



April 11, 2019

sent via email and hardcopy

Ms. Roberta Goldenpenny
CalRecycle Liaison
Local Assistance and Market Development
Department of Resources Recycling and Recovery
1001 I Street
Sacramento, CA 95814

Dear Ms. Goldenpenny:

This letter is a formal response to the Department of Resources Recycling and Recovery (CalRecycle) letter dated March 12, 2019, requesting a plan within 30 days related to concerns of implementation of Assembly Bill (AB) 1826, Mandatory Commercial Organics Recycling. It is the priority of the City of Carlsbad (city) to meet all state law requirements, including compliance with this regulation. CalRecycle's letter posed four questions related to areas of concern associated with AB 1826. This letter will describe the city's current and planned actions to comply with each area.

1. Organics recycling infrastructure and program

CalRecycle's letter requested information on "How the city will plan for organics recycling infrastructure and implement an organics recycling program that meets the needs of its regulated businesses."

City Response:

The following list contains actions recently taken by the city related to AB 1826:

- Beginning in 2015 and continuing to the present, city staff has held discussions with the city's waste collection contractors, Coast Waste Management and Republic Services, related to options for organics recycling collection and processing.
- In 2017, city staff conducted a Food Waste Reduction and Recycling Pilot Program at the Carlsbad Senior Center. The goal of the pilot program was to assess how much food waste was generated by the senior lunch program and explore feasible solutions to reduce and recycle food waste at the facility.
- In 2018, the city conducted a green waste recycling pilot for two weekly routes of residential green waste for a period of six months. This pilot provided feasibility and cost information for certified composting of green waste in the city and an assessment of contractor capacities.
- For the past three years, city staff has collaborated with the San Diego Association of Governments (SANDAG) Solid Waste Technical Advisory Committee on regional planning for infrastructure, programs and best practices for food waste reduction and diversion.

Ms. Goldenpenny

April 11, 2019

Page 2

- In 2017 and 2018, city staff worked with the County of San Diego to develop the Food Donation Action Plan (Attachment 1) for the San Diego Region. This plan was submitted to the County of San Diego Board of Supervisors on June 2018.
- In the last six months, city staff visited the Waste Management Centralized Organic Recycling Facility in Orange County, the Compost Research Project at Otay landfill and the Republic Services Recycling Center in Anaheim to discuss organic waste recycling options.

As the city continues to evaluate options for processing of mandatory commercial organic waste, and in preparation for compliance with AB 1594 and Senate Bill (SB) 1383, several actions are scheduled to be completed over the next year. These include the following:

- City staff will present municipal code updates to the City Council that include mandatory commercial organics recycling requirements for regulated businesses and multi-family complexes.
- The Environmental Management Department is requesting additional resources to assist the city's Recycling Division with implementation of all organics recycling requirements.
- The city is actively working with Republic Services to negotiate capacity for certified composting of all the city's green waste at either one of Republic Services' facilities in San Diego County starting on Jan. 1, 2020. Previously this material was used as alternative daily cover and buried in a landfill.
- City staff will participate in bimonthly meetings with Republic Services to discuss a permanent solution for organic food waste processing within the immediate region. Republic Services is currently working on a Source Separated Organics (SSO) solution for Carlsbad and the San Diego region. They have contracted a consultant to evaluate placement of an SSO pre-processing system at Palomar Transfer Station. The project will be similar to their Anaheim SSO pre-processing system. Tentatively, the system is projected to process 100 tons per day (TPD) of SSO in the initial stages and potentially up to 250 TPD in the future.

2. Identification of regulated businesses

CalRecycle's letter requested information on "How the city will identify all of its regulated businesses meeting the 2019 MORE (mandatory organics recycling) threshold."

City Response

In January 2019, the city requested and received a report from the city's franchise waste hauler, Coast Waste Management, of all businesses within the city that are subject to the 2019 MORE threshold. The report identified 692 businesses subject to the 2019 MORE threshold. In April 2019, city staff will send a notification letter to these businesses to inform them of AB 1826 and the mandatory organics recycling requirements. This letter will also request information via questionnaire for each business to identify whether they are using organics curbside pick-up, backhauling organic waste, using third party recyclers or donating edible food.

Ms. Goldenpenny

April 11, 2019

Page 3

For any businesses that do not return the questionnaire, the city will follow-up with phone calls to request information. Beginning in June 2019, city staff will compile a list of all business that are not in compliance and/or have requested assistance for their compliance with AB 1826. The city will provide assistance to regulated businesses, via city staff or consultants, and explore alternatives currently available to them. Assistance will include education about reducing food waste, a list of options for possible AB 1826 compliant in-vessel digestion equipment, and best practices for edible food donation.

