

TERU Focus Report

California Organics Management Legislative Update

The Green Waste Landfill Cover-Up - by the California Compost Coalition

September 5, 2014 -- Michael Theroux

Introduction

August 31, 2014 was the last day for the California Assembly and Senate to pass pending legislation. Among the plethora of bills, three introduced this past February are of special interest to our Clean Waste Conversion readership. The [California Compost Coalition](#) (CCC) published an editorial in its newsletter last month that is relevant to this issue, "[The Green Waste Landfill Cover-Up](#)." The CCC article places the legislation in proper context and provides valuable insight for impacts on businesses and municipalities.

Assembly Bill 1594 (Williams)

[Assembly Bill \(AB\) 1594](#) introduced by Assembly Member Williams would amend Sections 40507 and 41781.3 of the California Public Resources Code (PRC), which is related to Solid Waste and under the California Department of Resources Recycling and Recovery (CalRecycle) permitting and enforcement purview. The bill specifies that green material (i.e., yard trimmings and untreated wood wastes) used as alternative daily cover (ADC) at a landfill does not constitute diversion and shall instead be considered disposal beginning in 2020. Final Senate amendments were filed August 22nd. The bill passed as amended and was subsequently enrolled and sent to Governor Brown on September 4, 2014.

Assembly Bill 1826 (Chesbro)

Assembly Member Wes Chesbro introduced [AB 1826](#) to add Chapter 12.9 (commencing with Section 42649.8) to Part 3 of Division 30 of the PRC, relating to solid waste and also under CalRecycle's purview. The bill phases in requirements for generators of specified amounts of organic waste to arrange recycling services for that material beginning April 1, 2016, through January 1, 2019. Passing both Assembly and Senate with amendments, AB 1826 was enrolled and sent to the Governor on August 21, 2014 for consideration.

Senate Bill 498 (Lara)

[Senate Bill \(SB\) 498](#), Solid Waste: Biomass Conversion, was introduced by Senator Lara to amend Section 40106 of and to add Section 44107 to the PRC. The legislation would change the legal definition of "biomass conversion" by adding the production of fuels and the use of non-combustion thermal conversion technologies for purposes of the Integrated Waste Management Act (IWMA). Following substantial amendment, the Senate and Assembly concurred and SB 498 was enrolled and sent to the Governor on August 25, 2014.

Parting Shots

California municipalities have been depending on state approval "Alternative Daily Cover" composed of ground-up green waste, such as yard and tree trimmings. The practice removes the tonnage used from the category of "disposal" and so reduced mandatory per ton disposal fees owed to the state. Arguments pro and con have raged for years, and opposing views backed with equally disparate data resulted in AB 1594 and 1826. By eliminating ADC usage, the state reclaims significant funding and redirects the organics to other uses including biomass thermal conversion and anaerobic digestion. Coupled with SB 498's redefinition of "biomass conversion", California stands to see a very significant shift toward higher organics usage.

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