

HF&H OCTOBER 2021 LEGISLATIVE UPDATE



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2021 LEGISLATION SUMMARY

Bills Signed into Law

BILLS SIGNED INTO LAW		
Organic Waste		
Bill	Description	Status
<u>AB 322</u> Salas Electric program investment charge: biomass	The Electric Program Investment Charge (EPIC) funds renewable energy research, development, and demonstration programs. This bill requires the Energy Commission to consider funding for eligible biomass conversion energy projects using new and emerging technologies that maximize ratepayer and public benefits.	SIGNED INTO LAW (09/23/2021)
<u>AB 504</u> McCarty Commercial and organic waste: recycling bins	Existing law requires a business that generates 4 cubic yards or more of commercial solid waste to arrange for recycling services and provide customers with a recycling and organic waste bin or container, as prescribed. This bill provides certain exemptions/modifications for the requirement for businesses to provide a recycling and organic waste container to customers (as required by AB 827 and SB 1383). This bill specifies that for a theme park, amusement park, water park, resort, entertainment complex, zoo, attraction, or similar facility, that the requirement to provide containers for customers would only apply to permanent, non-mobile food service facilities with dedicated seating areas that are not full-service restaurants. The bill also authorizes those facilities, instead of providing an organics recycling bin or container, to implement a process for recovering organic waste that yields results comparable to or greater in volume/quality to providing an organic waste recycling bin or container. The bill makes other revisions to these provisions, including modifying the definition of “full-service restaurant.”	SIGNED INTO LAW (07/09/21)
<u>SB 619</u> Laird Organic waste: reduction regulations	Existing law (SB 1383) requires CalRecycle to adopt regulations to reduce organic waste in landfills. The SB 1383 Regulations, effective January 1, 2022, require local jurisdictions to enact programs for organic waste collection, public education, monitoring and enforcement, recordkeeping and reporting, edible food recovery, and more, subject to penalties from CalRecycle for non-compliance .	SIGNED INTO LAW (10/05/21)



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Organic Waste		
Bill	Description	Status
	<p>This bill allows jurisdictions to submit a “notification of intent to comply” to CalRecycle for a potential waiver of administrative civil penalties related to SB 1383 violations in 2022. This bill does not change the SB 1383 Regulations’ effective date of January 1, 2022; rather, it allows jurisdictions that are facing continuing SB 1383 violations in 2022 to submit a “notification of intent to comply” to CalRecycle. Upon approval, CalRecycle may relieve a jurisdiction of administrative civil penalties for the 2022 calendar year and/or allow for a Corrective Action Plan process.</p> <p>The “notification of intent to comply” must be submitted by March 1, 2022, and shall include:</p> <ul style="list-style-type: none"> • a description of the jurisdiction’s continuing violations. • an explanation and documentation for the jurisdiction’s inability to comply. • a description of the effects of COVID-19 on compliance. • the jurisdiction’s proposed actions and timeline to remedy the violations. <p>If a jurisdiction fails to adhere to its proposed actions and timeline, CalRecycle may revoke approval of the “notification of intent to comply” and retroactively impose penalties for violations that occurred in 2022. CalRecycle may adopt additional emergency regulations, if needed, to implement and enforce SB 619.</p>	

BILLS SIGNED INTO LAW		
Recyclable Materials and Plastics Reduction		
Bill	Description	Status
<p>AB 881 Lorena Gonzalez</p> <p>Plastic waste: diversion: recycling: export</p>	<p>The California Integrated Waste Management Act of 1989 (AB 939) requires jurisdictions to develop an integrated waste management plan with a source reduction and recycling element (SRRE). The act requires that this element divert 50% of all solid waste through source reduction, recycling, and composting activities.</p> <p>Under this bill, the export out of the country of a mixture of plastic wastes shall be considered disposal, not diversion, for the purposes of AB 939. An export out of the country of a mixture of plastic wastes</p>	<p>SIGNED INTO LAW (10/05/21)</p>



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BILLS SIGNED INTO LAW		
Recyclable Materials and Plastics Reduction		
Bill	Description	Status
	<p>shall only constitute diversion if the mixture includes only certain plastics (PE, PP, or PET) that are destined for separate recycling of each material, and the export is not prohibited by an applicable law or treaty of the destination country. These provisions do not apply to exports to Canada or Mexico until January 1, 2024, or the expiration of the current trade agreement. This bill requires that the reports submitted by disposal facilities and recycling and composting operations and facilities to CalRecycle, as required by existing law, additionally include information on the jurisdiction or region of origin for materials that are a mixture of plastic wastes and are exported out of the country.</p> <p>To the extent the bill requires local agencies to revise the SRRE of their integrated waste management plans, the bill imposes a state-mandated local program.</p>	
<p><u>AB 1201</u> Ting</p> <p>Solid waste: plastic products: labeling: compostability and biodegradability</p>	<p>This bill prohibits a person from selling a product that is labeled with the term “compostable,” “home compostable,” “biodegradable,” “degradable,” or “decomposable,” unless the product meets certain compostability requirements and other requirements for making environmental marketing claims. The bill additionally authorizes a person to offer for sale commercial and agricultural mulch film labeled with the term “soil biodegradable” only if CalRecycle adopts such a specification and the film meets the requirements. The bill exempts fiber products that do not incorporate plastics or polymers from the requirement to comply with the ASTM standard.</p> <p>As part of the aforementioned labeling criteria, the bill requires CalRecycle, by January 1, 2024, to make a specified determination, and on or before January 1, 2026, to adopt certain regulations depending on the results of that determination. The bill requires CalRecycle to adopt regulations, determining whether products are labeled in a manner that distinguishes the products from non-compostable products upon reasonable inspection by consumers and to help enable efficient processing by solid waste processing facilities.</p>	<p>SIGNED INTO LAW (10/05/21)</p>
<p><u>AB 1276</u> Carrillo</p>	<p>Existing law prohibits a full-service restaurant from providing single-use plastic straws to consumers unless requested by the consumer.</p> <p>This bill further prohibits a food facility or a third-party food delivery platform from providing any single-use food accessories (utensils, condiment cups/packets, straws, stirrers, splash sticks, etc.) to consumers</p>	<p>SIGNED INTO LAW (10/05/21)</p>



