

SB 1383 Summary Checklist

This SB 1383 Jurisdictional Checklist was prepared by HF&H Consultants, LLC based on CalRecycle's

May 2018 Draft SB 1383 regulations. HF&H provides this as a guidance document to highlight key requirements for jurisdiction compliance. In this checklist, jurisdiction means city or county. Requirements that pertain only to counties are labeled accordingly. Several items in this checklist may be assigned to a jurisdiction's designee; however, it is ultimately the responsibility of a jurisdiction to comply with SB 1383 pursuant to General Provisions, Section 0.1.2.c. Unless otherwise stated, jurisdiction compliance with SB 1383 shall occur by January 1, 2022. SB 1383 also includes requirements for generators, haulers, food recovery services, food recovery organizations, and facility operators, which are not summarized in this checklist.

Collection & Processing

- Offer organic waste collection services and recycling (30.a)
- May comply with Section 30.a by offering three-container collection system where (30.1):
 - Green container is for organics and is taken to organics recovery facility
 - Blue container is for paper, wood, dry lumber, and nonorganic recyclables and is taken to facility for recovery
 - Black container is for nonorganic waste; may include organic waste if it is taken to a high diversion organic waste processing facility
- May comply with Section 30.a by offering two-container collection system where (30.2):
 - Green container is for organics and is taken to organics recovery facility
 - Blue container is for paper, wood, dry lumber, and nonorganic waste
- May comply with Section 30.a by offering single-container collection system where (30.3):
 - Black container is for all materials and is transported to a high diversion organic waste processing facility
- Conduct route reviews of randomly selected containers for contaminants such that all routes are inspected quarterly (30.5)
- Contact generator and notify generator of recycling requirements if contamination is found (30.5.b)
- Physically inspect containers along routes if notified by processor that route contains contamination (30.5.d)
- Provide collection containers to generators that comply with color and labeling requirements when replacing containers or by January 1, 2032 (30.7-30.8)
- Place or replace labels on all containers with SB 1383 compliant labels by January 1, 2025 (30.8)
- Allow limited waivers for de minimums volumes and physical space constraints, and maintain records (30.11)
- Apply to CalRecycle for waiver or exemption if jurisdiction qualifies for low population waiver or rural jurisdiction exemption (30.12)

Edible Food Recovery

- Implement edible food recovery program that educates commercial generators and increases access to edible food recovery (10.1)
- Increase edible food recovery capacity if current capacity is insufficient (10.1)
- Develop and maintain list of food recovery organizations by February 1, 2022 (40.2.a)
- Annually provide Tier One and Two edible food generators with information about food recovery program, generator requirements, and food recovery organizations (40.2.b)

Procurement Requirements

- Procure a quantity of recovered organic waste, such as compost and renewable natural gas, that meets or exceeds the organic waste product procurement target as determined by CalRecycle (procurement may be satisfied by direct service provider to the jurisdiction) (12.1)
- Purchase at least 75% of paper products with recycled content of at least 30 percent (by fiber weight, postconsumer fiber) (12.3)

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Ordinances & Policies

- Adopt enforceable ordinance or similar mechanism requiring compliance with SB 1383 (Title 14, Division 7, Chapter 12) **(0.1.2.a)**
- Require organics haulers to identify facilities they will utilize as a condition of contract or agreement authorization **(70.1)**
- Adopt ordinance(s) or similar mechanism(s) requiring compliance with Sections **30.9, 70.3, 80.1, 9, 10.1, 12 and 16.1.b**

Enforcement & Penalties

- Implement inspection and compliance program for organic waste generators, edible food generators, and edible food recovery organizations by January 31, 2022 **(14.1)**
- Provide educational materials to regulated entities not in compliance from January 1, 2022 through January 1, 2024 **(14.1.a.4)**
- Investigate and maintain records of all complaints received **(14.3)**
- Take enforcement actions, including issuing notices of violations and penalties equivalent to or greater than those outlined in Articles 14 and 16 by January 1, 2024 **(14.4)**
- Pay penalties if assessed by CalRecycle **(15)**
- Impose penalties on non-compliant entities **(16.2)**

Education & Outreach

- By February 1, 2022, annually provide generators utilizing two or three-container system with information on properly separating materials, organic waste prevention, on-site recycling, methane reduction benefits, how to recycle organic waste, a list of approved haulers, and information related to food recovery **(40.1.a)**
- By February 1, 2022, annually provide self-haulers with information regarding their requirements (outlined in Section 70.3) **(40.1.b)**
- By February 1, 2022, annually provide generators utilizing single-container system information on organic waste prevention, on-site recycling, methane reduction benefits, how to recycle organic waste, a list of approved haulers, and information that their waste is processed at a high diversion organics facility **(40.1.c)**
- If more than five percent of jurisdiction's generators are "Limited English Speaking Households" or "Linguistically Isolated", outreach must be in a language or languages that assure information is understood by that community. **(40.1.f)**
- By February 1, 2022, annually provide businesses that generate edible food waste with information regarding the jurisdictions edible food recovery program, generator requirements, and food recovery organizations **(40.2.b)**

Record Keeping & Reporting

- By February 1, 2022, file an initial compliance report containing the ordinance(s) adopted, the date when containers will comply with standards in Sections 30.7-30.8, and the reporting items listed in the annual reporting section **(13.1, 13.2)**
- Commencing August 1, 2022, shall submit an annual report relative to their compliance with SB 1383 **(13.2)**
- Maintain all implementation records in a central location (physical or electronic) that can be made available to or accessed by CalRecycle within one business day **(0.1.d, 30.4.a, 30.6, 30.14, 40.3, 70.4, 10.2, 12.2, 14.2)**
- Counties shall report on capacity planning activities conducted in accordance with Sections 11.1, 11.2, and 11.3 beginning February 1, 2022. **(13.2.i)**

Capacity Planning

- Conduct organics waste recycling and edible food recovery capacity planning described below and report in 2022, 2024, 2029, and 2034 **(11.3)**
- Estimate the amount of organic waste disposed, verifiable organic waste recycling capacity available to the jurisdiction, and estimate the amount of new or expanded capacity required **(11.1)**
- If verifiable available organic waste recycling capacity is insufficient for jurisdiction's needs, submit an implementation schedule (including timelines and milestones) demonstrating how capacity will be secured by the end of the reporting period **(11.1)**
- Estimate the edible food that will be disposed by applicable generators, identify existing food recovery capacity available, identify new planned capacity, and calculate minimum capacity necessary to recover 20% of edible food disposed **(11.2.a)**
- If existing and planned edible food recovery capacity is insufficient for jurisdiction's needs, submit an implementation schedule (including timelines and milestones) demonstrating how capacity will be secured by the end of the reporting period **(11.2.b)**