

Legislative and Regulatory Platform 2025

WORK PLAN PURPOSE

To represent local government interests and the three California Chapters' membership in developing and advocating for environmentally and technically sound, economical solid waste and recycling policy at the most appropriate government level.



Message from the Chair

Hello SWANA California Chapters and members,

I'm pleased to once again share with you our 2024 Advocacy Report and proposed Legislative and Regulatory Platform for 2025. Each year-end, especially as we approach the holiday season, it's good to reflect on the past year, and what is important and essential to our lives. I hope in 2024 you found time to spend with friends and family, out in nature, and on the things that are important and meaningful to you.

The LTF took time in November to meet in person, reflect on the current year, and plan for the next. While we got a lot of work done – namely developing this document – it was also an opportunity to spend some quality time together and getting to know each other better over a few nice meals (and glasses of wine). I have to say, what a wonderful, dedicated group of people you have representing you on the LTF!

As you read this document, I hope you notice the new format – intended to be better organized, more succinct, and easier to read. And I hope it reflects the effort and dedication put into it – which could not have been done without the passion for this industry that each and every LTF member has.

Overall, this year was a good one, in that we saw a number of bills pass that were beneficial to our industry. On the regulatory front, SB 54 regulations were center stage as 2024 saw not only the regulation be introduced but also two rounds of revisions, each with very short comment periods that required all LTF hands on deck to comment on revisions needed to adequately protect local governments and their programs.

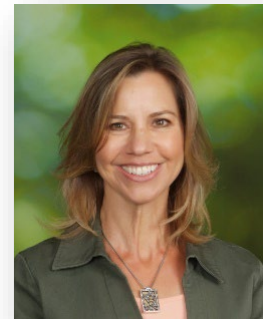
The coming year will see more bills and regulation that will affect our industry. And you can trust that we will be ready to hit the ground running to monitor and interpret those that affect our industry, advocate on your behalf, and keep you well informed.

The year 2024 closes out my two-year term as Chair and in January 2025, the LTF will elect new officers. Rest assured that you will be in good hands, as I do not know of a more experienced and knowledgeable group of people that could represent you, than those on the LTF. Please know that it has been my honor to be part of this group and to serve you. If there is any way that we can improve our service to you – please don't hesitate to reach out to me directly.

Sincerely,

Christina Hanson

SWANA LTF Chair



“When in doubt, chose the kindest option.”

Summary Overview

The SWANA California Chapters Legislative Task Force (LTF) is pleased to present its 2025 Legislative and Regulatory Platform, which includes a summary of 2024 activities and work plan for 2025. The LTF, comprised of representatives from the three SWANA California Chapters, serves as a voice in the Capital, regulatory agencies, and as a resource for informational updates to the Chapter's members they represent.

The 2024 year saw significant achievements, including successful advocacy efforts on key legislative and regulatory issues. The LTF supported several bills that passed to benefit industry, the environment, and the patrons of California. These bills included extension of producer responsibility (AB 863 – carpet and SB 707 – textiles), hazardous waste (SB 1143 – paint products and SB 1280 – propane cylinders), and organic waste (AB 2346 and AB 2902).

The LTF actively participated in development of the SB 54 regulations, advocating for clarity surrounding alternative collection programs, local jurisdiction compliance, responsible end markets, reimbursement of costs – and pushing back against the stringent chain of custody requirements, and enforcement on jurisdictions, which was not contemplated in statute. As of this report, the regulations have not been finalized, while some revisions were made in response to our comments, the regulation still does not fully address many of the issues brought forth from our LTF team. These efforts and accomplishments demonstrate the LTF's dedication in representing the industry's interests and navigating the complex regulatory landscape.

The 2025 work plan focuses on several critical issue areas, including but not limited to:

- Single use plastics
- Organic waste and SB 1383 compliance
- Extended Producer Responsibility
- Special wastes
- Climate change / emissions
- Emerging and advanced technologies
- Market development
- Regulatory agency monitoring
- Education and outreach

The success of the LTF is a testament to the unwavering dedication and commitment of our members and their member agencies. We look forward to continuing our collaboration and efforts to build a more sustainable and resilient future for the solid waste industry in California.

Mission of the SWANA California Chapters Legislative Task Force

The mission of the SWANA California Chapters Legislative Task Force (LTF) is to advocate for environmentally and economically sound management of municipal solid waste and the LTF's legislative and regulatory priorities on behalf of the SWANA California chapters and members. The LTF will accomplish this mission through ongoing monitoring of legislation and regulation, active advocacy efforts, and education and outreach as described in this report.

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Introduction

The LTF: Who We Are

SWANA is the world's largest association of solid waste professionals (more than 10,000 members). SWANA's three California chapters—Founding- Southern Chapter, Sierra-Central Chapter, and Gold Rush Northern Chapter—represent more than 1,100 of those members. The SWANA California Chapters Legislative Task Force (LTF) is comprised of SWANA members appointed by the President of each Chapter.

Legislative advocacy services are provided by Shaw Yoder Antwih Schmelzer & Lange. Contractual services include, but are not limited to, monitoring/analyzing legislation and regulation, reviewing implications with the LTF and advising on advocacy strategies, communicating LTF positions with legislative and other government officials, collaborating with other industry groups on joint issues, and preparing an annual report, among other things.

What We Do

The LTF represents the interests of Chapter Members by being a proactive advocate of environmentally and economically sound solid waste legislation and regulations. Pursuant to the Memorandum of Understanding among the Chapters, the LTF represents the Chapters' interests in legislative and regulatory matters through development and implementation of its legislative and regulatory platform.

Some of the specific activities of the LTF include:

- **Legislative Tracking** – ongoing monitoring of introduced and/or amended legislation throughout the legislative session. Ongoing monitoring of state regulatory agency rulemakings.
- **Spring Meeting** – to review in depth introduced legislation of interest and to begin establishing LTF interests and positions.
- **Officers Lobby Day** – typically in the spring, Officers meet with lawmakers and/or their staff to build relationships and educate them about LTF interests and positions.
- **Advocacy Communications** – ongoing, as bills are introduced and/or amended, to prepare and submit legislative positions, comment letters, fact sheets and/or other communications to ensure continuing legislative and regulatory representation on behalf of the Chapters.
- **Chapter Updates** – ongoing, LTF member attendance at Chapter meetings, or other communications as appropriate, to ensure SWANA members are informed on current and proposed legislative and regulatory issues.
- **Fall Planning Meeting** – after the Legislative Session, to develop priorities and a work plan for the coming year.

These efforts culminate in this Legislative and Regulatory Platform which is comprised of:

- **An Advocacy Report** – a summary of the prior year's activities (2024) and
- **A Legislative and Regulatory Platform** – a work plan and priorities for the coming year (2025).

This document also provides information on historic legislation and regulations that continue to be policy drivers and information on the various activities and policy principles of the LTF. Additional information regarding the work of the LTF, including all advocacy documents, can be found on the LTF website: <https://swanacal-leg.org>.

Advocacy Goals

1. Advocate that proposed laws and regulations related to management of solid waste provide cost-effective and technically feasible protection of public health, public safety, and the environment.
2. Represent the perspective of SWANA members before the Legislative and regulatory agencies by providing technical expertise based on practical experience implementing solid waste management programs and facilities in California.

2025 Priority Advocacy Issue Areas:

- Single Use Plastics
- Organic Waste and SB 1383 Compliance
- Extended Producer Responsibility (EPR)
- Special Wastes
- Climate Change / Emissions
- Emerging and Advanced Technologies
- Market Development
- Regulatory Agency Monitoring
- Education and Outreach

Advocacy Principles

The LTF's policy positions on legislation and regulation are based on the following principles:

- **Local Control.** Support local government and haulers control of solid waste policy, operations, and program implementation and oppose preemption of local authority or discretion. Promote legislation that provides opportunities for local government stakeholder participation in regulatory and policy matters.
- **Infrastructure and Diversion Funding:** Support new or additional State funding for expanded recycling and organics processing needed to implement state laws and regulations. Specifically support funding for local jurisdictions for state mandated programs and activities.
- **Circular Economy:** Support programs that advance a circular economy, such as reparability/reuse; improved design to reduce product packaging, content, and toxicity; and EPR (Extended Producer Responsibility).
- **CalRecycle Review of Local Programs.** Advocate for transparency, consistency, and consideration of reasonable and realistic “best efforts” in CalRecycle’s review of the Integrated Waste Management Plan and annual reports, as well as in implementation of landmark regulations like SB 1383.
- **Engagement:** Advocate for local government involvement in the development of policies and regulations.
- **Due Process:** Support regulatory frameworks that provide the regulated community with independent due process in State agency enforcement proceedings.

- **Extended Producer Responsibility (EPR):** Support product stewardship legislation, such as EPR, which shifts the financial burden of managing hazardous and difficult-to-handle products from local government to the producers of those products.
- **Landfill Bans:** Only support landfill bans when an appropriately funded alternative method of handling the material (e.g. EPR) has been put in place. Oppose landfill bans that are not substantiated by scientific studies showing that landfilling the material poses a danger to human or environmental health.
- **Organics Management:** Support diversion of recyclables and organics from landfills through cost-effective organics management programs and infrastructure that best fits each jurisdiction's demographics, waste characteristics, and facility availability. Support legislation and regulation that is cost effective and practical to implement. Oppose state mandates that are infeasible and do not contain a funding source.
- **Beverage Container Recycling Program ("Bottle bill"):** Support efforts that improve the Bottle Bill and increase access to recycling centers.
- **Hazardous Waste / Toxic Reduction:** Support efforts to reduce HHW and toxic chemicals released in the environment and that impact worker health. Support EPR for management of these materials. Support legislation that protects landfills from PFAS liability.
- **State Agency Compliance:** Advocate for local jurisdiction exemptions for state agencies that are not complying with state mandates. i.e. prisons, school districts
- **Siting/Expanding Facilities:** Advocate for permit streamlining.
- **Recyclables Market Development:** Support the development of domestic markets for recovered materials, including organics, plastics, and packaging; support increased recycled content requirements for specific products. Support the development of tax incentive and low interest loans for recycling materials. Oppose enforcement on local jurisdictions and recyclers when markets do not exist.
- **Emerging and Alternative Technologies:** Where landfilling is the only option, support alternative technologies and advocate for legislation that removes barriers and provides incentives that help develop alternative technology projects. Oppose efforts that would thwart the development of alternative technology projects.
- **Health and Safety:** Support health and safety in the solid waste industry. i.e. The safe handling and management of batteries and other hazardous materials.

