

SB 619 Webinar Part 1 Video Transcript
November 18, 2021

0:12: Good morning, everybody. Welcome to the power cycle: SB 383: Notification of Intent to Comply or webinar the webinar will begin at 9 0 AM.

14:07: Hmm.

14:10: All right, nine o'clock.

14:12: Good morning, and welcome to counter cycles, SB 609: Notification of Attempt to Comply Forum Webinar.

14:18: My name is Alan ..., and I am part of the SB 619.

14:23: Before we get started, our Director Rachel Maki ladner would like to provide some high level remarks.

14:29: Director thank you so much, and thank you all for participating today. It is so wonderful to be here with all of you, and really kicking off what is to be the fastest and most important change to our trash. And since we started recycling in the 19 eighties, as all of you know, in six weeks, 13, 83, takes full effect here in California. And we need to work together to make sure that this legislation is successfully implemented across our state in each of our local jurisdictions. And this is really an opportunity today to discuss how best to do that for each of you individually.

15:10: So thank you for your participation.

15:13: Implementation of SB 1383 is the fastest and easiest way or our state to fight climate change and move quickly to a circular economy.

15:24: The world is watching us to see if we can do this successfully.

15:30: Since its passage in 20 16, your local jurisdictions have made incredible progress in reaching are ambitious but very, very doable, goals of production of organic waste.

15:43: SB 619 by Senator Laird was passed last year by the legislature and signed by the governor to assure our success and implementation of SB 1983 and solidify the partnership between the State and local governments.

15:59: Together, we will achieve our goal and lead the nation in organic waste reduction. So really just again want to say thank you to all of you for participation today and really solidifying this partnership that we need to have between the state and local governments to successfully achieve our organic waste reduction goals.

16:20: So, have a great webinar. I look forward to hearing all of your comments.

16:29: Thank you, Director, Before we go over logistics stay, including the live Q and A I want to introduce you to those who will be presenting and or will be available for questions after the presentation portion.

16:40: At this point, I would like to ask Terracycle staff participating in today's webinar, to turn their cameras on.

16:51: Thank you, cara cycle.

16:52: Terracycle, please wait when I call your name.

16:55:We have Kara Morgen, the Branch Chief with Local Assistance and Market Development.

17:02:Ashley, the Branch Chief with Enforcement, and Carla Miller with the SB 619.

17:10:Also today we have Jocelyne Rate and Julia, who will be assisting with the Q&A portion.

17:18:As a note, today's webinar is being recorded and will be posted on the ...

17:22:recycle website Once it has been made ADA accessible.

17:26:Now, I will briefly turn it over to Joslin, who will go over the logistics for the Q and A terracycle team. You may turn off your cameras until the Q&A portion at the end.

17:39:Thank you, Alan. Good morning everyone. I will be going over the instructions for the Q&A session, which will follow the presentation. If you are watching the webinar via the Kelly broadcast, you may e-mail your questions to the NYC Inbox. If you are using the goto Webinar platform, please type your question into the Question pane. Staff will unmute participants in the order that questions come in, so that you may read your question out loud.

18:03:Note that you will need to unmute yourself on your end. And the goto Webinar when asked who can recycle stuff. Please state your affiliation before asking your question.

18:12:For those watching via the broadcast, we will verbalize some of these questions and responses in the GoToWebinar platform for you to hear as well.

18:20:Terracycle staff may respond to some questions in writing through GoToWebinar, so please review the question pane for those responses.

18:27:Questions, and comments regarding the merit of the regulations for responded to during the rulemaking period.

18:31:So, today we will focus on questions or clarifications regarding the notification of intent to comply back to you. Alan.

18:41:Thank you, Jocelyn.

18:43:Again, my name is Alan ... and today both Carl and I will be presenting on carrier cycles development of the SB 1983 notification of an intent to comply form.

18:57:As background, jurisdictions are required to implement the SB 13, 83 regulations starting January first, 2022.

19:07:As jurisdictions are preparing to implement the regulations, many local governments are facing challenges in Response to the coven 19 Pandemic.

19:17:In Response, Governor Newsome signed SB 69, layered Chapter 508 statutes of 2021.

19:25:into law, to support local governments, as they design and implement successful organic waste recycling programs throughout the state.

19:35:The law authorizes terracycle to waive civil penalties if a jurisdiction submits a notification of intent to comply for some or all of the regulatory requirements and implements the plan actions and timelines.

19:50:Upon approval by power cycle of a jurisdictions notification and implementation by the jurisdiction, A jurisdiction may be eligible for both of the following: one, administrative civil Penalty Relief for the 2022 calendar year pursuant to

Public Resources Code, Section 400 to 652.5 D, and two, A Corrective Action Plan pursuant to Title 14, California Code of Regulations, Section 1 8 996.2.

20:22:Cow, Recycle may address through a corrective action Plan. Any violations disclosed in the jurisdictions notification that will take more than 180 days to correct.

20:33:In this situation, the proposed actions and schedule in the jurisdictions improved notification will be in effect until a corrective action plan is issued.

20:45:Notification requirements.

20:47:A jurisdiction shall, at minimum, include the following in its notification.

20:53:A description with specificity of the continuing violations to a detailed explanation of the reasons supported by documentation, why the jurisdiction is unable to comply.

