts with or otherwise arranges to carry out any of the City’s responsibilities as authorized in 14 CCR § 18981.2. A Designee may be a government entity, a hauler, a private entity, or a combination of those entities.

“Edible Food” means food intended for human consumption, or as otherwise defined in 14 CCR § 18982(a)(18). “Edible Food” is not Solid Waste if it is recovered and not discarded.

“Enforcement Action” means an action of the City to address non-compliance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

“Enforcement Officer” means the City Administrator, county administrative official, chief operating officer, executive director, or other executive in charge or their authorized Designee(s) who is/are partially or wholly responsible for enforcing this chapter.

“Food Recovery” means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR § 18982(a)(24).

“Food Recovery Organization” means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR § 18982(a)(25), including, but not limited to:

1. A food bank as defined in Health and Safety Code Section 113783;
2. A nonprofit charitable organization as defined in Health and Safety Code Section 113841; and,
3. A nonprofit charitable temporary food facility as defined in Health and Safety Code Section 113842.

“Food Recovery Service” means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR § 18982(a)(26).

“Food Waste” means discarded raw, cooked, or processed edible substances, ices, beverages, ingredients used or intended for use or for sale, in whole or in part, for human consumption, and chewing gum. “Food waste” includes compostable plastics and is a subset of Organic Waste.

“Generator” means a person or entity that is responsible for the initial creation of waste.

“Gray Container” has the same meaning as in 14 CCR § 18982.2(a)(28) and shall be used for the purpose of storage and collection of Gray Container Waste.

“Gray Container Waste” means Solid Waste that is collected in a Gray Container that is part of a three-Container Organic Waste collection service that prohibits the placement of Recyclables or Organic Waste in the Gray Container as specified in 14 CCR §§ 18984.1(a)-(b), or as otherwise defined in 14 CCR § 17402(a)(6.5).

“Green Container” has the same meaning as in 14 CCR § 18982.2(a)(29) and shall be used for the purpose of storage and collection of Source Separated Green Container Organic Waste.

“Green Waste” means tree trimmings, grass cuttings, dead plants, leaves, branches, and similar materials generated through landscaping activities other than construction activities.

activities. “Grocery Store” means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments, or as otherwise defined in 14 CCR § 18982(a)(30).

“Hauler Route” means the designated itinerary or sequence of stops for each segment of the City’s collection service area, or as otherwise defined in 14 CCR § 18982(a)(31.5).

“High Diversion Organic Waste Processing Facility” means a facility that is in compliance with the reporting requirements of 14 CCR § 18815.5(d) and meets or exceeds an annual average Mixed Waste organic content Recovery rate of 50 percent between January 1, 2022 and December 31, 2024, and 75 percent after January 1, 2025, as calculated pursuant to 14 CCR § 18815.5(e) for Organic Waste received from the “Mixed waste organic collection stream” as defined in 14 CCR § 17402(a)(11.5), or, as otherwise defined in 14 CCR § 18982(a)(33).

“Inspection” means a site visit where the City reviews records, Containers, and a person or entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this chapter, or as otherwise defined in 14 CCR § 18982(a)(35).

“Large Event” means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event.

“Large Venue” means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. A venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater,

or other public attraction facility. A site under common ownership or control that includes more than one Large Venue that is contiguous with other Large Venues in the site, is a single Large Venue.

“Local Education Agency” means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste, or as otherwise defined in 14 CCR § 18982(a)(40).

“Mixed Waste Organic Collection Stream” or “Mixed Waste” means Organic Waste collected in a Container that is required by 14 CCR §§ 18984.1, 18984.2 or 18984.3 to be taken to a High Diversion Organic Waste Processing Facility or as otherwise defined in 14 CCR § 17402(a)(11.5).

“Multi-Family Residential Dwelling” or “Multi-Family” means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.

“Notice of Violation” or “NOV” means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties, or as otherwise defined in 14 CCR § 18982(a)(45) or further explained in 14 CCR § 18995.4.

“Organic waste” means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, green material, landscape and pruning waste, organic textiles and carpets, untreated lumber, untreated wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.

“Organic Waste Generator” means a person or entity that is responsible for the initial creation of Organic Waste, or as otherwise defined in 14 CCR § 18982(a)(48).

“Prohibited Container Contaminants” means the following: (i) discarded materials placed in the Blue Container that are not identified as acceptable Source Separated Recyclable Materials for the City’s Blue Container; (ii) discarded materials placed in the Green Container that are not identified as acceptable Source Separated Green Container Organic Waste for the City’s Green Container; (iii) discarded materials placed in the Gray Container that are acceptable Source Separated Recyclable Materials and/or Source Separated Green Container Organic Wastes to be placed in the City’s Green Container and/or Blue Container; and, (iv) non-Solid Waste items placed in any Container.