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BILLS SIGNED INTO LAW		
Recyclable Materials and Plastics Reduction		
Bill	Description	Status
<p>Single-use food accessories and service ware</p>	<p>unless requested by the consumer. The bill also prohibits those items from being bundled or packaged in a way that prohibits the consumer from taking only the item desired. The bill does not prohibit making available unwrapped single-use food ware accessories using refillable self-service dispensers. The bill also does not prohibit condiments from being provided through refillable dispenser, and specifies that food facilities are encouraged to use bulk condiments. The bill includes specific provisions regarding drive-through services and airport food facilities regarding safety and spill prevention in transport.</p> <p>The bill requires a food facility using a third-party food delivery platform to customize its menu with a list of available single-use food service ware accessories and standard condiments, and only provide those items when requested. The third-party delivery platforms shall provide the option for consumers to request single-use food service ware accessories and standard condiments on the food-ordering platform. The bill also includes provisions encouraging food facilities to take additional actions to reduce waste from single-use food service ware.</p> <p>Correctional institutions, health care facilities, residential care facilities, and public and private school cafeterias are not subject to these requirements.</p> <p>Nothing in the bill shall prevent a city, county, city and county, or other local public agency from adopting and implementing an ordinance or rule that would further restrict a food facility or a third-party food delivery platform from providing single-use food service ware accessories or standard condiments to a consumer.</p> <p>This bill requires a city, county, or city and county to authorize an enforcement agency to enforce these requirements on or before June 1, 2022, and issue specified penalties based on number of violations. By creating a new crime and imposing additional duties on local governing bodies, this bill would impose a state-mandated local program. This bill provides that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made.</p>	



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Recyclable Materials and Plastics Reduction		
Bill	Description	Status
<p>SB 343 Allen</p> <p>Environmental advertising: recycling symbol</p>	<p>This bill declares that it is the public policy of the state that claims related to the recyclability of a plastic product be truthful and that consumers deserve accurate and useful information related to how to properly handle the end of life of a plastic product.</p> <p>This bill prohibits a person from selling, distributing, or importing into the state any product or packaging for which a deceptive or misleading claim about the recyclability of the product is being made. A product or packaging that displays a “chasing arrows” symbol, among other symbols, is deemed to be a deceptive or misleading claim unless the product or packing is considered recyclable pursuant to statewide recyclability criteria. By expanding the scope of an existing crime, the bill imposes a state-mandated local program.</p> <p>This bill would prevent the resin identification code, required under existing law for all rigid plastic bottles and rigid plastic containers sold in the state, from being placed inside a chasing arrows symbol unless CalRecycle has determined the rigid plastic bottle or rigid plastic container is recyclable in the state.</p> <p>This bill requires CalRecycle to conduct various activities, including:</p> <ol style="list-style-type: none"> 1. Provide information to the public to evaluate whether a product or packaging is recyclable in the state, and whether or not the product or packaging routinely becomes feedstock used in the production of new products and packaging. 2. Update regulations to require disposal facility operators to inform CalRecycle on how materials collected or processed by the operations and facilities were initially collected and what material types and forms are actively recovered. 3. Conduct a characterization study of the material types and forms that are collected, sorted, sold, or transferred by solid waste facilities, and publish the results on CalRecycle’s website. <p>This bill would extend applicability of recordkeeping requirements under existing law related to environmental marketing claims and add to the required information and documentation for the use of</p>	<p>SIGNED INTO LAW (10/05/21)</p>



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BILLS SIGNED INTO LAW		
Recyclable Materials and Plastics Reduction		
Bill	Description	Status
	the term “recyclable,” the use of the chasing arrows symbol, or other representations advising consumers to recycle a product. Violation of these provisions would be a misdemeanor, thus creating a new crime and state-mandated local program.	

BILLS SIGNED INTO LAW		
Beverage Containers		
Bill	Description	Status
AB 962 Kamlager CA Beverage Container Recycling and Litter Reduction Act: reusable beverage containers	<p>The California Beverage Container Recycling and Litter Reduction Act (“the Act”, also commonly known as the “Bottle Bill”) was established to promote beverage container recycling and provides for the payment, collection, and distribution of certain payments and fees based on minimum refund values established for beverage containers.</p> <p>This bill authorizes a department-approved processor to wash reusable beverage containers or transfer a reusable beverage container for subsequent washing to a processor approved by CalRecycle. “Reusable beverage container” is defined to mean a glass container with a refund value established pursuant to the Act that is processed by a processor for subsequent washing for refill and sale by a beverage manufacturer. CalRecycle is authorized to certify additional processor models and the Director of CalRecycle is required to adopt a regulation for the requirements and standards for the certification and operation of those processors by January 1, 2024. By creating crimes relating to reusable beverage containers, the bill would impose a state-mandated local program.</p>	SIGNED INTO LAW (10/05/21)
AB 1311 Wood Recycling: beverage containers	<p>The bill requires CalRecycle to develop and implement a process pursuant to which a certified recycling center can apply to the department for authorization to operate on an alternative schedule, as specified. The bill also allows for recycling centers to operate through an appointment-based system, subject to certain requirements. The bill also includes authorization for CalRecycle to modify specifications regarding convenience zones for rural regions.</p>	SIGNED INTO LAW (10/05/21)



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BILLS SIGNED INTO LAW		
Beverage Containers		
Bill	Description	Status
	<p>This bill applies existing provisions applicable to reverse vending machines to “bag drop recycling centers”, defined to mean a recycling location operated by a recycling center at which consumers can drop off bagged empty beverage containers for redemption.</p> <p>This bill would specify that a dealer delivering empty beverage containers received from the public to a certified recycling center or processor for recycling pursuant to a specified provision is not subject to certain daily material limits established by existing law.</p>	

BILLS SIGNED INTO LAW		
Hazardous Waste and Illegal Dumping		
Bill	Description	Status
<p>AB 246 Quirk</p> <p>Contractors: disciplinary action</p>	<p>This bill adds illegal dumping to the list of violations that constitute a cause for disciplinary action against a contractor by the Contractor’s State License Board.</p>	<p>SIGNED INTO LAW (07/09/21)</p>
<p>AB 332 Committee on Environmental Safety and Toxic Materials</p> <p>Hazardous waste: treated wood waste: management standards</p>	<p>This bill requires a person managing treated wood waste to comply with the hazardous waste control laws or the management standards established in the bill, including standards for the reuse, storage, treatment, transportation, tracking, identification, and disposal of treated wood waste (TWW). The bill would limit those standards to TWW that is hazardous only because of a preservative present in or on the wood, and that is not subject to the existing exemption for certain wood waste or to regulation as a hazardous waste under federal law. The bill requires the Department of Toxic Substances Control (DTSC) to update the Legislature, upon request, regarding those management standards and changes to the treated wood waste program. TWW may be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a landfill. The bill makes inoperative all variances granted by DTSC before the enactment of the bill. Since a violation of the requirements of the bill would be a crime, the bill would impose a state-mandated local program.</p>	<p>SIGNED INTO LAW (08/31/2021)</p>