21:09:A description of the impacts of the ... 19 pandemic on. Compliance.

21:14:And for a description of the proposed actions, the jurisdiction will take to remedy the violations within the timelines established in Title 14, California Code of Regulations, Section 1 8, 996.2, with a proposed schedule for doing so.

21:31:The proposed action shall be tailored to remedy the violations in a timely matter.

21:38:Jurisdictions are to adopt a resolution by its respective governing body, affirming the contents and timeline of its notification of intent to comply.

21:48:As stated in the previous slide, regarding administrative civil penalty relief, for violations of the regulations that are disclosed in the notification and approved by our cycle can recycle, we'll waive it.

22:01:Magistrate of civil penalties and penalties will not accrue for the outlined violations in the notification during the 2022 calendar year if the jurisdiction implements the proposed actions according to the schedule proposed in the notification.

22:20:The notification and a resolution adopted by the governing body of the jurisdiction, shall be sent to ...

22:26:recycle no later than Tuesday, March first, 2022.

22:33:Notifications, and the resolution's should be e-mailed to the notification of intent to comply Inbox, N, O I C, at ...

22:42:recycle dot CA dot gov.

22:47:Although we will not be reviewing any notifications until January first, 2022, Power cycle will accept notifications with resolutions beginning Wednesday, December first, 2021.

23:08:Can recycle or respond in: writing to a jurisdictions notification submission within 45 business days of receiving the notification.

23:16:With one of the following and approval, A disapproval, a request for additional information or a timeline for a decision on approval or disapproval.

23:31:If Cau recycle disapproves the notification, due to the notification, not meeting the requirements.

23:37:Counter cycle will include in the response A justification for the disapproval.

23:45:I will now hand it over to Carla for a live demonstration of the notification of a content to comply for.

23:55:Thank you, Alan, and good morning, everyone.

24:03:As Alan mentioned, calorie Cycle has developed and is providing a notification form as a convenience to assist jurisdictions. For purposes of submitting a notification of intent to comply to calories Cycle, as described in Public Resources Code, Section 4265, 2.5 C. I want to point out that use of this form is optional and not a regulatory requirement.

24:32:I'm going to start by demonstrating where to find information about the notification on our website.

24:38:So starting from the calorie Cycle Homepage, you will scroll down to the Update section.

24:45:Oops, and find new 1983 resources.

24:52:You will click on the Learn More button, and this will take you to the short-lived Climate Pollutant Reduction Strategy webpage.

25:03:Next, you'll scroll to the Enforcement section.

25:08:And click on the Learn More button.

25:12:This will take you to the enforcement web pages where you will find the SP 6 1 9 notification of Intent to Comply section.

25:23:Then click on the Learn More button.

25:28:Here you will find information about the notification of intent to Comply, including the process and application form.

25:36:Once today's presentation and webinar recording have been made ADA compliant, they will be posted here.

25:44:We also plan to post a list of jurisdictions with approved notifications on this page.

25:51:So to access this form, click on the Application Form button.

26:01:And this is what that form looks like.

26:04:The first page of this form summarizes all the same information Alan covered in previous slides.

26:15:That fillable portion of the form begins with administrative information. So we would just ask you to complete all of the information from the jurisdiction name down to the phone number.

26:28:The real fun weekends with Section one, um, we provided some checkboxes for ease of identifying some of the most common violations, However, it's not all inclusive.

26:42:So, I'm going to scroll down, so you can see a List.

26:50:So, from this list, you may select violations using the check boxes, or you can write in the violations for each applicable regulatory section.

27:02:For each regulatory section selected or written, you will describe the specific violations related to that regulatory section. We have provided an example to give you an idea of what we are expecting in the way of identifying and describing the violations.

27:17:So, we selected be 14 CCR, Section 1 8 9 8 4.1, the three Container Organic Waste Collection Services.

27:28:And we included a description, the violation, um, not implementing mandatory residential food waste collection for all residents and not implementing mandatory commercial organics collection for all businesses under two cubic yards.

27:52:Question number 2 and 3 are self explanatory, And for number two, we ask that you provide a detailed explanation of the reasons why the jurisdiction is unable to comply supported by documentation, if applicable.

28:07:And 4 hashtag 3.

28:09:We asked for a description of the impacts of the coven 19 Pandemic on Compliance.

28:17:First, section four, we ask that you provide a description of the proposed actions the jurisdiction will take to remedy the violations with the proposed schedule for completing each action.

28:31:We have provided an optional format in this document. So, let's take a look at that.

28:40:In this section, we are looking for tasks associated with remedying the violations to achieve compliance.

28:49:We have provided examples to give an idea of what we are expecting in the way of identifying tasks.

28:55:So using the example from Section one, where we identified Section 1 8 9 8 4.1, the Container, Organic Waste Collection Services, We included that description, again, not implementing mandatory residential food waste collection for all residents.

29:17:Then we end identified what tasks may be needed in order to provide mandatory residential waste collection.

29:29:We identified purchasing two additional collection tracks, and modifying collection routes, and the proposed date to be completed is April seventh, 2022.

29:41:The second task we identify, is the City Working with its hauler to find a facility to accept next organic waste with the date to be completed for April fourth, 2022.