2024 Chapter Officers and Membership:

The following LTF officers and members were honored to serve the SWANA California Chapters in 2024 and contribute to this report:

Nominated Officers

Christina Hanson, Placer County/WPWMA, Chair
Curtis Larkin, Fresno County, Vice Chair

Appointed Officers

Frank Caponi, P.E., Retired, Treasurer
Sharon Green, Los Angeles County Sanitation Districts, Secretary

Membership

GOLD RUSH CHAPTER:

Doug Kobold, California Product Stewardship Council
Christina Hanson, Placer County/Western Placer Waste Management Authority
Larry Sweetser, Sweetser & Associates, Inc./ESJPA
Deepti Jain, City of Sunnyvale (Alternate)
Joe La Mariana, South Bayside Waste Management Authority
Charles White, Chuck White Consulting
Tim Flanagan, Retired (Alternate)



SIERRA CHAPTER:

Curtis Larkin, Fresno County
Parveen Sandhu, Kings Waste and Recycling Authority
Lynnda Martin, American Refuse/Tule Trash Co
Dawyne Balch, City of Clovis
Monique Gama, City of Merced
Keith Hester, Caglia Environmental (Alternate)
Annie Shelton, Fresno County (Alternative)



FOUNDING CHAPTER:

Jim Marchese, City of Los Angeles, Sanitation and Environment
Sharon Green, Los Angeles County Sanitation Districts
Mike Mohajer, P.E., So. California Waste Management Forum
Jane-Marie Fajardo, City of San Diego
Frank Caponi, P.E., Retired
Constance Hornig, Esq., Law Offices (Alternate)
Robert Sedita, Orange County Waste and Recycling (Alternate)



LEGISLATIVE ADVOCATE

Priscilla Quiroz, Shaw Yoder Antwih Schmelzer & Lange

~Honorable Mentions: Herb Cantu, Chuck Magee, and Guy Petraborg who served a partial year in 2024.

2024: A Year in Review

Achievements and Successes

Legislative wins

The LTF was again successful in keeping up with the ever-increasing amount of legislation introduced. In 2024, over 2,100 bills were introduced, roughly 100 bills that in some way relate to or the solid waste industry and were actively monitored by the LTF. The 2023/2024 Legislative Session concluded with the Governor signing over 20 solid waste and recycling bills (and vetoed 6) that will affect our industry – many that were beneficial. Including bills related to extended producer responsibility (AB 863 – carpet and SB 707 – textiles), hazardous waste (SB 1143 – paint products and SB 1280 – propane cylinders), and organic waste (AB 2346 and AB 2902). A complete list of signed bills can be found in the SYASL Year-End Report at the end of this document.

Regulatory Wins

Amid a very busy legislative session, CalRecycle released their SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act Regulations on March 8, 2024. The LTF prepared and submitted extensive comments that requested more clarity regarding jurisdiction compliance, date of expected compliance, reimbursements to jurisdictions, and enforcement on jurisdictions – as well as advocated for alternative technologies, and enforcement leniency for jurisdictions. On October 14, 2024, CalRecycle released significant revisions to the regulations. While not all our comments were addressed, the revisions did provide some clarification in numerous sections we identified – regarding jurisdiction compliance, date to comply, and reimbursements among other things – indicating our comments were heard. The LTF again commented on our outstanding concerns – which were unfortunately not addressed in the subsequent revision released on December 2, 2024 – advocating again for clarity surrounding alternative collection programs, local jurisdiction compliance, responsible end markets, reimbursement of costs, pushing back against the stringent chain of custody requirements, and enforcement on jurisdictions, which was not contemplated in statute. More information on the SB 54 regulation can be found at <https://calrecycle.ca.gov/packaging/packaging-epr/>.

Products and Services

Meeting and Teleconferences

In 2024, the LTF held regular monthly meetings via Zoom to monitor, discuss, and take positions on bills and draft regulations. Meeting notes were recorded, approved, and provided to the Chapters electronically each month. The annual spring planning meeting was held in March, where the LTF reviewed newly introduced bills and took positions.

Additional meetings were held as needed, such as several meetings during April and October to review the SB 54 regulations. Additionally, a battery subcommittee was formed and met on numerous occasions to develop an industry survey regarding battery and HHW-related fires. The survey is expected to be released by early 2025.

Legislative and Regulatory Platform 2025

The LTF's 2025 planning meeting was conducted in person November 21 - 22, 2024, during which the LTF prepared a 2024 LTF budget and Legislative and Regulatory Platform, which was reviewed and approved by the LTF membership for submittal to the three California Chapters in January.

As Chapter members, LTF representatives attended regular Chapter meetings to provide legislative and regulatory updates.

Outreach and Engagement

The LTF worked to engage and inform stakeholders; legislators, and legislative staff; and regulatory agencies on the LTF's 2024 legislative priorities. As an example, John Kennedy from Rural County Representatives of California was invited to attend the LTF's March planning meeting to share RCRC's priorities for the coming year and identify areas for collaboration. Additionally, the LTF Chair met with Resource Recovery Coalition of California's Regulatory Affairs Director to establish a working relationship and share LTF priority issues. LTF members attended other industry group meetings such as Rural County Representatives of CA (RCRC), Solid Waste Industry Group (SWIG), and others.

The November annual meeting was also an opportunity to engage with industry partners. Invited guest speakers included California Compost Coalition, Nextera Tech, as well as CalRecycle's new Legislative Director, Allegra Curiel.

Throughout 2024, LTF lobbyist Priscilla Quiroz attended numerous committee meetings and hearings at the Capital to communicate LTF positions.

Legislative Positions

The LTF continuously monitors legislation, taking support, opposition, or amending positions as appropriate. LTF positions are noted in monthly meeting minutes which are shared with the Chapters each month. This year, the LTF actively monitored and took a position on 24 bills. A complete list of bills the LTF took position on can be found in the SYASL Year-End Report at the end of this document.

Advocacy

Advocacy is the most direct way to inform legislators about LTF priorities, positions, and influence legislation. SYASL assisted the LTF with advocacy efforts by preparing and submitting comment letters, testifying at public hearings, and meeting with legislators or their staff to communicate LTF priorities. All LTF advocacy materials can be found on the LTF website.

Stakeholder Collaboration

The LTF continue to engage and support its industry partners such as California Product Stewardship Council, Rural County Representatives of California, Resource Recovery Coalition of California, Solid Waste Industry Group, Californians Against Waste, ReThink Waste, CalCities, CSAC and others. Where opportunities arise, the LTF collaborates with these partners by signing onto coalition letters and other advocacy efforts that align with LTF priorities.

Website/ Social Media

The LTF maintains a website (<https://swanacal-leg.org/>) accessible to SWANA members and that provides:

- LTF Meeting Minutes Packages
- Bill Matrices with Monitored Bills and LTF Positions
- White Papers and Fact Sheets
- Comment Letters
- Annual Work Plans and More

Note: must be a SWANA member for full access.

While the LTF has maintained a Facebook page, due to limited engagement, the page was discontinued and the LTF plans to implement use of LinkedIn as an alternate method to engage with industry members.

State Budget

Discussion on the State Budget can be found in the SYASL Year-End Report at the end of this document.

2025: The Year Ahead

Public Policy Drivers

Solid Waste and Recycling

Several bills have been enacted in recent years that have significantly impacted the solid waste industry and local governments and continue to influence legislation and regulation. More notable bills include:

- **AB 341 (2011)** - Establishes a State policy goal that 75% of solid waste generated be source reduced, recycled, or composted by 2020; imposed mandatory commercial recycling (MCR) on businesses and multi-family dwellings (MFD).
- **AB 1594 (2014)** – No longer allows the use of green material as alternative daily cover or alternative intermediate cover to constitute diversion and is now considered disposal for purposes of AB 939.
- **AB 1826 (2014)** - Requires certain businesses and MFD to recycle organic waste and jurisdictions to implement organic waste recycling programs. “Organic waste” defined as food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper.
- **AB 901 (2015)** - Requires recycling, disposal, and compost facilities and others to report to CalRecycle the types, quantities, jurisdiction of origin, and destinations of materials disposed, sold, or transferred in or out of the state (aka Recycling and Disposal Reporting System).
- **SB 1383 (2016)** – Required the California Air Resources Board (CARB) to develop and implement a strategy to reduce short-lived climate pollutants, including methane from landfills (adopted in March 2017). Required CalRecycle to adopt regulations to achieve a 50 percent reduction of statewide organic waste landfill disposal by 2020, a 75 percent reduction by 2025, and no less

than 20 percent recovery of edible food “currently” disposed by 2025. CalRecycle adopted regulations in November 2020.

- **AB 617 (2017)** - Requires the state to track emissions of criteria air pollutants and toxic air contaminants of stationary sources, deploy community air monitoring systems in select communities, and implement a statewide strategy to reduce emissions of toxic air contaminants and criteria pollutants in priority communities.
- **SB 54 (2022)** – Establishes a new extended producer responsibility (EPR) program for packaging and single use plastic products that will affect every sector of the economy, including solid waste collection and processing.