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Hazardous Waste and Illegal Dumping		
Bill	Description	Status
	<p>The bill requires the wood preserving industry to update DTSC, upon request, on trends within the wood preserving industry regarding the use of treated wood preservatives and the generation of TWW. The wood preserving industry, in consultation with DTSC, is required to maintain a website and prepare fact sheets annually on the appropriate handling, disposal, and management of TWW for generators of TWW and facilities that may handle or receive TWW.</p> <p>The bill requires DTSC, no later than July 1, 2028, to provide notification to the Legislature if DTSC is prepared to ensure the safe management of treated wood waste in accordance with the hazardous waste control laws, if the provisions of this bill were to be repealed. If, as of July 1, 2028, DTSC has provided that notification, the bill would repeal its provisions as of January 1, 2030.</p> <p>This bill took effect immediately as an urgency statute.</p>	
<p>AB 707 Quirk</p> <p>Mercury Thermostat Collection Act of 2021</p>	<p>Existing law, the Mercury Thermostat Collection Act of 2008, requires a manufacturer that owns or owned a name brand of mercury-added thermostats, sold in this state before January 1, 2006, to establish and maintain a collection, transportation, recycling, and disposal program for out-of-service mercury-added thermostats. The act requires each manufacturer to provide collection bins to wholesalers for collection of out-of-service mercury -added thermostats at a cost not to exceed \$25.</p> <p>This bill recasts the program as the Mercury Thermostat Collection Act of 2021 and requires each manufacturer of mercury-added thermostats, on or before March 1, 2022, to contract with or retain a third party through an RFP process. The third-party will be responsible for developing and implementing a convenient, cost-effective, and efficient program for the collection, transportation, recycling, and disposal of out-of-service mercury-added thermostats and developing an education and outreach campaign to market this program. The third party is required to submit to DTSC, a written plan for the program, as well as conduct annual surveys of specified entities to evaluate the effectiveness of the program’s education and outreach campaign and to obtain collection data.</p> <p>The bill requires each manufacturer to pay DTSC for implementation and enforcement costs and pay the third party for the aforementioned services.</p>	<p>SIGNED INTO LAW (10/08/21)</p>



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BILLS SIGNED INTO LAW		
Hazardous Waste and Illegal Dumping		
Bill	Description	Status
	The bill requires DTSC to repeal any regulations previously adopted to implement the act. The bill requires, on or before January 1, 2028, DTSC to report to the Legislature on the status of the program. The bill will repeal the act on January 1, 2030.	
AB 1200 Ting Plant-based food packaging: cookware: hazardous chemicals <i>[Also relates to plastics and organic waste sections above]</i>	<p><u>Food packaging:</u> This bill prohibits, beginning January 1, 2023, any person from distributing, selling, or offering for sale in the state specific types of food packaging that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS). The bill requires a manufacturer to use the least toxic alternative when replacing PFAS chemicals. The bill defines “food packaging,” in part, to mean a nondurable package, packaging component, or food service ware that is comprised, in substantial part, of paper, paperboard, or other materials originally derived from plant fibers.</p> <p><u>Cookware:</u> This bill requires manufacturers of cookware sold in the state that contains one or more intentionally added chemicals, presented on a designated list, to include a statement on the product label, in both English and Spanish, regarding the presence of those chemicals and post on its website a list of certain chemicals in the cookware that are present. The bill prohibits a manufacturer from making a false claim regarding chemicals in the cookware, and prohibits this cookware from being sold or distributed in the state unless the cookware and the manufacturer comply with all of these provisions.</p>	SIGNED INTO LAW (10/05/21)
SB 244 Archuleta Lithium-ion batteries:	<p><i>Vetoed by Governor. See veto section below for details.</i></p>	
AJR 4 Garcia Basel Convention: ratification	<p>This measure declares California’s support of the ratification of the Basel Convention and requests that the Biden Administration accomplish this ratification as a matter of urgency.</p> <p>The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989) was signed but never ratified by the United States. The U.S. is one of nine countries that have failed to ratify this agreement meant to protect developing nations from the export and inequitable dumping of wastes from other countries. In May 2019, the Basel Convention was amended to specifically</p>	SIGNED INTO LAW (07/15/21)



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BILLS SIGNED INTO LAW		
Hazardous Waste and Illegal Dumping		
Bill	Description	Status
	include mixed and contaminated plastic waste shipments within its control procedure to address continuing issues with plastic waste markets and inequitable exports.	

BILLS SIGNED INTO LAW		
Water and Wastewater		
Bill	Description	Status
AB 818 Bloom Premoistened nonwoven disposable wipes	This bill requires certain premoistened nonwoven disposable wipes manufactured on or after July 1, 2022, to be labeled with the phrase “Do Not Flush” and a related symbol. The bill prohibits manufacturers from making inaccurate representations about flushability of those products, subject to penalties. The bill establishes enforcement provisions, including the authorization of a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a covered entity who violates those provisions. This bill establishes, until January 1, 2027, the California Consumer Education and Outreach program, under which manufacturers are required to participate in a study conducted in collaboration with wastewater agencies to gain understanding on consumer behavior regarding the flushing of wipes, and conduct a comprehensive education program, with associated reporting requirements.	SIGNED INTO LAW (10/06/21)
SB 323 Caballero Local government: water or sewer service: legal actions	This bill would require any lawsuit, judicial action, or proceeding against the adoption or modification of water or sewer service fees or charges adopted after January 1, 2022, to be commenced within 120 days of the effective date or adoption date of the fee (whichever is later).	SIGNED INTO LAW (09/22/2021)



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Bills Vetoed

BILLS VETOED

Bill	Description	Status
<p>SB 244 Archuleta</p> <p>Lithium-ion batteries: illegal disposal: fire prevention</p>	<p>This bill would prohibit a person from knowingly disposing of a lithium-ion battery in a container or receptacle that is intended for the collection of solid waste or recyclable materials.</p> <p>This bill would require CalRecycle, in consultation with DTSC, on or before July 1, 2024, to develop a guidance document related to the proper handling and disposal of lithium-ion batteries. CalRecycle would be authorized to solicit and use expertise available in other state agencies and to convene a working group to advise on the content, development, and promotion of the guidance document.</p> <p>Additionally, the bill would require the Department of Forestry and Fire Protection, before January 1, 2023, to develop a model protocol and training that identifies best practices for the detection, safe handling, and suppression of fires that originate from discarded lithium-ion batteries in solid waste or recycling collection receptacles. The bill would require a solid waste enterprise, before July 1, 2023, after consultation with the county fire marshal in every county in which the solid waste enterprise conducts solid waste collection operations, to adopt a protocol and arrange any necessary training for relevant employees. By imposing new duties on county fire marshals, this bill imposes a state mandated program.</p> <p>For an explanation of why the bill was vetoed, see Governor Newsom’s Veto Statement on the bill.</p>	<p>VETOED BY GOVERNOR (10/07/21)</p>



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Bills Not Passed in 2021

Note that some of the bills below may return in 2022 as a two-year bill.