“Recovery” means any activity or process described in 14 CCR § 18983.1(b), or as otherwise defined in 14 CCR § 18982(a)(49).

“Recyclable Material” means materials source-separated by the generator for the purpose of sorting, processing and being returned to the economic mainstream for use the altered form for manufacture of new, reused or reconstituted products through available processes and markets. A listing of materials considered as Recyclable Material shall be provided by the Authorized Collector and may be revised from time to time by agreement of the City, and the Authorized

Collector. Notwithstanding any provision to the contrary, the Authorized Collector is not required to collect or recycle any material for which a commercially viable market is not available.

“Remote Monitoring” means the use of the internet of things and/or wireless electronic devices to visualize the contents of Blue Containers, Green Containers, and Gray Containers for purposes of identifying the quantity of materials in Containers (level of fill) and/or presence of Prohibited Container Contaminants.

"Residential" means any residential dwelling.

“Route Review” means a visual Inspection of Containers along a Hauler Route for the purpose of determining Container Contamination, and may include mechanical Inspection methods such as the use of cameras, or as otherwise defined in 14 CCR § 18982(a)(65).

“SB 1383” means Senate Bill 1383 (Chapter 395, Statutes of 2016), which established methane emissions reduction targets in a Statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time to time.

“SB 1383 Regulations” means the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

“Self-Hauler” means a person, who hauls Solid Waste, Recyclable Materials, or Organic Waste he or she has generated to another person. “Self-Hauler” also includes a person who back-hauls waste, or as otherwise defined in 14 CCR § 18982(a)(66). “Back-haul” means generating and transporting Organic Waste to a destination owned and operated by the Generator using the Generator’s own employees and equipment, or as otherwise defined in 14 CCR § 18982(a)(66)(A).

“Single-Family” means of, from, or pertaining to any residential premises with fewer than five (5) units.

“Solid Waste” means and includes all discarded putrescible and non-putrescible solid, semisolid, and liquid wastes, including garbage, trash, refuse, rubbish, Construction and Demolition Debris, and any other discarded solid, semisolid, and liquid waste permitted to be disposed of at a Class III landfill and which are included within the definition of “Nonhazardous Solid Waste” set forth in 27 CCR Section 20220(a).

In addition, for purposes of this Ordinance, Solid Waste does not include source separated Recyclable Material, source separated Organic Waste, construction and demolition debris, manure and/or salvageable materials if such materials have been source separated by the generator for the purpose of recycling, composting, processing or reuse.

“Source Separating” or “Source Separation” means the process of removing Recyclable Materials and Organic Waste from Solid Waste at the place of generation, prior to collection, and placing them into separate Containers that are separately designated for Recyclable Materials and Organic Waste.

“Source Separated Blue Container Waste” means Source Separated Wastes that can be placed in a Blue Container that is limited to the collection of those Organic Wastes and Non-Organic Recyclables as defined in 14 CCR § 18982(a)(43), or as otherwise defined by 14 CCR § 17402(a)(18.7).

“Source Separated Green Container Organic Waste” means Source Separated Organic Waste that can be placed in a Green Container that is specifically intended for the separate Collection of Organic Waste by the Generator, excluding Source Separated Blue Container Waste, carpets, non-compostable Paper, and textiles.

“Supermarket” means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items, or as otherwise defined in 14 CCR § 18982(a)(71).

“Tier One Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

1. Supermarket.
2. Grocery Store with a total facility size equal to or greater than 10,000 square feet.
3. Food Service Provider.
4. Food Distributor.
5. Wholesale Food Vendor.

“Tier Two Commercial Edible Food Generator” means a Commercial Edible Food Generator that is one of the following:

1. Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
2. Hotel with an on-site Food Facility and 200 or more rooms.
3. Health facility with an on-site Food Facility and 100 or more beds.
4. Large Venue.
5. Large Event.
6. A State agency with a cafeteria with 250 or more seats or total cafeteria facility size equal to or greater than 5,000 square feet.
7. A Local Education Agency facility with an on-site Food Facility.

“Wholesale Food Vendor” means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination, or as otherwise defined in 14 CCR § 189852(a)(76).

8.05.030 Requirements for Single-Family Generators.

A. Single-Family Organic Waste Generators shall comply with the following requirements:

1. Shall subscribe to the City's Organic Waste collection services for all Organic Waste generated as described below in Section 8.05.030(A)(2). The City shall have the right to review the number and size of a Generator's Containers to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Single-Family Generators shall adjust its service level for its collection services as requested by the City. Generators may additionally manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste through backyard residential composting, and/or using a community composting site.
2. Shall participate in the City's three-Container collection service(s) by placing designated materials in designated Containers, and shall not place Prohibited Container Contaminants in Collection Containers. Generators shall place Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Solid Waste in the Gray Container, per City and collector guidelines. Generators shall not place materials designated for the Gray container into the Green Container or Blue Container, materials designated for the Green Container into the Blue or Gray Container, nor materials designated for the Blue Container into the Green or Gray Container.

