

SB 1383

Reducing Short-Lived Climate Pollutants in California

US EPA Region 9
October 3, 2018
Kenneth Yee & Chris Bria
CalRecycle

An Overview of SB 1383's
Organic Waste Reduction
Requirements



CALIFORNIA'S CLIMATE STRATEGY

CALIFORNIA CLIMATE STRATEGY

An Integrated Plan for Addressing Climate Change



VISION

Reducing Greenhouse Gas Emissions to 40% Below 1990 Levels by 2030

GOALS



50% renewable electricity



50% reduction in petroleum use in vehicles



Double energy efficiency savings at existing buildings



Carbon sequestration in the land base



Reduce short-lived climate pollutants



Safeguard California



CalRecycle

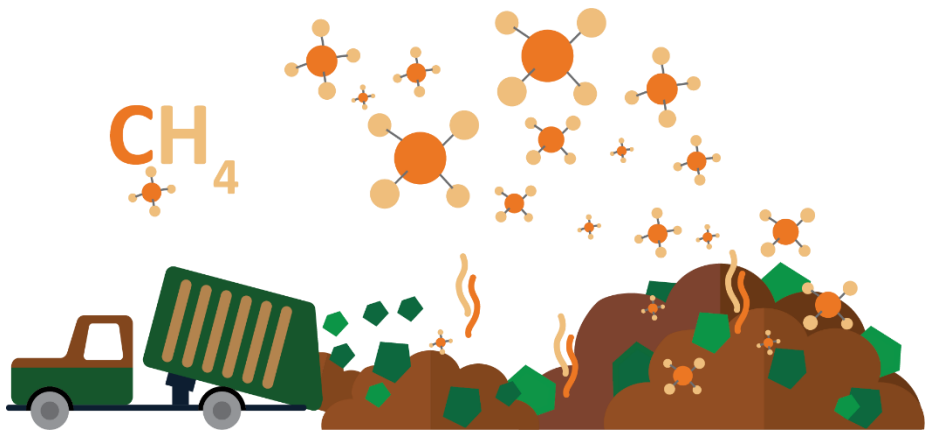
Reduce Organic Waste Disposal

Recover Edible Food from Waste Stream

Reduce Methane Emissions

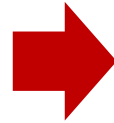
CLIMATE CHANGE NEGATIVELY IMPACTS CALIFORNIA

LANDFILLED ORGANICS
EMIT METHANE GAS



Methane is Significantly
More Powerful than CO₂

METHANE GAS CONTRIBUTES TO CLIMATE
CHANGE IN CALIFORNIA



Increase in Many
Health Risks



Increase in Wildfire
and Coastal Erosion

FIGHTING FOOD INSECURITY IN CALIFORNIA



1 in 8 People in California
are Food Insecure



1 in 5 Children in California
are Food Insecure

California Throws Away 5.6 Million Tons of Food Waste Every Year!