NOT PASSED IN 2021

Bill	Description	Status
Organic Waste		
AB 125 Robert Rivas Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022	This bill would enact the Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,303,000,000 to finance programs related to, among other things, agricultural lands, food and fiber infrastructure, climate resilience, organic waste and food recovery, farmworkers and agricultural professionals, workforce development and training, air quality, tribes, disadvantaged communities, nutrition, food aid, and more. Chapter 8 of the bill focuses on “Reducing Food Waste and Increasing Compost Production,” including funding for such programs.	Last action: Re-referred to Com. on NAT. RES. (04/15/21)
AB 318 Levine Green waste classification	This bill would require, on or before January 1, 2023, the DTSC, in consultation with CalRecycle and the Dept. of Food and Agriculture, to provide guidance to certified unified program agencies on how to characterize cannabis waste under the hazardous waste control laws and regulations. The bill would authorize DTSC to adopt regulations establishing management standards for cannabis waste as an alternative to the requirements specified in the hazardous waste control laws.	Last action: Ordered to inactive file at the request of Assembly Member Levine (06/03/21)
AB 734 Eduardo Garcia Organic Waste: reduction goals: edible food	Existing law, SB 1383, sets the following state-wide goals: reduce disposal of organic waste by 50% by 2020 and 75% by 2025; and, recover for human consumption 20% of edible food that is currently disposed. In addition to recovery for human consumption, this bill would authorize recovery of food for animal or livestock consumption as a method to meet the State’s 20% edible food recovery goal.	Last action: Re-referred to Com. on NAT. RES. (03/26/21)
AB 1027 Seyarto Solid and organic waste	This bill would express the intent of the Legislature to enact subsequent legislation to provide relief from existing solid waste recycling, composting, and source reduction requirements and organic waste recycling requirements, for no more than one year, to cities and municipalities struggling due to the impacts of COVID-19.	Last action: May be heard in committee on March 21, 2021. (02/19/21)
AB 1086 Aguiar-Curry	This bill would request that the California Council on Science and Technology, in consultation with its research partners and other state agencies, complete a report that provides an implementation strategy to	Last action:



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NOT PASSED IN 2021

Bill	Description	Status
Organic waste implementation strategy	achieve the state’s organic waste, and related climate change and air quality, mandates, goals, and targets. The bill would require the implementation strategy to include, among other things, recommendations on policy and funding support for the beneficial reuse of organic waste.	In committee; Held under submission (08/26/21)
SB 240 Eggman Income tax: credits: food banks.	Existing law allows, for taxable years beginning on or after January 1, 2017, and before January 1, 2022, a tax credit for qualified taxpayers in an amount equal to 15% of the qualified value of fresh fruits or vegetables and specified raw agricultural products or processed foods donated to a food bank (often referred to as the “farm to food bank tax credit”). This bill would extend the authorization for those food bank tax credits to a taxable year beginning before January 1, 2027. The bill would extend the requirement of the reports until January 1, 2026.	Last action: Ordered to inactive file on request of Senator Eggman (06/01/21)
SB 759 Hueso Short-lived climate pollutants	This bill would make a non-substantive language revision to SB 1383 wording to clarify that the State’s methane emission reduction goals include <i>both</i> of the organic waste reduction targets set (50% by 2020 and 75% by 2025).	Last action: Referred to Com. on RLS (03/03/21)
Recyclable Materials and Plastic Reduction		
AB 478 Ting Minimum Recycled Content of Thermoform Containers	This bill would require thermoform plastic containers (e.g., berry boxes and “clamshells”) sold in the state to contain, on average, no less than 20% or 30% postconsumer thermoform recycled plastic (based on recycling rates, as specified) per year on and after June 1, 2030. The required annual percentages would be phased in pursuant to a tiered plan that is contingent on certain recycling rates, as follows: <ul style="list-style-type: none"> • 10% postconsumer thermoform recycled plastic (on and after Jan. 1, 2024). • 20% or 25% postconsumer thermoform recycled plastic (on and after June 1, 2027). • 20% or 30% postconsumer thermoform recycled content (on an after June 1, 2030). The bill includes recordkeeping and reporting requirements and specifications around authorized inspections and penalties assessed.	Last action: In committee: held under submission (08/26/21)



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NOT PASSED IN 2021

Bill	Description	Status
	<p>Existing law, the California Beverage Container Recycling and Litter Reduction Act, authorizes CalRecycle to calculate a curbside recycling program commingled rate for bimetal containers, and a combined commingled rate for all plastic beverage containers displaying certain resin identification codes.</p> <p>This bill would revise the definition of “commingled rate” as the ratio of empty beverage containers to all other containers of the same material type and form. The bill would delete CalRecycle’s authority related to commingled rates for bimetal containers and plastic beverage containers. The bill would require CalRecycle to exclude thermoform plastic for purposes of calculating the commingled rate for each type of plastic container.</p>	
<p>AB 661 Bennett</p> <p>Recycling: materials (State Agency Buy-Recycled Campaign)</p>	<p>Existing law establishes the State Agency Buy Recycled Campaign (SABRC), which requires state agencies to purchase recycled products instead of nonrecycled products whenever recycled products are available at the same or a lesser cost than nonrecycled products, and also includes minimum recycled-content standards, recordkeeping and reporting requirements, and other applicable requirements.</p> <p>This bill would require a state agency to purchase recycled products instead of nonrecycled products, if fitness and quality are equal, regardless of cost. It would revise product categories and require the CalRecycle, in coordination with Department of General Services (DGS), to update and maintain a list of products and minimum recycled content percentages. The bill revises additional aspects of the SABRC program, including the roles and requirements between DGS and CalRecycle. The bill would clarify that the University of California is not subject to SABRC.</p>	<p>Last action: In committee: hearing postponed by committee (05/20/21)</p>
<p>AB 683 Grayson</p> <p>Recycling: Procurement</p>	<p>This bill would authorize CalRecycle, on or after January 1, 2022, to add additional products to the State Agency Buy-Recycled Campaign (SABRC) based on criteria selected by DGS.</p>	<p>Last action: Re-referred to Com. on A. & A.R. (03/22/21)</p>
<p>AB 842 Cristina Garcia</p>	<p>This bill would enact the California Circular Economy and Plastic Pollution Reduction Act, which would establish a comprehensive regulatory scheme for producers, retailers, and wholesalers of single-use packaging and/or single-use food service ware products made of plastic to form or join a stewardship</p>	<p>Last action: Re-referred to Com. on NAT. RES. (03/23/21)</p>