State Climate Change and Renewable Energy

Solid waste management and legislation in California is often driven by state policies related to climate change and renewable energy. Some of the more notable laws and policies enacted in recent years include:

- **AB 347 (Ting)** – Authorizes the Department of Toxic Substance Control (DTSC) to regulate and enforce compliance of existing per – and poly-fluoroalkyl substances (PFAS) restrictions in juvenile products, textile articles, and plant-based food packaging. This requires manufacturers of these covered products to comply with several actions regarding the registration and testing of the products.
- **SB 32 (2015)** – Extended cap-and-trade program to 2030.
- **SB 350 (2015)** – Extended Renewable Portfolio Standard to 50% by 2030.
- **SB 1383 (2016)** – Sets goals to reduce Short-Lived Climate Pollutants, including 40% reduction below 2013 levels in methane emissions by 2030.
- **Short-Lived Climate Pollutant Strategy (2017)** – CARB strategy to reduce livestock and landfill methane emissions via organic waste diversion.
- **SB 100 (2018)** – Sets goal for renewable energy and zero-carbon resources to supply 100% of retail sales of electricity by 2045.
- **CARB Scoping Plan (2022)**: The Plan assesses progress towards achieving the Senate Bill 32 2030 target and lays out a path to achieve carbon neutrality including through diversion of organic waste.
- **CARB On and Off-Road Vehicle Regulations**: CARB’s efforts to electrify the on and off-road vehicle fleets with programs such as the CARB Advanced Clean Fleets (2023) which requires the phased-in use of Zero-Emission Vehicles for targeted fleets – including local government fleets – and requires manufacturers to only produce ZEV trucks in 2036.

National Interests

SWANA (Solid Waste Association of North America) is a leading resource for the solid waste industry, providing essential services and information to its members. SWANA plays a crucial role in informing and supporting its state chapters on national issues impacting the waste industry. By closely monitoring federal regulations, policies, and legislative developments, SWANA provides its state chapters with timely updates and insights. This enables state chapters to advocate effectively for their members' interests at the state level, ensuring alignment with national priorities. Additionally, SWANA facilitates collaboration among state chapters, fostering knowledge sharing and best practices exchange.

When strategically aligned, LTF priorities and positions are also highly leveraged through communication and coordination with SWANA's Core Advocacy Group and Policy Committees. These Committee charters include identifying, developing, and advocating on important areas of responsible solid waste management and are intended to promote consistency among SWANA advocacy positions at the federal, state, and local levels, where appropriate and possible. The LTF has members that serve on these committees.

One example of such coordinated advocacy is SWANA International Board's recent adoption of an Extended Producer Responsibility (EPR) position into its bylaws and legislative platform. This position reflects the California LTF's effort in defining and communicating EPR as a top priority. Together, EPR is now a point of emphasis in California and throughout the entire North American, Caribbean and Pacific SWANA regions. This new action allows our industry to speak with a louder voice when working with the manufacturing community to responsibly handle unique and hard to handle products and materials at the end of their useful life.

2025 Work Plan

Communications: Outreach and Education

The following outlines our objectives for effectively communicating initiatives through outreach and education. This plan aims to enhance SWANA Chapter and member awareness, foster engagement, and inform the Legislature of our legislative and regulatory priorities. Meeting these objectives we will strengthen our organization's reputation, build trust, and create a positive impact on proposed legislation. We will achieve these objectives through:

- **Briefing Letters:** These provide a summary version of the legislative issues the LTF is monitoring for members as a source of information that can also be used when communicating with legislators, co-workers, or the public.
- **Communication:** With California SWANA Chapters members on legislative and regulatory topics. Three times a year an email update will be sent by the Chair to inform Chapter members of spotlight bills and an end of year summary. Develop relationships with key members of the Legislature and their appropriate staff in the Governor's office, and other agencies as appropriate - CalRecycle, DTSC, CARB, SWRCB.
- **Website:** Maintain the LTF website throughout the year to provide up-to-date access to legislative information for California SWANA members.

Legislative and Regulatory priorities

This coming year, LTF advocacy will focus on the priority issue areas listed below. Once new bills are introduced in 2025, additional priorities may be identified.

Single Use Plastics

Issue: Single-use plastics are goods (e.g. packaging and food service ware) that are made primarily from fossil fuel-based chemicals (petrochemicals) and are meant to be disposed of right after use. While plastic waste generation is soaring in the U.S., the recycling rate is falling. Only five to six percent of municipal [plastic waste was recycled](#) in 2021, compared with almost nine percent in 2018, prior to China's National Sword/Blue Sky Policy.

SB 54 (Allen, Chapter 75, Statutes of 2022) established the Plastic Pollution Prevention and Packaging Producer Responsibility Act. Among other things, it establishes an extended producer responsibility (EPR) program, imposes recycling rates and minimum content standards, and requires local governments must collect and recycle covered materials, sending them to "responsible end markets". CalRecycle is currently developing implementing regulations which are due in 2025.

LTF Actions:

1. Continue to engage in the promulgation of the regulations.
2. Advocate for local jurisdictions and recycling facilities – e.g. for funding "to be made whole", protection from enforcement, etc.
3. Monitor and/or engage in the SB 54 Advisory Board meetings.

4. Engage in the development of any stewardship plans.
5. Monitor any new legislation related to Single Use Plastics or Single Use Packaging or Compostable Packaging as a whole. Solicit input from SWANA members on aspects of SB 54 regulations impacting their jurisdictions.

Organic Waste and SB 1383 Compliance

Issue: SB 1383 (Lara, Chapter 395, Statutes of 2016) established methane emissions reduction targets in a statewide effort to achieve a 50% reduction in statewide disposal of organic waste by 2020; achieve a 75% reduction by 2025; and recovery of no less than 20% of currently disposed edible food by 2025.

CalRecycle adopted regulations in November 2020 and implementation remains challenging as jurisdictions continue to struggle to finance new programs and infrastructure and implement the highly complex and confusing regulatory requirements. This year, the following bills were passed that offer some flexibility:

- AB 1046 will streamline the development and siting of small and medium compostable material handling facilities.
- AB 2902 will extend the rural jurisdiction exemption until January 1, 2037.
- AB 2346 will assist jurisdictions in exploring additional procurement options to reach their procurement targets while infrastructure continues to be built throughout the state.

In implementing SB 1383, it should be considered that over time landfills will be receiving a decreasing level of organics which ultimately will decrease landfill gas (methane) production. Landfills will ultimately reach a point where a lower quality landfill gas will be difficult to manage because of the reduced methane content. CARB and local air control districts need to ensure that regulations are consistent with the need to effectively manage this gas.

The LTF will continue to engage with other SWANA and industry members to understand challenges in implementation and advocate for reasonable reform.

A full description of this issue can be found in the Appendix at the end of this document.

LTF Actions:

1. Continue to advocate for state funding for SB 1383 implementation and expansion of organics infrastructure.
2. Continue to monitor local government implementation, challenges, and advocacy needs.
3. Continue to advocate for increased flexibility related to Procurement, including additional eligible products and alternatives to comply.
4. Advocate for the development and use of alternative technologies to divert organic materials that cannot be diverted via aerobic composting and/or anaerobic digestion.
5. Support legislation that aligns with LTF priorities, including regarding conflicting state priorities, rural California, focus on super-emitters, and separating edible food from 1383.
6. Continue to advocate for the use of Renewable Natural Gas (RNG).
7. Continue to advocate for CalRecycle to clarify and streamline the SB 1383 facility measurement requirements.

8. Emphasize that achieving organic waste reduction goals is a shared responsibility between the waste sector, State government, local agencies, business community, and the public.
9. Encourage permit streamlining.
10. Monitor and share information regarding CalRecycle enforcement with the local chapters.

Product Stewardship & Extended Producer Responsibility

Issue: There is a need for more legislation to shift the financial burden of managing hazardous and difficult-to-handle products from local governments to the producers of those products. Product Stewardship legislation that did not pass or was vetoed in this legislative session will likely continue into 2025 or be introduced as new bills. There are also some regulations in development to implement product stewardship legislation that did pass. A brief description of each is shown below:

LTF Actions:

1. Monitor and support EPR related legislation and regulation.
2. Engage in current EPR regulatory activities, such as to implement AB 863.

Solar Panels

AB 2 (Ward) & AB 1238 (Ward) were introduced in 2023 to address the growing concerns about the end-of-life management of solar photovoltaic modules (PV modules) which are classified as Universal Waste. Neither bill completed the legislative process during the 2-year session. AB 2 created a hybrid funding model for PV modules, comprised of visible fee funding for “Consumer-Owned” modules and a non-traditional EPR funding and management model for “Non-Customer-Owned” modules. “Customer-Owned” modules are those are owned by the consumer being directly served by that solar photovoltaic module either through an outright purchase, a traditional financed purchase, or purchased as part of the sale of a parcel or parcels. “Non-Customer-Owned” modules would be all others. AB 1238 would establish a pathway to use heat treatment of old modules to aid in releasing the adhesive that binds the module glass to the energy generating media. Currently, heat treatment is not allowed for use by universal waste treatment facilities in located in California that typically process electronic waste. While these bills did not pass in 2024, we expect that work will continue on these efforts.

Carpet

AB 863 (Aguiar-Curry) passed this year and made changes to the existing visible fee Carpet Recovery program in California – essentially replacing the current state extended producer responsibility (EPR) program for carpet with an expanded EPR program under one producer responsibility organization. There are still more changes to be made to the program to allow it to continue to evolve into an efficient and effective program for recycling carpet in California. CalRecycle will develop regulations to govern the program.

Household Hazardous Waste

SB 1143 (Allen), when introduced this year, attempted to create an EPR program for many of the household hazardous waste products that continue to show up in the waste and recycling streams. SB 1143, as passed, was tailored to just be an expansion of the existing California Architectural Paint Recovery Program run by PaintCare—adding stains, thinners, epoxies, etc. The PaintCare program is a visible fee program.

Gypsum Wallboard

Gypsum wallboard can be problematic for landfill gas systems in landfills across the state. While some wallboard materials are sorted out during the C&D sorting process, much of the material falls through the screens and ends up in the C&D fines, which is typically used as Alternative Daily Cover at landfills. As a result, the gypsum contained within these fines ends up in the waste cell of the landfill and is then exposed to the decomposition processes within the landfill and ultimately adding sulfate to the landfill gas and leachate systems. There is no current legislation addressing this issue.

Vaping Devices

While there has been attempts in the past to regulate end-of-life for vaping devices, or eliminate them altogether, those attempts have failed due to the number of issues. It is expected that new legislation will be introduced to once again shine a light on these problematic products and derive appropriate end-of-life management systems for them. Vaping devices are a plastic product with a circuit board and battery, thereby making them an electronic waste and when outfitted with a nicotine pod, they are also now a product containing a “P-Listed” RCRA waste if from a business source. This severely limits who can receive and process these products in California. There are also disposal issues related to vape pens confiscated at schools.

