

SB 1383 Regulatory Organic Waste Collection Service Options and Requirements

Standard Collection Service versus Performance-Based Collection Service

The SB 1383 regulations allow jurisdictions to select from a variety of organic waste collection service options, which are outlined in Article 3 and Article 17. This flexibility allows jurisdictions to implement a robust program that diverts organic materials from landfills while considering their unique geography, population size, and available processing and recycling infrastructure. Jurisdictions have two primary options for implementing organic waste collection services in their communities:

- 1) Standard 3-, 2-, or Unsegregated Single-Container Collection Service (as described in Article 3)
- 2) Performance-Based Source Separated Organic Waste Collection Service (as described in Article 17)

Jurisdictions that choose to implement standard 3-, 2-, or unsegregated single-container collection service have more requirements in the regulations related to education and outreach, recordkeeping, reporting, and enforcement.

A jurisdiction that chooses to implement a performance-based service has fewer regulatory requirements but must demonstrate they can provide service to at least 90 percent of residential and 90 percent of commercial generators and they have more rigorous contamination monitoring requirements. If a jurisdiction is unable to meet the requirements of the performance-based service, they will be subject to the enforcement process and must implement a standard collection service instead. As a result, the jurisdiction would no longer be eligible for the compliance exceptions.

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The following table provides a high-level overview of the requirements for jurisdictions implementing a standard organic waste collection service (outlined in 14 CCR Sections 18984.1-18984.3) versus jurisdictions implementing a performance-based source separated organic waste collection service as (outlined in 14 CCR Section 18998.1). Both options require jurisdictions to **provide** collection service to organic waste generators (also referred to as automatic service or mandatory service).

Article 3 and Article 17 Collection Requirements

Regulatory Requirements	Organic Waste Standard Collection Service	Performance-Based Source Separated Organic Waste Collection Service
Collection Container Service Options	<p>Can use any combination of 3+, 3-, 2-, or unsegregated single-container collection services. Split containers are allowed.</p> <p><i>See 14 CCR Sections 18984.1, 18984.2, 18984.3</i></p>	<p>3 or 3+ container collection service only. Split containers are allowed.</p> <p><i>See 14 CCR Section 18984.1(a), (b), (d)-(f)</i></p>
Container Contamination Minimization	<p>Jurisdictions must monitor contamination by conducting either route reviews or waste evaluations where all containers are monitored in either method.</p> <p><i>See 14 CCR Section 18984.5</i></p>	<p>Jurisdictions must monitor contamination through waste evaluations where all containers are monitored. Gray containers must be monitored once per quarter.</p> <p><i>See 14 CCR Section 18984.5(c)-(e) and Section 18998.1(a)(3)</i></p>
Container Color Requirements	<p>Curbside containers must adhere to specified colors.</p> <p><i>See 14 CCR Section 18984.7</i></p>	<p>Curbside containers must adhere to specified colors.</p> <p><i>See 14 CCR Section 18984.7</i></p>
Container Labeling Requirements	<p>New curbside containers or lids must include labels.</p> <p><i>See 14 CCR Section 18984.8</i></p>	<p>No container labeling requirements.</p> <p><i>See 14 CCR 18988.2(a)(2)</i></p>
Waivers Granted by Jurisdictions	<p>May allow for de minimis, physical space, and collection frequency waivers.</p> <p><i>See 14 CCR Section 18984.11</i></p>	<p>The regulations do not prescribe that waivers must be provided; however, service must be provided to at least 90 percent of residential and 90 percent of commercial organic waste generators.</p>
Education and Outreach	<p>Provide education and outreach to:</p> <ul style="list-style-type: none"> • Residents and businesses about reducing and recycling organic waste • Commercial edible food generators about donating edible food to 	<p>Provide education and outreach to:</p> <ul style="list-style-type: none"> • Commercial edible food generators about donating edible food to food recovery services and organizations <p><i>See 14 CCR Section 18985.2</i></p>