SB 1383 REQUIREMENTS

2020

50 Percent Reduction in Landfilled Organic Waste
(11.5 Million Tons Allowed Organic Waste Disposal)

2025

75 Percent Reduction in Landfilled Organic Waste
(5.7 Million Tons Allowed Organic Waste Disposal)

2025

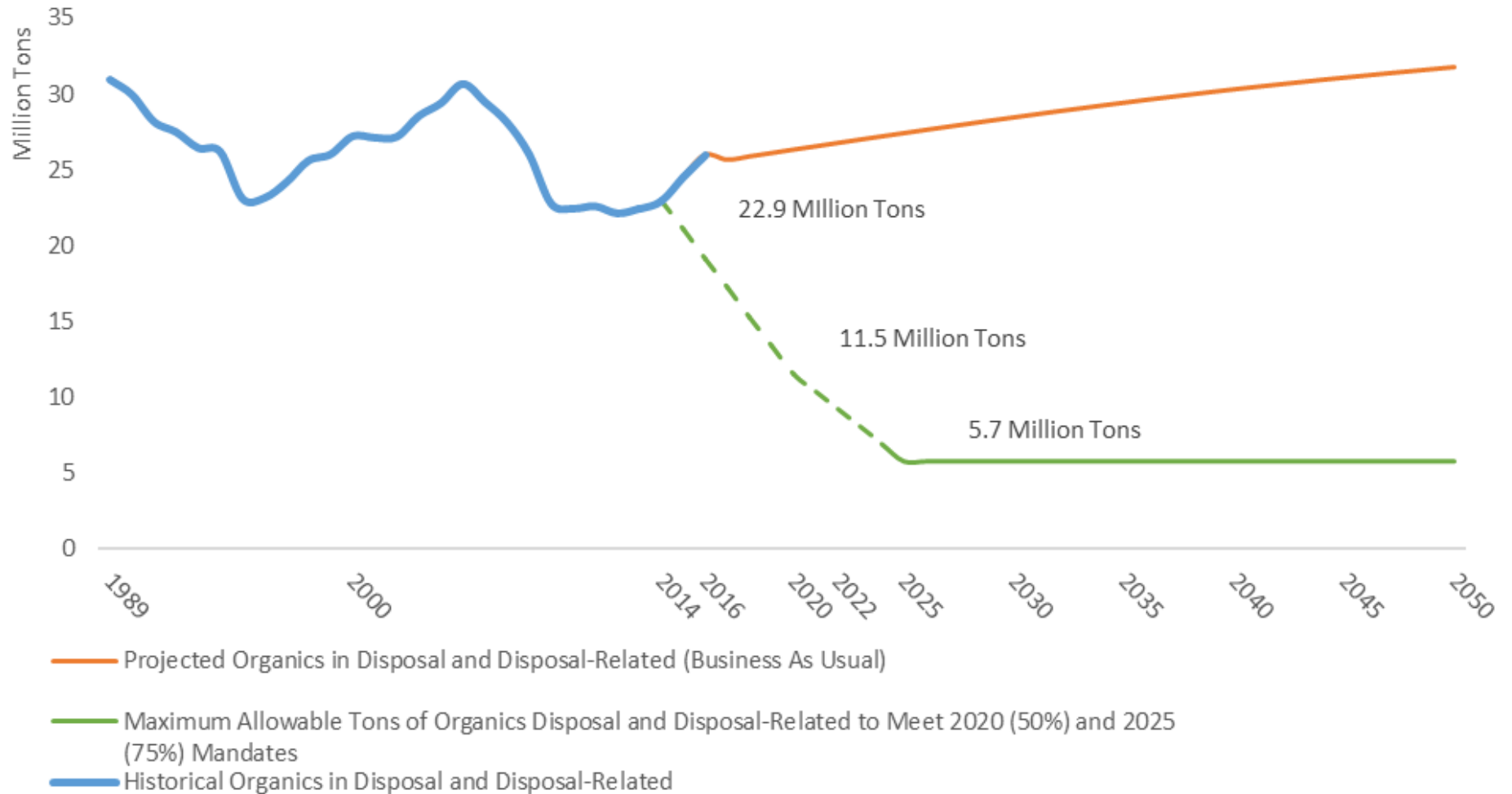
20 Percent Increase in Recovery of Currently
Disposed Edible Food