Others

There will likely be other product categories identified as appropriate candidates for a Product Stewardship program, whether it be a visible fee program, a true EPR program, or something in between.

Special Wastes

Issue: Special wastes are any material that requires special handling, disposal methods, and/or trained staff because of its characteristics. Legislation is needed to ensure safe management of these materials. Some special wastes require legislative action include EV Batteries, Marine Flares, Compressed Gas Cylinders, and other like products that are problematic for our waste and recycling systems.

LTF Actions:

1. Continue to monitor and support legislation that seeks to address special wastes that are problematic for waste and recycling systems.

Electric Vehicle Batteries

EV Batteries (or Vehicle Traction Batteries) were the subject of SB 615 (Allen) during 2023/2024. End-of-life management of EV Batteries is becoming increasingly complicated without a proper system in-place. While SB 615, which attempted to create an EPR program for Vehicle Traction Batteries, passed the Legislature, the bill was vetoed by the Governor citing “this legislation places a significant burden on DTSC to implement the policy, instead of building on the success of existing producer responsibility models.” The LTF will continue to monitor this product category.

Marine Flares

Marine flares pose a unique problem for the waste and recycling industry. Since these products are deemed as explosives, they require significant financial resources to recover and properly manage them. Further, these marine flares expire after 42 months and should be properly disposed of. SB 1066 (Blakespear), which attempted to establish a Manufacturer Responsibility Program for expired marine flares, passed this year. However, the Governor vetoed this bill citing “this bill lacks a comprehensive program scope to effectively achieve the goal of protecting human and environmental health and would not cover implementation costs incurred by DTSC. Additionally, this bill falls short in providing DTSC with the appropriate enforcement authority to effectively ensure compliance.” It is not likely that this product category will be addressed again with an EPR approach, but the LTF will be monitoring any activity in that direction.

Compressed Gas Cylinders

In 2023, SB 560 (Laird) was an attempt to create an EPR program for single-use compressed gas cylinders that contain a variety of gases, including helium, propane, butane, iso-butane, non-medical oxygen, MAPP gas, and other gases. SB 560 did not complete the legislative process. However, SB 1280 (Laird) was passed by the legislature and signed by the Governor in 2024. SB 1280 bans the sale of single-use 1 pound propane cylinders in California after January 1, 2028. The other single-use compressed gas cylinders remain a problem in the waste and recycling streams and it is uncertain if another attempt will be made to establish an EPR program in California for these products. The LTF will monitor the SB 1280 rule making process.

California’s Beverage Container Recycling Program

Issue: California’s Beverage Container Recycling Program, known as the “Bottle Bill,” is where consumers pay a \$0.05 or \$0.10 California Redemption Value (CRV) deposit on eligible beverage containers and can redeem their deposit at local recycling centers. The Program generates approximately \$1.3 billion collected by the state. Since not all containers are returned, CalRecycle uses some of the surplus funds to subsidize privately-owned and -operated redemption centers established in “convenience zones” located near beverage retailers. In the past few years, the state’s subsidy formula has become outdated resulting in underpayment to recycling centers, China’s recycling policy changes have crippled the global market, scrap value of beverage containers material has plummeted, and operating costs have steadily risen. The cumulative effect of these factors has led to the closure of approximately half of the 2,500 CRV convenience zone centers statewide. The surviving convenience centers have been overwhelmed with customers trying to redeem their deposits.

Recent legislation, passed in 2022 and 2023, expanded the program by adding container types to the program and took effect in 2024—SB 1013 (Atkins) Beverage Container Recycling, passed in 2022, expanded beverages included in the program to include wine and liquor, SB 353, passed in 2023, added large fruit and vegetable containers. While the intent of these program changes is to increase recycling, these program changes often create difficulties for entities that wish to provide this service as. The State places additional demands on the operators of these facilities without increasing the necessary support to maintain them.

In response to a shortage of recycling centers, CalRecycle announced that 30 counties across the State will be receiving new ways to recycle their beverage container as well as modernized recycling centers. CalRecycle awarded nearly \$70 million in grants for 37 projects in 2024, allowing for the installation of reverse vending machines, mobile recycling centers, and bag-drop sites. The grant funding will open more than 250 new recycling sites throughout the State with the hope that this will increase the recycling rate of containers and meet the States container recycling goal. However, in order for this to be successful, the State will need to continue its efforts to develop and build local markets for recycled container material and recycled container products. A full description of these issues can be found in the Appendix at the end of this document.

LTF Actions:

1. Support efforts to reform beverage container funding, such as adjustments to CRV and recycling-related payments. Oppose proposals to reduce current CRV funding to local governments.
2. Support legislation that provides sufficient baseline funding for centers to be open to the public and provide redemption services.
3. Support timely training to operators when changes to the program are enacted.
4. Identify and correspond to CalRecycle regarding operational and enforcement challenges surrounding program implementation.
5. Support efforts and legislation that expands and/or opens new recycling markets for beverage containers.

Climate Programs and Policies

Heavy Duty Vehicle and Transportation Infrastructure

Issue: State efforts to accelerate the electrification of vehicle fleets will have a significant impact on the solid waste and recycling industry which is heavily reliant upon on-road and off-road heavy-duty vehicles to both operate its facilities and effectively transport municipal solid waste and recycled products. In response to regulatory mandates, the industry has largely transitioned from diesel fueled vehicles to cleaner fuels, such as Natural Gas and Renewable Natural Gas. It is estimated to have invested more than \$1 billion in California to develop and use low carbon renewable natural gas in refuse and recycling vehicles. Renewable natural gas has the lowest carbon intensity of all available transportation fuels. However, a series of Governor Executive Orders by former Governor Brown and current Governor Newsom have called for accelerating the electrification of the vehicle fleets to meet climate goals; the latest being electrification to support meeting carbon neutrality goals no later than 2036.

In 2023, the California Air Resources Board (CARB) Board also voted to approve a comprehensive Advanced Clean Fleets (ACF) regulation, effective October 1, 2023, that will be part of a broader strategy to deploy medium and heavy-duty zero-emission vehicles (ZEV) everywhere feasible. The cost to the solid waste and recycling industry will be enormous. Other issues include reliability of electric fleets, the loss of investments made to transition the current fleet to clean renewable natural gas, and the industry's ability to effectively deliver its essential public services. Grants now emphasize electrification with regulations focused almost exclusively on zero emission vehicles and electrification instead of promoting the lowest carbon fuels that are available.

The LTF has expressed concerns to Legislators and urged support for essential public fleets, including those that are fueled by clean RNG, consistent with past industry practices and regulatory mandates, such as SB 1383. The LTF's Fact Sheet on this topic is on the LTF website at <https://swanacal-leg.org/>. The LTF also submitted written and verbal comments during the ACF regulatory process. Despite CARB directing staff to work with waste hauler and wastewater fleets that are diverting and processing organic waste to fuel existing trucks to meet the requirements of SB 1383 to provide more time to transition to a zero-emission fleet, the final ACF regulation was approved with little relief to these fleets.

CARB has currently re-opened the ACF to incorporate AB 1594 (signed on October 8, 2023) which allows Public Agency Utilities to purchase traditional "utility-specialized" vehicles needed to maintain reliable services during defined events. Unfortunately, while the definition of Public Agency Utilities does include wastewater facilities, it does not include solid waste facilities. The LTF will continue to follow challenges related to implementation of the ACF.

LTF Actions:

1. Work with industry partners, and CARB staff, on implementation of the ACF regulation, to track problems while also determining difficulties this new regulation may be causing in SB 1383 implementation.
2. Continue to promote the lowest carbon and most sustainable transportation fueling options that are consistent with all the goals of CARB's climate programs.

CARB Off-Road Vehicle/Engine Programs

Issue: For decades, CARB has developed programs aimed at reducing emissions from the diesel off-road vehicle sector. These have had a significant impact on the solid waste industry. There are two current programs of concern; the Zero-Emissions Forklift Regulation and proposal for Tier V off-road engines (impacting new engine certification standards).

In June 2024, the California Air Resources Board approved for adoption the Zero-Emission Forklift Regulation. The measure was identified in CARB's Mobile Source Strategy, State Implementation Plan, and Sustainable Freight Action Plan as one of several near-term actions intended to help California meet its air quality and climate goals through zero-emission technology. Effective January 1, 2025, this regulation will target large spark-ignited (LSI) forklifts, such as those running on propane or gasoline, rather than the traditional diesel engines (regulated in other CARB programs) which are the typical target of the off-road vehicle/engine programs. The regulation targets large, and later small, fleets of LSI forklifts.

The goal of the regulation is to phase out Class IV and Class V LSI forklifts while introducing zero-emission equivalents into the fleets. In addition are extensive reporting and labeling requirements.

CARB has also been holding workshops on Potential Amendments to the existing In-Use Off-Road Diesel New Engine Regulations—the most recent one held in October of 2024. The goal is to adopt Tier V engine emission standards, which now include CO2 standards, and improved certification and in-use reliability requirements. The proposed regulation impacts new engines which could be phased in as early as 2029, and ultimately requirements for phase in for in-use equipment, such as used in the solid waste industry. Rule development will continue in 2025 with the end of the year for Board approval.

LTF Actions:

1. Monitor and engage with our industry partners, and CARB staff, as appropriate, on the implementation of the Zero-Emissions Forklift Regulation, to track problems and issues.
2. Monitor the adoption of the Tier V engine standards and how it will eventually impact solid waste industry equipment and operations.

Renewable Natural Gas

Issue: As a result of state landfill methane regulations, most landfills capture methane and, to the extent possible, put the methane, also known as landfill gas or LFG, to beneficial use. The most common uses of LFG are to produce electricity or renewable natural gas (RNG) for use as a transportation fuel or for injection into the common carrier natural gas pipeline system (which, after further cleaning, is known as biomethane). Biogas produced by anaerobic digesters, in which diverted organic waste such as food waste can be managed, can also be managed through these three processes. One common use of RNG has been for solid waste collection fleets, many of which were converted to compressed natural gas (CNG) trucks, which provides a steady market for RNG (because it can be used seamlessly as a replacement for CNG).

