



CalRecycle

AB 901: RULEMAKING

Disposal and Recycling Reporting Regulations

July 2016

Agenda

- Opening Remarks
- Registration, Reporting and Exemptions
- Requirements for Haulers
- Requirements for Transfer Stations and MRFs
- Requirements for Disposal Facilities
- Requirements for Recycling and Composting Operations
- Requirements for Transporters and Brokers
- Enforcement and Civil Liabilities
- General Comments

OPENING REMARKS

Questions: AB901.Reporting@calrecycle.ca.gov

AB 901 Summary and Intent

- AB 901 (Gordon, 2015)
- Update and Streamline Procedures
 - Utilize technology to improve procedures
 - Online Reporting, notifications, contact updates, etc...
 - Direct reporting to CalRecycle
- Improve Data Quality
 - Expand reporting facilities
 - Remove manual data input
 - Further CalRecycle's Mandates

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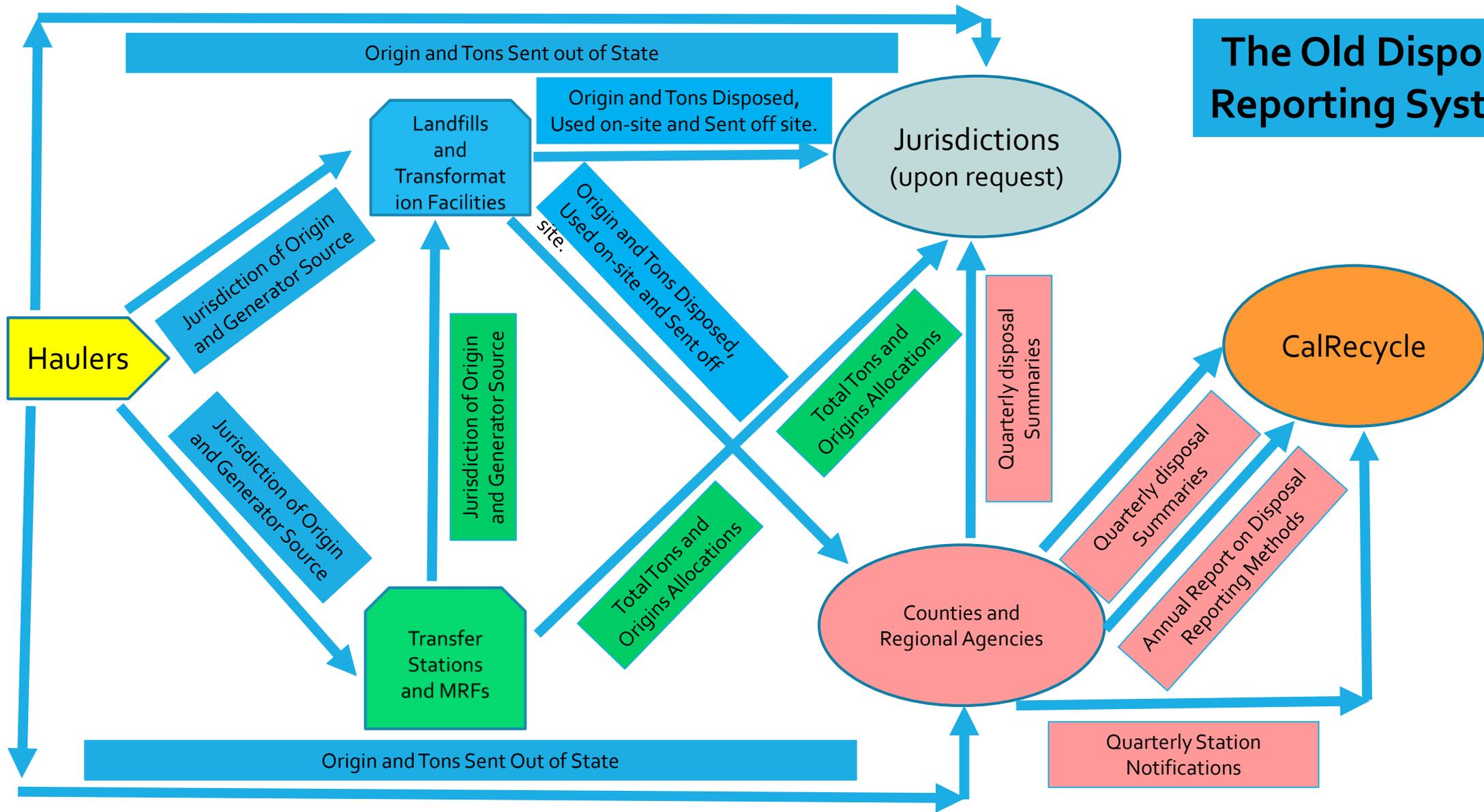
The Regulatory Development Process and Project Timeline