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NOT PASSED IN 2021

Bill	Description	Status
California Circular Economy and Plastic Pollution Reduction Act	<p>organization with the goal of reaching a 75% recycling rate. Producers would also have recordkeeping, reporting, registration, and other requirements.</p> <p>Beginning Jan. 1, 2023, the bill would require all single-use packaging and products sold to be easily recyclable or easily compostable in the state; and beginning January 1, 2035, to contain 75% postconsumer recycled content.</p> <p>CalRecycle would be required to develop criteria and post a list of packaging and product categories that are easily recyclable or compostable; hard to recycle or compost; or nonrecyclable/non-compostable.</p>	
<p>AB 1371 Friedman</p> <p>Recycling: plastic: packaging and carryout bags</p>	<p>Packaging:</p> <p><u>Material requirements:</u> This bill would prohibit an online retailer from using single-use plastic packaging that consists of shipping envelopes, cushioning, or void fill to package or transport the products and would prohibit a manufacturer, retailer, producer, or other distributor from using expanded polystyrene (EPS) packaging to package or transport the products (except televisions, printers, computer screens, and large appliances until January 1, 2023).</p> <p><u>Take-back:</u> The bill would require online retailers that provide lockers for the secure pickup of purchased products to provide a take-back container for plastic film and EPS packaging for customers at each retail location and maintain records that can be provided to CalRecycle and local jurisdictions, upon request. Violation of the foregoing requirements is subject to civil penalties, and such penalties collected would be deposited into the Plastic Packaging Reduction Penalty Account, which the bill would create.</p> <p>Plastic Bags:</p> <p>This bill would establish the At-Store Recycling Program, which requires a store operator to have an at-store recycling program that allows customers to return clean plastic bags to the store. The bill includes additional details regarding recordkeeping and penalties for these programs. The program requirements would be inoperative January 1, 2030, and recordkeeping and penalty provisions would be inoperative January 1, 2033.</p>	<p>Last action: Read third time. Refused passage. Com. on APPR. (06/03/21)</p>



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NOT PASSED IN 2021		
Bill	Description	Status
SB 54 Allen, Stern, Wiener Plastic Pollution Producer Responsibility Act	This bill would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use disposable packaging or single-use disposable food service ware products from selling, distributing, or importing these packaging or products within the state that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.	Last action: Ordered to inactive file on request of Senator Allen (05/20/21)
Beverage Containers		
AB 1067 Ting Beverage containers	This bill would revise provisions of the California Beverage Container Recycling and Litter Reduction Act. The bill would: <ul style="list-style-type: none"> • Revise the current beverage container recycling goal of 80% to instead be: 80% by 2025, 85% by 2030, and 90% by 2035. • Revise the definition of convenience zone, to incrementally increase the defined radius from a supermarket to be up to 2-miles starting January 1, 2025. • Consider Bag drop locations an eligible “recycling location,” as defined. • Repeal the requirement that a reverse vending machine provide an attendant to be considered open for business. The bill would also revise the definition of “reverse vending machine” to additionally allow a reverse vending machine the option to issue store credit. • Require CalRecycle to increase the monetary amount of processing payments by specified percentages ranging from 10% to 50% for container types with specified recycling rates ranging from 50% to 75% or greater, respectively. The bill would also require CalRecycle to make a supplemental handling fee payment from the fund to each rural region recycler to subsidize transportation costs. The bill would authorize CalRecycle to provide funding annually to local governments to update their beverage container recycling infrastructure and to provide recycling education and direct feedback to their community members. • Repeal certain inoperative dates to extend the recycling pilot project program indefinitely. • Impose various additional requirements on CalRecycle in connection with administering the Act, including: increasing staffing; purchasing data; conducting surveys of recycling service levels; submitting to the Legislature proposed statutory changes to transition incrementally to a higher refund value; 	Last action: Re-referred to Com. on NAT. RES. (04/21/21)



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Bill	Description	Status
	submitting to the Legislature proposed statutory changes to make certain dealers that redeem empty beverage containers eligible to receive reimbursement and handling fees; and designing a program to ensure the fund does not go insolvent when the beverage container recycling rate exceeds 75%.	
AB 1454 Bloom and O'Donnell The California Beverage Container and Litter Reduction Act	This bill would require the following: <ol style="list-style-type: none"> 1. Establish the Beverage Container Recycling Program Advisory Board, including members in specified stakeholder categories, and would require CalRecycle to consult with the board on any changes impacting the beverage container recycling program. 2. Allow CalRecycle to designate a regional convenience zone serving up to five unserved supermarket-based convenience zones. 3. Require CalRecycle to certify bag drop redemption programs, and those certified entities would be eligible for handling fees and processing payments 4. Require certified recycling centers to accept empty beverage containers from the consumer and pay the consumer the refund value of the beverage container. This bill would require the refund value paid to the consumer to be paid onsite at the time of redemption, through a voucher, or through an electronic payment within three business days. Because a violation of this requirement would be a crime under the act, the bill would impose a state-mandated local program. 5. Require the director of CalRecycle to increase processing payments to certified recycling centers. The bill would require CalRecycle to pay the first operator of a recycling center certified in a convenience zone that, as of January 1, 2021, has been continuously underserved, a handling fee payment. 6. Authorize CalRecycle to establish a program to provide startup loans of \$50,000 to entities that establish and operate certified recycling centers in unserved or underserved areas in the state. The bill would also require CalRecycle to provide plastic quality incentive payments and fund community conservation corps staffing costs. 	Last action: In committee: hearing postponed by committee (07/05/21)
SB 38 Wieckowski Beverage Containers	The bill, commencing July 1, 2024, would revise and recast provisions of the California Beverage Container Recycling and Litter Reduction Act, which would be renamed the Beverage Container Recycling Program. Including, but not limited to the following, this bill would:	Last action: Re-referred to Com. on NAT. RES. (06/30/21)



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Bill	Description	Status
	<ol style="list-style-type: none"> 1. Require distributors of beverage containers in the state to form a beverage container stewardship organization, with specified requirements and activities. The bill would require the organization to, among other things, establish a handling fee to be paid by the organization to redemption centers for each empty beverage container redeemed by the redemption center and establish payments to a processor to help ensure the processor is not operating at a loss. 2. Increase the refund value to (or remain at) ten cents (\$0.10), if the container redemption rate is below a certain percentage for a container type. 3. Revise the current alternative requirement for dealers in unserved convenience zones. 4. Limit moneys received by CalRecycle under the program to penalties for violating these provisions and charges to fund the department’s administration of the program to be deposited into the Beverage Container Recycling Program Fund, which the bill would create. <p>By increasing the scope of various crimes relating to beverage containers, this bill would impose a state-mandated local program.</p>	
SB 451 Dodd Beverage container recycling: pilot projects	This bill would authorize CalRecycle to establish a recycling pilot program for the collection and recycling of beverage containers. The definition of “beverage containers” for the purposes of the pilot program would be expanded to include the types of beverage containers currently excluded from CRV eligibility (e.g., wine, milk, infant formula, and more). The bill would require the recycling pilot program to submit a plan to CalRecycle with specified goals and provide CalRecycle with annual updates, and an annual report on or before April 1, 2026.	Last action: Referred to Com. on NAT. RES. (06/10/21)
Hazardous Waste		
AB 1 Cristina Garcia, Santiago Hazardous Waste	This bill would create the Board of Environmental Safety within the California Environmental Protection Agency (CalEPA). The most relevant duties of the board include reviewing relevant hazardous waste policy, processes, and programs; and hearing and deciding appeals of hazardous waste permits and financial assurance decisions. The Department of Toxic Substances Control (DTSC) would be required to submit a hazardous waste management plan every three years to the Board beginning March 1, 2023.	Last action: Referred to Coms. On E.Q. and JUD. (06/09/21)



