

SB 1383 Short-Lived Climate Pollutants (SLCP) Regulations

This document lists the main requirements of jurisdictions but doesn't outline the many new requirements on facility operators and local enforcement agencies (LEA's).

WHEN	WHO	TASK
ORGANICS DIVERSION PROGRAM - JURISDICTION AND HAULER REQUIREMENTS		
By 1-1-22	UVD&R	Provide three-container organic waste collection service.
Beginning 1-1-22	UVD&R	Provide containers with imprinted text or graphic images that indicate the primary materials prohibited in that container. Jurisdiction shall imprint graphic on each new container or lid.
Containers purchased after 1-1-22 and all by 1-1-36	UVD&R	Provide containers with SB 1383-compliant lid colors. Jurisdiction is not required to replace functional containers purchased prior to 1/1/22 until end of useful life of those containers or 1/1/36, whichever comes first.
Beginning 1-1-22 and annually thereafter	UVD&R and UVWMA	Complete compliance review of covered commercial entities beginning January 1, 2022 and annually thereafter. Complete compliance review of all solid waste collection accounts for commercial businesses that generate two cubic yards or more per week. Can be an in office review of business records such as billing accounts, physical inspection is not required.
ORGANICS DIVERSION PROGRAM - ORGANIC WASTE GENERATOR REQUIREMENTS		
Beginning 1-1-22	ORGANIC WASTE GENERATORS	Subscribe to organics collection services OR self-haul to facility that processes or recovers source separated organic waste.
		Commercial and residential self haulers must source separate organic waste and take organic waste to a organic waste processing facility. Commercial self haulers must comply with record keeping requirements, residential self haulers are exempt from record keeping portion. Commercial records are subject to inspection by jurisdiction. Records shall include: receipts/weight tickets, amount/tons transported to each facility.
		Commercial business owners (including multifamily property owners) shall: arrange for organic waste collection services; annually provide info to employees, contractors, tenants and customers about sorting; if there are news tenants they must be notified of sorting techniques within 14 days of moving in; provide access to properties during inspections.
		Generators that are also commercial businesses (does not include multifamily) shall: provide organics and recycling containers for customers; the container body or lid must conform with collection service container colors OR bins must be labeled; prohibit employees from placing organic waste in a container that is not designated to receive organic waste; periodically inspect containers for contamination; educate employees on source separation if contamination observed. If a business already has containers that are still functional but don't comply with color requirements, they don't need to be replaced until 2036.

CONTAMINATION MONITORING PROGRAM		
Beginning 4-1-22 and annually thereafter	UVD&R	Monitor trash, recyclables, and organics collection containers to minimize contamination. Complete route reviews of all commercial sites and residences beginning 4-1-22 and annually thereafter. Conduct sufficient number of route reviews to adequately determine overall compliance. May prioritize inspections of entities that are more likely to be out of compliance. Conduct in a manner that results in all hauler routes being reviewed annually. Containers may be randomly selected along a hauler route.
Beginning 4-1-22	UVD&R	For instances of contamination, notify the generator of the violation. The notice at a minimum shall include info on the requirement to separate materials into appropriate containers. Photo may be included (but not required). The notice can be left on container, gate or door at time of violation. It could also be mailed or emailed to generator.
EDUCATION		
Prior to 2-1-22 and annually thereafter	UVD&R and UVWMA	Provide educational information annually to residential and commercial collection customers. Jurisdictions shall translate materials into any non-English language spoken by a substantial number of the public. Can be provided via print or electronic media. Direct contact would be an addition, not replacement to mail or electronic notices.
Beginning 1-1-22	UVWMA	Expand commercial education and technical assistance to those without recyclables and/or organics collection service through franchised hauler.
Prior to 2-1-22 and annually thereafter	TBD	Educate commercial edible food generators annually on local edible food recovery program; commercial edible food generator requirements; info on food recovery orgs; info on food waste reduction. Can be combined with regular organic waste education notice.
EDIBLE FOOD RECOVERY PROGRAM - JURISDICTION REQUIREMENTS		
Beginning 1-1-22	COUNTYWIDE COLLABORATIVE EFFORT	Increase access to edible food recovery organizations/services and edible food recovery capacity
		Identify Tier 1 and Tier 2 edible food generators
1-1-22 compliance for Tier 1, 1-1-24 compliance for Tier 2	TBD	Monitor and record compliance of generators, recovery organizations, service providers. Tier 1 monitoring and compliance begins 1-1-22, Tier 2 monitoring and compliance begins 1-1-24.
By 2-1-22 and annually	COUNTYWIDE COLLABORATIVE EFFORT	Develop list of local food recovery service providers and organizations, post on websites. List shall be updated annually. List shall include: name & address, contact info, service area and types of food the org can accept for recovery.
EDIBLE FOOD RECOVERY PROGRAM - GENERATOR & RECOVERY/SERVICE ORG REQUIREMENTS		
1-1-22 compliance for Tier 1, 1-1-24 compliance for Tier 2	TIER 1 AND TIER 2 EDIBLE FOOD GENERATORS	Recover the maximum amount of edible food
		Secure written arrangements w recovery orgs/services or self-haul to orgs that accept recovered food (self haul also requires written agreement)
		Document and maintain records on: each service that receives its food; copies of contracts/agreements; record of the following for each agreement - name, address, contact info of the service, types of food that will be collected, frequency of collection, quantity to be collected
Beginning 1-1-22	FOOD RECOVERY SERVICES AND ORGANIZATIONS	Food recovery service requirements - records requirements. Shall maintain: name, address, contact info for each generator it collects from; quantity collected from each; quantity transported to each org; name, address, contact info for each organization that it transports edible food to
		Food recovery organization requirements - records requirements. Shall maintain: name, address, contact info for each generator it receives food from; quantity it receives; name, address and contact info for each food recovery service it receives food from