3. Identification of regulated multi-family complexes

CalRecycle's letter requested information on "How the city will identify all of the regulated multi-family complexes meeting the 2019 MORE threshold.

City Response:

CalRecycle also expressed concern related to how the city would identify regulated multi-family complexes that are subject to the mandatory organics recycling regulations. City staff have been working to identify and reach out to each of these complexes. In 2018, the city identified 206 multi-family complexes that are subject to the 2019 MORE threshold. In November 2018, the city sent notices (Attachment 2) to all these multi-family complexes requesting information on green waste recycling practices at each site. For the multi-family complexes that did not respond, the city followed up with a second notice (Attachment 3) in December 2018. In January 2019, the city called each multi-family complex that did not reply to the previous notices.

To date, 98 multi-family complexes replied and provided information from the landscape company that services their property. Following the notices and calls, an additional 14 multi-family complexes signed up for green waste services with the city's hauler. Additionally, 56 replied that Coast Waste Management is already providing green waste services, which the city must confirm, and 38 have not responded to the city notices or calls.

Follow-up will continue for each of the outstanding accounts. By July 2019, Coast Waste Management will verify that they service the 56 accounts that claimed they receive green waste service from Coast Waste Management. For any of these 56 multi-family complexes that they don't currently service, Coast Waste Management will provide education on green waste services and options that comply with AB 1826. For the remaining multi-family complexes, city staff will work with the city's Business License Division to verify the accuracy of the associated ownership contact information. Additional contact will be made to these complexes via phone calls and on-site visits to ensure compliance. City staff will also contact the landscape companies, which 98 of the complexes identified as hauling their green waste, to verify they are recycling at a certified green waste recycling center. This process should be completed by November 2019.

4. Follow-up with regulated entities

CalRecycle's letter requested information on "How the city will conduct effective annual follow-up specifically to regulated entities that are not recycling organic materials, and notifying them of the requirements and how to comply."

Ms. Goldenpenny

April 11, 2019

Page 4

City Response:

In 2019, city staff will present municipal code updates to the City Council that include mandatory organics recycling requirements for regulated businesses and multi-family complexes. Upon approval by City Council, the city can enforce those requirements against regulated businesses and multi-family complexes, such as through notices of violation and citations that carry civil penalties.

As described above, the city's Recycling Division will contact businesses and multi-family complexes subject to the 2019 MORE threshold by November 2019 to obtain organics waste service information and to provide education about reducing food waste and AB 1826 compliance options. City staff will continue to seek opportunities to partner with local nonprofit organizations that seek to end food waste and promote food security in the region. Some of these organizations include San Diego and North County Food Banks, Feeding San Diego, and San Diego and North County Food System Alliance among others. In 2019, city staff will work with nine elementary school cafeterias in the Carlsbad Unified School District to promote waste reduction best practices strategies among district staff and students.

Additionally, the city is working with a consultant to develop a comprehensive Sustainable Materials Management Plan, with the goal of providing the plan to City Council by fall 2019. This plan is a comprehensive and strategic plan for specific policies, municipal code revisions, programs and services the city could pursue to progress toward waste reduction and waste diversion goals and mandates, including those related to AB 1826. The Sustainable Materials Management Plan will have a strong focus on organics recycling and promote an environmentally sustainable community, encourage waste prevention and recycling/composting of materials to ensure efficient use of our natural resources.

The city prioritizes compliance with all state regulations related to waste reduction, recycling and diversion. As indicated in past annual report responses from CalRecycle, the city has met expectations from year to year. As described above, the city is undertaking many actions in response to MORE requirements. In particular, the city anticipates that the planned municipal code updates will provide a clear mechanism for the city's follow through with and, if needed, enforcement against, generators regulated under AB 1826.

City staff welcomes the opportunity to meet with CalRecycle representatives at any time to discuss this plan related to AB 1826. Please let me know if you have any questions on the city's plan for the next year to comply with the mandatory organics recycling regulation. You can contact me via email at james.wood@carlsbadca.gov or by phone at 760-602-7584.

Sincerely,



James Wood
Environmental Manager

Ms. Goldenpenny

April 11, 2019

Page 5

Attachments

1. Food Donation Action Plan for San Diego Region
2. Multi-family Complex Notification Letter dated Nov. 2, 2018
3. Multi-family Complex Second Notification Letter dated Dec. 4, 2018

cc: Scott Chadwick, City Manager

Celia Brewer, City Attorney

Elaine Lukey, Chief Operations Officer

Paz Gomez, Deputy City Manager, Public Works

Amanda Guy, Deputy City Attorney

Avecita Jones, Recycling Manager

Julie Trueblood, Environmental Program Manager I, CalRecycle

Jill Larner, Supervisor, CalRecycle