29:57:Because we identified two violations for that section, we added, in this example, the second violation, which included not implementing mandatory commercial organics collection for all businesses under two cubic yards and we identified tasks for that violation of purchasing two additional collection tracks and modifying collection route.

30:23:With the proposed date to be completed on April 21, 2022, and the second task, the City will work with its color to acquire and distribute appropriate containers to all commercial accounts.

30:37:And we'll obtain monthly reports from the holler to monitor full distribution of carts with the completion date of April 28, 2022.

30:51:So, lastly.

30:56:You will need to sign the form and send it along with the resolution adopted by your governing body to the notification of intent to comply inbox.

31:06:And, oh, I see at cal recycle dot CA dot GOP, so that concludes the overview of CalRecycle's Notification of Intent to Comply Alarm.

31:30:For more information, we encourage you to subscribe to the ... LCP Lesser.

31:37:Visit the S LCP homepage on the Cal Recycle Website, contact your local assistance and market development liaison, or e-mail the notification of intent to comply inbox listed here.

31:58:Lastly, I want to note that this presentation is a guidance tool developed for information and example purposes only.

32:05:The disclaimer: specifies use of this document is optional. It is not an enforceable regulatory requirement and does not ensure regulatory compliance if it is used.

32:16:I will now hand it to Jocelyne to begin the Q&A portion.

32:23:Thanks, Carla. So here's a reminder of how the Q&A session will go. If you are watching the webinar via the ... podcast, you may e-mail your questions to the NYC Inbox. If you are using the goto Webinar platform, please type your question into the question pane. Staff will unmute participants in the order that questions come in.

32:43:Note that you will need to unmute yourself on your end, when asked by Kara ... staff.

32:47>Please state your name and affiliation before asking your question.

32:50:Questions and comments regarding the merit of the regulations for responded to drain the rulemaking period. So today, we will focus on questions or clarifications regarding the notification of intent to complex. So I will now start us off with the first question.

33:04:First question is coming from Elaina Lip, and I'm sorry if I mispronounced her name. But you are unmuted, please unmute yourself and state your affiliation and ask your question.

33:18:Hi. Yeah, my name is Lena. Let P said it, right. I'm affiliated with the City of Sausalito. We have prepared a waiver, because we have a very low application population, and I just wanted to know if the waiver and the Notice of Intent should be filed together, and how will they be considered?

33:40:Um, for refer, submitting both?

33:45:Yeah, it's a good question, and thanks for that question. I know ...

33:48:probably respond a little better, She's a little bit more privy to the, the, the, the waiver forums there. So, Carrie, do you want to take that one?

33:58:Sure. Happy to hey, thank you for your question, so, you should submit them separately.

34:03:But I think what's important for you to consider is, first of all, the low population waiver allows you to be waived from implementing certain requirements in the regulation, primarily as it relates to the organic waste collection requirements for a period of five years. The SB 609 notification process is where you are identifying that you have a regulatory gap that you're not waived from. And that you need additional time. And so by submitting the notification, you're identifying what that regulatory gap is and what your planned activities and timeline for addressing that gap. So, no, I don't think we'd be happy to set up a follow-up meeting with you for your particular situation so we could walk

through what might be, you know, like the best approach, whether you should submit, maybe consider submitting a notification or not does that help?

35:02:Yes, it does. Thank you so much and I would really appreciate any guidance you could give.

35:07:OK, perfect, if you don't mind, if we don't have it, just put your contact information in the Q and A and we'll get a meeting set up with you ASAP, thank you so much. Thank you.

35:21:Thank you both for that. Our next question is from Jeannie Laughlin.

35:26:Kenya, I'm going to go ahead and unmute you on our end. Please unmute yourself, state your name affiliation, and ask your question.

35:34:Thank you, I'm I'm the mayor of California's City so I was a little confused when when you were talking about the resolution We did our resolution at our last meeting But I know that you know, we're right around the corner from 20 22. So it is this, what, what you just went through, is this what we need to do? To say, Yeah, we're going to be a little late, and these are the things that we're going to be doing I saw was a little confused on what you want us to submit besides the resolution for the beginning.

36:04:Yeah, I can take a stab at that and then Karen, Karen, Carla could chime in there.

36:09:So I do want to just remind everybody that this is an optional form that you can use to submit your 609 notification of attempt to comply.

36:19:It is.

36:20>You don't have to use this for ..., going to use another template or Bob that they create to meet the requirements of 609.

36:30:So as what we've presented today, Cow Recycle has developed this forum template that covers the requirements of 609. And that's where acquired to be within there.

36:41:As Carla went over and outlined, there are those four requirements that we've included within the form. And then on top of that, there is the resolution that needs to be adopted by the governing body that needs to be tied with that and submitted to ... recycle.

36:56:So does that. And, Karen, do you want to chime in on anything that I missed?

37:00:Yeah. I understand your question. You might need to give us some clarity with the ordinance that you're talking about. is your 13, 83 enforcement ordinance? Is that correct?

37:11:I believe so. Yes. Yeah. That's my guess. So it's really we're talking about two separate things. And so your 33 enforcement ordinance is a requirement.

37:20:Every jurisdiction must have an enforceable ordinance or a mechanism, which sounds like your city is on track for that.

