

HF&H Consultants Legislative Update - May 2013

Plastic Bag Bills		
Bill	Status	Overview
AB 158	May 8, 2013 Assembly Committee on Appropriations	<p>Until January 1, 2020 operators of large stores are required to have an at-store clean plastic bag recycling program. This bill would prohibit stores that have a specified amount of sales or square footage from providing a single-use carryout bag to a customer as of January 2015. The bill would require these stores to meet other requirements for providing recycled paper bags, compostable bags, or reusable bags to customers. The bill would allow penalties for a violation and require the department to submit a report to the Legislature by January 2017 regarding the implementation of the bill's provisions.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: • CAW: Support
SB 405	April 29, 2013 Senate Committee on Appropriations	<p>Stores are required to establish an at-store recycling program for customers to return clean plastic carryout bags to the store. This bill would prohibit stores that have a specific amount of retail sales or floor space from providing single-use plastic bags to customers. Additionally, by July 1, 2016, convenience stores must also comply with the requirements and all stores must sell certified reusable bags that have met specific performance standards.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support if Amended • CSAC: Support • League of California Cities: Watch • CAW: Support

*Several organizations have not yet posted their positions

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SB 529	April 29, 2013 Senate Committee on Appropriations	<p>This bill would prohibit a fast food facility from distributing disposable food service packaging or a single-use carryout bag to a consumer on and after July 1, 2014, unless the disposable food service packaging or single-use carryout bag meets the criteria for either compostable packaging or recyclable packaging specified in the bill. The bill would also prohibit such a facility, on and after July 1, 2016, from distributing disposable food service packaging or a single-use carryout bag to a consumer, unless it is demonstrated to the satisfaction of the department that the type of disposable food service packaging or single-use carryout bag is-recovered for composting or recovered for recycling at a rate of 25-percent or more, at a rate of 50 percent on and after July 1, 2018,-and at a rate of 75 percent or more on or after July 1, 2020. The bill would specify requirements for the demonstration of that composting or recycling rate.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support if Amended • CSAC: Pending • League of California Cities: Watch • CAW: Sponsor
SB 700	May 2, 2013 Senate Committee on Appropriations	<p>This bill would require retail establishments that sell food or alcohol for consumption on or off premises to collect a \$0.05 fee for each single-use carryout bag provided to customers (including paper or plastic). Establishments would be able to retain \$0.005 per \$0.05 collected and would be able to collect an additional \$0.005 if they credit customers \$0.05 for each bag brought in. Funds paid by establishments (minus the \$0.005 retained by the establishment) would be used for the purpose of enhancing city and county parks reducing and cleaning up litter. The bill would not preempt or prohibit local ordinances, curbside/drop off recycling programs, franchise agreements, or an ordinance that states that the charge does not apply to their jurisdiction.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Oppose • CSAC: Pending • League of California Cities: Watch • CAW:

*Several organizations have not yet posted their positions

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Product Stewardship Bills		
Bill	Status	Overview
AB 215	May 2, 2013 Senate Committee on Rules	<p>Rigid plastic packaging containers that are sold in California are required to meet specified recycling criteria. One of criterion is that a rigid plastic packaging container be made from source reduced materials. This bill would revise the definitions of the various terms used in the requirements, including revising the definition of the term source reduced to impose new requirements.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: Pending • League of California Cities: Watch • CAW:
AB 333	May 9, 2013 Assembly Committee on Appropriations	<p>Generators of medical waste must complete a medical waste management plan, which is a document provided by the State Department of Public Health or a local agency. This bill would define a medical waste management plan as a document that describes how the medical waste generated shall be segregated, handled, stored, packaged, treated, or shipped for treatment and would exempt persons who unknowingly transport medical waste from the entire act, with regard to that waste, and would require the solid waste transporter to contact the originating generator of the medical waste to respond to the facility to provide proper disposal of the medical waste.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: Watch • League of California Cities: Watch • CAW:

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Product Stewardship Bills		
Bill	Status	Overview
AB 403	May 8, 2013 Assembly Committee on Appropriations	<p>Pharmaceutical manufacturers that sell or distribute medication that is intended to be self-injected at home are required to submit to CalRecycle a plan by April 1, 2015 supporting the safe collection and proper disposal of specified waste devices on an annual basis. The bill would require the plan to provide for the development and implementation of a recovery program to reduce the generation of, and manage the end of life of, home-generated sharps, and to include specified elements, including provisions to meet specified minimum collection rates for the home-generated sharps subject to the plan.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: Support • CAW: Support
AB 488	April 24, 2013 Assembly Committee on Appropriations	<p>California requires retailers of rechargeable batteries to have in place a system for the acceptance and collection of rechargeable batteries. The bill would require a producer of single-use household batteries or a single-use household battery stewardship organization created by one or more producers to submit a battery stewardship plan by January 1, 2015 to the CalRecycle. This bill would prohibit a producer, wholesaler, or retailer, on or after April 1, 2015, from selling a household battery unless the plan for that battery is approved by CalRecycle.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: Support • CAW: Support

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Product Stewardship Bills		
Bill	Status	Overview
AB 521	May 8, 2013 Assembly Committee on Appropriations	<p>Rigid plastic packaging containers that are sold in California are required to meet specified recycling criteria. This bill would require CalRecycle to adopt of list of items found to be major sources of marine plastic pollution. CalRecycle would be required to notify the producer if an item is listed. The producer of that covered item would need to submit a plan to reduce its portion of the marine plastic pollution for CalRecycle's approval no more than six months later. The bill would require each producer's plan to specify the measures that would be needed to reduce the marine plastic pollution to meet targets.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: Watch • League of California Cities: Watch • CAW: Support
AB 1001	May 9, 2013 Assembly Committee on Appropriations	<p>This bill would define the term "regulated beverage" as a beverage that meets the definition of beverage under the act, but is sold in a beverage container that is not one of those containers. The bill would also include, as a regulated beverage, 100% fruit juice in a container that is 46 ounces or more in volume and vegetable juice in a container that is more than 16 ounces in volume. This bill would require a distributor of regulated beverage containers to submit a plan, by January 1, 2014, to CalRecycle for the implementation of a take back program and recycling program, and to demonstrate on an annual basis that not less than 80% of containers covered by this bill sold by the distributor in the state are recycled and that the covered containers contain not less than 35% postconsumer recycled content. Additionally, this bill would require a distributor to pay an annual administrative fee to cover the administration and enforcement of this bill.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support if Amended • CSAC: Pending • League of California Cities: Watch • CAW: Sponsor

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Product Stewardship Bills		
Bill	Status	Overview
SB 254	April 29, 2013 Senate Committee on Appropriations	<p>This bill would establish the Used Mattress Recovery and Recycling Act. The bill would authorize a qualified industry association, as defined, to establish a mattress recycling organization, as defined, and be certified by the Department of Resources Recycling and Recovery to develop, implement, and administer a mattress recycling program on or before July 1, 2014. The bill would require manufacturers and retailers of mattresses to register with the mattress recycling organization on or before January 1, 2015.</p> <p>This bill would prohibit, on or after January 1, 2015, the manufacturer or retailer from, among other things, manufacturing or selling a mattress in this state under circumstances of noncompliance with the bill's requirements. The act would require the retailer, by July 1, 2014, to give a consumer the option to have a used mattress picked up, at no additional cost, at the time a new mattress is delivered.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Watch • CSAC: Support in Concept • League of California Cities: Support • CAW: Sponsor
SB 727	2 Year Bill	<p>This bill would prohibit a producer of a pharmaceutical from selling or distributing that pharmaceutical in the state unless it is included in a product stewardship plan that is approved by the Department of Public Health by January 1, 2015. This bill would require a producer, group of producers, or stewardship organization, if applicable, to pay all associated costs with its product stewardship program including the costs incurred by the state for administration and enforcement of the program.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: Support • CAW: Support