8.05.040 Requirements for Commercial Businesses.

A. Generators that are Commercial Businesses, including Multi-Family Residential Dwellings, shall:

1. Subscribe to the City's three-Container collection services and comply with requirements of those services as described below in Section 8.05.040(A)(2). The City shall have the right to review the number and size of a Generator's Containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials; and, Commercial Businesses shall adjust their service level for their collection services as requested by the City.
2. Participate in the City's three-Container collection service(s) by placing Source Separated Green Container Organic Waste, including Food Waste, in the Green Container; Source Separated Recyclable Materials in the Blue Container; and Gray Container Waste in the Gray Container. Generator shall not place materials designated for the Gray Container into the Green Container or Blue Container, nor place materials designated for the Green Container or Blue Container into the Gray Container.
3. Supply and allow access to an adequate number, size and location of collection Containers with sufficient labels or colors (conforming with Section 8.05.040(A)(4)(a)-(b) for employees, contractors, tenants, and customers, consistent with the City's Blue Container, Green Container, and Gray Container

collection service or, if self-hauling, per the Commercial Businesses' instructions to support its compliance with its self-haul program.

4. Excluding Multi-Family Residential Dwellings, provide Containers for the collection of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials in all indoor and outdoor areas where disposal Containers are provided for customers, for materials generated by that business. Such Containers do not need to be provided in restrooms. If a Commercial Business does not generate any of the materials that would be collected in one type of Container, then the business does not have to provide that particular Container in all areas where disposal Containers are provided for customers. Pursuant to 14 CCR § 18984.9(b), the Containers provided by the business shall have either:

 - a. A body or lid that conforms with the Container colors provided through the collection service provided by City, with either lids conforming to the color requirements or bodies conforming to the color requirements or both lids and bodies conforming to color requirements. A Commercial Business is not required to replace functional Containers, including Containers purchased prior to January 1, 2022, that do not comply with the requirements of the subsection prior to the end of the useful life of those Containers, or prior to January 1, 2036, whichever comes first.
 - b. Container labels that include language or graphic images, or both, indicating the primary material accepted and the primary materials prohibited in that Container, or Containers with imprinted text or graphic images that indicate the primary materials accepted and primary materials prohibited in the Container. Pursuant 14 CCR § 18984.8, the Container labeling requirements are required on new Containers commencing January 1, 2022.
5. Multi-Family Residential Dwellings are not required to comply with Container placement requirements or labeling requirement in Section 0(A)(4) pursuant to 14 CCR § 18984.9(b).
6. To the extent practical through education, training, Inspection, and/or other measures, excluding Multi-Family Residential Dwellings, prohibit employees from placing materials in a Container not designated for those materials in accordance with Section 8.05.040, or if Recycling Organic Waste onsite or self-hauling under Section 8.05.090 per the Commercial Businesses' instructions to support its compliance with its onsite recycling or self-haul program.
7. Excluding Multi-Family Residential Dwellings, periodically inspect Containers for contamination and inform employees if Containers are contaminated and of the

requirements to keep contaminants out of those Containers pursuant to 14 CCR § 18984.9(b)(3).

8. Annually provide information to employees, contractors, tenants, and customers about Organic Waste Recovery requirements and about proper sorting of Source Separated Green Container Organic Waste and Source Separated Recyclable Materials.
9. Provide education information before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Source Separated Green Container Organic Waste and Source Separated Recyclable Materials separate from Gray Container Waste (when applicable) and the location of Containers and the rules governing their use at each property.
10. Provide or arrange access for the City or its agent to their properties during all Inspections conducted in accordance with Section 8.05.100 to confirm compliance with the requirements of this chapter.
11. Accommodate and cooperate with City's Remote Monitoring program, if implemented, for Inspection of the contents of Containers for Prohibited Container Contaminants, to evaluate Generator's compliance with Sections 8.05.30 and 8.05.40. The Remote Monitoring program may involve installation of Remote Monitoring equipment on or in the Blue Containers, Green Containers, and Gray Containers.
12. If a Commercial Business wants to self-haul, meet the Self-Hauler requirements in Section 8.05.090.
13. Nothing in this section prohibits a Generator from preventing or reducing waste generation, managing Organic Waste on site, or using a community composting site).
14. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to 8.05.060.