37:26:This process is for jurisdictions that they know that they need more time to comply with the regulations. So, for example, we have some jurisdictions that are not going to be able to implement, say, their residential food waste collection program until 20 23, OK.

37:46:That's a situation where a jurisdiction would utilize this process so that they can be protected for penalties if they are implementing their proposed schedule. So, in that scenario, the jurisdiction would submit SB 609 request with their adopted resolution, and they would outline how they are going to comply by implementing that residential food waste program. And what the associated timeline is with those activities. So, I don't know, Jeannie, if your situation, for your jurisdiction, that you, For your jurisdiction, that you're going to have any gaps with implementing the regulations.

38:27:So If you'd like, we'd be happy to set up a follow up meeting with your staff to talk about your particular situation, or you may already know. So if you've already got your commercial and residential program ready to start, or it's already started, if you are your team is working on implementing the edible food program, your team is working on implementing its procurement program in teams getting its record keeping going. This process may not be needed for your jurisdiction. So help, Jeannie.

38:58:That's very helpful, thank you very much. You bet.

39:05:Thank you for your question, and thank you, Kara for responding. So, our next question is coming from Oskar or tease. His question is, Do you have a sample of a resolution?

39:15:Karen, when you answer that question, which was just a know, if you had anything else to add to that, Or we just move on to the next question.

39:30:Thanks for the question, Oscar. I'll chime in a little bit. So, unfortunately, the department does not have resolution templates for jurisdictions. The department leaves that up to the jurisdiction side to have those on their end for the development. So the department doesn't get into the local aspects of development of any resolutions on the local side.

39:50:Karen, did you want to add anything to that, adding additional context?

39:54:Yeah. The only context I would add is we we felt that was what is in the statute. That would be the basis of what you would put into your resolution, So, you know, I think we'd be happy to provide that language, we can put that later in the Q&A. But, it's pretty straightforward, basically stating that, you know, our jurisdiction, it's not able to comply. And, therefore, we are submitting this request notification request, so, pretty straightforward resolution. The purpose of it is to ensure that the request the request to carry cycle has been approved by your, you know, either city Council or board of Supervisors. So, let us know if that helps answer the question, or not. Thanks so much.

40:47:Sounds like the answer to the Question, next question is from Suzanne ..., they ask, am I understanding that if a business is not going to be in 100% compliance by January first 2022 we must complete the NYC and submit a resolution with the NYSE.

41:06:Answer to this was this is for all jurisdictions.

41:10:I'll, I'll add additional clarity, Suzanne, thank you for the question. So, I'm kind of interpreting the question one way, but there's it's kind of not fully clear.

41:20:But what I'm reading there also is that you're asking if it's a business is not going to be 100% compliance. So we're not the intention. The purpose of SB 618 and the ... is for jurisdictions to implement the regulations.

41:38:Having a program in place, and as you see on the forum that Carla went up, went out. There were some examples, although not all inclusive, but implementation of the regulations, the collection system having a edible food program, so on and so forth. Not so much if one particular business is non compliant. I think that could be handled, but is there a program to set up an offer collection or that particular business? So, hopefully, that provides additional clarity on things,

Suzanne, If not, feel free to chime in or or add another question in there if I was totally off base, or if we were totally off base and answer your question.

42:17:And Suzan, we are unmuting you on our end if you'd like to, and some more clarification.

42:25:Now, thank you very much, that answered my question.

42:31:OK, so our next question is coming from Colleen Foster. Clean, I've unmuted you on your end, so I'm sorry on my hand, just unmute yourself on your end and state your affiliation question.

42:43:Thank you. Colleen, Foster, Environmental Officer for the City of Oceanside.

42:47:What I'm struggling with here, and there's been a lot of guidance in several professional industry organizations that have stated the 6 1 9 process can be, it, sir is overlay cumbersome, could potentially put a jurisdiction you know, kind of at the forefront for enforcement and potentially, the normal and LV process with as SB 13, 83 would be the better way to go. So I'm still struggling on whether you know, a jurisdiction should do this 6 or 9 or go with the end of the 3 SB 1983 in just a second.

43:24:That, my next question is, No, ... has over 600 sections. So for small and medium sized cities, that depend heavily on franchise agreements, if they don't have a franchise agreement in place to do everything, for the most part, they may be almost 100% compliance. So are they expected to write a justification for each and every one of those 600 sections?

43:49:Yeah, I can take a first crack at answering your question, Colleen. So, how I've interpreted your question, you do, you do talking about the NLD process?

43:58:So, there's the NLD Process Associate on both sides.

44:01:So, there's an NLP process from the department upon the jurisdiction and providing an OB on that aspect and there's also a jurisdiction to particular businesses or customers within the actual jurisdiction or go into NLP process.

44:16:How I'm interpreting, and I could be wrong, the NLD process of 13 83, is that apartment issuing an obese to jurisdictions. Is that or are you referring to jurisdictions upon businesses? So, just a little clarifying outline are there.

44:31:I'm only speaking to enforcement against jurisdiction. OK.

44:35:I'm working on this question with my attorneys, and we're really struggling with what is the best path to go forward with, especially considering we don't have staffing or expertise to even do this process.

44:47:Yeah, so, coleen, thanks for clarifying, as was stated earlier in the presentation, this form is, it is optional for jurisdictions to submit a

44:59:So they don't have to, if they wanted to go and choose to go the route and not submit a form, then they can go through the normal process.

