



Central Contra Costa Solid Waste Authority

Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: KEN ETHERINGTON, EXECUTIVE DIRECTOR
DATE: JULY 25, 2019
SUBJECT: SB 1383 DRAFT REGULATION COMMENT LETTER

SUMMARY

The second formal draft letter (Attachment A) with RecycleSmart's comments on the SB 1383 Proposed Regulations was electronically submitted on July 16, 2019. The June 21–July 17 comment period is the final opportunity for local jurisdictions and other stake holders to submit comments on the draft regulation. With completion of comment submission, CalRecycle staff will review all submitted comments and work to finalize the regulation which is anticipated sometime in autumn 2019.

One significant change in the second formal draft is a new section that created “performance-based” standards for operating comprehensive organics diversion programs that respond to the requirements of SB 1383. Jurisdictions able to satisfy these standards will be excused from having to perform much of the monitoring and portions of the enforcement requirements outlined in the regulation. It appears that because RecycleSmart has already implemented a variety of organics diversion programs, the agency will be able to comply using the performance-based standards which will potentially reduce workload and costs.

RECOMMENDED ACTION

1. This is provided for information only. No Board action is required.

DISCUSSION

The comment letter submitted to CalRecycle on July 16, 2019 contains both comments resulting from RecycleSmart staff and legal review of the draft regulation. Comments focus on questions and comments regarding the Edible Food Recovery Program and Performance-Based Source Separated Collection Programs. Performance based collection standards appear to provide a more simplified approach to complying with SB 1883 requirements providing that source-separated organics collection services are provided to all community sectors (residential, commercial, multi-family). The letter also reflects comments and concerns voiced by Board Members at their April meeting.

ATTACHMENT

- A. Comment letter to CalRecycle, dated 7/16/2019