

Mandatory Organics Waste Disposal Reduction

Item 5.3

September 13, 2021

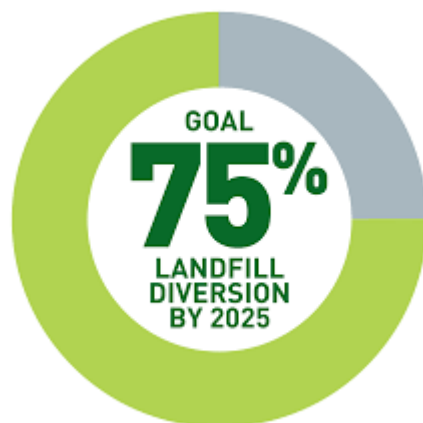




SB 1383 OVERVIEW

In September 2016, Governor Brown Jr. set methane emission reduction targets for California (Senate Bill 1838 Lara, Chapter 395, Statutes of 2016) in a statewide effort to reduce emissions of short-lived climate pollutants. The target requires the state to reduce organic waste [food waste, green waste, paper products, etc.] disposal by 75% by 2025. The law also requires the state to increase edible food recovery by 20 percent by 2025.

- These disposal reductions will reduce at least 4 million metric tons of greenhouse gas emissions annually by 2030.
- The food recovery goal is unique and will be managed by San Joaquin County Environmental Health on behalf of all jurisdictions in San Joaquin County.



CLIMATE CHANGE NEGATIVELY IMPACTS CALIFORNIA

Landfilled Organic Waste Emits
Methane Gas—
A Super Pollutant
More Powerful than CO₂

Methane Gas Contributes to
Climate Change in California

CALIFORNIA
is already experiencing
the impacts of
CLIMATE CHANGE

IN 2015 THE DROUGHT COST THE
AGRICULTURE INDUSTRY IN THE
CENTRAL VALLEY AN ESTIMATED
\$2.7 BILLION & 20,000 JOBS



SB 1383 REQUIREMENTS

Jurisdictions will be required to:

Provide organic waste collection services to all residents and businesses beginning January 1, 2022.

- Republic Services already utilizes the three (3) bin system with containers differentiating in colors for trash, green waste /organic waste and traditional recyclables with weekly pick ups provided.

Establish edible food recovery program for all commercial edible food generators

- This will be managed by San Joaquin County Environmental Health on behalf of all jurisdictions in San Joaquin County.

Conduct education and outreach to all generators

- This will require education to be provided to all generators.

The City of Lathrop will be required to monitor compliance and conduct enforcement

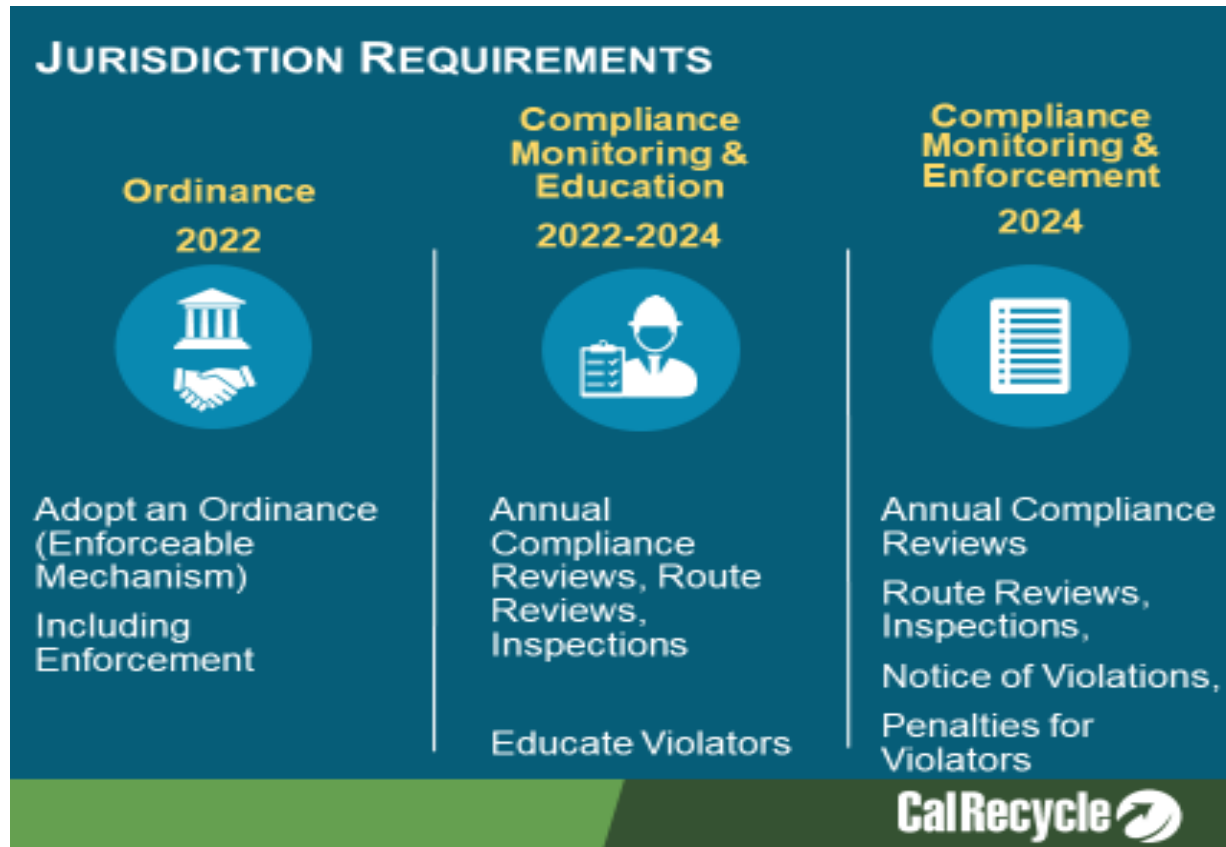
- Monitoring and education must begin in 2022
- Enforcement actions must start Jan 1, 2024