45:08:The 6.9 really provides the administrative penalty relief for 2022.

45:15:That is something that was really built-in and provided that additional for the jurisdiction.

45:23:Kara, did you want to chime in? Did you want to have any, do you have any thoughts additional to colleen's question?

45:29:I'm calling thank you for a question. No.

45:32:I think what you are kind of grappling with is, which is the best route to go. I think to Alan's point, it's hard for us to provide that advice. And, you know, absolutely SB 609 provides relief from penalties for the year 20 22, if the jurisdiction is implementing its proposed actions and meeting those timelines. So, that is, that's really the main difference between both processes and with that said, you know, with our enforcement process, you know, if a jurisdiction through the normal process is placed on it, or corrective action plan, you know, they do have the opportunity to get that gap corrected during that time. And, you know, we intend to use penalties as a tool if it's necessary. For that jurisdiction, does address the gaps, wallets in that enforcement process.

46:26:Then, you know, we're intending to use penalties as an additional tool.

46:32:So I hope that it doesn't help answer your question or make the decision, because ultimately it's a decision for the city to make.

46:42:No. Follow up to that? Just, it's around the same thinking.

46:49:If a jurisdiction goes in, it applies for a 6, 1 9, knowing that you're not going to come into compliance almost entirely within 20 22, like they're looking at coming into compliance in 20 23 Hmm, hmm, hhh, if that's the case, if they filed for 609, they don't come into compliance for 2022. Could they be retroactively penalized for the full year?

47:18:Yeah, So it depends.

47:20:So first and foremost, the scenario you're presenting, the jurisdiction has a gap that takes them into 2023 to SB 609 process would allow for penalties for 2023. So what would it relieve a jurisdiction primer penalties from 20 22 Y has said it depends. If any time a jurisdiction is found not to be implementing its proposed schedule and actions, then the statute does allow terracycle to go all the way back to 20 22 if penalties are going to be accrued.

47:56:So it is going to depend on on what happens with that jurisdiction and their implementation.

48:02:No jurisdiction can do nothing in 20 22.

48:07:They absolutely cannot. And will be monitoring. We haven't set the frequency yet, but at least probably on a quarterly basis. So, if we find that a jurisdiction is doing nothing, or, you know, not meeting what it had submitted in the notification, then we will begin the next steps in the enforcement process. So, you know, that jurisdictions already in the enforcement process by having an NLP, or notice of violation or corrective action plan. So, we can immediately then begin the penalty process. And again, as I stated, if the jurisdiction has not implemented, it's proposed schedule and an action, then, we have the ability of going back to 20 22 and they are not relieved from penalties for 2022.

48:55:Does that help clarify?

48:57:Definitely, sir, if a jurisdiction was to do nothing, most of us could be better to go through SBA certain 83 and OB because you're going to start that based upon who you feel the highest violators are.

49:13:You, like it, or back? Or you can almost, you know, you're trying to do something, but, you know, you can't commit to anything in 20 22, saying you take a risk and doing 6, 1 9.

49:26:I hear that perspective. I think what, what our team is doing is we are closely monitoring each and every jurisdiction. So we're already going to have our finger on the pulse if a jurisdiction is doing nothing, and certainly that would be a high priority for us, so I don't think it's going to be really hard for anyone to get away with doing nothing.

49:47:Yeah, and as Kara and, and adding to what Karen stated, you know, it's all really going to depend on the jurisdiction, what their situation is, how far they're along, and implementation of 13, 83, as was presented in today's

presentation. The cap process is associated with 69, so it's the timelines that are associated, that will be developed in creation to get the jurisdiction to implement and that would be something that the department will work with. The jurisdiction as part of the cap process to develop that time?

50:18:And that, that path moving forward to come into compliance with SB 13, 83.

50:24:So, hopefully that answers your question, Coleen, if not, feel free to, you could tag up with us offline, and we could definitely have a conversation.

50:43:Next question rate. Jocelyn.

50:45:Yes, right now, we're going to jump to the NYC Inbox. The first question is from Steve Design, from Marin County.

50:53:Steve asks, Is the need to also submit a resolution along with the SB 619 form in statute?

51:00:The next question that is We thought that due date was April first, not March first, did this change?

51:08:Yeah, so good question.

51:09:So there is an April first deadline that is floating around that's the initial, the initial jurisdiction report. The initial jurisdiction report, which I believe if I got that correct? That separate that's entirely different That's part of the end that the reporting process of SB 1083 The resolution is required. That is within statute to be submitted with the notification of attempt to comply for just to clarify, not resolution enforceable ordinance or mechanism.

51:40:OK, OK, folks are getting confused because we have a resolution from this for this process and we have enforceable ordinance or mechanism. And so I think, typically, when you bring forward an ordinance, there's a resolution by council, or the board of supervisors to approve. I think that's kind of how the average, anyways, there's some confusion with terminology.

52:07:So hopefully that answers your question. If not, feel free to touch base with us and send in another question if we're off based on that.

52:17:Thanks Alan and Kara. So the next question is also coming from the inbox. From ..., sorry if I mispronounced your name from the city of Glendale.

52:27:The question is, since SB 13, 83 goes into effect in January 2022, and hence, not currently into effect, was considered a violation at this point, 2021, or a continued violation as defined and 6.9.