ORGANIC WASTE REDUCTION TARGETS

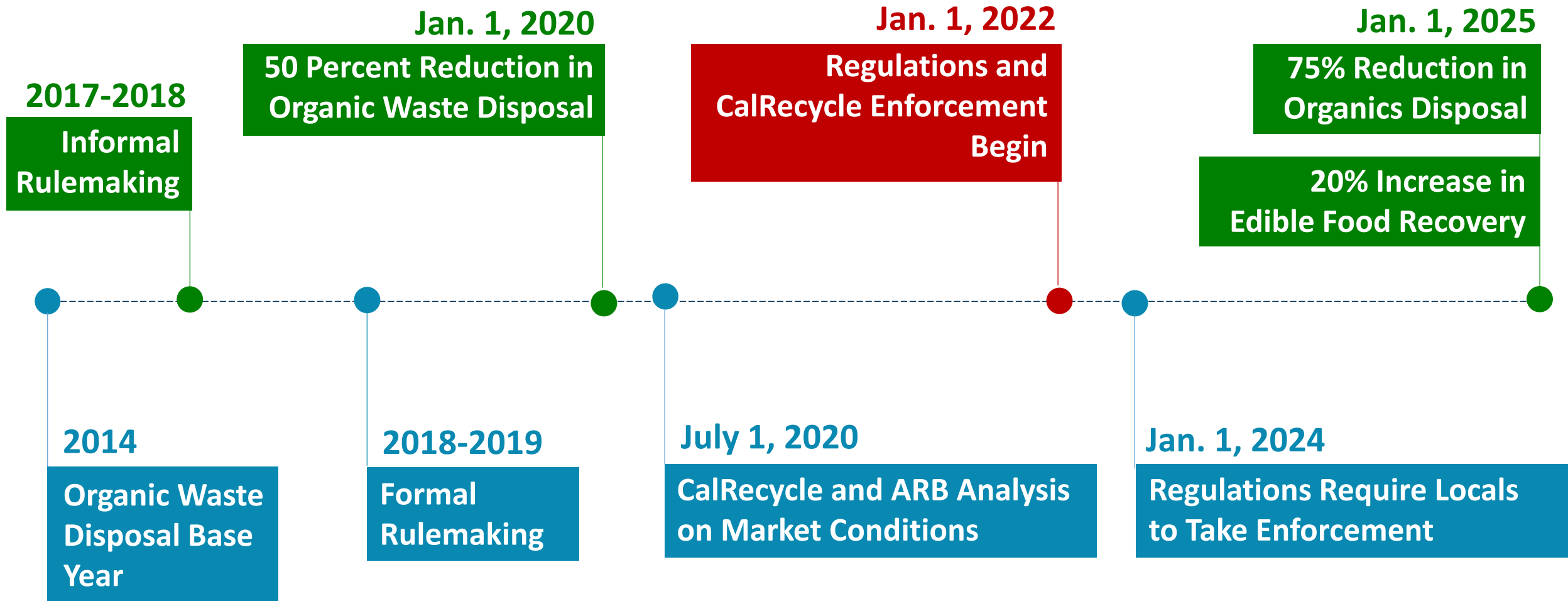
By 2020
10 Million TPY

2025 →
20+ Million TPY

Allowable Disposal of Organics Statewide



SB 1383 KEY IMPLEMENTATION DATES



ORGANIC WASTE RECYCLING INFRASTRUCTURE



SB 1383 Requires 50-100
New or Expanded
Organic Waste Recycling Facilities

**SETTING
GREENHOUSE
GAS EMISSIONS
REDUCTION
TARGETS
WORKS!**

AB 32 (2006)




**Required California to Cut
Greenhouse Gas Emissions
to 1990 Levels by 2020**

**In 2016, California reached
this goal early!**

SB 1383: AN INTEGRAL PART OF CALIFORNIA'S CLIMATE STRATEGY



Office of Governor
Edmund G. Brown Jr.

  
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OFFICE OF THE GOVERNOR

Governor Brown Signs Nation's Toughest Super Pollutant Restrictions into Law

Published: Sep 19, 2016



LONG BEACH – Governor Edmund G. Brown Jr. today signed SB 1383 by Senator Ricardo Lara (D-Bell Gardens), which establishes the nation's toughest restrictions on destructive super pollutants including black carbon, fluorinated gases and methane. If followed worldwide, these acts would help cut the projected rate of global warming in half by 2050.

"Cutting black carbon and other super pollutants is the critical next step in our program to combat climate change," said Governor Brown at a signing ceremony near a Long Beach playground bordered by oil refinery smokestacks. "This bill curbs these dangerous pollutants and thereby protects public health and slows climate change."

...super pollutants (also known as short-lived climate pollutants) and promotes renewable gas by requiring a ... in methane and hydrofluorocarbon from 2013 levels by 2030. Sources of these ... and synthetic gases used in refrigeration, air

"Cutting black carbon and other super pollutants is the critical next step in our program to combat climate change"

"The Super Pollutants ... effect on climate change and global warming," said ... unique opportunity to balance our global vision for the future with a much more ... ambitious goals, we'll continue to set the standard for climate policy worldwide. And most importantly, these ... in California and reflected in the health of our children and future generations to come."

