

I. Major Policy Changes and Stakeholder Process**(A) Major Policy Changes**

The majority of the policy changes provide flexibility requested by stakeholders. Most notably, CalRecycle removed the sunset date on mixed waste collection, increased flexibility for enforcement, and added waivers for rural areas. Additionally, the revised text includes new procurement, record-keeping, and reporting requirements.

(B) Stakeholder Review Process

In February 2017, CalRecycle initiated a public process to develop a regulatory framework for SB 1383. Based on the outlined framework and stakeholder feedback, CalRecycle provided an initial draft of regulatory text in October of 2017. The revised draft accompanying this document reflects changes made over six months of review of public comments and stakeholder consultations on the October draft. The policy changes are outlined below.

II. Outline of Policy Changes**(A) Local Ordinances (Section 0.1.2)**

1. Clarified role of jurisdiction to adopt an enforceable ordinance or mechanism for oversight, and specified that jurisdictions may designate another entity to conduct oversight.

(B) Activities Constituting a Reduction in Landfill Disposal (Article 2)

1. Revised list of disposal activities to exclude select categories of beneficial reuse of organic waste.
2. Added to the list of recovery activities: *land application, animal feed, community composting.*

(C) Organic Waste Collection Services (Article 3)

1. Removed the sunset date to provide mixed-waste collection services that meet recovery standards.
2. Added additional flexibility to the types of collection services haulers and jurisdictions may provide:
 - a. Three-container systems.
 - b. Two-container systems (transport containers with mixed waste to facilities that meet recovery standards).
 - c. Single-container systems (transport all material to facilities that meet recovery standards).
3. Added phased-in standardization of container colors and flexibility for labeling.
4. Added flexibility for frequency of container contamination monitoring and use of technology in monitoring.

(D) Waivers, Exemptions and Delayed Implementation (Article 3, Article 6)

1. Added provisions allowing rural counties to delay providing collection services until 2025.
2. Added ongoing low population density waivers for small cities and unincorporated rural areas.

(E) Edible Food Recovery Programs and Services (Article 10)

1. Added an expanded role for jurisdictions to implement and oversee edible food recovery programs.
2. Revised the list of commercial edible food generators and delayed implementation for smaller generators.

(F) Procurement of Recovered Organic Waste Products (Article 12)

1. Added new minimum procurement levels for jurisdictions to purchase compost or renewable natural gas.
2. Added new minimum recycled content and recyclability standards for paper purchases.

(G) Reporting and Record Keeping by Regulated Entities (Article 13 and addendum to RDRS Rulemaking)

1. Added initial jurisdiction compliance report and ongoing annual reporting by jurisdictions.
2. Added reporting items for facilities and haulers to report quarterly through RDRS starting in 2022.
3. Added minimum record-keeping requirements for regulated entities within relevant articles.

(H) Enforcement and Oversight (Articles 14-16)

1. Added "Corrective Action Plans" (CAPs) as a compliance mechanism to allow consideration of a jurisdiction's efforts, and establish extended timelines and milestones for achieving compliance.
2. Added flexibility and clarified standards for jurisdiction inspections and enforcement procedures.
3. Added penalty tables for CalRecycle and jurisdiction enforcement.

(I) Organic Waste Recovery and Processing Standards at Facilities (Amendments to Title 14)

1. Removed requirement for waste characterization of in-bound mixed waste material.
2. Revised sampling protocol to focus on outbound samples.
3. Revised formula to calculate recovery rates on a quarterly and annual basis.
4. Removed ban on sending organic waste that exceeds incompatible material levels offsite.
5. Added allowance for organic waste with more than 10 percent incompatible materials to be transported off-site to a facility that meets minimum residual standards.