State laws such as SB 1440 (2018) identify biomethane injection into gas pipelines as a preferred long-term market for this biogas. However, recent state policies aim to electrify the transportation sector, with very few exceptions. Although the CA Public Utilities Commission (CPUC) has adopted a rulemaking to implement SB 1440, the biomethane interconnection process, whereby facilities such as landfills interconnect to an investor-owned utility's pipeline system, continues to be extremely expensive and time-consuming. It is critical that state policies regarding biogas and RNG support viable projects by landfills and anaerobic digester facilities, in order to ensure cost-effective and environmentally beneficial use of resources.

LTF Actions:

1. Monitor state legislation and state agencies such as CA Air Resources Board, CPUC and CA Energy Commission (CEC), for legislative, policy and regulatory proposals that will potentially impact the viability of landfill gas and RNG projects, and comment as appropriate.
2. Collaborate with other stakeholder organizations, such as the Solid Waste Industry Group, Rural County Representatives of CA, and the Bioenergy Association of CA, to review and comment on these issues where appropriate.

Alternative Technology

Issue: Alternative technologies have been and are being developed to manage specific materials (e.g. hard to recycle materials) for diversion from landfill. These technologies convert waste into useful products such as biogas, polymers, resins, heat and energy, offset the use of fossil fuels, and counteract climate change. Often, such technologies require less energy and emit fewer greenhouse gases in comparison to the production of virgin materials. They can be a valuable tool in jurisdiction and recycler's toolboxes, especially when landfilling is the only other option. However, the State legislature and regulatory agencies are generally unsupportive of such technologies and there have been various bills introduced over the years that would further inhibit their use. That said, SB 1383 specifically allows a process for CalRecycle to approve alternative technologies for management of organics, albeit through a very onerous process. There have been several proposals for creating hydrogen gas from organics that are proposed under this approval process and just one has been approved to date. Additional alternative technologies are, or could be, proposed for other legislative and regulatory efforts that the LTF will continue to monitor and advocate for as appropriate. For example, the SB 54 regulations could benefit from a similar option, however instead the regulations incorrectly characterize advanced recycling as hazardous waste management instead of manufacturing, creating a de facto ban on alternative recycling technologies and leaving the system wholly reliant on mechanical recycling. California needs a disposal pathway for "post-recycled" residuals and difficult to recycle materials where landfilling is the only other option.

LTF Actions:

1. Continue to advocate for support of alternative technologies in legislation and regulation, such as the SB 54 and SB 1383 regulations.

Per- and Poly-fluoroalkyl Substance (PFAS)

Issue: Recent and upcoming regulatory actions related to Per- and polyfluoroalkyl Substances (PFAS) could affect the solid waste industry. As background, PFAS are a human-made family of compounds that are resistant to heat, water, and oil. They are commonly used for non-stick or water-resistant coatings on paper plates, cookware, pizza boxes, textiles, cosmetics, floor waxes and many other products, which, at the end of their useful life, often are disposed of in landfills and other solid waste management facilities. Research indicates a potential for health impacts when people are exposed to PFAS, whether through product use or due to environmental exposure. Landfills (e.g. via leachate) have been identified as one source of PFAS in both groundwater and municipal wastewater (i.e. when leachate is discharged to the sewer system), and the US Environmental Protection Agency (EPA) is developing an Effluent Limitation Guidelines that could lead to leachate treatment requirements for those landfills discharging leachate to the sewer.

In 2024, EPA adopted Maximum Contaminant Levels for PFOS (perfluorooctane sulfonate) and PFOA (perfluorooctanoic acid) and four other PFAS compounds (in combination). Additionally, in 2024, EPA designated PFOS and PFOA as hazardous substances under the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This could be a significant source of liability for landfill owner/operators since they may be identified as a source or contributor to soil, air, surface water or groundwater contamination. In 2023, the LTF supported the proposed PFAS Liability Protection Act, which would exempt certain industries and municipalities from liability claims under CERCLA and submitted a letter to Senator Padilla urging his support. To date, this legislation has not passed.

There are many additional efforts underway to assess or regulate either the use or discharge of PFAS by various agencies in the state and federal government. State agencies focusing on PFAS assessment and

regulation include the Office of Environmental Health Hazard Assessment, the State Water Resources Control Board and Regional Water Quality Control Boards, Department of Toxic Substances Control, California Air Resources Board, and CalRecycle. PFAS contamination has been found in many groundwater wells in California, and the State and Regional Water Boards are continuing to require monitoring and assessment by water purveyors and other facilities to understand the extent and severity of groundwater contamination.

Several issues are of concern for solid waste managers, such as the need for standardized analytical methods and regulatory standards to ensure data collection is accurate and reliable, the need for cleanup funds to mitigate contaminated sites, the need for protection from liability for PFAS contamination because landfills are passive receivers, and the need to reduce intentional use of PFAS in products and packaging and promote product reformulation and stewardship. The LTF's Fact Sheet on this topic is on the LTF website at <https://swanacal-leg.org/>.

LTF Actions:

1. Continue to support legislative and regulatory efforts to reduce use of PFAS in consumer products and other applications that may have a pathway to the environment via municipal solid waste management practices and, in coordination with SWANA-National, support an exemption from CERCLA liability for municipal solid waste facilities.
2. Track – and comment, as appropriate – on regulatory efforts related to PFAS by state agencies and monitor other developments.

Tipping Fee Increase

Issue: The LTF recognizes the need for a more stable funding source for CalRecycle to efficiently and effectively execute the duties for which it is responsible. There is no current legislation to address this issue.

LTF Actions: The LTF will evaluate legislation to implement or increase a state fee surcharge based on whether it:

Demonstrates the need.

- Ensures effectiveness and equitability of any new or increased disposal (tipping) fees.
- Existing Disposal Tipping Fee is \$1.40/ton and has not been raised since July 1, 2002. This fee is based on a stream that the State's own goals intend to reduce and eventually eliminate (Zero Waste), thereby this funding is relying on a diminishing base.
- Disposal Facilities should not be burdened with funding activities (including grants) for facilities that are not directly associated with disposal of solid waste (i.e. compost, MRFs, organic processing infrastructure, etc.).
- Fees on a per-ton basis should instead be established for compost facilities, MRFs, and other permitted facilities based on their typical cost for CalRecycle to provide types of oversight similar to that of disposal facilities.
- Is based on reasonable and related costs and does not promote illegal dumping or cause undue financial burden to local government.
- Promotes nondiscriminatory funding strategies.

Legislative and Regulatory Platform 2025

The table below represents history of the Integrated Waste Management Fee:

Integrated Waste Management Fee (Solid Waste)

Integrated Waste Management Fee (Solid Waste)				
Categories	January 1, 1990 – June 30, 1990 Rate Per Ton	July 1, 1990 – June 30, 1994 Rate Per Ton	July 1, 1994 – June 30, 2002 Rate Per Ton	July 1, 2002 – Present Rate Per Ton
Solid Waste	\$0.50	\$0.75	\$1.34	\$1.40
Nonhazardous Wood Waste	\$0.75	\$0.75	\$0.75	\$0.75

Zero Waste

Issue: The concept of zero waste, which has been gaining traction globally and in the solid waste industry, aims to minimize waste generation, maximize resource recovery and utilization, and shift away from landfilling and toward a circular economy. There is no universally accepted definition of “Zero Waste” with a number of organizations proposing definitions and concepts. SWANA National has codeveloped a Zero Waste Principles and Practices Certification course.

CalRecycle also has embarked on several zero waste efforts. A Baseline Report was published on July 1, 2024 to evaluate existing CalRecycle programs and identify barriers and gaps and develop recommendations needed for a circular economy. Additionally, CalRecycle awarded two contracts to develop a Statewide Zero Waste Plan and a Rural Infrastructure for a Zero Waste Plan. These plans are expected to be complete by the end of 2025. CalRecycle is required to submit a Zero Waste Plan to the Legislature by January 1, 2026. These efforts will likely result in additional legislative and regulatory proposals impacting the solid waste industry in California.

Challenges to developing a Zero Waste Plan include determining a definition and/or criteria for Zero Waste, developing the needed infrastructure, and understanding how to adjust the current waste management practices while minimizing cost impacts.

LTF Actions:

1. The LTF will continue to monitor the development of these Zero Waste Plans and engage with CalRecycle and other stakeholders to provide comments on realistic timelines and program development.

Agency Monitoring

Not all LTF work entails legislative activities. State agencies develop rules and regulations in response to legislation and existing programs are often modified, which can impact the solid waste industry and local government. The following are some agency activities the LTF will be monitoring in 2025:

CalRecycle

- **AB 2902** - Monitor any new or revised regulation to incorporate the requirements of this bill (passed in 2024) which, among other things, requires CalRecycle to extend rural exemptions, incentivize carbon farming, and evaluate ways to maximize edible food recovery.
- **SB 1046** – Monitor CalRecycle’s development of a program environmental impact report by January 1, 2027, that streamlines the process with which jurisdictions can develop and site small and medium compostable material handling facilities or operations. This bill passed in 2024.
- **SB 707** – Monitor implementation of the Responsible Textile Recovery Act (2024) which establishes a stewardship program for the collection, transportation, repair, sorting, and recycling, and the safe and proper management of textiles. Monitor CalRecycle development of regulations that due no earlier than July 1, 2028.
- **SB 1143** – Monitor CalRecycle development of regulations to implement this bill (passed in 2024) which renames the Architectural Paint Recovery Program to the Paint Product Recovery Program and expands the scope to include additional paint products and coatings.
- **AB 2346** – Monitor any new or revised regulation to incorporate this bill (passed in 2024) which, among other things, authorizes local jurisdictions to count additional products and activities towards their procurement target and other changes to procurement requirements of SB 1383.
- **SB 54** – Monitor the implementation of the SB 54 regulations required to be adopted by CalRecycle by January 1, 2025, and development of the PRO plan for single use plastic and packaging. The PRO plan shall ensure, among other things, that local jurisdictions are made financially whole for any new costs incurred associated with implementation.
- **SB 1383** – Monitor and comment, as appropriate, on CalRecycle implementation and enforcement of SB 1383 and any revisions made to the implementing regulations, e.g. in response to AB 2346 and 2902 (2024) which provide more flexibility related to procurement credit, procurement targets, rural exemptions, among other things.
- **AB 2440** Monitor development and implementation of The Responsible Battery Recycling Act (2022) which establishes a stewardship program for collection and recycling of covered batteries. CalRecycle is tasked with developing regulations by 2025.
- **SB 1215** (2022) amends the Electronic Waste Recycling Act and adds covered battery-embedded products to the CEW Recycling Program. CalRecycle is required to develop regulations by 2025. The LTF will monitor adoption and implementation of these regulations.