52:43:So, since the regulations don't go into effect until January 1, 2022, anything that's occurring now is not actually in effect.

52:52:What we're doing and terrorist team is doing is prepping up the jurisdictions for success in implementation and getting things together for Jan 1, 2022. But there are technically no violations for SB 13, 83 today, because the regulations don't go into effect until Jan 1, 2022.

53:16:If there's nothing else to add from that, the next question in keeping with the inbox is from Tracy ..., with the city of Oakville.

53:22:They asked, does the the SB 618 or does the SB 600,000 form replace the need to complete and submit a formal letter of intent to comply?

53:35:Can you state that question again? I got the last part.

53:40:Sure you can here again. Does the SB 619 form replace the need to complete and submit a formal letter of intent to comply?

53:49:Yeah, and hello Tracy from the city and Velcro. Nice to hear from you. So SB 609, and the requirement of that is to submit a notification of intent to comply. So that's kind of your general outlier of what 6.9 is. The form that was presented today is an optional template that jurisdictions can utilize to identify all of their continuing violations with timelines that are associated. So filling out the, the template form with the violations of the four requirements, in addition to a jurisdictions resolution, would fulfill if complete would both bill a jurisdictions, notification of intent to comply requirement.

54:33:So hopefully that answered the question.

54:35:I know that we're throwing out a lot of terms here or notification resolution, ordinances, but if that doesn't answer your question, Tracy, feel free to touch base with us offline, and we can surely clear things up for you.

54:53:Thanks, Alan. So, our next question is also from the Inbox, coming from CD, called us, Placer County. Their question is, Do all proposed timelines need to be within the 2022 calendar year? Because penalties may begin in 20 23. Does call Recycle have the option of improving an OR?

55:13:And Hawaii, with that, has a proposed schedule with compliance for some tasks after 20 22?

55:20:Yeah, and that's a, that's a great question.

55:22:So, what the department, what we're looking for, is, we want the jurisdictions to fill out and, and identify their continuing violations, along with realistic timeframes for a jerk chicken is actually implement and address those violations. There may be some violations that are on there that may not be completed within 20, 22. You know, obviously, if if we get something, and it says will complete that within by 2028, they'll probably be some follow up in the department to ask additional questions. Karen, do you want to chime in on anything, or Ashley, maybe, on any additional clarity on what we're kind of looking at for the notification? And somebody's scheduled and timelines? I would really just note that to see realistic timeframes that address in specifically state within the language there that addressed them in a timely manner. That's really what it says in statute.

56:16:But Carol, Ashley, if you want to chime in on anything else, I'll start and then let us know if there's more clarity that you would like.

56:23:So as Alan noted, the statute requires that, that any gaps in the regulatory requirement are addressed in a timely manner that is tied directly to the timeline laid out in, say, the regulations. So if a jurisdiction has a regulatory gap, and they need six months or less to correct it, then that is what we call issuing a notice of violation.

56:51:If a jurisdiction needs an additional year and a half, or an additional 2.5 years, because the last one is due to infrastructure, then they may be placed on a corrective action plan.

57:04:Outside of those timelines can recycle, does have discretion, to consider additional time.

57:10:We would really be assessing to Alan's point the need and what, you know, what are the circumstances that require more time recognizing, particularly, maybe, infrastructure? There could be very valid reasons that time beyond what's laid out, and the corrective action plan process, is necessary.

57:32:So we would be, we would ask that you build your timeline as establishing the schedule that's as timely as possible, and then to let us know in, in your request, if additional time is needed, what that is, or what's needed. We will

likely we don't plan to go beyond the timeline that's laid out in the corrective action plan initially, but we may revisit that and are able to modify the corrective action plan as this allowed in statute.

58:09:No added to that, you know. Within statute, there is the 180 days that can recycle may go into a corrective action plan, which care was stating with timelines associated within the corrective action plan as well. So.

58:26:The next question is from Susan Contraries.

58:29:Susan asks, the second violation example stated non compliance for organics to all commercial generation.

58:35:Generating under two cubic yards is under two cubic yards wide in the answer pane.

58:42:Air responded. Yes.

58:44:And readers are covered by the regulation.

58:48:Anything else you'd like to clarify?

58:52:Know, so I think, you know, if your city was not preparing to provide collection service to all organic waste generators, whether that's residents or commercial businesses, and no need additional time. that can't be addressed, say, in early 2022, Then that's a reason for you to submit an SB six when written notification. We would be happy to set up a follow up meeting with you to discuss your particular situation if you have follow-up questions.

59:21:Thanks.

59:26:Thanks, Chiara. So our next question is coming from Jessica Read. The question was fully template resolution be provided, and the response as we currently do not have a template.

59:38:Karen? Carla or Alan, did you want to add to that?

59:40:Yeah. You know, this question was stated earlier just with the resolution. You know, I need jurisdictions that have no additional questions, you know, we could have a conversation offline.

59:52:Cares team is is, is, is available prior to discuss that, but mainly, as Kara stated, within our response, really straightforward. And we just want to ensure that the jurisdictions have it outlined, and their governing body is awareness is, is providing that, that authorization to move forward with addressing.

1:00:18:Next question is from Jessica Reed, will a template resolution be provided?