PROCUREMENT		
By 1-1-22 and recalculate each 5 ys	MEMBER JURISDICTIONS	Purchase organic waste products for use or giveaway - .08 tons per resident, CalRecycle will provide notice to jurisdictions and will update every five years or before January 1. Can comply by directly procuring recovered organic waste products for use or giveaway; requiring with a contract or agreement hat a direct service provider to the jurisdiction procure organic waste products and provide written documentation. Organic waste product's are: compost, renewable gas, electricity from biomass conversion, mulch
Beginning 1-1-22	MEMBER JURISDICTIONS	Purchase paper products, printing and writing paper with certified recycled content if fitness and quality are equal to non-recycled content products. 30% min post consumer waste required. Should meet the standard of 16 Code of Federal Regulations (CFR) Section 260.12, which states that "A product or package should not be marketed as recyclable unless it can be collected, separated, or otherwise recovered from the waste stream through an established recycling program for reuse or use in manufacturing or assembling another item." Jurisdiction shall require anyone it purchases paper products from to certify in writing the minimum recycled content percentage (or exact) and confirm the paper is property labeled according to CFR section 260.12
ADMINISTRATIVE UPDATES		
By 1-1-22	UVD&R	Jurisdiction shall require haulers to identify facilities to which they will transport organic waste and require haulers providing organic waste collection service to comply with requirements in Article 3 (organic waste collection service).
ORDINANCES		
By 1-1-22	MEMBER JURISDICTIONS	Adopt ordinance mandating compliance with all requirements of 1383.
WAIVERS		
If needed	UVD&R	If facility processing our waste has unforeseen operational restrictions or operational failure - can allow organic waste to be landfilled for up to 90 days from date of restriction or failure. Jurisdiction shall notify CalRecycle within 10 days. Waivers are also allowed for landfill disposal of disaster debris, waste from homeless encampment clean ups, organic waste from the boundaries of a CDFR quarantine area.
ENFORCEMENT, CIVIL PENALTIES		
On or before 1-1-22	UVD&R and MEMBER JURISDICTIONS	On or before January 1, 2022 a jurisdiction shall have inspection and enforcement program in place.
By 1-1-22, until 12-31-23	UVD&R and UVWMA	Provide notification, education, and outreach to all found to be in violation.
Beginning 1-1-24	MEMBER JURISDICTIONS	Initiate enforcement actions when necessary.
Beginning 1-1-22	MEMBER JURISDICTIONS, UVD&R and UVWMA	Create detailed electronic record of enforcement: inspections, route and compliance reviews, violations and educational measures. Shall include: identifying info for subject(s) of inspection (name or account name, description of route or addresses covered in route review, list of accounts reviewed), date, person who conducted inspection, findings (including NOV's), any relevant evidence (such as but not limited to photos)
Beginning 1-1-22	UVWMA	Create record, respond to, and document complaints by public.

IMPLEMENTATION RECORD		
Beginning 1-1-22	MEMBER JURISDICTIONS, UVD&R and UVWMA	Create overall "implementation record" accessible to CalRecycle w/in 10 days. All records should be included in the implementation record within 60 days of the creation of the record. Records should be maintained for at least 5 years. Record shall be stored in one central location, physical or electronic.
REPORTING		
By 4-1-22	UVWMA	Report to CalRecycle on implementation by April 1, 2022. Report shall include: copy of ordinances, type of service provided to generators, total number served, if we allow compostable plastics, if we allow plastic bags, primary contact info, contact for purposes of enforcement if different.
By 10-1-22. Then 8-1-23 and annually thereafter	UVWMA	Prepare and submit comprehensive report on all requirements on or before October 1, 2022 - report on January 1, 2022 thru June 30, 2022. On or before August 1, 2023 report on previous calendar year. Repeat August 1 reporting for previous calendar year moving forward