CARB

- **Advanced Clean Fleets.** Monitor the implementation of the ACF regulation to ensure its complex requirements are properly applied to solid waste fleets, both public and private, and that CARB's staff provides adequate support for the regulation's critical administrative requirements.
- **Scoping Plan.** Track and comment, as necessary, on regulatory activities that impact facilities, such as the Landfill Methane Regulation (LMR). In 2023 and 2024, CARB held workshop discussions on discussion on current LMR requirements, best practices for operation of landfill gas collection and control systems, technologies for identifying methane leaks, and potential changes to the LMR. [Should LMR be a separate item?]
- **Other Off and On-road Vehicle Regulations.** Track the implementation of the Zero-Emissions Forklift Regulation, as well as other developing regulations, and comment as necessary.

Department of Toxic Substances Control

- **Hazardous Waste Management Plan.** Pursuant to SB 158 (2021) Department of Toxic Substances Control (DTSC) was required to adopt a state-wide Hazardous Waste Management Plan for management of hazardous waste. The plan will be presented to the Board of Environmental Safety. Prior to the Plan development, DTSC prepared a report that establishes a baseline understanding of the management of hazardous waste in the State of California, identify data gaps and items that require additional research, review hazardous waste criteria, determine whether additional wastes should be managed as hazardous wastes, and develop plans to fill data gaps and complete additional research. DTSC conducted a series of workshops in 2022 and 2023 to gather information and input. The final report was released in November 2023 and the first Hazardous Waste Management Plan is due March 1, 2025.
- **DTSC** has been proposing changes to hazardous waste fees and hazardous waste **management** requirements impacting household hazardous waste and solid waste load checking programs.

APPENDICES

SYASL Year-End Report



DATE: December 20, 2024

TO: SWANA Legislative Task Force

FROM: Priscilla Quiroz, Legislative Advocate
Shaw Yoder Antwih Schmelzer & Lange

SUBJECT: 2024 Legislative Report

SUMMARY

The California State Legislature adjourned its 2023-24 legislative session at midnight on Saturday, August 31st passing 1,206 bills to Governor Newsom for his consideration. The Governor had until September 30th to either sign or veto bills. He signed 1,017 bills and vetoed 189 bills, with a veto rate of 15.7% - slightly above the state's 15% average in recent years. According to a recent analysis, 30% of Newsom's vetoes were due to budget concerns, 27% due to disagreements over policy, and 22% because Newsom claimed they were unnecessary or stepped on the toes of other state agencies or local governments¹.

On December 2, the Legislature convened for the first year of the 2025-26 Legislative Session. As anticipated, Democrats retained their supermajority in both chambers. However, Republicans made modest gains, flipping one seat in the Senate and two in the Assembly. In the Assembly, the composition now stands at 60 Democrats and 19 Republicans, with one vacant seat. Previously, Democrats held 62 seats, while Republicans had 18. In the Senate, Democrats now hold 30 seats—an exact three-fourths majority—down from their previous 31 seats, while Republicans now hold 10.

Governor Newsom has declared special elections for Senate District 36 and Assembly District 32, scheduled for April 29, 2025. The primaries for these elections will take place on February 25, 2025.

¹ Sameea Kamal, "California Legislators Could Override Nearly Every Newsom Veto. Why Don't They?", *CalMatters*, October 4, 2024, <https://www.ijpr.org/politics-government/2024-10-04/california-legislators-could-override-nearly-every-newsom-veto-why-dont-they>

2023-2024 STATE BUDGET

The state's budget negotiations this year were especially challenging due to a \$46.8 billion deficit, a stark contrast to the record surpluses seen in recent years. According to the Legislative Analyst's Office, revenue decline is primarily attributed to a decrease in high-income earner taxes (due to technology sector changes) and decreases in business investment in the state.

Early Budget Action to Reduce Deficit

On April 4th, Governor Newsom, President pro-Tempore Mike McGuire, and Speaker Robert Rivas [unveiled](#) their comprehensive strategy to address the massive deficit. The \$17.3 billion package is a multifaceted approach that includes a combination of program reductions, innovation revenue streams, internal borrowing, strategic delays, and fund reallocation to generate savings.

The plan outlines the following components:

- Reduction: \$3.6 billion
- Delays: \$3.1 billion
- Revenue/borrowing: \$5.2 billion
- Fund Shifts: \$3.4 billion in shifting funds
- Deferrals: \$2.1 billion.

Final Budget

On June 15th, the legislature passed their version of the 2024-25 budget and presented it to the governor, spurring further negotiations between the houses and the governor. The legislature passed a budget by June 15th without an agreement with Governor Newsom to ensure that their deadline was met and the continued to be paid. On June 22nd, Governor Newsom, Pro Tem McGuire, and Speaker Rivas announced a deal to make \$16 billion in cuts and pulled money from the state's rainy-day reserves to balance a \$46.8 billion budget deficit. The budget amounts to \$297.5 billion and is designed to support fiscal stability while preserving essential programs. Their plan relies on reserves and pauses some business tax credits to address a remaining revenue gap estimated at \$56 billion over the next two years. This budget agreement does the following:

- Balances the Special Fund for Economic Uncertainties over the next two fiscal years with positive balances of \$3.5 billion during the 2024-25 fiscal year and \$1.5 billion in 2025-26.
- Withdraws \$5.1 billion in 2024-25 and \$7.1 billion in 2025-26 while also maintaining \$22.2 billion in total reserves at the end of the 2024-25 fiscal year.

Below are a few budget highlights:

Department of Toxic Substances Control (DTSC)

- Provides \$331,000 in 2024-25 and ongoing, split between the Hazardous Waste Control Account (HWCA) and Toxic Substances Control Account (TSCA), to increase baseline funding to recategorize certain BES staffing positions.

- Provides \$1.7 million from the Toxic Substances Control Account (TSCA) in 2024-25 and ongoing, \$800,000 in reimbursement authority in 2024-25 and ongoing, and 9.0 permanent positions to enable the timely cleanup of contaminated sites in the Bay Area.
- Transfers \$20.5 million from the Toxic Substances Control Account to the Site Remediation Account and authorizes \$20.5 million expenditure authority to DTSC from the Site Remediation Account in 2024-25 to fund the state's National Priorities List obligations and state orphan sites with Priorities 1A, 1B, 2, and 3, and statewide service contracts.
- Adds 1.0 permanent position, \$808,000 in 2024-25 and \$508,000 ongoing from the Electronic Waste Recovery and Recycling Account (EWRRA) to implement Senate Bill (SB)1215, that expands the scope of the Electronic Waste Recycling Act to include additional device categories.

CalRecycle

- Provides \$13.1 million in 2024-25 from the California Beverage Container Recycling Fund (CBCRF) for the CalRecycle Integrated Information System (CRIIS).
- Authorizes CalRecycle to add 6 new permanent ongoing positions in 2024-25 to implement and manage the grant programs under Senate Bill (SB) 1013 (Ch. 610, Statutes of 2022) and Assembly Bill (AB) 179 (Ch. 249, Statutes of 2022).
- Reduces Compost Permitting Pilot Program funding by \$6.7 million of \$8 million total.

Climate Change

The final 2024-25 budget preserves roughly \$45 billion of the original \$54 billion that was committed in the 2021 and 2022 Budget Acts. To address the projected budget shortfall, the budget incorporates \$12.8 billion of General Fund solutions in climate-related programs to achieve a balanced budget. This includes \$6.6 billion in reductions, \$1 billion in delays of General Fund expenditures to future years, and \$5.2 billion in shifts in other funds, primarily the Greenhouse Gas Reduction Fund (GGRF).

Zero-Emission Vehicles

To address the budget shortfall, the budget maintains \$9.2 billion, extended over seven years, but includes \$920.6 million of General Fund reductions, \$528.3 million in fund shifts to the GGRF, and \$600 million in delays across various programs. Below are a few programs that were impacted:

- \$500 million reduction for ZEV school buses and related infrastructure.
- \$144 million reduction for ZEV fueling infrastructure grants, leaving \$726 million.
- \$137.8 million reduction and \$137 million delay for the Clean Trucks, Buses and Off-Road Equipment.
- \$120 million delay for ZEV Fueling Infrastructure Grants.
- \$100 million delay for Community- Based Plans, Projects and Support/Sustainable Community Strategies.

Early 2025-26 Budget Projections

In November, the nonpartisan Legislative Analyst's Office (LAO) released its annual fiscal outlook, project that the state budget for 2025-26 will remain "roughly balanced," with a small deficit of approximately \$2 billion. While next year's budget is projected to be mostly balanced, the LAO forecasts annual operating deficits starting in 2026-27, ranging from \$20 billion to around \$30 billion.

There are potential solutions for the 2026-27 budget shortfall. Since the state relied minimally on its reserves in the previous budget, it could withdraw up to \$7 billion from the reserves. However, they would need to find additional solutions to address the shortfall. Given these looming financial challenges, the LAO has emphasized that there is little to no capacity for new spending commitments over the next few budget cycles.

Although the 2025-26 budget outlook remains positive, according to the LAO, the state's job market and consumer spending have remained uninspiring, with consumer spending declining over the past year. Economic data shows that outside of government and health care – the state has failed to add any jobs over the past year and a half. We have also seen an increase in unemployment, especially in comparison to years with stronger labor markets.

