



AB 1826
Mandatory Commercial Organics Recycling
Compliance Action Plan



Connected by Community

October 6, 2020

BACKGROUND

In October 2014, Governor Brown signed Assembly Bill (AB) 1826, which required that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwelling that consist of five or more units. This law also required certain businesses (based on cubic yards) to start recycling organic waste on and after April 1, 2016. CalRecycle has requested that the City provide by October 9, 2020, an AB 1826 compliance action plan, which includes milestones and expected completion dates for complying with AB 1826. The document serves as the compliance action plan outlining the City's intent to comply with AB 1826.

Building upon the requirements of Assembly Bill (AB) 341 (Mandatory Commercial Recycling), which mandated commercial waste recycling, the State of California now requires mandating organic recycling under AB 1826. As a result, of the signing of AB 1826 into law, the new mandatory organic recycling requirements were phased in over several years in an effort to assist the State in meeting its recycling goal of 75% by 2020. Requirements for organic recycling depend on the amount of organic waste generated weekly by the business. Over time, more businesses were required to comply because the organic waste threshold that triggers additional compliance was lowered. Below, is the implementation schedule as mandated by the law:

Date	Threshold to Arrange for Organic Waste Recycling Services
April 1, 2016	Businesses that generate 8 cubic yards of organic waste per week
January 1, 2017	Businesses that generate 4 cubic yards of organic waste per week
January 1, 2019	Businesses that generate 4 cubic yards of commercial solid waste per week
January 1, 2020	Businesses that generate 2 cubic yards of commercial solid waste per week (the 2 cubic yard requirement only takes effect if CalRecycle determines that statewide disposal of organic waste in 2020 has not been reduced by 50% of 2014 levels.

CalRecycle's Determination

On September 15, 2020, CalRecycle made the determination to lower the threshold to regulated businesses that generate two or more cubic yards of solid waste per week. Businesses that generate 2 cubic yards of commercial solid waste per week are now mandated to arrange for services by January 1, 2020. CalRecycle used 2019 tonnage data to determine whether the statewide disposal of organic had been reduced by 50% of the 2014 level of disposal. Based upon this data, CalRecycle has concluded that the statewide disposal of organic waste has not been reduced by 50% of the 2014 level of disposal.





Organics Laws & Regulations

Organic Waste Defined

Organic waste, as defined in AB 1826, means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. These categories represent the largest subsets of organic waste that is currently disposed of in California.

Why Require Organics Recycling?

According to CalRecycle, Organic waste accounts for more than a third of the material in California's waste stream and greenhouse gas emissions caused by the decomposition of organic material in landfills contribute to global climate change.

Organic Waste Recycling Service Rates

In September of 2016, in order to implement an organics program that meets the state mandate, the City Council authorized the collection of additional fees related to commercial organic waste recycling services. Authorizing the collection of additional fees allowed businesses the option to voluntarily comply with AB 1826 by obtaining organic waste recycling services through Waste Management (WM), the City's Franchise Waste Hauler.



**AB 1826
COMPLIANCE ACTION PLAN**

ACTION	DATE
<p><u>Compliance Action Plan</u> The City Council approves an AB 1826 (Mandatory Commercial Organics Recycling) Compliance Action Plan. The action plan includes milestones and expected completion dates for complying with AB 1826.</p>	October 2020
<p><u>Business Assessments/Exemptions</u> Per AB 1826, jurisdictions can exempt businesses and multifamily complexes on a case-by-case basis from the requirements of the law if commercial customers (businesses and multi-family dwellings with 5 units or more) meet any of the following criteria:</p> <ul style="list-style-type: none"> • Lack of sufficient space on premises to provide additional organic material recycling bins. • The business generates less than 2 cubic yards of commercial solid waste per week. • Extraordinary and unforeseen events (limited-term exemptions). • Documentation of self-hauling or organics • Donation of food waste <p>The City will establish a process for assessing businesses to determine if they are exempted from the requirements of AB 1826. Documentation will be provided to the City. The City will document the exemption and report these exemptions to CalRecycle</p>	Ongoing
<p><u>Mandatory Ordinance</u> The City will start drafting a Mandatory Commercial Organics Ordinance.</p>	October to January 2020
<p>The City Council will consider the adoption of a Mandatory Commercial Organics Ordinance.</p>	By the end of 2020/early 2021
<p><u>Outreach</u> The City and hauler shall continue to educate businesses within the community on the new law, particularly those businesses affected.</p>	Ongoing
<p><u>Compliance Review</u> The City and hauler shall conduct a compliance review to report on the number of businesses that are in compliance with the ordinance.</p>	Review to be conducted 6 months from adoption of ordinance



<p><u>Possible Enforcement</u> From the City and hauler’s compliance review, if compliance participation is less than 50 percent of required businesses the City will look into possible enforcement measures which could include penalties for non-compliance. Businesses that are not in compliance will be notified.</p>	<p>2-4 months from completion of ordinance compliance review.</p>
<p><u>Code Update</u> The City will update the City’s Development Code regarding Design and Construction for Trash Enclosure and other updates needed due to AB 1826.</p>	<p>Early 2021</p>

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OUTREACH / EDUCATION

Electronic

- The City of Murrieta will post Organics information on its website and include links to CalRecycle's Organics webpage and Waste Management's Organics webpage. Website will be updated as needed.
- Waste Management (WM), the franchise hauler, has posted Organics information on its website and included links to CalRecycle's Organics webpage. Website will be updated as needed.
- WM will use existing customer database to identify affected commercial accounts and send emails to those customers.

Print

- WM will send letters to non-compliant AB 1826 accounts.
- The City will send letters to non-compliant AB 1826 accounts about MORE compliance (ongoing).
- City will print and distribute brochures on AB 1826 at City Hall counters.
- The City will provide AB 1826 information/assessment with business license renewal (ongoing).

Direct Contact

- WM will contact commercial accounts annually informing them of AB 1826.
- WM will also provide customers with a free waste and recycling assessment on request.
- City will contact multi-family complexes with 5 units or more regarding AB 1826 compliance.



CONTACT

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Or visit the City's Trash and Recycling webpage at <https://www.murrietaca.gov/257/Trash-Recycling>





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www.MurrietaCA.gov