8.05.050 Waivers for Generators.

A. De Minimis Waivers. The City may waive a Commercial Business' obligation (including Multi-Family Residential Dwellings) to comply with some or all of the Organic Waste requirements if the Commercial Business provides documentation that the business generates below a certain amount of Organic Waste material as described in Section 8.05.050(A)(2) below. Commercial Businesses requesting a de minimis waiver shall:

1. Submit an application specifying the services that they are requesting a waiver from and provide documentation as noted in Section 8.05.050(A)(2) below.

2. Provide documentation that either:
 - a. The Commercial Business' total Solid Waste collection service is two cubic yards or more per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 20 gallons per week per applicable Container of the business' total waste; or
 - b. The Commercial Business' total Solid Waste collection service is less than two cubic yards per week and Organic Waste subject to collection in a Blue Container or Green Container comprises less than 10 gallons per week per applicable Container of the business' total waste.
3. Notify City if circumstances change such that Commercial Business's Organic Waste exceeds threshold required for waiver, in which case waiver will be rescinded.
4. Provide written verification of eligibility for de minimis waiver every 5 years, if the City has approved de minimis waiver.

B. Physical Space Waivers. The City may waive a Commercial Business' or property owner's obligations (including Multi-Family Residential Dwellings) to comply with some or all of the recyclable materials and/or Organic Waste collection service requirements if the City has evidence from its own staff, a hauler, licensed architect, or licensed engineer demonstrating that the premises lacks adequate space for the collection Containers required for compliance with the Organic Waste collection requirements.

A Commercial Business or property owner may request a physical space waiver through the following process:

1. Submit an application form specifying the type(s) of collection services for which they are requesting a compliance waiver.
2. Provide documentation that the premises lacks adequate space for Blue Containers and/or Green Containers including documentation from its hauler, licensed architect, or licensed engineer.
3. Provide written verification to the City that it is still eligible for physical space waiver every five years, if the City has approved application for a physical space waiver.

C. Additional Waivers. The City may provide any additional waivers of the requirements of this chapter to the extent permitted by applicable law. The Public Works Director or his or her designee shall be responsible for determining the grounds for the waiver, its scope, and appropriate administration.

D. Review and Approval of Waivers by City. Review and approval of waivers will be the responsibility of the Public Works Director or his or her designee.

8.05.060 Requirements for Commercial Edible Food Generators.

A. Tier One Commercial Edible Food Generators must comply with the requirements of this section commencing January 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024.

B. Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this section, commencing January 1, 2024.

C. Commercial Edible Food Generators shall comply with the following requirements:

1. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
2. Allow the City's designated enforcement entity or designated third party enforcement entity to access the premises and review records pursuant to 14 CCR § 18991.4.
3. Keep records that include the following information, or as otherwise specified in 14 CCR § 18991.4:
 - a. A list of each Food Recovery Service or organization that collects or receives its Edible Food pursuant to a contract or written agreement established under 14 CCR § 18991.3(b).
 - b. A copy of all contracts or written agreements established under 14 CCR § 18991.3(b).
 - c. A record of the following information for each of those Food Recovery Services or Food Recovery Organizations:
 - i. The name, address and contact information of the Food Recovery Service or Food Recovery Organization.
 - ii. The types of food that will be collected by or self-hauled to the Food Recovery Service or Food Recovery Organization.
 - iii. The established frequency that food will be collected or self-hauled.
 - iv. The quantity of food, measured in pounds recovered per month, collected or self-hauled to a Food Recovery Service or Food Recovery Organization for Food Recovery.

- d. Nothing in this chapter shall be construed to limit or conflict with the protections provided by the California Good Samaritan Food Donation Act of 2017, the Federal Good Samaritan Act, or share table and school food donation guidance pursuant to Senate Bill 557, Chapter 285, Statutes of 2017.

8.05.070 Requirements for Food Recovery Organizations and Services.

A. Food Recovery Services collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR § 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR § 18991.5(a)(1):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
2. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.
3. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
4. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.

B. Food Recovery Organizations collecting or receiving Edible Food directly from Commercial Edible Food Generators, via a contract or written agreement established under 14 CCR § 18991.3(b), shall maintain the following records, or as otherwise specified by 14 CCR § 18991.5(a)(2):

1. The name, address, and contact information for each Commercial Edible Food Generator from which the organization receives Edible Food.
2. The quantity in pounds of Edible Food received from each Commercial Edible Food Generator per month.
3. The name, address, and contact information for each Food Recovery Service that the organization receives Edible Food from for Food Recovery.

C. Food Recovery Organizations and Food Recovery Services that have their primary address physically located in the City and contract with or have written agreements with one or more Commercial Edible Food Generators pursuant to 14 CCR § 18991.3(b) shall report to the City it is located in the total pounds of Edible Food recovered in the previous calendar year from the Tier One and Tier Two Commercial Edible Food Generators they have established a contract or written agreement with pursuant to 14 CCR § 18991.3(b) no later than March 1, July 1, and September 1 annually.