- 1) Informal Workshop(s)
 - Input from regulated stakeholders
 - Scoping for Regulations
- 2) Formal Rulemaking Process
 - Governed by the Office of Administrative Law (OAL)
 - Strict timelines, procedures, and comment periods
 - Tentatively scheduled to begin Fall 2016
 - Expected to be complete by mid 2017
- 3) Online reporting system developed in late 2017
- 4) First reporting period Q1 2018

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The Old Disposal Reporting System



Major Statutory Changes

- Facilities will report directly to CalRecycle rather than to Counties
- Expand reporting requirements for recycling and composting operations and facilities to include transporters, exporters, and brokers
- Require online reporting
- Provide authority to CalRecycle for enforcement and civil penalties

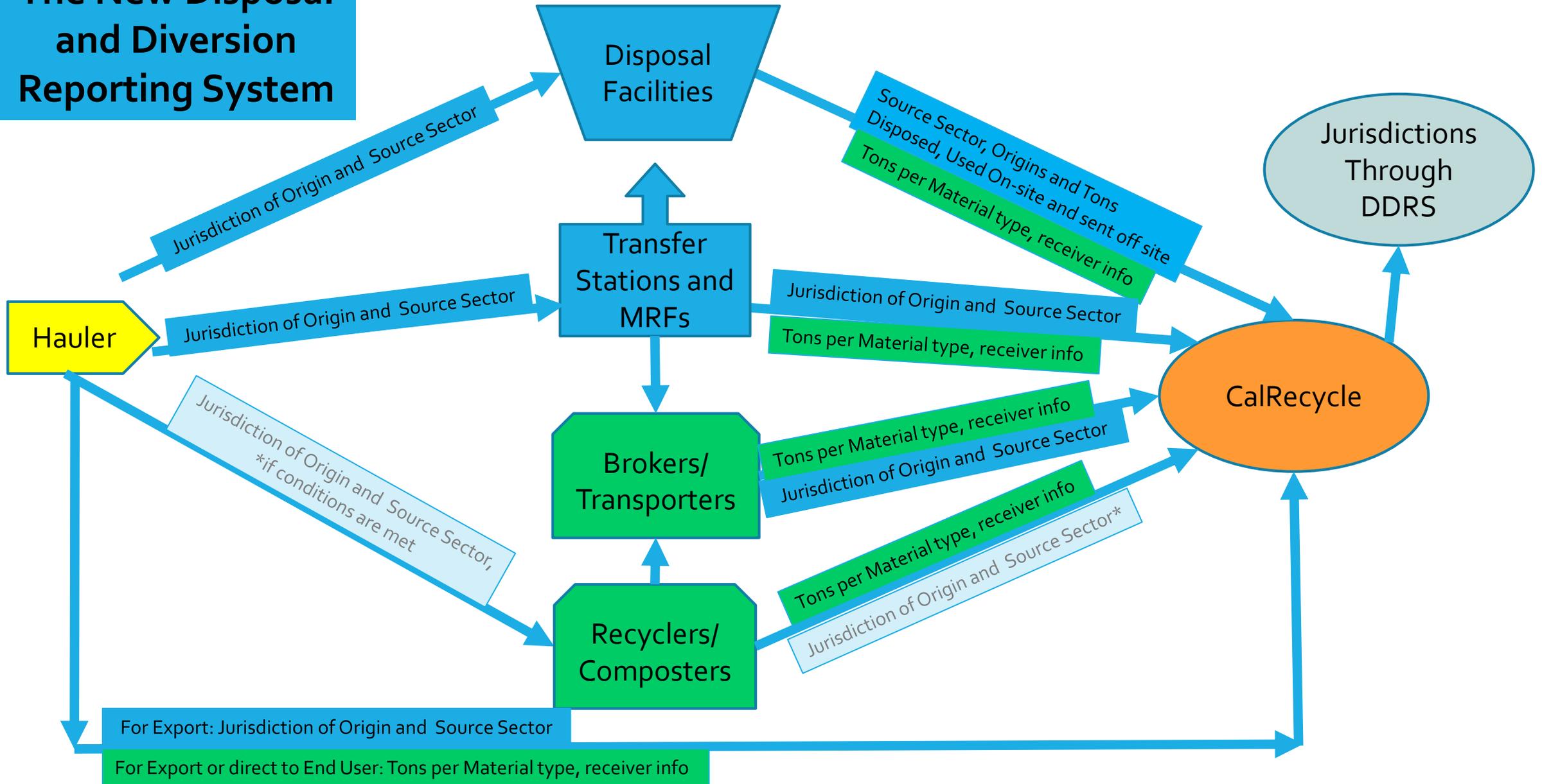
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The New Disposal and Diversion Reporting System