September 19, 2016

To the Members of the California State Senate:

Senate Bill 1383

Many strategies will be necessary to redirect manure and organic waste toward more productive uses that reduce emissions and stimulate our economy...

... Board, the Department of Food & Agriculture and ... to explore all means, including appropriate pricing tools, to generate the development of the infrastructure and workforce needed to reach the super pollutant reduction goals.

Sincerely,


Edmund G. Brown Jr.

GOVERNOR EDMUND G. BROWN JR. • SACRAMENTO, CALIFORNIA 95814 • (916) 445-2841

LEGAL REQUIREMENTS FOR THE REGULATIONS

Senate Bill No. 1383

CHAPTER 395

An act to add Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and to add Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, relating to methane emissions.

[Approved by Governor September 19, 2016. Filed with Secretary of State September 19, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1383, Lara. Short-lived climate pollutants: methane emissions: dairy and livestock; organic waste: landfills.

(1) The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The state board is also required to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state.

This bill would require the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030, as specified. The bill also would establish specified targets for reducing organic waste in landfills.

This bill would require the state board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations, as specified. The bill would require the state board to take certain actions prior to adopting those regulations. This bill would require the regulations to take effect on or after January 1, 2024, if the state board, in consultation with the department, makes certain determinations.

This bill would require the state board, the Public Utilities Commission, and the State Energy Resources Conservation and Development Commission to undertake various actions related to reducing short-lived climate pollutants in the state. The bill would require state agencies to consider and, as appropriate, adopt policies and incentives to significantly increase the sustainable production and use of renewable gas.

(2) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program that requires each

93

What Does the Law Require?

What Does the Law Permit?

What Does the Law Prohibit?



LEGAL REQUIREMENTS FOR THE REGULATIONS

Legislature Directed CalRecycle to Comply with the Following in Developing Regulations:

Consult with California Air Resources Board

Include Requirements to Recover at Least 20% of Currently Disposed Edible Food

Develop Requirements Consistent with SLCP Strategy and 2017 Integrated Energy Policy Report

Support Cost Effective and Environmentally Beneficial Uses of Bio-methane Derived from Solid Waste Facilities

LEGAL REQUIREMENTS FOR THE REGULATIONS

Legislature Specified
that CalRecycle's
Regulations May:

Impose Penalties on Regulated Entities

**Require Jurisdictions to Impose
Requirements on Relevant Entities**

**Establish Different Levels of Requirements
for Jurisdictions**

LEGAL REQUIREMENTS FOR THE REGULATIONS

Legislature
Prohibited
CalRecycle from
Including Provisions
in the Regulations
that:

Impose an Organic Waste Ban on Landfills

Require Jurisdictions to Impose Penalties
on Regulated Entities Prior to 2024

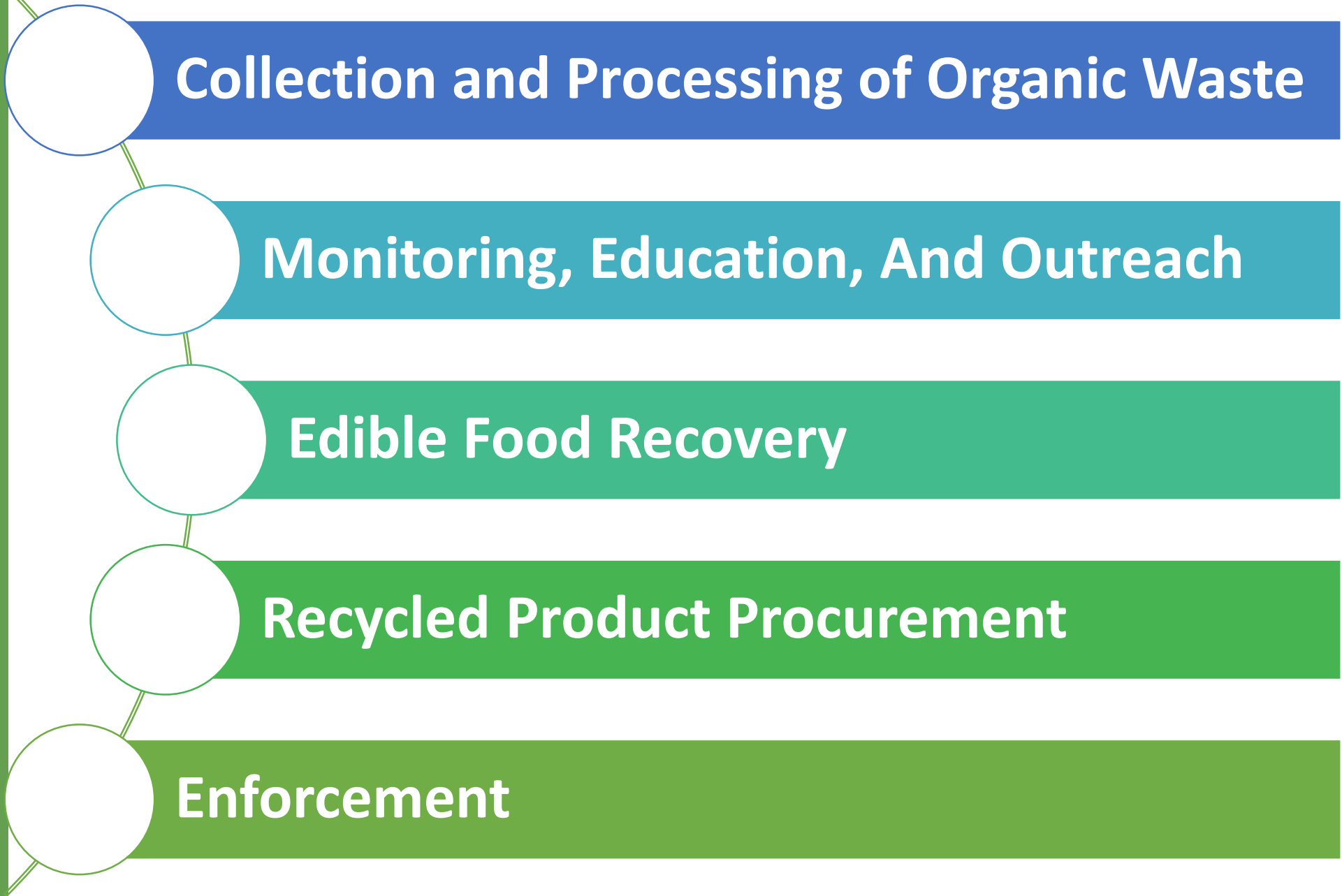
Impose 50% and 75% Recycling Targets on
Individual Jurisdictions

Who Is IMPACTED BY THIS?





TODAY'S OVERVIEW

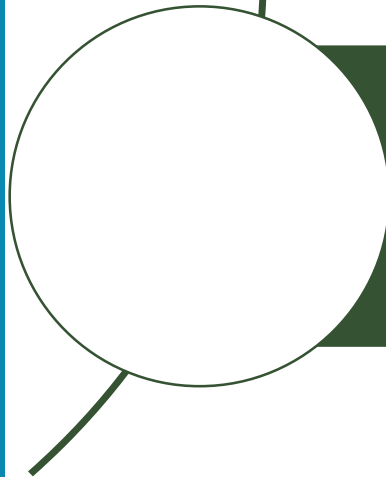


KEY ELEMENTS OF REGULATIONS

COLLECTION AND PROCESSING OF ORGANIC WASTE



Each Jurisdiction (Or Their Designee) Must Provide An Organic Waste Collection Service to all Generators



Regulations Allow a Menu of Service Options, Each Option is Subject to Minimum Standards