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Bill	Description	Status
	Existing law requires a generator who generated five (5) or more tons of hazardous waste in the prior calendar year to pay a generator fee and requires an operator of a hazardous waste facility to pay a facility fee. This bill would repeal the generator fee and would instead require the generator to pay a generation and handling fee of \$35.50 for each ton of hazardous waste generated to the California Department of Tax and Fee Administration. This bill would increase the base rate and revise the tiered payment structure for the facility fee.	
AB 684 Fong Hazardous Waste: treated wood waste	This bill would define the term “treated wood” and allow treated wood waste to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill that meets specified requirements. The bill would require the Department of Toxic Substances Control (DTSC) to adopt regulations establishing management standards for treated wood waste as an alternative to the requirements specified in the hazardous waste control laws. Since a violation of the regulations adopted by the DTSC would be a crime, the bill would impose a state-mandated local program. The bill includes inspection and reporting requirements for DTSC, and informational labeling requirements for wholesalers and retailers.	Last action: Referred to Com. on E.S. & T.M. (02/25/21)
AB 732 Quirk Department of Toxic Substances Control: Toxic substances control account	<p>This bill would express the intent of the Legislature to identify and remediate releases of hazardous substances throughout the state to protect human health and the environment. The bill would require DTSC to publish the list of hazardous substances release sites selected for a response action on its internet website.</p> <p>This bill would provide that the Legislature may appropriate moneys from the Toxic Substances Control Account for the Green Chemistry program and for the administration of the Safer Consumer Products Program. The Green Chemistry program requires DTSC to adopt regulations to establish a process to identify and prioritize chemicals in consumer products that may be considered “chemicals of concern.”</p> <p>Existing law requires certain organizations that use, generate, store, or conduct activities in the state related to hazardous materials, to pay an annual “Environmental Fee,” based on the number of employees. This bill would increase the amount of the annual Environmental Fee.</p>	Last action: Testimony taken. Hearing postponed by Com. on E.S. & T.M. (04/07/21)



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Bill	Description	Status
AB 735 Smith Solid waste: Rechargeable Battery Recycling Act	Existing law requires the Department of Toxic Substances Control to post on its internet website the estimated amount, by weight, of each type of rechargeable batteries returned for recycling during the previous calendar year. This bill would authorize DTSC to include on its internet website the prior years' previously posted information of the estimated amount, by weight, of each type of rechargeable batteries returned for recycling, in addition to "previous calendar year" information that is already posted.	Last action: Referred to Com. on E.S. & T.M. 02/25/21
AB 1350 Patterson Department of Toxic Substances Control: environmental fee exemption	Existing law requires businesses with 50 or more employees that use, generate, store, or conduct activities in the state related to hazardous materials, to pay an annual tax, known as the "Environmental Fee." The "Environmental Fee" funds oversight of hazardous waste management and disposal. This bill would exempt organizations with fewer than 100 employees from the annual "Environmental Fee" until January 1, 2025.	Last action: Hearing cancelled at request of the author (04/07/21)
SB 42 Wieckowski Department of Toxic Substances Control: Board of Environmental Safety	This bill would establish the Board of Environmental Safety within the Department of Toxic Substances Control (DTSC). The Board would be required to hear and decide appeals of hazardous waste facility permit decisions; propose statutory changes for hazardous waste management in the state; develop a schedule of long-term goals for DTSC; and annually prepare and submit a review of DTSC's performance to the Secretary for Environmental Protection.	Last action: Hearing cancelled at request of the author (06/29/21)
SB 207 Dahle County road commissioner: County of Siskiyou (<i>Previously: Photovoltaic Recycling Advisory Group</i>)	This bill changed topics during 2021. It was previously a bill that would require the Secretary for Environmental Protection to convene the Photovoltaic Recycling Advisory Group to review and advise the California State Legislature on policies pertaining to the recovery and recycling of photovoltaic panels and their components. The bill now relates to the authorization process for county road commissioner for Siskiyou County.	Last action: Hearing cancelled at request of the author (06/29/21)
SB 289 Newman	The bill would enact the Battery and Battery-Embedded Product Recycling and Fire Risk Reduction Act of 2021, which would require producers to establish a stewardship program for batteries and battery	Last action:



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Bill	Description	Status
<p>Recycling: batteries and battery-embedded products</p>	<p>embedded products. Stewardship organizations or producers must submit a plan for the collection, transportation, and recycling of batteries or battery-embedded products by June 30, 2025. The bill would require the plan to include a collection system for batteries and battery-embedded products with a certain number of collection site as well as a funding mechanism.</p> <p>The bill would provide for enforcement of its provisions, including authorizing CalRecycle to impose an administrative civil penalty on a stewardship organization, producer, manufacturer, distributor, retailer, importer, recycler, or collection site in violation of the bill not to exceed \$10,000 per day,</p> <p>The bill would require CalRecycle, on or before July 1, 2026, and annually thereafter, to post on its internet website a list of producers, brands, and batteries/battery-embedded products that are in compliance with the bill. The bill would prohibit a retailer or distributor from selling, distributing, or importing a battery/battery-embedded product unless the producer is listed as in compliance on that list.</p> <p>The bill requires quarterly payments by the stewardship organization to relevant state agencies for implementation and enforcement costs, to be deposited in the Battery and Battery-Embedded Product Recycling Fund (created by the bill).</p> <p>CalRecycle, in consultation with DTSC, would be required to adopt regulations by January 1, 2024.</p>	<p>Held in committee and under submission (05/20/21)</p>
<p>SB 557 Wieckowski</p> <p>Hazardous waste: treated wood waste</p>	<p>This bill would define the term “treated wood” as wood that has been treated with a chemical preservative for purposes of protecting wood against attacks from insects and other environmental factors that can lead to decay. It would allow treated wood waste to be disposed of in either a class I hazardous waste landfill or in a composite-lined portion of a solid waste landfill. The bill would authorize treated wood waste to be reused if the reuse occurs onsite at the facility at which the treated wood waste was generated, among other conditions. The bill would also require the wood preserving industry to maintain a website and prepare fact sheets on the appropriate handling, disposal, and other management of treated wood waste.</p> <p>DTSC would be authorized to adopt regulations establishing management standards for treated wood waste. DTSC would be required to track generators and perform inspection, and submit a plan for these activities. Variances granted by DTSC before January 1, 2005, governing the management of treated wood waste would be inoperative and have no further effect.</p>	<p>Last action: Held in committee and under submission (05/20/21)</p>