D. In order to support Edible Food Recovery capacity planning assessments or other studies, Food Recovery Services and Food Recovery Organizations operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity that could be accessed by the City and its Commercial Edible Food Generators. A Food Recovery Service or Food Recovery Organization contacted by the City shall respond to such request for information within 60 days, unless a shorter timeframe is otherwise specified by the City.

8.05.080 Requirements for Haulers and Facility Operators.

A. Requirements for Haulers

1. Haulers shall meet the following requirements and standards as a condition of approval of a permit or other authorization with the City to collect Organic Waste.
 - a. Through written notice to the City annually on or before June 1, identify the facilities to which they will transport Organic Waste including facilities for Source Separated Recyclable Materials, and Source Separated Green Container Organic Waste.
 - b. Transport Source Separated Recyclable Materials or Source Separated Green Container Organic Waste, and Mixed Waste to a facility, operation, activity, or property that recovers Organic Waste as defined in 14 CCR, Division 7, Chapter 12, Article 2.
 - c. Obtain approval from the City to haul Organic Waste, unless it is transporting Source Separated Organic Waste to a Community Composting site or lawfully transporting construction and demolition debris.
2. Haulers authorized to collect Organic Waste shall comply with education, equipment, signage, Container labeling, Container color, contamination monitoring, reporting, and other requirements contained within its permit or other agreement entered into with the City.

B. Requirements for Facility Operators and Community Composting Operations

1. Owners of facilities, operations, and activities that recover Organic Waste, including, but not limited to, Compost facilities, in-vessel digestion facilities, and publicly-owned treatment works shall, upon the City's request, provide information regarding available and potential new or expanded capacity at their facilities, operations, and activities, including information about throughput and permitted capacity necessary for planning purposes. Entities contacted by the City shall respond within 60 days.

2. Community Composting operators, upon the City's request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within 60 days.

8.05.090 Self-Hauler Requirements.

A. Self-Haulers shall source separate all Recyclable Materials and Organic Waste generated on-site from Solid Waste in a manner consistent with 14 CCR §§ 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility.

B. Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a Solid Waste facility, operation, activity, or property that processes or recovers Source Separated Organic Waste. Alternatively, Self-Haulers may haul Organic Waste to a High Diversion Organic Waste Processing Facility.

C. Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amount of Organic Waste delivered to each Solid Waste facility, operation, activity, or property that processes or recovers Organic Waste; this record shall be subject to Inspection by the City. The records shall include the following information:

1. Delivery receipts and weight tickets from the entity accepting the waste.
2. The amount of material in cubic yards or tons transported by the Generator to each entity.
3. If the material is transported to an entity that does not have scales on-site, or employs scales incapable of weighing the Self-Hauler's vehicle in a manner that allows it to determine the weight of materials received, the Self-Hauler is not required to record the weight of material but shall keep a record of the entities that received the Organic Waste..

D. Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) shall provide information collected in Section 8.05.090(C) to the City if requested.

E. A residential Organic Waste Generator that self-hauls Organic Waste is not required to record information in Section 8.05.090(C) or report information in Section 8.05.090(D).

8.05.090 Inspections and Investigations.

A. City representatives and/or its designated entity, including Designees are authorized to conduct Inspections and investigations, at random or otherwise, of any Collection Container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from Generators, or Source Separated materials to confirm compliance with this chapter by Organic Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings),

property owners, Commercial Edible Food Generators, Self-Haulers, Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow the City to enter the interior of a private residential property for Inspection. For the purposes of inspecting Commercial Business Containers for compliance with Section 8.05.040, the City may conduct Container Inspections for Prohibited Container Contaminants using Remote Monitoring, and Commercial Businesses shall accommodate and cooperate with Remote Monitoring pursuant to Section 8.05.040.

B. The regulated entity shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City's employee or its designated entity/Designee during such Inspections and investigations. Such Inspections and investigations may include confirmation of proper placement of materials in Containers, Edible Food Recovery activities, records, or any other requirement described herein. Failure to provide or arrange for: (i) access to an entity's premises; or (ii) access to records for any Inspection or investigation is a violation of this chapter and may result in penalties described in Section 8.05.110.

C. Any records obtained by the City during its Inspections, Remote Monitoring, and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

D. City representatives, its designated entity, and/or Designee are authorized to conduct any Inspections, Remote Monitoring, or other investigations as reasonably necessary to further the goals of this chapter, subject to applicable laws.

E. City shall receive written complaints from persons regarding an entity that may be potentially non-compliant with SB 1383 Regulations, including receipt of anonymous complaints.

8.05.110 Enforcement.

A. The City may take Enforcement Actions, including the issuance of an administrative citation and assessment of a fine, against persons and entities for violating this chapter. The procedures in Chapter 19.10 shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated in this chapter.

