



SB 1383: Organic Waste Diversion

SB 1383: California's Short-Lived Climate Pollutant Reduction Strategy

In 2016, California enacted SB 1383 (Chapter 395, Statutes of 2016) with the goal of reducing methane, a key driver of climate change, by reducing organic waste and diverting the disposal of food waste from landfills. The law established statewide organic waste recycling and surplus food recovery to reduce emissions while addressing food insecurity. Counties are responsible for both implementation and enforcement of SB 1383, which requires robust participation from nearly every local department.

Background

Landfills are the third largest source of human-caused methane emissions. Methane is classified as a short-lived climate pollutant, meaning it has an atmospheric life span of only 7- 12 years. However, it is 28 times more potent at trapping heat in the atmosphere than carbon dioxide (which has an atmospheric life span of 300-1000 years). In landfills, methane is released when or-

ganic waste quickly decays. For the purposes of SB 1383, organic waste is classified as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste. Organic materials make up half of what Californians dump in landfills.

Initially, the target set by SB 1383 aimed to reduce organic material deposited into landfills by 50 percent below 2014 levels by 2020. By 2025, the state aims to increase this reduction to 75%, and recover 20% of currently disposed of edible food for human consumption. Organic waste diverted through these regulations must be disposed of at a permitted recycling center, a compostable material handling facility, a biomass conversion facility, as soil amendments at a landfill (with restrictions), through land application (with restrictions), or for use as animal feed.

In addition to the above requirements, each local government must procure, based on population, a designated annual amount of recovered organic waste product, such as compost, renewable gas, electricity from biomass conversion, mulch, and paper products.

Recovery of Edible Food

SB 1383 requires certain commercial edible food generators to donate edible food that would otherwise be thrown away in an effort to feed people and reduce organic waste to landfill. Edible food includes but is not limited to: prepared foods, packaged foods, produce. Commercial edible food generators are categorized as Tier 1 & Tier 2 Generators. Tier 1 generators are supermarkets, grocery stores, food service providers, food distributors and wholesale food vendors. Tier 2 generators are restaurants, large venues, large events, health facilities, hotels, state agency cafeterias, and local education agencies with an on-site food facility.

County Impact

Counties are involved in every facet of SB 1383. In addition to collecting organics (and waste generally), counties are responsible for everything from the management of landfills to enforcement and inspections to ensure compliance with SB 1383. It takes cooperation from nearly every corner of county government in order to comply with all aspects of the regulations. This includes the County Administrative Office, legal and finance teams, public works, public parks, environmental health departments, and public transportation fleets, among others. This is needed to ensure residential consumers, commercial businesses, local education agencies, and food banks are all successfully diverting organic waste from landfills.

Organic Waste Recycling

To reach SB 1383's statewide targets, all jurisdictions across the state are subject to the organic waste recycling, impacting everyone from homes to school to industrial facilities. Certain communities have qualified for temporary, time-limited waivers exempting them from certain requirements.

Residential

Starting from inside the home, residents are required to subscribe to and participate in their jurisdiction's organics curbside collection service. Local jurisdictions, such as counties, are required to provide mandatory organics collection services to all residents.

The law requires most jurisdictions to offer a one, two, or three-container collection system, however some do permit residents to haul their own organic waste to the appropriate facility in lieu of curbside pickup.

Residents are required to properly sort their organic waste to ensure it gets to the appropriate facility for processing, recycling, recovery, and/or disposal. In a multifamily complex, the property owner or manager must supply and allow access to adequate containers with the correct labels.

They must also annually educate employees and tenants on how to properly sort organic waste into the correct bins and provide information to new tenants within 14 days of occupation.

Commercial Business

Under these regulations, a commercial business means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling.

Businesses are also required to participate in organics curbside collection service or self-haul organic waste to a specified facility.

Businesses must provide collection containers for organic waste and recyclables in all areas where disposal containers are provided for customers (except in restrooms).

Businesses must periodically inspect organic waste containers for contamination and inform employees if containers are contaminated.

Businesses are responsible for providing organic waste collection services to employees, tenants, contractors, and customers and annually educate them on how to properly sort material into the correct containers.

Schools, State Agencies, Special Districts, and Federal Facilities

Public schools and school districts, state agencies, special districts, and federal facilities do not fall under a jurisdiction's authority but must follow the same guidelines as a business.

Jurisdictions need to provide information to these entities regarding requirements for recycling organic waste.

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