The City of Lathrop will need to adopt an ordinance, or similarly enforceable mechanism that is consistent with these regulatory requirements prior to 2022.

- Tonight is the introduction of the proposed ordinance.



Introduction of an Ordinance Amending the Lathrop Municipal Code Title 8 “Health and Safety”, Chapter 8.16 Entitled, “Garbage and Collection Disposal”, Section 8.16.010 Entitled “Definitions” and Adding a New Section 8.16.290 Entitled “Mandatory Organics Waste Disposal Reduction” and Section 8.16.300 Entitled “Violations”





SECTION 8.16.010 ADDED DEFINITIONS

- **“Commercial Generator”** means multifamily residential or a Commercial Business, which generates Solid Waste, Recyclables, Organic Waste or Compostable Materials and may be amended from time to time, which is incorporated herein by reference.
- **“Contaminated Container”** means a container, regardless of color, that contains incorrect materials or prohibited contaminants and may be amended from time to time, which is incorporated herein by reference.
- **“Green Waste”** refers to material that can be broken down into, or otherwise become part of, usable compost in a safe and timely manner (including food scraps, food-soiled paper, and compostable plastics) and may be amended from time to time, which is incorporated herein by reference.
- **“Organic Waste”** refers to waste containing material originated from living organisms and their metabolic waste products (including but not limited to food, green waste, landscape waste, organic textiles and carpets, lumber, and paper products) and may be amended from time to time, which is incorporated herein by reference.
- **“Residential Generator”** means single family residential which generates Solid Waste, Recyclables, Organic Waste or Compostable Materials and may be amended from time to time, which is incorporated herein by reference.
- **“Source Separate”** means the process of removing Recyclable Materials, Green Waste and Organics Waste from Solid Waste, prior to collection, into separate containers that are separately designated for Recyclables, Green Waste or Solid Waste and may be amended from time to time, which is incorporated herein by reference.

SECTION 8.16.290 MANDATORY ORGANIC WASTE DISPOSAL REDUCTION



Single family, multifamily and commercial business generators shall adhere to the Mandatory Organic Waste Disposal Reduction and be subject to the following regulations:

- A. All generators must subscribe to a basic level of recycling service that includes at a minimum, the collection of recyclable materials and green waste as stated in Chapter 8.16.080.
- B. All generators will source separate recyclable materials and green waste from solid waste; using the three (3) bin system provided by the contractor.
- C. Contractor shall provide educational information to all generators about Organic Waste Recovery requirements and proper source separating into the three (3) bin system.
- D. Commercial generators must provide adequate instructions to employees, contractors and volunteers and post signs containing information on proper source separation.
- E. Contamination monitoring is primarily done by the contractor. For generators with a contaminated container, contractor will issue contamination notices; multiple notices will trigger a more detailed inspection by an auditor or penalty.
 1. If the contractor first finds a contaminated container, they shall notify the generator by written notice attached to the contaminated container and shall provide a copy of the notice to the City.
 2. If the contractor finds a contaminated container a second time, they shall notify the generator by a written "Second Notice" attached to the contaminated container and shall provide a copy of this "Second Notice" to the City for possible follow up and enforcement.
 3. The contractor may refuse to empty the container if contractor finds a contaminated a third time, subject to California Code of Regulations Title 14, Section 17331, or if determined by the City face potential penalties. If the container is not emptied, the contractor must leave a tag and send a written notice to the generator, identifying the incorrect materials and describing what action must be taken for the materials to be collected; provided, however, that a contractor may not refuse on this basis to empty containers from multifamily or commercial properties with multiple tenants and joint account collection service.



SECTION 8.16.300 VIOLATIONS-PENALTY

Violation of any of the provisions of this chapter shall be an infraction punishable by a fine of not more than five hundred dollars (\$500.00).





Thank you for your time! Questions?