Governor Newsom has until January 10, 2025, to announce his proposed budget, which will set the tone for the state's fiscal strategy amidst these challenges.

2024 LEGISLATION

In the second year of the 2023-2024 legislative session, the SWANA LTF monitored or took a position on 24 bills: 12 with support positions, 2 support in concept position, 3 support if amended, 1 neutral, 1 with opposed position, watched 5 bills.

Beverage Containers

[AB 457 \(Aguiar-Curry\) Beverage containers: recycling: redemption payment and refund value.](#)

This bill would reduce the California Redemption Value (CRV) for box, bladder, or pouched wine or distilled spirits in the Beverage Container Recycling Program (BCRP) from 25 cents to 10 cents.

Position: Neutral

Status: Vetoed

Veto message: *Lowering the CRV for these materials, as proposed by this bill, would disrupt this market signal, create confusion for recyclers, and likely result in consumers paying a higher CRV than they will be able to redeem. For this reason, I cannot sign this bill. However, I agree with the author that the state should do more to encourage participation from small beverage manufacturers in the BCRP. I am thereby directing the Department of Resources Recycling and Recovery to incorporate similar reporting flexibility in the SB 1013 regulations currently under development.*

[AB 2648 \(Bennett\) Environmentally preferable purchasing: single-use plastic bottles](#)

Prohibits state agencies from purchasing single-use plastic bottles.

Position: Watch

Status: Dead

[SB 1113 \(Newman\) Beverage container recycling: pilot projects: extension](#)

This bill extends the sunset for seven years, through 2034, for specified Beverage Container Recycling pilot projects administered by CalRecycle and designed to improve opportunities for consumers to recycle bottles and collect redemption fees and to help the state achieve its litter reduction and recycling goals.

Position: Watch

Status: Signed into law

Plastic Pollution

[AB 2236/SB 1053 \(Bauer-Kahan & Blakespear\) Solid waste: recycled paper bags: standards: carry out bag prohibition](#)

Revises the state's single-use carryout bag ban to eliminate the distribution of thicker film plastic bags and limit the distribution of bags at the point of sale to recycled paper bags. Prohibits stores from providing, distributing, or selling a bag to a consumer at the point of sale except recycled paper bags when sold not less than 10 cents.

Position: Support

Status: SB 1053 was signed into law

Organics/Composting and SB 1383 Requirement Adjustments

[AB 2346 \(Lee\) Organic waste reduction regulations: procurement of recovered organic waste products.](#)

This bill makes numerous changes to recovered organic procurement requirements established through SB 1383 (Lara, 2016), including authorizing local jurisdictions to invest in various activities related to organic materials in lieu of procuring recovered organics, expanding what products are eligible for procurement credit, and making various other changes to the calculations used to establish procurement credits and targets.

Position: Support

Status: Signed into law

[AB 2514 \(Aguilar-Curry\) Solid waste: organic waste: diversion: biomethane: biosolids](#)

This bill defines pyrolysis, requires CalRecycle to include pipeline biomethane converted from organic waste as eligible for procurement credit by local jurisdictions, and makes biosolids handling projects by the Town of Windsor and the Windsor Water District eligible for an existing CalRecycle grant program to promote organic waste diversion among other actions.

Position: Support

Status: Dead

[AB 2902 \(Wood\) Organic waste: reduction regulations: exemptions](#)

This bill makes changes to organic waste policy established under SB 1383 (Lara, 2016), including waiving rural jurisdiction from SB 1383 collection and procurement requirements until Jan 1, 2037, exempting bear bins from the collection bin lid color requirements, and making them eligible for CalRecycle grants.

Position: Support

Status: Signed into law

[SB 972 \(Min\) Methane Emissions: organic waste: landfills](#)

This bill requires CalRecycle to provide technical assistance to local jurisdictions to help them meet state organic waste recycling requirements.

Position: Support

Status: Vetoed

Veto Message: *While I appreciate the author's intent to assist local jurisdictions in meeting California's organic waste reduction and diversion targets established in Senate Bill 1383 (Lara, 2016), this bill is unnecessary and duplicative of existing efforts. CalRecycle currently offers a suite of technical assistance materials and comprehensive staff assistance for all jurisdictions in the state specific to Senate Bill 1383. Further, the Local Assistance and Market Development branch within CalRecycle regularly meets with local jurisdictions, including monthly Senate Bill 1383 roundtables, and conducts annual site visits to provide customized assistance consistent with each jurisdiction's needs.*

[SB 1045 \(Blakespear\) Composting facilities: zoning](#)

Requires the Office of Planning and Research (OPR) to develop and post on their website a technical advisory on best practices to facilitate the siting of compost facilities and requires cities and counties to consider updating the land use element to identify areas where it may be appropriate for compost facilities to be an allowable use.

Position: Watch

Status: Dead. The bill was held in Assembly Appropriations Committee.

[SB 1046 \(Laird\) Organic waste reduction: program environmental impact report: composting facilities](#)

This bill requires CalRecycle to develop a Program Environmental Impact Report (PEIR) for use in review of small- and medium-sized compost facilities under the California Environmental Quality Act (CEQA).

Position: Support and Suggest Amendments

Status: Signed into law

[SB 1175 \(Ochoa Bogh\) Organic waste: reduction goals: local jurisdictions: waivers](#)

This bill requires CalRecycle to consider alternatives to census tracts when deciding the boundaries of low-population and elevation waivers from the state's organic waste diversion requirements.

Position: Support

Status: Dead

End of Life Management Plans/Extended Producer Responsibility

[AB 2 \(Ward\) Solar Photovoltaic Module Recycling](#)

This bill implements a multi-pronged strategy for establishing a solar panel collection and recycling program. As currently drafted, the bill would create separate programs for panels that are consumer-owned and panels that are not consumer-owned. Panels that are owned by consumers of all varieties would be managed by California's Covered Electronic Waste Recycling Program. Panels that are not consumer-owned would be managed by their owners. These panels typically fall into two categories: 1) panels that are owned by manufacturers and leased to a consumer, business, public agency, or utility, and 2) panels that are owned by a utility or related entity. Owners of these panels would be required to develop a plan, somewhat like that typical of an EPR program, that would outline how they would meet their obligation to properly manage and recycle their panels. The bill is still in development and the panel manufacturers and owners have substantial political leverage over the direction of the bill.

Position: Support in Concept

Status: Dead

[AB 1238 \(Ward\) Hazardous waste: solar panels](#)

This bill requires the Department of Toxic Substances Control (DTSC) to develop alternative management standards (AMS) for the management of photovoltaic (PV) modules. The bill specifies that the AMS should (1) Promote the safe collection, reuse, and recycling of PV modules; (2) Ensure that the AMS do not pose a significant potential hazard to human health and safety or the environment; (3)

Provide flexibility and administrative convenience for persons collecting and recycling PV modules; (4) Seek to streamline the process for persons collecting and recycling PV modules; (5) Allow for the safe landfilling of PV modules, if there are no recycling or reuse option; (6) Allow a person, when following the AMS, to collect, reuse, or recycle PV modules without a hazardous waste permit. This bill is connected to the effort to establish an EPR program for PV panels in AB 2 by the same bill author.

Position: Support in Concept

Status: Dead

[AB 863 \(Aguilar-Curry\) Carpet Extended Producer Responsibility](#)

This bill replaces the existing carpet recycling program with a new extended producer responsibility (EPR) program that operates under a single PRO, sets explicit goals that be accomplished in a stewardship plan, and has enhanced reporting and enforcement. The bill also establishes a 5% post-consumer recycled carpet content requirement.

Position: Support

Status: Signed into law

[SB 615 \(Allen\) Vehicle traction batteries](#)

This measure requires vehicle traction battery suppliers to ensure the responsible end-of-life management of a vehicle traction battery; report specified information about the vehicle traction batteries to the Department of Toxic Substances Control (DTSC); and, fully fund the costs of the collection of a battery for which they are required to ensure end-of-life (EOL) management. This bill requires DTSC, no later than July 1, 2028, to adopt regulations to implement this bill.

Position: Watch

Status: Vetoed

Veto Message: *I agree with the intent of this bill and the need to responsibly manufacture, recycle, and reuse EV batteries. As California continues to lead the revolution toward a zero-emission transportation future, with a requirement that all new vehicles sold in the state be zero-emission by 2035, responsibly tracking the sale, use, and reuse of these vehicle batteries will be critical. Effective EV battery stewardship also presents an exciting opportunity to develop new innovative industries that use repurposed or recycled batteries.*

California has successfully implemented many reuse and recycling systems. These market-based solutions significantly reduce waste and create jobs by turning a challenging product into a resource. However, this legislation places a significant burden on DTSC to implement the policy, instead of building on the success of existing producer responsibility models. I encourage the author to continue working with stakeholders to explore if a producer responsibility organization would yield more equilibrium among public agencies and industry in sharing the administrative burden required by this policy.

[SB 707 \(Newman\) Responsible Textile Recovery Act of 2024](#)

Establishes the Responsible Textile Recovery Act of 2024, which creates an extended producer responsibility (EPR) program for stewardship of waste textiles under the oversight of the CalRecycle.

Position: Support

Status: Signed by the Governor on September 28, 2024

[SB 1143 \(Allen\) Paint products: stewardship program](#)

This bill makes changes to the state's paint product stewardship program to expand the number of products covered in program by January 1, 2028, at the latest, and to require manufacturers of paint products to review their stewardship plan and submit any amendments to CalRecycle for review on a five-year basis.

Position: Support

Status: Signed by the Governor on September 29, 2024

[SB 1066 \(Blakespear\) Hazardous waste: marine flares: manufacturer responsibility](#)

Creates a manufacturer responsibility program for marine flares with oversight from DTSC and requires DTSC to adopt regulations to implement the provisions of this bill with an effective date no later than January 1, 2026.

Position: Support

Status: Vetoed

Veto message: *While I support the author's goal to provide boaters with a safe and responsible method to dispose of their marine flares, this bill lacks a comprehensive program scope to effectively achieve the goal of protecting human and environmental health and would not cover implementation costs incurred by DTSC. Additionally, this bill falls short in providing DTSC with the appropriate enforcement authority to effectively ensure compliance.*

I encourage the author and stakeholders to work with DTSC next year to craft a more comprehensive framework that will ensure these products are managed responsibly and provide sufficient oversight for DTSC. For these reasons, I cannot sign this bill.