Key = Disposal

Recyclables



REGISTRATION, REPORTING AND EXEMPTIONS

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Registration and Exemptions

- Must register with the Disposal and Diversion Reporting System (DDRS)
 - Get reporting number
- Exemptions:
 - Compost operations that meet exemption requirements of new composting regulations (Title 14, Section 17855).
 - Operations that never handle more than 10 tons of recyclable materials or solid waste.
 - If handled less than 10 tons during a reporting period, notify department; no need to report.
 - Registration in DDRS expires after 6 reporting periods below 10 tons
 - End Users are not required to register or report
 - Users of material that significantly resemble a virgin material, or is a homogenous material like compost or mulch.

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Reports to the Department

- All electronic, through DDRS
- Must include name address and DDRS number of **reporting entity**, AND the **receiving person**
 - All receivers' information will be kept confidential and only aggregated information can be made public
- Submitted within 30 days by all reporting entities other than Disposal Facilities.
- Submitted within 45 days by Disposal Facilities.
- Recycling and composting operations at one location can aggregate into one report
 - Determining a single physical location:
 - By address, by private roads, etc

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Reports to the Department

- Anyone handling materials within these categories **must report**:
 - Commodity recyclables: Paper, Plastic, Glass, Metal, Organics
 - Construction and Demolition and Inerts
 - Targeted products: White goods, Carpet, Mattresses, Furniture, Electronics, Textiles, Household Batteries, Architectural Paint, Used Tires.
 - Mixed recyclable or compostable materials containing less than 10% residual non-recyclable materials
 - Mixed solid waste which may contain recyclable materials but also contain greater than 10% non-recyclable materials
- Material Type must be reported at the level it was sold or transferred

