



Public Works
Solid Waste Management

Senate Bill 1383 Compliance Ordinance Revisions

County Code Revisions Relating to Reducing Short-Lived Climate Pollutants

Departments of Public Works, Public Health, and Purchasing

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May 24, 2022



- On September 19, 2016, Governor Brown signed into law Senate Bill (SB) 1383, which established methane emissions reduction targets. The law granted the California Department of Resources Recycling and Recovery (CalRecycle) the regulatory authority required to achieve these statewide reduction targets.
- CalRecycle developed the SB 1383 regulations to include prescriptive program requirements for all California jurisdictions, residents and commercial businesses, waste haulers, and waste processors. The prescriptive regulations require the County to establish legal authority to implement and mandate programs through the adoption of ordinances, policies, or similarly enforceable mechanisms.
- Compliance with SB 1383 will require revisions to the County's Ordinance for the Department of Public Works – Solid Waste Management, Department of Public Health – Environmental Health Services, and Purchasing Department.

- Unless an area qualifies for a waiver, the implementation of mandatory trash service will be required for residential and commercial businesses (to include trash, recycling, and organic waste recycling) in all unincorporated areas of the County. It is anticipated that mandatory service roll-outs in all areas would occur by July 1, 2023.
- Currently, the valley and most mountain regions within the County have implemented mandatory residential service without SB 1383 compliant organic recycling programs, which will be rolled out by July 1, 2023.
 - Greatest Residential Impacts: Areas requiring the roll-out of mandatory residential service include Spring Valley Lake, Oak Hills, some unincorporated areas around Hesperia, Victorville, Phelan, Barstow, Yucca Valley, and Twentynine Palms.
 - Greatest Commercial Impacts: SB 1383 will require mandatory trash, recycling, and organics service for all commercial businesses unless granted a waiver. Currently, trash service for commercial businesses is not mandatory within the unincorporated County. In addition, certain commercial businesses will be required to direct their recoverable edible food waste to food recovery organizations.

- In collaboration with the CAO, Public Works staff is finalizing a Public Outreach and Education Campaign Plan which will engage the public, including residents, school districts, and businesses, with the goal to inform and educate the public regarding the coming changes. This outreach will include:
 - Informational mailers/postcard
 - Bill inserts
 - Social media posts
 - County Update articles
 - Community meetings
 - County press releases
- The individual waste haulers will also be performing educational public outreach through various methods

- Develops standards for the procurement of mulch by County Departments. The added language in the ordinance stipulates that if County Departments procure mulch, certain specifications must be met which in turn would count towards the County's procurement requirement.
- A Food Recovery Chapter would be added, which would place SB 1383 related requirements on certain businesses that generate edible food, food recovery organizations, and food recovery services, as well as establish inspection and enforcement authority to the Department of Public Health – Environmental Health Services.

- Repeal and Reenact Division 6 of Title 4 of the County Code
 - Related to Solid Waste Handling Ordinance
 - Requires mandatory collection service in every County Franchise Area for all residents and businesses, unless a waiver from mandatory collection is granted by CalRecycle or the County, as allowed by SB 1383 regulations
 - An approved waiver exempts residents and/or businesses from some or all of the SB 1383 requirements
 - Adds and updates definitions
 - Updates references to defined terms
 - Revises commercial recycling and commercial organic waste recycling programs
 - Adds language to require franchise waste haulers to provide SB 1383-compliant collection services
- Restated Solid Waste Handling Franchise Agreements will be brought to the Board of Supervisors for approval at a future date through the Proposition 218 Public Hearing process

- Add Chapter 15 of Division 3 of Title 3 of the County Code
 - Related to Organic Waste Disposal Reduction and Food Recovery
 - Places SB 1383 related requirements on certain businesses that generate edible food, food recovery organizations, and food recovery services
 - Establishes inspection and enforcement authority for the Department of Public Health – Environmental Health Services

- Add Section 14.0117 to Division 4 of Title 1 of the County Code
 - Related to standards for the procurement of mulch by County Departments
 - Requires all County Departments to meet or exceed the mulch standards for land application specified in Title 14 of the California Code of Regulations when procuring mulch
 - Mulch must be produced at a qualifying facility to meet the SB 1383 requirement for jurisdictions to procure a specified amount of recovered organic waste products based upon County unincorporated population

- Consider proposed ordinance to amend and add multiple sections to the San Bernardino County Code related to the prescribed requirements of the SB 1383 Regulations.
- Make alterations, if necessary, to proposed ordinance.
- Approve introduction of proposed ordinance.
 - An ordinance of the San Bernardino County, State of California, amending Title 4, Division 6 of the San Bernardino County Code relating to reducing short-lived climate pollutants, to add Title 3, Division 3, Chapter 15 to the San Bernardino County Code relating to organic waste disposal reduction and food recovery, and to add section 14.0117 to the San Bernardino County Code relating to mulch procurement to comply with Senate Bill 1383 requirements.
- SCHEDULE ORDINANCE FOR FINAL ADOPTION ON TUESDAY, JUNE 14, 2022, on the Consent Calendar.