

Summary of Changes Made to the Proposed Organic Waste Reduction Regulations

CalRecycle has posted a revised draft of the Proposed Organic Waste Reduction Regulations designed to implement the statutory provisions of SB 1383. The revised draft includes regulatory changes made in response to stakeholder comments.

Policy Changes This document serves as a high-level summary of sections where key policy changes were made in response to stakeholder feedback.

Article 3. Organic Waste Collection Services

- **Section 18984.5 Container Contamination Minimization**
 - Waste Composition Studies aligned with Performance-Based Source Separated Organic Waste Collection Service requirements.
- **Section 18984.12 Waivers and Exemptions Granted by the Department**
 - Rural exemptions extended to December 31, 2026.

Article 4. Education and Outreach

- **Section 18985.1. Organic Waste Recovery Education and Outreach**
 - Linguistic outreach requirements aligned with Section 7295 of the Government Code.

Article 11. Capacity Planning

- **Section 18992.1. Organic Waste Recycling Capacity Planning**
 - Jurisdictions that are temporarily exempt from organic waste collection service requirements are exempt from the first organic waste capacity planning period.
 - Expanded use and applicability of local studies and data for capacity planning.

Article 12. Procurement of Recovered Organic Waste Products

- **Section 18993.1 Recovered Organic Waste Product Procurement Target**
 - Allow mulch that is derived from solid waste facilities to count toward a jurisdiction's procurement target.
 - Exempt rural jurisdictions from procurement requirements until December 31, 2026.

Article 16. Penalties

- **Section 18997.2. Penalty Amounts**
 - Removed jurisdiction penalty tables.
- **Section 18997.3 Department Penalty Amounts**
 - Replaced CalRecycle penalty tables with standardized penalty calculations.

Solid Waste Facility Requirements

- **Section 17409.5.7 Gray Container Waste Evaluations**
 - Reduced sampling size and monitoring frequency at transfer stations.
- **Section 17509.5.8 Incompatible Materials Limit (ICM) in Recovered Organic Waste**
 - Phase in ICM levels for transfer stations beginning at 20% in 2022 and 10% in 2024.
 - Phase in residual organic waste levels at compost and in vessel digestion facilities to begin at 20% in 2022 and 10% in 2024.
- **Section 17409.5.9. Alternatives to Measurement Protocols**
 - Allow use of an end-user contamination standard in-lieu of sampling requirements.
- **Section 18083. LEA Duties and Responsibilities for Inspections**
 - Revised LEA land application monitoring inspection requirements to focus on monitoring at existing solid waste facilities.

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- **Section 20901 – 20901.2 Gray Container Waste Evaluations**
 - Removed gray container waste evaluation requirements for landfills.
- **Section 21695. CalRecycle—Organic Disposal Reduction Status Impact Report (SIR)**
 - Revised and streamlined the SIR reporting requirements. Eliminated requirements to make alternative intermediate cover as effective as final cover.