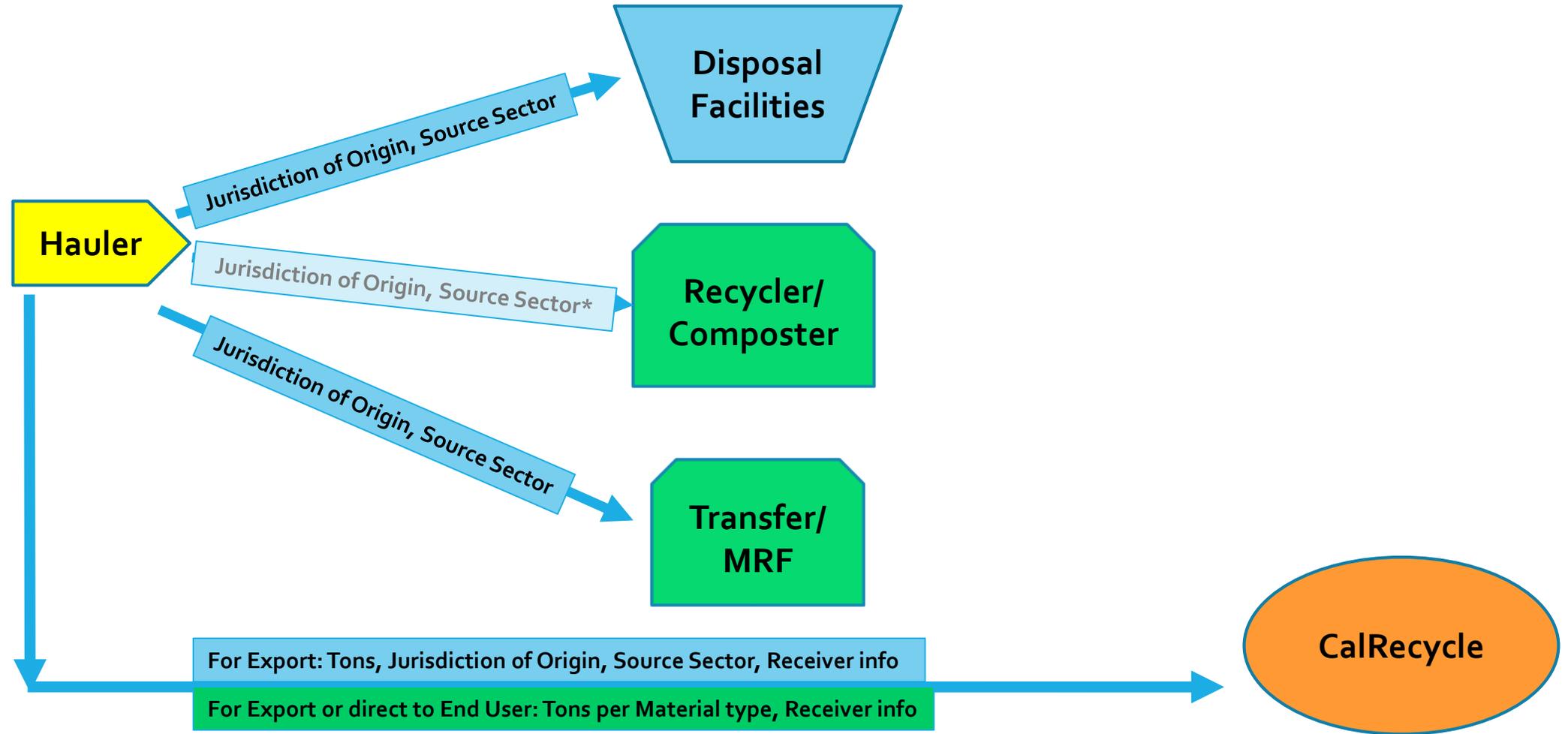
HAULERS

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Hauler Requirements

- Haulers only report to CalRecycle for **exports and direct to End User**, within 30 days.
 - For Disposal:
 - Jurisdiction of Origin and Source Sector, in tons or percentage to each receiving person.
 - For Recyclable/Compostable:
 - Material type to each receiving person
- Report Jurisdiction of Origin and Source Sector to disposal facility or receiving person within 15 calendar days

Haulers



*For Recyclers over the threshold for reporting this information

Key = Disposal Recyclables

Feedback and Questions

- 15 days to other reporting entities; 30 days to CalRecycle for Export and End Users (land application)
- Jurisdiction of Origin and Source Sector
 - Franchise commercial, single family and multifamily residential
 - By truck type, route information, billing records, etc.
- **To CR:** Mixed solid waste = >10% contamination, mixed recyclables/compostables = <10% contamination.
- Haulers are defined as picking up from generators. Transporters haul from reporting entities.