Per- and Poly-fluoroalkyl Substances (PFAS)

[AB 347 \(Ting\) Household product safety: toxic substances: testing and enforcement.](#)

This bill authorizes the Department of Toxic Substances Control (DTSC) to regulate and enforce compliance of existing per- and poly-fluoroalkyl substances (PFAS) restrictions in juvenile products, textile articles, and plant-based food packaging. This requires manufacturers of these covered products to comply with a number of actions regarding the registration and testing of the products.

Position: Support if Amended

Status: Signed into law

[AB 2761 \(Hart\) Product safety: plastic packaging: Reducing Toxics in Packaging Act](#)

Prohibits, beginning January 1, 2026, a person from manufacturing, selling, offering for sale, or distributing in the state plastic packaging that contains any of the following: regulated perfluoroalkyl and polyfluoroalkyl substances (PFAS), Polyvinyl chloride (PVC) inclusive of polyvinylidene chloride (PVDC).

Position: Support

Status: Dead

Edible Food

[AB 660 \(Irwin\) Food and beverage products: labeling and sell by dates](#)

This bill requires food manufacturers, processors, and retailers responsible for the labeling of food items, beginning July 1, 2026, to use “BEST if Used by” to indicate quality, and “Use by” to indicate safety of a food item, and prohibits the use of the term “sell by.”

Position: Watch

Status: Signed into law

[AB 2311 \(Bennett\) Greenhouse Gas Reduction Fund: grant program: edible food.](#)

This bill would make edible food recovery activities – including the transportation of recovered edible food and the purchase or subscription to technology or software that improves the efficiency and tracking of edible food recovery – eligible for funding from a specified CalRecycle grant program. This bill would also require CalRecycle to consider the increased amount of edible food recovery capacity that a funded project would create when awarding grants pursuant to the bill.

Position: Support if Amended

Status: Dead

Other

[AB 1465 \(Wicks\) Nonvehicular air pollution: civil penalties.](#)

This measure increases existing air district civil penalties limits by up to three times for emissions from a Title V source, including material recovery operations, compost facilities, and organics recycling facilities co-located at landfills with oil refineries.

Position: Oppose

Status: Signed into law

[SB 1280 \(Larid\) Waste management: propane cylinders: reusable or refillable](#)

Prohibits the sale of propane cylinders that are not reusable or refillable on and after January 1, 2028.

Position: Support

Status: Signed into law

2024 Issues Area Details

California's Redemption Value Beverage Container Recycling Program

Issue: California's Beverage Container Recycling Program, known as the "Bottle Bill," is where consumers pay a \$0.05 or \$0.10 California Redemption Value (CRV) fee on eligible beverage containers. Established in 1986 (AB 2020) and operated and administered by CalRecycle, the deposit system generates approximately \$1.3 billion collected by the state. Since not all containers are returned, CalRecycle uses some of the surplus funds to subsidize privately-owned and -operated redemption centers established in "convenience zones" located near beverage retailers. The CRV program has resulted in an average of 80% of qualified containers being recycled, however, to remain fiscally stable, the program has required more than 60 legislative amendments.

In the past few years, the state's subsidy formula has become outdated resulting in underpayment to recycling centers, China's recycling policy changes have crippled the global market, scrap value of beverage containers material has plummeted, and operating costs have steadily risen. The cumulative effect of these factors has resulted in a critical reduction in operating revenue for the privately-operated redemption centers and led to the closure of approximately half of the 2,500 CRV convenience zone centers statewide. The CRV program also requires beverage retailers to provide deposit redemption services to customers or pay penalties. Some retailers have attempted to provide service but were unprepared for the volumes and complexity of the program, while other retailers have just chosen to pay the fines associated with non-compliance with the law. With convenience center closures, the surviving convenience centers have been overwhelmed with customers trying to redeem their deposits.

Recent legislation passed in 2022 and 2023, expanded the program by adding container types to the program and took effect in 2024. SB 1013 (Atkins) Beverage Container Recycling, passed in 2022, expanded beverages included in the program to include wine and liquor. SB 353, passed in 2023, added large fruit and vegetable containers. While the intent of these program changes is to increase recycling, these program changes often create difficulties for entities that wish to provide this service as. The State places additional demands on the operators of these facilities without increasing the necessary support to maintain them.

In response to a shortage of recycling centers, CalRecycle announced that 30 counties across the State will be receiving new ways to recycle their beverage container as well as modernized recycling centers.

CalRecycle awarded nearly \$70 million in grants for 37 projects in 2024, allowing for the installation of reverse vending machines, mobile recycling centers, and bag-drop sites. The new Reverse Vending

Machines pay customers for beverage containers placed in the machine and directly reimburse the customer. Mobile recycling centers redeem empty beverage containers at more than one location or will come to a resident's home or business and directly pickup containers. The customer is then either mailed a reimbursement check or it is electronically deposited into the customers bank account.

The grant funding will open more than 250 new recycling sites throughout the State with the hope that this will increase the recycling rate of containers and meet the States container recycling goal. However, in order for this to be successful, the State will need to continue its efforts to develop and build local markets for recycled container material and recycled container products.

Actions:

1. Support efforts to reform beverage container funding, such as adjustments to CRV and recycling-related payments. Oppose proposals to reduce current CRV funding to local governments.
2. Support legislation that provides sufficient baseline funding for centers to be open to the public and provide redemption services.
3. Support timely training to operators when changes to the program are enacted.
4. Identify and correspond to CalRecycle regarding operational and enforcement challenges surrounding program implementation.
5. Support efforts and legislation that expands and/or opens new recycling markets for beverage containers.

Organic and Recycling Infrastructure Development/ SB 1383 Compliance

Issue: SB 1383 (Lara, Chapter 395, Statutes of 2016) established methane emissions reduction targets in a statewide effort to reduce short-lived climate pollutants (SLCP). Specifically, it establishes targets to achieve a 50% reduction in statewide disposal of organic waste by 2020; achieve a 75% reduction by 2025; and recovery of no less than 20% of currently disposed edible food by 2025.

CalRecycle adopted regulations in November 2020 which require, among other things, expanded organic collection; expanded definition of “organic waste”; recovered organic waste product procurement; edible food recovery, landfill and MRF performance standards; record keeping and reporting; capacity planning; jurisdiction enforcement; and potential penalties on jurisdictions up to \$10,000 per day. The regulation offers limited waivers for generators in high elevation and/or low population areas. Implementation funding was not part of the legislation, putting the economic burden of implementation on local jurisdictions and their ratepayers.

Since the passage of SB 1383, the LTF has actively been engaged with CalRecycle and State lawmakers regarding the urgent need for both funding and infrastructure to comply with the requirements of Senate Bill SB 1383. While the LTF and other industry partners were successful in convincing the Legislature and the Governor to provide funding in FY 21- 22 and FY 22-23, due to the current budget deficits, additional funding has been limited, with no new funding allocated in FY 23-24 and limited funding available in FY 24-25.

Implementation remains challenging as jurisdictions continue to struggle to finance new programs and infrastructure and implement the highly complex and confusing regulatory requirements such as procurement, facility measurements, and reporting to name a few. Over the past year Senate Bill 1046 was passed to assist with the goal of streamlining the development and siting of small and medium compostable material handling facilities. In addition, Assembly Bill 2902 was passed extending the rural jurisdiction exemption until January 1, 2037. However, there is still substantial needs for new and expanded infrastructure to meet the goals of SB 1383. This infrastructure is not only for the processing of organic material into compost and mulch products, but renewable energy infrastructure that also meets SB 1383 procurement guidelines. As many jurisdictions lack approved renewable energy facilities within or near their jurisdiction, it limits the procurement options possible to meet procurement targets. In 2024, the State passed Assembly Bill 2346. This legislation will assist jurisdiction in exploring additional procurement options to reach their procurement targets while infrastructure continues to be built throughout the state.

To evaluate jurisdiction compliance, CalRecycle significantly modified the Electronic Annual Reports, adding focus and numerous sections related to SB 1383 implementation. Additionally, CalRecycle’s newly created Jurisdiction and Agency Compliance and Enforcement Branch (JACE) branch has begun conducting jurisdiction compliance evaluations where they evaluate jurisdictions’ implementation of all SB 1383 requirements. If CalRecycle determines that a jurisdiction is in violation of the SB 1383 regulations, then CalRecycle will begin the enforcement process, which could lead to the imposition of administrative civil penalties as outlined in [Article 16](#). To date, CalRecycle has notified ### jurisdictions

of pending compliance evaluations. That list is updated regularly and can be found here: <https://calrecycle.ca.gov/organics/slcp/enforcement/calrecycleenforcement/>

Actions:

1. Continue to encourage the Legislature to allocate funding (e.g., GGRF, Cap & Trade, etc.) for SB 1383 implementation and expansion of organics infrastructure. Urge CARB and CalRecycle to support such funding.
2. Continue to monitor local government implementation and the efforts of other industry groups to stay apprised of challenges, successes, industry needs, and advocacy efforts.
3. Continue to advocate for increased flexibility related to Procurement, including additional eligible products and alternatives to comply.
4. Advocate for the development and use of alternative technologies to divert organic materials that cannot be diverted via aerobic composting and/or anaerobic digestion (AD).
5. Support legislation that aligns with LTF priorities, including regarding conflicting state priorities, rural California, focus on super-emitters, and separating edible food from 1383.
6. Continue to advocate as a requirement for CalRecycle and CARB to identify alternative markets for and support ongoing use of Renewable Natural Gas (RNG).
7. Continue to work with CalRecycle to clarify and streamline the requirements related to collection and solid waste facility sampling requirements to verify contamination of organics loads and organic waste recovery rates.
8. Emphasize that achieving organic waste reduction goals is a shared responsibility between the waste sector, State government, local agencies, business community, and the public. Encourage permit streamlining. Monitor and share with the local chapters information regarding Calrecycle enforcement.