B. The City may take immediate Enforcement Actions against Commercial Businesses that are in violation of the commercial organic waste and recycling requirements of AB 341 and AB 1826, which were in place prior to the issuance of the SB 1383 Regulations.

C. Education of SB 1383 Requirements.

1. Through December 31, 2023, the City or its Designee may conduct Inspections, Remote Monitoring, Route Reviews or waste evaluations, and Compliance Reviews, depending upon the type of regulated entity, to determine compliance

with the SB 1383 Regulations and this chapter, and if City or its Designee determines that Organic Waste Generator, Self-Hauler, Hauler, Tier One Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance, it shall provide educational materials and/or, for the purposes of Edible Food Recovery, training to the entity describing its obligations under this chapter and a notice that compliance is required, and that violations may be subject to administrative civil penalties starting on January 1, 2024.

2. The City Administrator or his or her designee shall work with the Collector and other entities to conduct outreach and educate Generators regarding compliance with the SB 1383 Regulations and this chapter.

3. The City Administrator or his or her designee shall work with the Collector to annually identify residences and Commercial Businesses subject to the SB 1383 Regulations.

D. Beginning January 1, 2024, if the City or its Designee determines that an Organic Waste Generator, Self-Hauler, Hauler, Tier One or Tier Two Commercial Edible Food Generator, Food Recovery Organization, Food Recovery Service, or other entity is not in compliance with the SB 1383 Regulations under this chapter, it shall document the noncompliance or violation, issue a Notice of Violation, and take Enforcement Action pursuant to this section, as needed.

E. Prior to taking any Enforcement Action against a person, business, or entity for violating the SB 1383 Regulations, the City shall first notify the person, business, or entity and provide an opportunity to correct the violation through the issuance of a Notice of Violation by a City Enforcement Officer. Notices shall be sent to the “owner” at the official address of the owner maintained by the tax collector for the City or if no such address is available, to the owner at the address of the residential dwelling or Commercial property or to the party responsible for paying for the Collection services, depending upon available information. The notice shall state the person, business, or entity has 60 days to correct the violation. The person, business, or entity shall be responsible for ensuring and demonstrating compliance with the requirements of the SB 1383 Regulations, within the 60-day time frame provided in the notification of violation. Failure to demonstrate compliance shall be cause for Enforcement Action and penalties.

F. The City or its Designee may extend the compliance deadlines set forth in a Notice of Violation issued in accordance with this section if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, wildfires, flooding, and other emergencies or natural disasters;

2. Delays in obtaining discretionary permits or other government agency approvals; or,
3. Deficiencies in Organic Waste recycling infrastructure or Edible Food Recovery capacity and the City is under a corrective action plan with CalRecycle pursuant to 14 CCR § 18996.2 due to those deficiencies.

G. For incidences of Prohibited Container Contaminants found in containers, City Enforcement Officer will issue a Notice of Violation to any generator found to have Prohibited Container Contaminants in a Container. Such notice will be provided via a cart tag or other communication immediately upon identification of the Prohibited Container Contaminants. Notwithstanding the foregoing subsections, the City may issue administrative citations immediately for container contamination and failure to subscribe to collection service as required.

H. Penalty Amounts for Types of Violations.

The penalty levels are as follows:

1. For a first violation, the amount of the base penalty shall be \$100 per violation.
2. For a second violation, the amount of the base penalty shall be \$200 per violation.
3. For a third or subsequent violation, the amount of the base penalty shall be \$500 per violation.
4. The penalties shall be consistent with Government Code section 36900.

I. Appeals Process.

Persons receiving an administrative citation containing a penalty for an uncorrected violation may request a hearing to appeal the citation pursuant to Chapter 1.09.

J. Other remedies allowed by law may be used, including civil action or prosecution as misdemeanor or infraction. City may pursue civil actions in the California courts to seek recovery of unpaid administrative citations.

SECTION 2: This ordinance shall be effective (30) days from the date of the second reading of the ordinance.

I HEREBY CERTIFY that the foregoing text amendments to Title 8 were introduced, by reading of title only, at a regular meeting of the City Council of the City of Gridley, California, held on the 16th day of May 2022, and the second reading and adoption by reading of title only at the regular City Council meeting of the City of Gridley held on the 6th day of June 2022, by the following vote:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSTAIN: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

ATTEST:

APPROVE:

Cliff Wagner, City Administrator

Bruce Johnson, Mayor

APPROVED AS TO FORM:

Anthony Galyean, City Attorney

SB 1383

Reducing Short-Lived Climate Pollutants in California

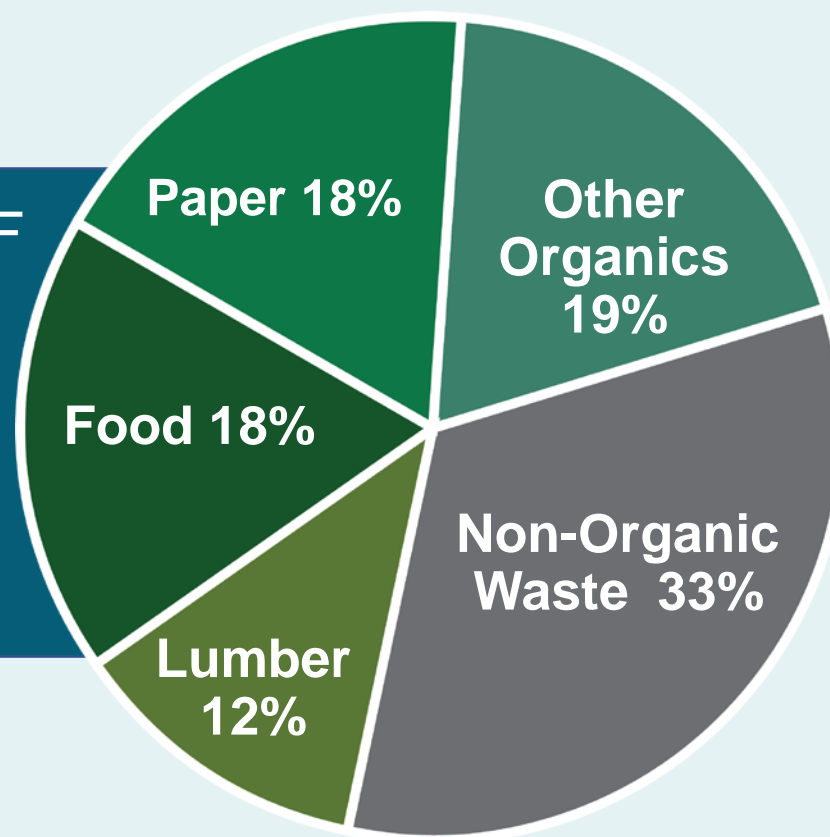
City of Gridley
Presentation
June 2022

An Overview of SB 1383's
Organic Waste Reduction
Requirements



Organic Waste Is the Largest Waste Stream in California

CALIFORNIA DISPOSED OF
APPROXIMATELY
27 MILLION TONS OF
ORGANIC WASTE IN 2017



California's Waste Stream

IN CALIFORNIA, MILLIONS ARE
FOOD INSECURE

1 IN 5 CALIFORNIANS



CALIFORNIA THROWS AWAY
MORE THAN 6 MILLION TONS
OF FOOD WASTE EVERY YEAR!

SB 1383 Requirements

2020

50% REDUCTION IN LANDFILLED ORGANIC WASTE
(11.5 Million Tons Allowed Organic Waste Disposal)

2022

REGULATIONS TAKE EFFECT

2025

75% REDUCTION IN LANDFILLED ORGANIC WASTE
(5.7 Million Tons Allowed Organic Waste Disposal)

2025

**20% RECOVERY OF CURRENTLY DISPOSED EDIBLE
FOOD FOR HUMAN CONSUMPTION**

Department Issued Exemptions and Waivers

Low-Population Waiver
High-Elevation Waiver
Rural Waiver



Department Issued Waivers

- Which regulatory requirements would be waived for a jurisdiction that receives a low population waiver from CalRecycle?