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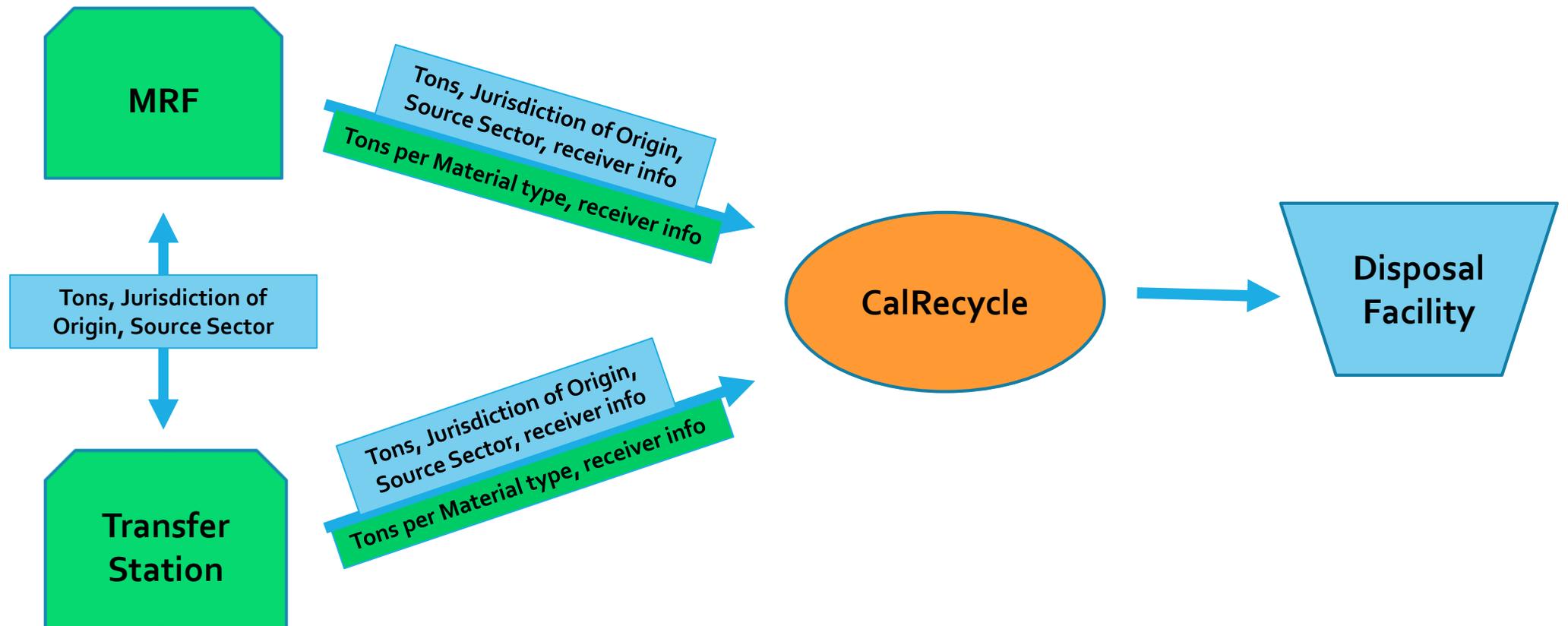
TRANSFER STATIONS AND MRFS

Questions: AB901.Reporting@calrecycle.ca.gov

Transfer Stations and MRFs

- For residuals and disposal:
 - Jurisdiction of Origin and Source Sector, in tons or percentage, sent to each Disposal Facility
- For recyclable/compostable material:
 - Tons per material type to each receiving person
 - Material to be reported at the level it was sold or transferred
- Reports due to CalRecycle within 30 days

Transfer Stations and MRFs



Key = Disposal

Recyclables

Feedback and Questions

- A receiver can be: recycler, composter, end user, broker, transporter, exporter, land, disposal facility
- Material type to be reported at the level it was sold or transferred
 - If single grade (ex. PET, OCC), reported as such
 - If mix of grades in single category (ex. #1-7 plastics = Plastics)
 - If mix of different categories (ex. metals and plastics), report as mixed recyclables or mixed waste, depending on contamination.