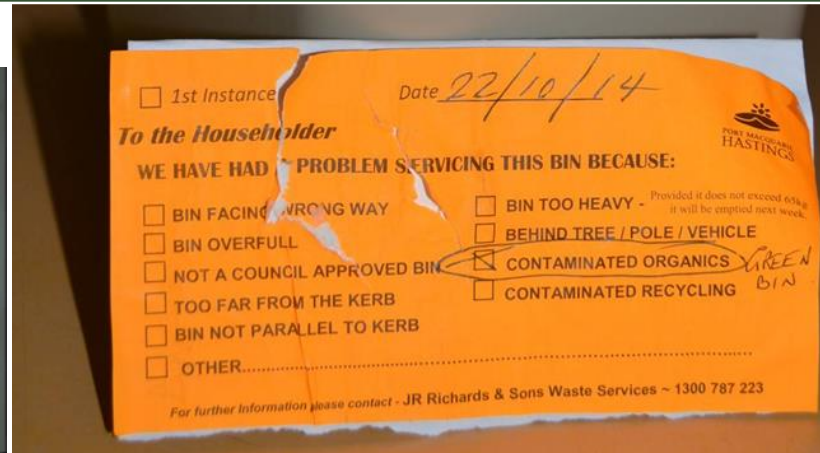
Contamination Monitoring

MONITORING, OUTREACH AND ENFORCEMENT

Quarterly Route Reviews

Respond to Contamination Notices From Facilities

Notices to Generators.



Education and Outreach



MONITORING, OUTREACH AND ENFORCEMENT

Provide Annual Education to all Generators (Commercial and Residential)

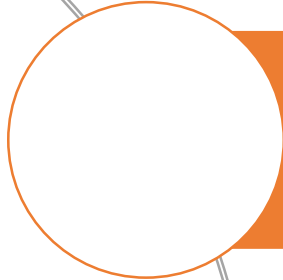
Annually Confirm Commercial Businesses Compliance