SB 1383 IN ACTION

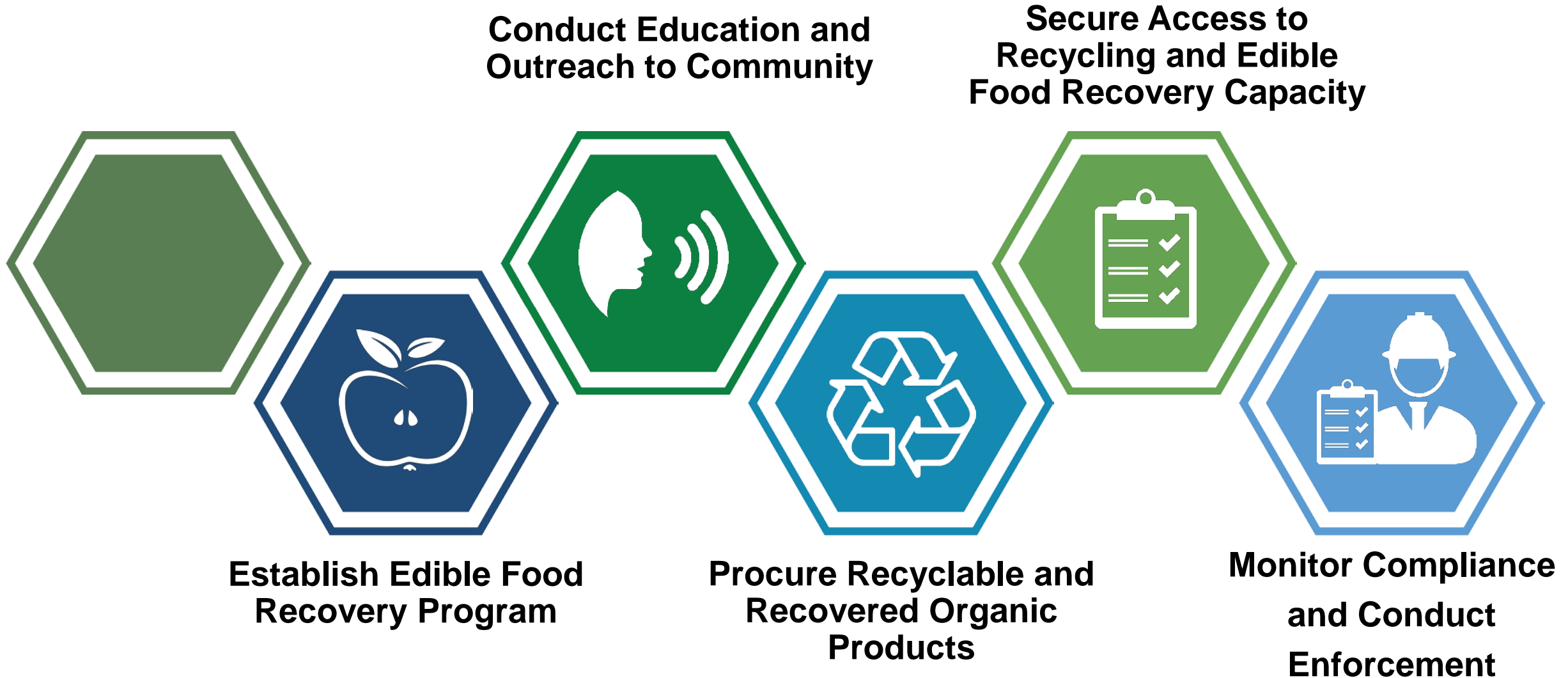
LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

SB 1383 doesn't just apply to waste management and recycling departments.

Every local department plays a role in SB 1383 implementation.



Jurisdiction Responsibilities



COMMERCIAL EDIBLE FOOD GENERATORS (ARTICLE 10)

(SECTIONS 18991.3 – 18991.5)

Tier 1



Wholesale Food Vendors



Food Service Providers & Food Distributors



Grocery Stores
Facilities $\geq 10,000$ sq. ft.



Supermarkets

Tier 2

Starts 2024



Restaurants
Facilities $\geq 5,000$ sq. ft.



Large Venues and Events



Hotels
with on-site food facility and ≥ 200 rooms



State Agencies
with cafeterias



Local Education Agencies
with on-site food facility



Health Facilities
with ≥ 100 beds and on-site food facility



Federal Facilities

SB 1383 IN ACTION

INSPECTION AND ENFORCEMENT REQUIREMENTS



**Monitor Compliance and
Conduct Enforcement**

JURISDICTION REQUIREMENTS

Ordinance 2022



Adopt an Ordinance
(Enforceable
Mechanism)
Including
Enforcement

Compliance Monitoring & Education 2022-2024



Annual
Compliance
Reviews, Route
Reviews,
Inspections

Educate Violators

Compliance Monitoring & Enforcement 2024



Annual Compliance
Reviews
Route Reviews,
Inspections,
Notice of Violations,
Penalties for
Violators



STATE ENFORCEMENT



CALRECYCLE OVERSIGHT (BEGINS IN 2022)



Authorize Waivers

- Low Population
- Rural Areas

Emergency Circumstances

Oversee and Monitor

- State Agencies and Facilities
- Local Education Agencies



Oversee and Monitor for Compliance

Jurisdiction Review

- Conduct joint inspections with jurisdictions
- Review Implementation Record



If Violations

- Issue Notices of Violation
- May Authorize Corrective Action Plan
- Allows up to 24 months to address barriers outside of a jurisdiction's control

Model Implementation Tools



Franchise
Agreement



Mandatory Organics Disposal
Reduction Ordinance



Procurement
Policy



Food Recovery
Agreement



CalRecycle's SB 1383 Video

<https://www.youtube.com/watch?v=YHr4bnvWrbs&feature=youtu.be>

<https://www2.calrecycle.ca.gov/Listservs/Subscribe/152>

<https://www.calrecycle.ca.gov/organics/slcp>

Contact your LAMD Liaison
or email:
SLCP.Organics@calrecycle.ca.gov