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Bill	Description	Status
Miscellaneous		
AB 659 Mathis Dumping	This bill would make dumping waste matter on private property (including private roads or highways) without consent of the owner punishable by a fine between \$250 and \$1,000 for the first conviction, between \$500 and \$1,500 for the second conviction, and between \$750 and \$3,000 for the third conviction. The bill would make subsequent convictions a misdemeanor punishable by imprisonment in a county jail for not more than 30 days and a fine by not less than \$750 nor more than \$3,000.	Last action: 04/06/21 Hearing canceled at request of author.
AB 622 Friedman Washing machines: microfiber filtration.	This bill would require, on or before January 1, 2024, that all washing machines sold as new in California contain a microfiber filtration system with a mesh size of 100 microns or smaller.	Last action: Hearing cancelled at request of author (04/21/21)
AB 802 Bloom Microfiber filters	This bill would require the State Water Resources Control Board to identify the best available control technology for filtering microfibers from an industrial, institutional, or commercial laundry facility on or before an unspecified date, and would require the state board to consult with owners and operators of laundry facilities on the types of filtration systems currently in use and with universities, scientific organizations, and experts on plastic pollution in identifying the best available control technology. The bill would also require, on or before an unspecified date, any entity that operates an industrial, institutional, or commercial laundry facility to adopt the use of the best available control technology to capture microfibers that are shed during washing.	Last action: Hearing postponed by committee (04/07/21)
AB 649 Bennett Department of Resources Recycling and Recovery: Office of Environmental Justice and Tribal Relations	This bill would establish the Office of Environmental Justice and Tribal Relations within CalRecycle. The bill would prescribe the duties of the office, including, among others, ensuring that the department's programs effectively address the needs of disadvantaged communities, low-income communities, California Native American tribes, and farmworkers.	Last action: Re-referred to Com. on NAT. RES. (03/15/21)



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NOT PASSED IN 2021

Bill	Description	Status
SB 741 Archuleta Trash receptacles & storage containers: reflective markings	This bill would require a person who sells or provides for compensation a trash receptacle or storage container that is longer than 3 feet and taller than 4 feet and that is designed to be placed on a roadway or the curb of a roadway in order to be emptied or picked up to mark the receptacle or container with a reflector on each side. The bill would authorize a civil penalty against a person who violates this prohibition pursuant to an action brought by the Attorney General, a district attorney, or a city attorney.	Last action: April 13 hearing postponed by Committee (04/05/21)
SB 580 Hueso Department of Transportation: highways and roads: recycled plastics study and certifications	<p>This bill would authorize the Department of Transportation to conduct a study to assess the feasibility, cost effectiveness, and life-cycle environmental benefits of including recycled plastics in asphalt used as a paving material in the construction, maintenance, or rehabilitation of a highway or road. The Ocean Protection Council would be required to review the study to determine impacts on the ocean’s health, and the department would be required to assess the environmental benefits and impacts identified by the council. If the Department determines that use of recycled plastics meets the specified criteria, the bill would authorize the Department to establish specifications for the inclusion of recycled plastics in asphalt for the aforementioned purposes. The bill would also require the Department to prepare and submit and annual analysis on its progress.</p> <p>The bill would require a local agency that has jurisdiction over a street or highway to either adopt the specifications established by the Department of Transportation or discuss at a public hearing why the specifications are not being adopted. By increasing the duties of local agencies, this bill would impose a state-mandated local program. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made.</p>	Last action: Ordered to inactive file on request of Senator Hueso (05/26/21)



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Terms and Committee Abbreviations:

Committee Abbreviations:

- Com on A & A.R. – Committee on Accountability and Administrative Review
- Com. on APPR. – Committee on Appropriations
- Com. on B. & P. – Committee on Business and Professions
- Com. on E, U. & C. – Committee on Energy, Utilities, and Communications
- Com. on E.S. & T.M. – Committee on Environmental Safety and Toxic Materials
- Com. on EQ. – Committee on Environmental Quality
- Com. on GOV & F – Committee on Governance and Finance
- Com. on JUD. – Committee on Judiciary
- Com. on NAT. RES. – Committee on Natural Resources
- Com. N.R. & W. – Committee on Natural Resources and Water
- Com. on PUB S – Committee on Public Safety
- Com. on Rev. & Tax. – Committee on Revenue and Taxation
- Com. on RLS – Committee on Rules
- Com. on TRANS – Committee on Transportation
- Com. on U. & E. – Committee on Utilities and Energy

Other Terms:

- CalRecycle: The Department of Resources Recycling and Recovery
- DGS: Department of General Services.
- DTSC: Department of Toxic Substances Control



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OTHER POLICY INITIATIVES

California Ballot Initiatives

The [California Plastic Waste Reduction Regulations Initiative](#) (“Plastics Free California Initiative”) has been approved for the November 2022 ballot. Some key features of the initiative include:

- Requiring all single-use plastic packaging must be reusable, recyclable, refillable, or compostable by 2030.
- Charging manufacturers a fee for all single-use plastic packaging/products produced.
- Reducing total single-use plastic packaging/food service ware sold in California by at least 25% by 2030.
- Requiring use of recycled content and renewable materials in production of plastic packaging.
- Establishing and enforcing product labeling standards.
- Prohibiting food vendors from distributing expanded polystyrene food service containers.
- Increasing convenient consumer access to recycling, including take-back programs and deposits.
- Distributing funding to state agencies and local governmental for recycling/composting programs, waste reduction efforts, environmental restoration, and other projects.



Policy Recommendations from Statewide Commission

AB 1583 (2019, Eggman) requires CalRecycle to form an independent advisory board, [the Statewide Commission on Recycling Markets and Curbside Recycling](#), comprised of industry experts from different sectors. AB 2287 (2020, Eggman) specifies the deadline for the Commission to issue a final policy recommendations report and identify a list of recyclable and compostable products in the state by July 1, 2021. The Commission released its Final Recommendations Report on June 25, 2021, which can be found [here](#). The report contains thirty (30) policy recommendations in total, with a wide variety of topics such as: expanding EPR programs, tackling difficult-to-recycle products, development infrastructure and markets, improving existing legislation, designing products for recyclability, increasing reuse options, and more.

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NATIONAL LEGISLATION HIGHLIGHTS

Other States

- [Maine](#)– On July 13, 2021, Gov. Janet Mills signed LD 1541, “An Act to Support and Improve Municipal Recycling Programs and Save Taxpayer Money,” establishing an Extended Producer Responsibility program for packaging. Producers of packaging products will be required to pay into a fund based on the recyclability associated with their products. The funds will be used to reimburse jurisdictions for recycling and waste management costs, improve Maine’s recycling infrastructure, and provide recycling education and outreach to Maine’s citizens. The final regulations are expected to be adopted in the Spring or Summer of 2025.
- [Oregon](#) – On August 6, 2021, Gov. Kate Brown signed SB 582, the “Plastic Pollution and Recycling Modernization Act”, establishing an Extended Producer Responsibility program for packaging, printing and writing paper, and food service ware. Producers of these products will be responsible for financing improvements to Oregon’s recycling infrastructure and implementing new activities (e.g., creating a statewide list of what can be recycled) to increase the efficiency of Oregon’s recycling programs. The new law goes into effect January 1, 2022, with a planning and implementation phase until the programs are enforced in July of 2025.
- [Washington](#) – On May 17, 2021, Governor Inslee signed SB 5022 which: i) requires minimum recycled content standards for plastic beverage containers, trash bags, and household/personal care products; ii) bans some types of extended polystyrene containers; and, iii) makes single-use foods service ware available only on request.