1:00:23:As we said earlier, we currently do not have a template, unfortunately.

1:00:28:Is there anything else you'd like to elaborate on?

1:00:31:Nope. I think that's good. I think we think that seems like a popular question today.

1:00:36:Alan just addressed it, so I think we're covered with all of the resolution questions.

1:00:44:Our next question is coming from. Chris showed her. the question is does SBU 6 1 9 applied to all aspects Of procurement? and her SB 13 83 or only the solid waste portion?

1:00:56:And the response was it's any aspects and SB 13, 13, 83 including procurement.

1:01:02:Yeah, And, Chris, if that doesn't, you know, if you need additional clarity on that, feel free to touch base with us offline.

1:01:12:Next question is from Diane Riebman.

1:01:15:I believe Diane has a couple of questions in our pain, so we'll go ahead and open it up.

1:01:20:Then, Diane, you are now unmuted on our end.

1:01:23:If you unmute yourself, please state your name affiliation, and ask if questions.

1:01:29:Yes, good morning, my name is Diane Friedman. I'm the Deputy Chair managers from the town of Danville, and this question relates to procurement.

1:01:40:We we are we have done a lot of due diligence around. Can we buy biomass electricity? Can we know, what can we procure to meet our 3500 tons per year? And what we're coming up with this mulch and compost in paper right now because when we look at infrastructure or availability of certified biomass facilities, you know, our electricity providers are not there. So this really goes to the goal.

1:02:11:We, we are intending to comply with the recordkeeping, and procuring goods, just the fact that we know that we're not going to meet our goal. Does that?

1:02:24:I mean that we have to submit an intent to comply, or we just do what we can. And I take it from there when we look at what our results are.

1:02:35:Yeah, good question, Diane, and I could, I could take a stab at answering and even Cara could follow up or Carla.

1:02:41:So SB 609 is really intended for any jurisdictions that feel that that you know, that they have continuing violations, they didn't wanna identify that, and want to ensure that they put that forward, because it provides them penalty relief for calendar year 20 22.

1:03:01:So although we can directly tell you that you need to, Diane, that you need to apply.

1:03:06:But if you find that, if you feel that you have a continuing violation in this case meeting or procurement goal, the option is there for you to submit the notification, notification of intent to Comply Form, which outlines, potentially any procurement, not meeting your goals and outlining that.

1:03:23:And then a plan, or the city of Danville to address and meet and meet their procurement goal. Diane, Ashley. No, you're also gonna chime in to Alan's Response and provide a little context, as well. You know, we recognize procurement and meeting the procurement target is an incredible challenge for jurisdictions. The target itself was based upon the amount of organic waste that we would have in 20 25. So, we already acknowledged by by setting that target in that way, that we have a stretch gap ahead of us. We also recognize that the infrastructure, the market, is not yet at a position to provide enough material. So, for example, for some jurisdictions here, we're just starting some of the collection services. So that material is, is not in the marketplace yet.

1:04:16:Additionally, we know that there are challenges for some jurisdictions in finding a variety of approaches to deal with their procurement target. So, the way that our enforcement processes is set up is that it does provide carry cycle with enforcement discretion to consider the totality of a jurisdiction of circumstances. So, the fact you're telling us, you know, we've done all of this planning, assessment, recordkeeping. We are doing all that we can. When we conduct a compliance evaluation, we would be looking at all of those factors to determine whether an enforcement action is necessary or not, so I'd like to turn it to Ashley.

1:04:54:Perfect, Thanks, Karen, on, so great question, Diane. And these are conversations that Kara and her team are having with the jurisdictions that reach out to her. So I would encourage you to reach out to Kara and her assistance team, so they can help strategize with you on some different options for procurement. Maybe it could be a regional approach, utilizing state agencies, et cetera. So, just like Karen said, we do recognize that the procurement goals are really hefty right now, and they were just release for everyone who didn't catch that yesterday. So, happy to chat with you. Again, Feel free to reach out Karen or your local assistance and market development contact for strategies on how to get there.

1:05:40:Thank you.

1:05:43:I'm looking at the time that is 952. We're gonna get to as many questions as we can before the webinar ends at 10, but just as a reminder, if we don't get to your question, we will be following up with either you directly through either the questions that come into the inbox or the questions that are coming through the chat. So, we'll definitely do our best to get through everybody within a timely manner after the webinar, so feel free to continue. We continue to submit your questions.

1:06:13:Next question.

1:06:22:Excellent. Anya?

1:06:26:Go ahead.

1:06:29:Tanya, you're unmuted on our end. If you'd want to go ahead and unmute yourself, state your name affiliation and ask your question.

1:06:37:Department.

1:06:39:My question goes, Colleen fosters of Oceanside. You know, what's the benefit of self reporting?

1:06:47:First is not, because basically that's kinda what you're doing, is self reporting.

1:06:52:In many cases, a lot of cities have already approved their audience, or are about to before the end of the year, and, you know, it's no. I mirror colleen's question, You know, of the same thing, we're grappling with the same thing.

1:07:11:So, I think a lot of cities are, and, are just kind of afraid to say that, um, So, we know really What's the benefit, and then, just kind of, another question, which was in my think further down, is, it's my understanding that our local assistance folks are all turning into enforcement folks, and chance, incident, transitioning into enforcement? And is there any truth to that?