DISPOSAL FACILITIES

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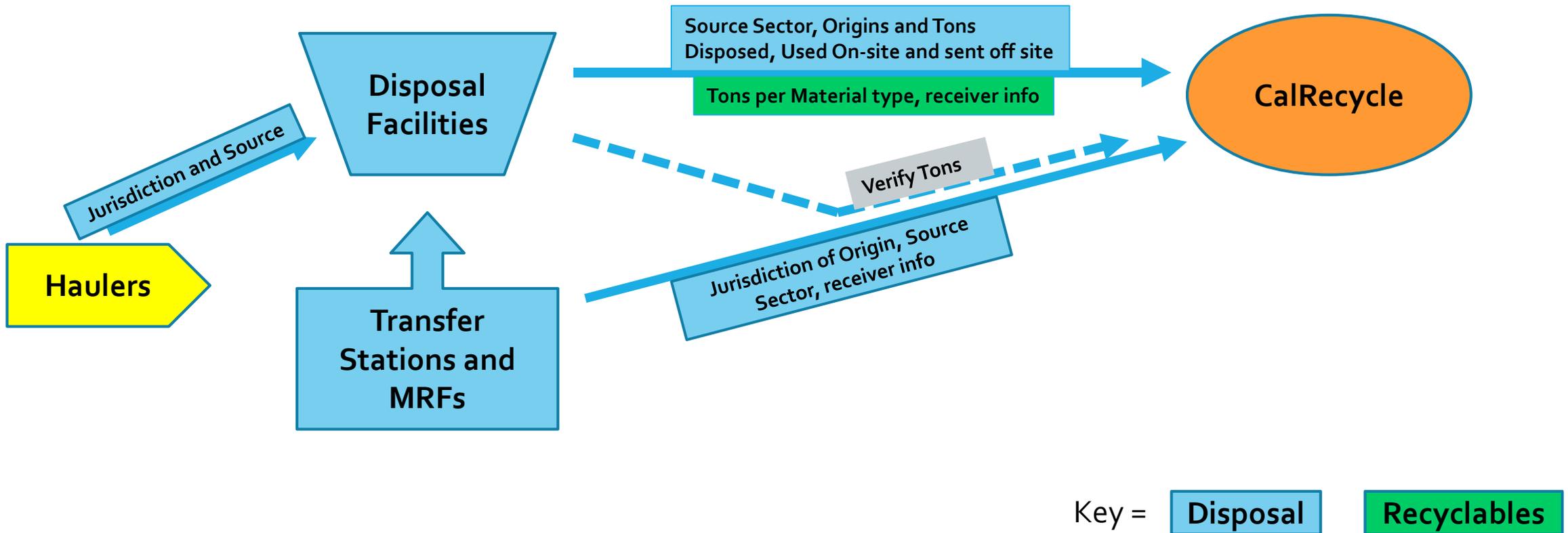
Disposal Facilities

- Landfills, Transformation, EMSW
- For disposal on site:
 - Tons, jurisdiction of origin and source sector
 - Tons of C&D material, jurisdiction of origin and source sector
- For beneficial reuse:
 - Tons of material type to each of the beneficial reuse types:
 - ADC, AIC, final cover, liner layer, leachate and gas collection, construction fill, road base, wet weather operations, erosion control and landscaping
- For recyclable/compostable material:
 - Tons per material type sent to each receiver
 - Material to be reported at the level it was sold or transferred

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Disposal Facilities



Feedback and Questions

- Disposal facilities and others must continue to provide information to government entities for other purposes based on their own authority
 - DDRS reporting does not replace reporting required by franchise agreements, jurisdictions, or other requirements

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RECYCLING AND COMPOSTING

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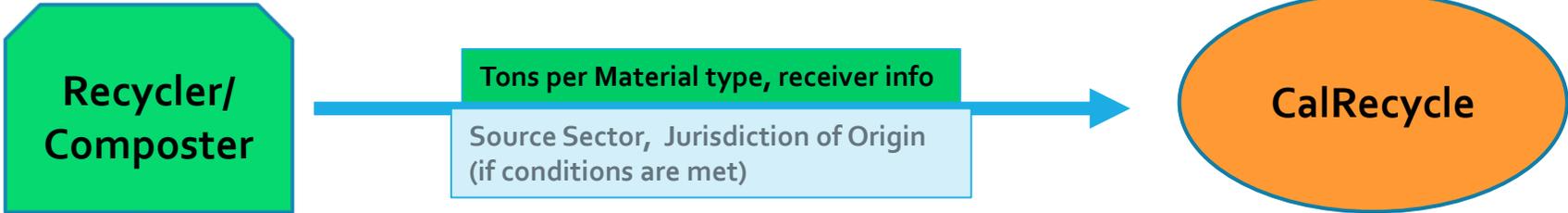