Federal Legislation

Federal Legislation		
Bill	Description	Status
HR 587 Peters Ocean Pollution Reduction Act II	This bill revises requirements under the National Pollutant Discharge Elimination System (NPDES) permit program for the Point Loma Wastewater Treatment Plan in San Diego, California. This bill eliminates the need for the City of San Diego to obtain permits for modifications to the NPDES standards for treatment of wastewater discharged by the plant into Marine Waters. Instead, the City may apply to obtain the permit modifications under the main NPDES permit if the plant meets certain conditions.	06/16/21 Received in the Senate and referred to the Committee on Environment and Public Works
HR 848 Thompson GREEN Act of 2021	This bill would amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency through tax credits. Including, among many other provisions, extending the tax credit for production of electricity derived from certain renewable resources, biomass, and landfill facilities.	02/04/21 Introduced and referred to the House Committee on Ways and Means



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Federal Legislation		
Bill	Description	Status
HR 1015 Napolitano Water Recycling Investment and Improvement Act	This bill would make the Bureau of Reclamation’s grant program for the funding of water recycling and reuse projects permanent. The bill removes the priority under the program for projects in areas that had been previously identified as experiencing drought or designated by the state as a “disaster area.” The bill would also increase the authorization of appropriations for the program and otherwise revises provisions related to program funding through Fiscal Year 2025.	02/11/21 Introduced and referred to the House Committee on Natural Resources
HR 2101 Ilhan ZERO WASTE Act	This bill requires the Environmental Protection Agency (EPA) to establish grant programs for reducing waste. The EPA must establish a program to award grants to nonprofit organizations and state, local, and tribal governments for projects that utilize specified zero-waste practices. “Zero-waste” is defined in the bill as the conservation of all resources by means of responsible production, consumption, reuse, and recovery of products, packaging, and materials without burning or otherwise destroying embodied energy and a discharge to land, water, or air that results in adverse human health or environmental effects.	03/22/21 Referred to Subcommittee on Environment and Climate Change
HR 2357 Cardenas RECOVER Act	This bill authorizes the EPA to establish a Recycling Infrastructure Program. Under the program, the EPA may award financial assistance to states, local governments, and tribal governments to support and expand their recycling infrastructure and programs.	04/06/21 Referred to the Subcommittee on Environment and Climate Change
HR 2821 Stevens Plastic Waste Reduction and Recycling Research Act	This bill establishes the Plastic Waste Reduction and Recycling Research Program to improve the global competitiveness of the U.S. plastics recycling industry and to mitigate any harmful effects of plastic waste on the environment. The bill also provides for an interagency committee to coordinate the program.	04/22/21 Introduced in the House and referred to the House Committee on Science, Space, and Technology
HR 4443 Brownley COMPOST Act	This bill would require the designation of composting as a conservation practice and activity, and would require the provision of grants and loan guarantees for composting facilities and programs.	08/11/21 Referred to the Subcommittee on Conservation and Forestry



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Federal Legislation		
Bill	Description	Status
		07/16/21 Introduced in the House
HR 4444 Brownley Zero Food Waste Act	This bill would provide grants to reduce the amount of food waste, and for other related purposes.	07/16/21 Introduced in House and referred to the House Committee on Energy and Commerce
S 923 Portman RECYCLE Act of 2021	This bill provides support for recycling programs. Specifically, the bill requires the EPA to establish a program to award grants to improve the effectiveness of residential and community recycling programs through public education and outreach. The EPA would also be required to develop a model recycling program toolkit for states, Native American tribes, and local governments. The bill also requires the EPA to review its federal procurement guidelines for purchasing certain recycled materials and items made with such materials at least once every five years.	03/22/21 Introduced in the Senate
S 984 Merkley Break Free from Plastic Pollution Act	<p>This bill sets forth requirements and incentives to reduce the production of a variety of products and materials, including plastics, and increase efforts to collect, recycle, or compost products and materials.</p> <p>The bill makes certain producers of products (e.g., packaging, paper, single-use products, beverage containers, or food service products) fiscally responsible for collecting, managing, and recycling or composting the products after consumer use. In addition, the bill establishes (1) minimum percentages of products that must be reused, recycled, or composted; and (2) an increasing percentage of recycled content that must be contained in beverage containers.</p> <p>Beginning on January 1, 2023, the bill phases out a variety of single-use products, such as plastic utensils. The bill also sets forth provisions to encourage the reduction of single-use products, including by establishing programs to refund consumers for returning beverage containers and by establishing a tax on carryout bags.</p> <p>The bill creates a temporary moratorium on new or expanded permits for certain facilities that manufacture plastics until regulations are updated to address pollution from the facilities.</p>	03/25/21 Introduced and referred to the Committee on Finance



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Federal Legislation		
Bill	Description	Status
	<p>The Environmental Protection Agency (EPA) must publish guidelines for a national standardized labeling system for recycling and composting receptacles. Producers must include labels on their products that are easy to read and indicate whether the products are recyclable, compostable, or reusable. The EPA must also ensure that certain clothes washers have filtration units as required by this bill.</p> <p>Finally, the bill establishes limitations on the export of plastic waste to other countries.</p>	
<p>S 1376 Stabenow</p> <p>Protect America's Paper for Recycling Act</p>	<p>This bill modifies the tax credit for producing electricity from renewable resources to revise the definition of "municipal solid waste." The revised definition of "municipal solid waste" does not include paper that is commonly recycled and has been segregated from other solid waste, or solid waste that is collected as part of a system that does not provide for the separate collection of paper that is commonly recycled from residential solid waste.</p> <p>In the case of a facility that produces electricity from municipal solid waste and other solid waste that is not qualified as an energy resource, the facility is a qualified facility if it otherwise meets the requirements for qualified facilities and the credit only applies to the portion of the electricity produced from municipal solid waste.</p>	<p>04/27/21 Read twice and referred to the Committee on Finance</p>



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ADDITIONAL RESOURCES

- [Glossary of Legislative Terms](#)
- [California Legislation Tracking/Bill Search](#)
- [2020-2021 Calendar of California Legislative Deadlines](#)
- [CalRecycle's Proposed Regulations/ Rulemaking Page](#)
- [Federal Legislation Tracking/Bill Search](#)
- [Previous HF&H Legislative Updates](#)

