

Staff Report to the Los Angeles County Integrated Waste Management Task Force
Senate Bill 1383 Final Environmental Impact Report
January 9, 2020

Senate Bill 1383 Regulations Overview

- Senate Bill 1383 (SB 1383) was signed into law in 2016.
- SB 1383 requires the California Air Resources Board (CARB) to implement the short-lived climate pollutant strategy to reduce statewide methane emissions by 40%.
- Because organic waste decomposing in landfills is a significant source of methane emissions, the law requires CalRecycle to develop regulations to:
 - Reduce organic waste landfill disposal 50% below the 2014 level by the year 2020
 - Reduce organic waste landfill disposal 75% below the 2014 level by the year 2025
 - Recover 20% of edible food currently being disposed of in landfills for human consumption by the year 2025
- CalRecycle expects to adopt the regulations and transmit the regulatory package to the Office of Administrative Law (OAL) by January 18, 2020.
- The OAL has 30 working days to conduct a review of the rulemaking records to ensure CalRecycle has satisfied all requirements.
- After the OAL approves the rulemaking action, it will be filed with the Secretary of State by February 28, 2020 and will become effective on January 1, 2022.

Purpose

- As the lead agency developing the SB 1383 regulations, CalRecycle is required by the California Environmental Quality Act (CEQA) to prepare an environmental impact report (EIR) to determine if the implementation of the regulations will potentially have significant adverse impacts on the physical environment.

Timeline

- July 30, 2019 - CalRecycle released the Draft EIR for public review and comment.
- August 20, 2019 - CalRecycle hosted a public meeting in Sacramento to discuss the Draft EIR and receive comments.
- September 11, 2019 - The Task Force submitted comments to CalRecycle on the Draft EIR.
- December 17, 2019 - CalRecycle released the Final EIR.

Summary of Task Force Comments

The following is a summary of the comments that the Task Force submitted on the Draft EIR. These comments were not addressed in the Final EIR.

- **Limited to Composting and Anaerobic Digestion**

The EIR only analyzes the development of composting and anaerobic digestion facilities to divert organic waste from landfill disposal. The EIR does not include biomass conversion, non-combustion thermal conversion technologies, or any other technologies that would be needed to divert organic waste such as paper, carpets, textiles, and wood waste, as required by the SB 1383 regulations.

- **Limited to Three-Bin System**

The EIR assumes that all organic waste will be collected using a three-bin system with food waste mixed with green waste in the green bin. The EIR does not analyze variations in environmental impacts resulting from other collection methods, such as a separate fourth bin for food waste only or mixed waste collection (food waste mixed in with black bin trash).

- **Does Not Quantify Increase in Vehicle Miles Traveled (VMT)**

The EIR does not quantify the increase in vehicle miles traveled (VMT) resulting from the regulations, especially in densely-populated urban centers that generate large amounts of organic waste that must be transported to remote organics recycling facilities that will be sited significant distances from urban areas. The increase in VMT may be substantial and could result in significant, unavoidable adverse impacts to air quality and greenhouse gas emissions.

- **Does Not Consider “Good Faith Effort”**

The EIR considers alternatives to the regulations. The EIR states that a no project alternative was considered to be environmentally superior because it would avoid all adverse impacts resulting from the construction and operation of organics recycling facilities, but it would not achieve the organic waste landfill disposal reduction targets. The EIR does not consider amending the regulations to be less prescriptive and follow a “good faith effort” model, which may allow local jurisdictions to minimize the impacts of the regulations based on local conditions.

- **Does Not Analyze Cost Impacts**

Because the EIR is intended to analyze impacts to the physical environment, it does not describe the cost impacts local jurisdictions will face in implementing the regulations, including additional costs for organic waste collection, enforcement, infrastructure development, and procurement of recovered organic waste products. The cost impacts may be overly burdensome and significantly delay local jurisdictions’ compliance with the regulations and prevent the state from achieving the methane emission reduction target.

- **Does Not Adequately Address Environmental and Health Hazards**

The EIR does not address potential environmental hazards, such as fires and methane generation, caused by producing and storing excessive amounts of compost. In addition, the EIR does not address the potential for vermin and pests that may result from the separate collection of food waste.