	<p>food recovery services and organizations</p> <p><i>See 14 CCR Section 18985.1, 18985.2</i></p>	
Regulation of Haulers	<p>Must regulate haulers:</p> <ul style="list-style-type: none"> • A jurisdiction must require haulers to meet the regulatory requirements as a condition of approval. • Must adopt an ordinance or enforceable mechanism to allow self-hauling. <p><i>See 14 CCR Sections 18988.1, 18988.2, 18988.3</i></p>	<p>Must regulate haulers:</p> <ul style="list-style-type: none"> • A jurisdiction must require haulers to only transport the source separated organic waste collection stream to a designated source separated organic waste recycling facility. <p><i>See 14 CCR Section 18998.1(b), (d), and (e)</i></p>
CALGreen Building Standards and Model Water Efficient Landscape Ordinance	<p>Must adopt an ordinance or other enforceable requirement that requires compliance with specified provisions of the California Green Building Standards Code and specified provisions of the Model Water Efficient Landscape Ordinance.</p> <p><i>See 14 CCR Sections 18989.1 and 18989.2</i></p>	<p>Must adopt an ordinance or other enforceable requirement that requires compliance with specified provisions of the California Green Building Standards Code and specified provisions of the Model Water Efficient Landscape Ordinance.</p> <p><i>See 14 CCR Sections 18989.1 and 18989.2</i></p>
Edible Food Recovery Program	<p>Must implement an edible food recovery program.</p> <p><i>See 14 CCR Sections 18991.1 - 18991.5</i></p>	<p>Must implement an edible food recovery program.</p> <p><i>See 14 CCR Sections 18991.1 - 18991.5</i></p>
Capacity Planning	<p>Counties, in coordination with cities, special districts that provide solid waste collection service, and regional agencies, must conduct capacity planning for organic waste recycling and edible food recovery.</p> <p><i>See 14 CCR Sections 18992.1 - 18992.3</i></p>	<p>Counties, in coordination with cities, special districts that provide solid waste collection service, and regional agencies, must conduct capacity planning for organic waste recycling and edible food recovery.</p> <p><i>See 14 CCR Sections 18992.1 - 18992.3</i></p>
Procurement	<p>Must annually procure recovered organic waste products that meet or exceed the annual recovered organic</p>	<p>Must annually procure recovered organic waste products that meet or exceed the annual recovered organic</p>

	<p>waste product procurement target and procure paper products, and printing and writing paper, consistent with specified sections of the Public Contract Code.</p> <p><i>See 14 CCR Sections 18993.1 - 18993.4</i></p>	<p>waste product procurement target and procure paper products, and printing and writing paper, consistent with specified sections of the Public Contract Code.</p> <p><i>See 14 CCR Sections 18993.1 - 18993.4</i></p>
Recordkeeping	<p>Jurisdictions are required to keep records of:</p> <ul style="list-style-type: none"> • Standard organic waste collection service • Contamination monitoring • Waivers and exemptions • Education and outreach • Hauler program • Edible food recovery program • Procurement • Enforcement actions • Complaints and investigations <p><i>See 14 CCR Sections 18984.4, 18984.6, 18984.14, 18985.3, 18988.4, 18991.2, 18993.2, 18993.4, and 18995.2</i></p>	<p>Jurisdictions are required to keep records of:</p> <ul style="list-style-type: none"> • Performance-based organic waste collection service • Contamination monitoring (waste evaluations) • Education and outreach (food recovery program only) • Edible food recovery program • Procurement • Enforcement actions (food recovery program only) • Complaints and investigations (food recovery program only) <p><i>See 14 CCR Sections 18998.4; 18984.6; 18985.3 only related to edible food recovery education and outreach; 18991.2; 18993.2; 18993.4; Section 18995.2(f)(1),(2),(6),(8)-(10), and (11)-(13) only as it pertains to the edible food generators and food recovery organizations and services</i></p>
Reporting	<p>Must report on:</p> <ul style="list-style-type: none"> • Initial jurisdiction compliance • Organic waste collection service • Contamination monitoring • Waivers issued 	<p>Must report on:</p> <ul style="list-style-type: none"> • Initial jurisdiction compliance • Organic waste collection service • Results of waste evaluations performed

	<ul style="list-style-type: none"> • Education and outreach • Hauler oversight • CALGreen and MWELo • Edible food recovery program • Capacity planning (county only) • Procurement • Compliance, monitoring, and enforcement <p><i>See 14 CCR Sections 18994.1, 18994.2</i></p>	<ul style="list-style-type: none"> • CALGreen and MWELo • Edible food recovery program • Capacity planning (county only) • Procurement <p><i>See 14 CCR Sections 18994.1, 18994.2 (a), (b), (c)(3), (g)-(j), and (l)</i></p>
Inspections	<p>Must conduct inspections.</p> <p><i>See 14 CCR Section 18995.1</i></p>	<p>Must conduct inspections only related to commercial edible food generators and food recovery organizations and services.</p> <p><i>See 14 CCR Section 18995.1</i></p>
Investigate Complaints	<p>Must investigate complaints of alleged violations.</p> <p><i>See 14 CCR Section 18995.3</i></p>	<p>Must investigate complaints of alleged violations related to entities subject to the edible food recovery requirements.</p> <p><i>See 14 CCR Section 18995.3</i></p>
Enforcement	<p>Must conduct enforcement</p> <p><i>See 14 CCR Section 18995.4</i></p>	<p>Must conduct enforcement only on entities subject to the edible food recovery requirements.</p> <p><i>See 14 CCR Section 18995.4</i></p>