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Solid Waste & Diversion		
Bill	Status	Overview
AB 323	April 30, 2013 Assembly Committee on Appropriations	<p>The use of solid waste for beneficial reuse at landfills, including alternative daily cover, currently constitutes diversion through recycling and is not considered disposal. This bill would require CalRecycle to adopt regulations to provide as of January 2020 that the use of yard waste as alternative daily cover or alternative intermediate cover does not constitute diversion through recycling and would be considered disposal. The bill would require CalRecycle to conduct an analysis of the use of residual fines from MRFs and materials left over from the composting process for use as alternative daily cover and adopt regulations by July 2015 based on the findings and then adopt regulations by January 2017 to require large commercial generators of yard waste to arrange for separate collection and recycling for those materials.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Oppose • CSAC: Oppose Unless Amended • League of California Cities: Watch • CAW: Support
AB 1398	April 30, 2013 Assembly Committee on Appropriations	<p>California requires a business that generates more than 4 cubic yards of commercial solid waste per week or is a multifamily residential dwelling of 5 or more units, to arrange for recycling services and requires jurisdictions to offer a commercial solid waste recycling program. Commercial solid waste includes all types of solid wastes generated by stores, offices and other commercial sources, and excludes residential and industrial waste. This bill instead would define commercial solid waste to include all types of solid waste generated by a store, office, or other commercial or public entity source, including a business or a multifamily dwelling of 5 or more units, thereby imposing a state-mandated local program by imposing new requirements upon local jurisdictions.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: • League of California Cities: • CAW:

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Processing Facility Bills		
Bill	Status	Overview
AB 997	May 2, 2013 Senate Committee on Rules	<p>The State established an integrated waste management program that requires each city, county, and regional agency to develop a source reduction and recycling element. The element is required to divert 50% of the solid waste through source reduction, recycling, and composting activities. The act allows the element to include not more than 10% diversion credit from transformation, which excludes composting. In the act, composting is defined as the controlled or uncontrolled biological decomposition of organic wastes and solid waste facility is defined as a composting facility for purposes of the permitting requirements of the act. This bill would define the term "anaerobic digestion," as a process using the bacterial breakdown of compostable organic material in a controlled environment that meets the parameters established by the department, and would revise the definition of composting to include anaerobic digestion.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Oppose • CSAC: Pending • League of California Cities: Watch • CAW:
SB 804	May 8, 2013 Senate Committee on Appropriations	<p>This bill would revise the definition of the term "biomass conversion" to include, in addition to controlled combustion, any other conversion technology, as specified. The bill would define "composting" to include aerobic and anaerobic decomposition of organic wastes.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: Watch • CAW:

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Financial Incentives		
Bill	Status	Overview
AB 1021	May 9, 2013 Assembly Committee on Appropriations	<p>This bill will add recycled content manufacturing and processing to the successful Advanced Transportation and Alternative Sources Manufacturing Sales and Use Tax Exclusion Program. This will provide an important incentive to recycle more materials and reintroduce more recyclable materials into California’s manufacturing economy. This bill would provide financial assistance in the form of tax credits to projects that process or utilize recycled feedstock.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support if Amended • CSAC: Pending • League of California Cities: Watch • CAW: Sponsor
AB 1022	May 8, 2013 Assembly Committee on Appropriations	<p>This bill would provide market-based incentives to in-state recyclers and manufacturers to reuse and recycle CRT glass in products.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: Pending • League of California Cities: Watch • CAW: Sponsor
AB 1023	May 9, 2013 Assembly Committee on Appropriations	<p>This bill would direct funding from the AB 32 Cap-and-Trade proceeds to provide incentives for waste reduction, recycling, composting, and recycled-content manufacturing projects</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: • CSAC: Pending • League of California Cities: Watch • CAW: Sponsor

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Grants and Loans		
Bill	Status	Overview
AB 513	May 8, 2013 Assembly Committee on Appropriations	<p>This bill would establish the Rubberized Asphalt Concrete Market Development Act and would require CalRecycle to award grants to cities, counties, and other local government agencies for the funding of public works projects that utilize rubberized asphalt concrete. The bill would require CalRecycle to annually expend \$10,000,000 from the moneys authorized to be expended for the tire recycling program to award these grants upon appropriation by the Legislature. The bill would require the grants to pay \$2 for every 12 pounds of crumb rubber used in a paving project by a local government agency. The bill would specify selection procedures if the grant requests exceed the money allocated.</p> <p>Organization Positions*:</p> <ul style="list-style-type: none"> • SWANA: • Los Angeles County Task Force: Support • CSAC: Support • League of California Cities: Watch • CAW: Sponsor

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