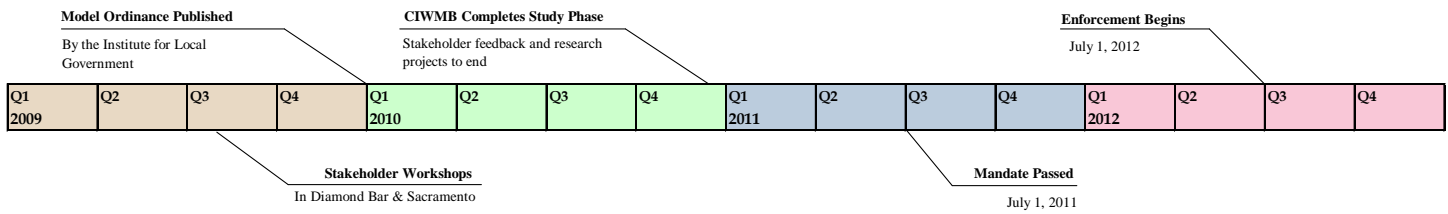


Mandatory Commercial Recycling – Important Issues Affecting California Jurisdictions

California jurisdictions will be required to ensure that businesses and multi-family dwelling units that meet certain program parameters participate in a recycling program by July 2012. The scoping plan for Assembly Bill 32, the California Global Warming Act of 2006, was adopted with a mandatory commercial recycling measure to be developed by the California Integrated Waste Management Board. Commercial sector waste (including multi-family and commercial self-haul) accounts for more than half of the waste currently landfilled in California. The intent of mandating commercial recycling is to reduce greenhouse gas emissions by 5 million metric tons of carbon dioxide equivalents. Provided below are answers to questions that you, your staff, or your City Council may be asking regarding this important regulation.

Implementation Timeline



Frequently Asked Questions

How will existing City ordinances be impacted?

- New ordinances or amendments to franchise agreements may have to be drafted, after the State commercial recycling mandate is adopted. Jurisdictions are expected to have until July 1, 2012 to implement a mandatory commercial recycling program. This process may be complicated if commercial recycling is provided by permitted haulers instead of franchised haulers.

Will every business have to retain recycling services and be monitored by the jurisdiction?

- CIWMB staff is recommending a volume-based threshold that requires all businesses that generate more than four cubic yards of total solid waste and recyclable materials per week comply with the mandatory commercial recycling regulation. This does not prohibit jurisdictions from electing to include a more stringent volume-based threshold (2-, 3-cubic yards), or to include all businesses in their ordinance.

Will current programs need to be redesigned?

- Infrastructure and equipment restrictions, such as available space for extra containers, may require that current commercial collection programs be redesigned to accommodate a new recycling program.

Who will conduct public education and outreach?

- Given the high rate of turnover in multi-family tenants and business employees, on-going program outreach is vital in ensuring high levels of participation. Cities may find it beneficial to contract for collection services with one company and contract for outreach and education with another that can better provide for their unique requirements.

Will existing solid waste contracts need to be revised?

- In areas where commercial recycling is already free, haulers may likely request an extraordinary rate increase. This request, including the approach and costs, will have to be evaluated and the solid waste agreement may need to be amended.
- Commodity prices may fluctuate as the amount of recyclable material available to markets increases. Those cities that are contractually bound to share recyclables revenue with their solid waste hauler will have to decide whether to continue sharing this risk with the hauler and implement procedures to ensure their ability to account for their share of revenues.

Is your staff or hauler prepared to monitor commercial recycling program compliance?

- CIWMB staff is recommending that local government be given authority to monitor and enforce a commercial recycling program through a number of possible mechanisms, such as ordinance measures or cooperation with its franchised hauler.

- It is expected that cities will be required to report to the State their compliance with the requirements, including program education and outreach elements.

How will it affect charges to your businesses?

- In fact, customers' bills could decline if they can increase the use of recyclable collection services and decrease their level of refuse collection.
- Cities may need to adjust rates not only for recyclables collection but also to pay for public education and program monitoring.

Where can I find additional information regarding the Mandatory Commercial Recycling Regulation and other upcoming California regulations or legislation?

- You can contact Debbie Morris of HF&H Consultants at (949) 251-1106, or via email at dmorris@hfh-consultants.com; or,
- Visit www.hfh-consultants.com under "News and Events" for a summary of CIWMB staff recommendations for commercial recycling and other legislation pertaining to the solid waste industry.