1:07:37:I get started off there, and I'm sure Kara could chime in on that with with her branch and the transition there.

1:07:44:So, konya, it's, it's, it's great to hear from you again. It's been awhile since we, since we talked way back when. But in regards to jurisdictions and submission of a notification, you know, one thing that jurisdictions could look at when they're submitting these forms is that they're getting a response back from the department of either the approval. So, there's that documentation process in writing.

1:08:04:That the department provides the jurisdiction that really provides that penalty, administrative penalty relief for 2022 for the calendar year, and it's everything is outlined within there.

1:08:16:Through that process, the jurisdiction is really outlining their schedule and should any actions be further passed the 180 days. There is that process that the department could explore there and look at and putting together a

corrective action plan and working with the department to come up with timeframes to get back on to get on track of implementation of the regulations.

1:08:38:So, I'll add that, and just, and provide that.

1:08:40:But, again, as we stated earlier, every jurisdiction, it's really going to be a case by case, what makes the best sense for that jurisdiction? What their situation is in that regard. So, with that, I'll turn it over, Charisse, you'll probably want to add in on some of the part two questions, are a little bit of part one, that I may have not covered.

1:08:57:Yeah. Thank you for your question. You know, so much really depends on your jurisdictions, particular circumstances with program implementation. And, you know, some jurisdictions are close. Once they get their ordinance passed, they're rolling out mandatory collection services in early 2022. That may be a situation where the city feels that it's really not necessary to submit a notification. Because by the time Terracycle conducts the complaints evaluation, the jurisdiction would have addressed the gap habits programs in place.

1:09:31:So, you know, I think every jurisdiction situation is unique, and what we've been doing is having conversations with jurisdictions about their particular circumstance, and happy to have that conversation. And we are in the process of forming the new form of enforcement branch. Part of the local assistance and market development team, as well as the existing jurisdiction compliance Unit team, will be staffing that branch. Both branches will have almost an equal number of staff and units, supervisors, managers, actually, it's virtually identical. So we are, we are setting up a structure like that. With that said, the two branches will be working very closely, together very collaboratively.

1:10:20:As we have a situation on the assistance side where, you know, we have it, an enforcement need, they are team would be working closely with the enforcement staff to deal with it. Same thing with the enforcement staff. They really have a finite jurisdiction has a need for compliance assistance, then we'd have our assistance team dealing with that. As we roll out the new branches, we will be communicating to jurisdictions. We will be letting jurisdictions know if there's a change to their local assistance liaison will make those introductions and get those relationships setup.

1:10:55:Ashley, then, I just wanted to emphasize we are getting a lot of questions, Kanya, like, yours and Oceanside, about the ... process versus the ... process.

1:11:07:There's one really big difference between those two and that is some jurisdictions through our regular NOV process may not qualify for a corrective action plan, so 6, 19 does fast track you onto this corrective action plans, as long as you thought everything required and 6 1 9.

1:11:27:So, as a reminder for that NLD process, within 13, 83, jurisdictions need to provide that you guys cannot do something because of extenuating circumstances, and that you need to be providing sufficient funding and adequate staff to ensure compliance.

1:11:48:So, that is something to consider when you're thinking about submitting 6009 versus trying to go to an OB route through regular 1083. So, again, that's just the fast track onto a cap for 69, if you choose that route. So I just wanted to make that clarification in that not all jurisdictions may be able to provide that substantial effort. That SB 6 or 13, 83, has in it right now.

1:12:16:Actually, would you mind terribly if I type in there a little bit?

1:12:21:And so I'm sorry to jump into the conversation here, but I think it's important to revisit the intent of that.

1:12:29:Let the original legislation and the intent of SB 69. And really what that speaks to.

1:12:35:As we all know, SB 13, 83, um, it was passed in 20 16 with some pretty significant goals.

1:12:44:But those goals are really requirements on the local jurisdictions and it's really incumbent upon those local jurisdictions to meet the requirements of the organics reductions.

1:12:58:SB 609 was really meant to provide an additional tool to local jurisdictions to work with the State on finding a path.

1:13:07:So as I'm hearing a lot of the questions and comments and, um, and concerns today, what I'm hearing is a desire to get on that path with the state and 609 as a tool to do that. And that is really what the intention was when the legislature passed that.

1:13:26:So, if it is not the right tool for your jurisdiction than that, you know, there isn't another direction to go.

1:13:33:But I imagine that it will be an important tool for a lot of jurisdictions to show to the legislature and the state, their own constituents.

1:13:42:And that they have charted the path to compliance with the 13, 83 requirements. And that, though, that that path is very deliberate and thoughtful and that that is then how the jurisdiction is working with the state to get there.

1:14:03:Thank you, Director Wagner. So, with that, I think we could end on that. right on the dot, 10 o'clock. I want to thank everyone for participating and joining us on today's webinar. As a note, and a reminder, today's webinar was recorded and will be posted on the carrier Cycle website once it goes to the 88 process. All questions that were submitted, either through the e-mail inbox or through the questions pane. Somebody from power cycle will be following up to you to ensure that your answers, your questions, are answered in a timely manner. So, with that, everybody, have a good rest of the day. And we will talk to you guys soon.