Recycling and Composting Operations

- Recyclers include processors of commodity recyclables, C&D, organics recycling like mulching, and targeted materials like electronics, mattresses, textiles, etc.
- Composting includes any facility or digester that takes organics, including waste water treatment plants, etc.
- For recyclable/compostable material:
 - Tons and material types sent to each receiver
 - Including other processors, brokers, exporters, end users, etc.
- For residuals and disposal:
 - Total tons sent to each disposal facility
 - Jurisdiction of origin and source sector required if more than 100 tons per month and more than 10% residuals

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Recyclers and Composters



Key =

Disposal

Recyclables

Feedback and Questions

- Conditions triggering Jurisdiction of Origin and Source Sector reporting
 - Tons of residuals per month and % residuals
- Shipments to End Users of less than 1 ton can be aggregated
 - 1 ton?
 - Different threshold for organics?
 - How much information must be provided

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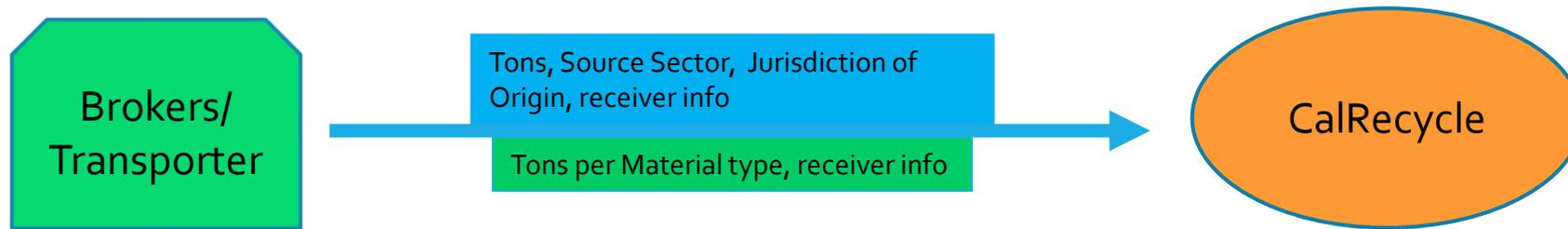
BROKERS AND TRANSPORTERS

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Brokers and Transporters

- Takes physical or legal possession
 - For example, if the MRF doesn't know where its going
 - If the broker arranges a sale but the MRF fulfills the sale, the MRF reports
- For recyclable/compostable material:
 - Tons and material types sent to each receiver and/or exported
- For residuals and disposal:
 - Jurisdiction of origin and source sector

Brokers and Transporters



Key =

Disposal

Recyclables

Feedback and Comments

- Transporters haul from Facilities, not generators
- Transporters and Brokers do not report if the sending facility has reported the material
- Jurisdiction of Origin and Source Sector required for mixed solid waste (>10% contamination)

ENFORCEMENT

Enforcement

- The Department shall impose administrative civil penalties authorized by sections 41821.5 thru 41821.8 of the Public Resources Code
- Notice of violation: Chance to remedy violations with deadline
 - If not remedied by deadline, penalties are imposed
- Department will consider:
 - whether the violation was intentional
 - If there's a history of non-compliance
 - The gravity of the violation
- Violations include:
 - Failure or refusal to submit information on time, willful falsification of reports or records, refusal of inspection, failure to keep records

QUESTIONS AND COMMENTS

Send comments to: AB901.Reporting@CalRecycle.ca.gov



Next Steps

- Email comments by July 19th
- Review questions and comments
- Revise draft
- Answer concerns
- Begin formal regulatory process

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Contact

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