2022-2024 Education and Noticing for Noncompliance

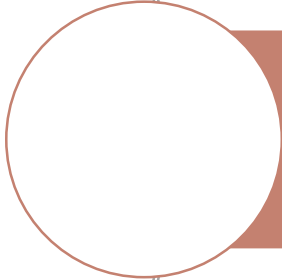
2024 Enforcement For Noncompliance

**MONITORING,
OUTREACH AND
ENFORCEMENT**

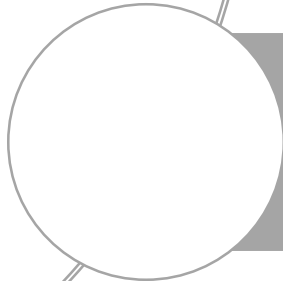
Enforcement



Jurisdiction Progressive Enforcement and Compliance Structure



Notices of Violation



Penalty Structure

Jurisdiction Progressive Enforcement and Compliance Structure

Notices of Violation

Progressive Penalty Structure

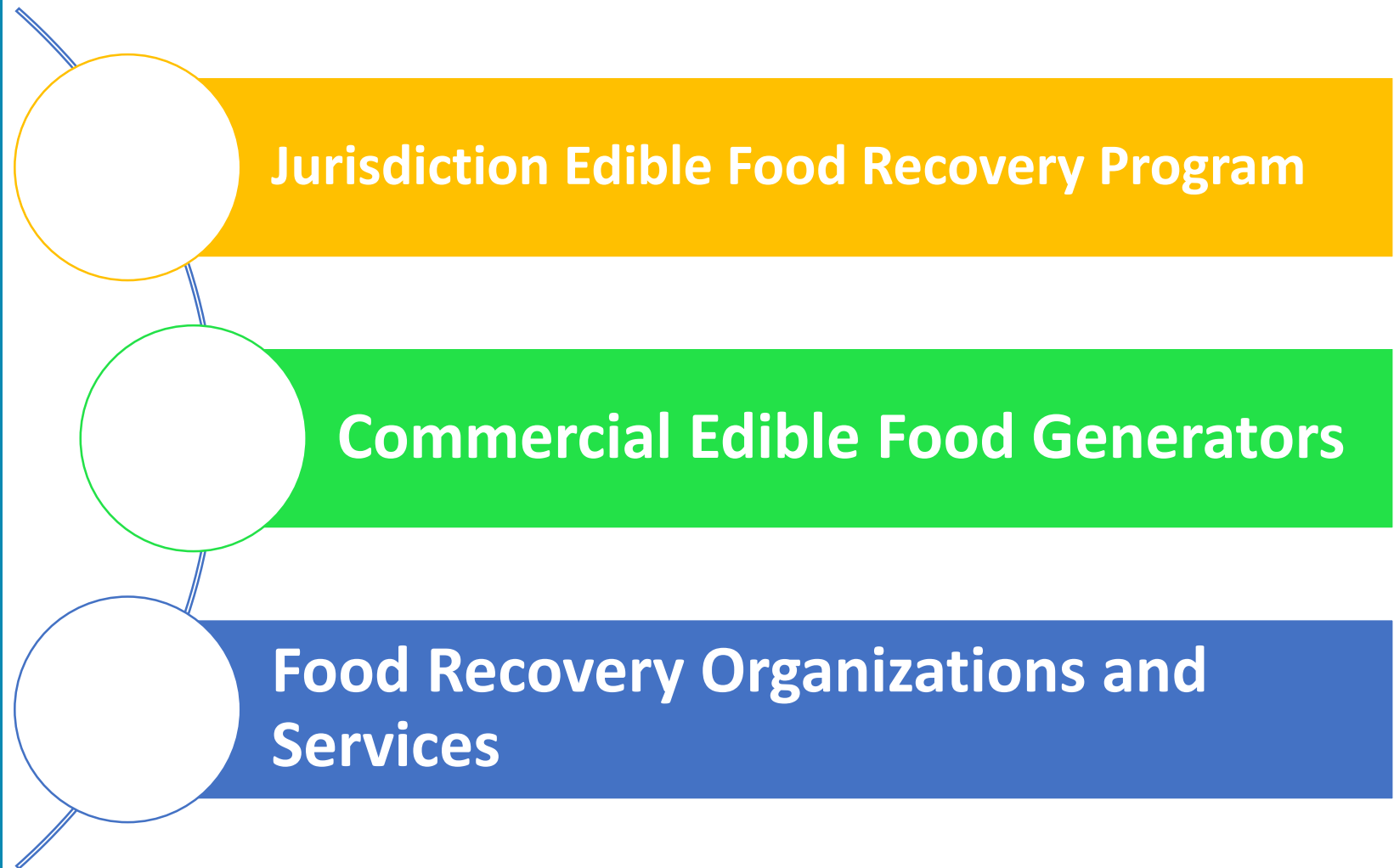
MONITORING, OUTREACH AND ENFORCEMENT

Table 1

<u>Requirement</u>	<u>Description of Violation</u>	<u>1st Violation</u>	<u>2nd Violation</u>	<u>3rd and subsequent Violation</u>
<u>Property and Business Owner Responsibility Requirement</u> <u>Section 30.10</u>	<u>Property owner or business owner fails to provide or arrange for organic waste collection services consistent with Article 3 of this chapter for employees, contractors, tenants, and</u>	<u>Level 1</u>	<u>Level 2</u>	<u>Level 4</u>

KEY ELEMENTS OF REGULATIONS

EDIBLE FOOD RECOVERY



KEY ELEMENTS OF REGULATIONS

RECYCLED PRODUCT PROCUREMENT



ENFORCEMENT BY CALRECYCLE (STARTS 2022)

AB 939 Good Faith Effort Does Not Apply

Jurisdictions that Fail to Meet Requirements Will Be Out of Compliance

However, A Jurisdiction Can Be Placed on “Corrective Action Plan” IF Jurisdiction Demonstrates It Made Substantial Efforts to Comply and Failure to Comply Was Due to Circumstances Beyond Their Control

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QUESTIONS

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Pilot Reuse Grant Program Workshop

- CalRecycle is hosting a workshop in anticipation of a new Pilot Reuse Grant Program on Wednesday, November 14, 2018. The workshop will be held at 1:30 pm in the Sierra Hearing Room at the Cal/EPA Headquarters Building, 1001 I Street, Sacramento, CA.
- Discussion topics will include potential project types, eligible entities, potential reuse activities, verification of reuse, and development of greenhouse gas emissions reduction quantification methodologies. The Pilot Reuse Grant Program solicitation is planned for Summer 2019 (contingent upon California Climate Investments funding allocated to CalRecycle in the FY 2019-20 proposed budget).
- For more information on the workshop and webcast capabilities, please see the public notice: <https://www2.calrecycle.ca.gov/PublicNotices/Details/2506>
- **Please send questions to: GHGReductions@CalRecycle.ca.gov**



CalRecycle

**STAY
ENGAGED**



Listserv:

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Email: SLCP.Organics@calrecycle.ca.gov



<https://www.calrecycle.ca.gov/Climate/SLCP>



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