

City of Laguna Beach
Summary of Legislative Mandates and Compliance Updates

Recent legislation has prompted the need to consider new methods for processing organic waste to ensure the City remains compliant with State Mandates. Listed below is a summary of legislative mandates.

Assembly Bill 939 (AB 939) – Solid Waste Management, Source Reduction, Recycling, Composting, and Market Development.

This law requires that local jurisdictions divert from landfill disposal a minimum of 50 percent of all waste generated within the jurisdiction through source reduction, recycling, and composting programs.

Senate Bill 1016 (SB 1016) – Per Capita Disposal Measurement System

This law changed the State's 50% diversion mandate to a measurement system based on a per capita disposal rate and successful implementation of diversion programs. This law shifts from the historical emphasis on using calculated generation and estimated diversion to using annual disposal as a factor when evaluating jurisdictions' program implementation. The City's 2019 per capita disposal target was 12.7 pounds per person per day (PPD). The City's 2010 per capita disposal rate was 6.9 PPD, well within the target goal, and a 73 percent diversion rate equivalent.

Assembly Bill 341 (AB 341) – Mandatory Commercial Recycling

This law established a new statewide goal of 75 percent recycling through source reduction, recycling, and composting by 2020. Several activities that counted towards diversion under AB 939 do not count toward recycling under AB 341, including Alternative Daily Cover reused at landfills and transformation credit. The mandate has required recycling services for businesses that generate more than four cubic yards of waste per week and for multi-family residential dwellings of five units or more. All businesses in this tier are complying with AB 341.

Assembly Bill 1826 (AB 1826) – Mandatory Commercial Organics Recycling

Since 2016, this law requires businesses to recycle their organic waste depending on the amount of waste they generate per week. This law also requires jurisdictions to implement an organics program to divert organic waste generated by businesses, including multi-family residential dwellings that consist of five or more units. All businesses are complying with AB 341.

Assembly Bill 1594 (AB 1594) – Use of Green Materials as Alternative Daily Cover

As of January 1, 2020, the use of green waste material as cover at the landfill (known as ADC) does not constitute diversion and is considered disposal in terms of measuring a jurisdiction's disposal rate. Before that, green waste could be disposed of at no cost at the landfill. As a result, the City's green waste is now diverted from the landfill and is processed for composting at Tierra Verde Industries (TVI) in Irvine.

Senate Bill 1383 (SB 1383) – Reducing Short-Lived Climate Pollutants in California

SB 1383 requires the state to reduce organic waste disposal by 75 percent by 2025. As it pertains to solid waste, SB 1383 establishes targets to achieve a 50 percent reduction of the 2014 level of statewide disposal of organic waste by 2020 and a 75 percent reduction by 2025. The 50 percent requirement was not met in 2020. The law provides CalRecycle the regulatory authority required

to achieve the organic waste disposal reduction targets and establishes an additional target to increase edible food recovery by 20 percent by 2025. CalRecycle adopted regulations in November 2020 that impose requirements necessary to achieve the statewide goals. The City will have to implement the following programs and procedures by January 1, 2022 to comply with SB 1383.

1. Provide organics collection service to all organic waste generators, including residents, businesses, City facilities, and large venues.
2. Implement ordinances and policies or similar enforceable mechanisms.
3. Establish an edible food recovery program that recovers edible food from the waste stream for human consumption.
4. Procurement of recycled and recovered organic products such as compost, mulch, and Renewable Natural Gas (RNG).
5. Conduct outreach and education to generators, haulers, facilities, and edible food recovery organizations.
6. Maintain accurate records of SB 1383 compliance for annual reporting requirements and submit an initial compliance report to CalRecycle by February 1, 2022.
7. Implement organic waste and edible food capacity planning.
8. Provide new containers with standardized color lids and labeling when carts are replaced, or when extra carts are requested by January 1, 2022. Standardized colors are green lids for organic waste, blue lids for nonorganic recyclables, and gray lids for nonorganic waste. SB 1383 requires cities to replace all carts by January 1, 2036.

Enforcement of local ordinances is required starting January 1, 2024.