

Food Waste Not

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Sustainable Organics Recycling

Unchain My Food, Set It Free

The Federal-EPA was the first to flip the script on the landfill pyramid scheme to create the Food Recovery Hierarchy. Then, the Pope shamed us by espousing that “throwing away food is like stealing from the table of the poor and the hungry”. Recycling guru, Chesbro then pushed mandatory collection of commercial organic waste with AB 1826. Senator Lara attended the Paris Accords and came back with SB 1383 to mitigate short-lived climate pollutants by diverting organics from the landfill and recovering edible food. Anthony Bourdain then joined the fight traveling to parts unknown with the documentary; [Wasted! The Story of Food Waste](#). We are wasting locally and starving globally.

Governor Brown jumped in late last year and signed AB 954, a bill encouraging food manufacturers, processors, and retailers responsible for the labeling of food products to use standard phrases to communicate quality and safety dates; and also signed AB 1219, the California Good Samaritan Food Donation Act, which expands and clarifies liability protections for food donations in California to help reduce waste and food insecurity at the same time.

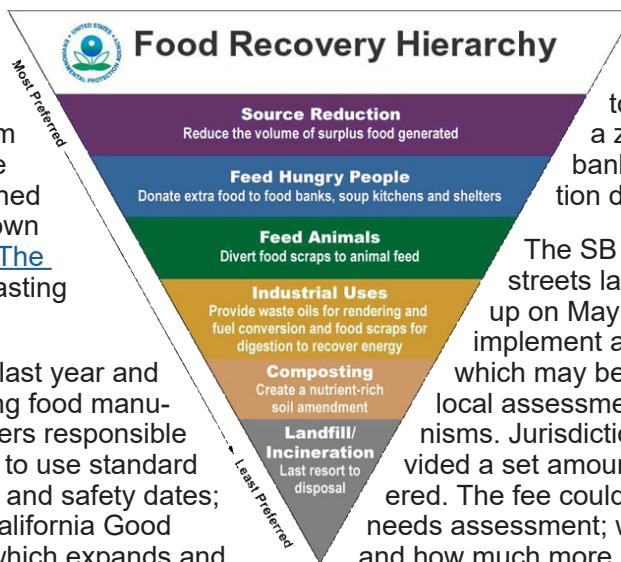
AB 1826 created a great opportunity at being on the front line of food waste recovery, where all major sit-down restaurants and institutions had to be offered an organic waste collection program in 2017, and all fast food chains have to be offered a program in 2019. As part of the outreach, education and monitoring, franchise haulers are going curb-to-curb promoting their collection and composting programs. Being pillars in the community for many generations, the franchise owners sit on the boards of many non-profits and civic organizations, such as food banks, gleaners, and downtown partnerships. When the Cap-and-Trade program required a disadvantaged community benefit component, coupled with the advent of SB

1383 that required 20% of edible food be recovered by 2025, the local hauler responded. It really did not take Catholic guilt or millions of grant dollars to motivate them to participate in feeding hungry people, but it was inspirational. As part of the AB 1826 outreach program, many haulers are now connecting the generator to the

food banks and pantries, and are grateful for the \$10.9 million that CalRecycle is distributing towards food rescue, while offering a zero waste program to the food banks that are swamped with donation dumping.

The SB 1383 draft regulations hit the streets last week with workshops coming up on May 7 and 8. Jurisdictions will need to implement an edible food recovery program, which may be funded through franchise fees, local assessments, or other funding mechanisms. Jurisdictions with the haulers could be provided a set amount of money based on tons recovered. The fee could be based on a comprehensive needs assessment; what is the current infrastructure, and how much more is needed to maximize recovery. Edible food recovery groups will be responsible for tracking collection and distribution of food, as well as totals sent for disposal and composting. Coalitions such as Waste Not OC and others have been collaborating with the local haulers to achieve the state goals and are receiving valuable grant dollars.

Surprisingly, up to 40 percent of the food in the United States is never eaten. But at the same time, one in eight Americans struggles to put enough food on the table. Food waste is number one in filling up our landfills. “This culture of waste has made us insensitive even to the waste and disposal of food, which is even more despicable when all over the world, unfortunately, many individuals and families are suffering from hunger and malnutrition,” sayeth the Pope. The food chain is broken, it’s time to set it free.



Cap-and-Tax at a Max

The **Short-Lived Climate Reduction Strategy** states there will need to be at least \$100 million in incentives over the next 5 years to start to develop the required compost and organics diversion infrastructure. CalRecycle awarded \$14.6 million in organics grants, from Cap-and-Trade dollars for 5 facilities in FY 2014-2015, where over \$118 million in grant requests were submitted. Having been passed over in FY 2015-2016, CalRecycle awarded \$24 million in organics grants to 10 facilities in FY 2016-2017. CalRecycle plans to award \$33.6 million this June for FY 2017-2018. However, the Governor's budget is just \$20 million for FY 2018-2019. AB 1933 (Maienschein) would increase that amount to \$100 million. The California Compost Coalition, with a super group of associations, circulated a letter to support the \$100 million request, as we wait for the Governor's May Revise to up the amount. Where there may be some hesitancy by the Legislature to provide more grant funding to private sector facilities, the case has been made that grant funding commensurately reduces the tip fee at the facility, benefitting the entire community.

According to the [2018 Annual Report on the Cap-and-Trade Proceeds](#), compost and anaerobic digestion continues to be the most cost-effective GHG program, while the grants awarded by CalRecycle continue to show that disadvantaged communities (DACs) are receiving benefits or co-benefits 100% of the time. A DAC and food rescue component was required, where \$10.9 million in food rescue programs have been awarded.

Last year AB 398 (Garcia) was a big lift for the Governor to extend Cap-and-Trade to 2030, and treat it like a tax getting a 2/3 vote super majority. GHG prices are likely to re-

main near the floor price, hovering at \$14/ton through 2020. Low prices are due to a reduced demand for energy relative to initial program expectations, the large volume of banked and unsold allowances built up in the first five years of the Cap-and-Trade Program, and the continued effects of existing complementary policies. After 2020, GHG prices can vary within a large range where GHG prices in the current trends scenario would rise to \$55/ton in 2030, ranging from approximately \$35/ton to \$80/ton.

SB 1 (Beall) was another big lift last year, which increased several taxes and fees to raise over \$5 billion annually in new transportation revenues, including a \$0.12 per gallon gasoline tax and a \$0.20 per gallon diesel tax. Being an election year, there is not an appetite for any new tax increases given AB 398 and SB 1. Even though the state tip fee has been stuck at \$1.40 per ton since 1993, and with a simple CPI increase, would have been at \$2.42 per ton in 2018. AB 1288 (Eggman) would raise the tip fee on landfills to fund the organic infrastructure, but it has been stuck in Senate Environmental Quality Committee since last year. A good faith effort is needed to raise the tip fee to fund recycling and composting programs as the industry is falling on the China Sword trying to maintain recycling rates.

AB 3178 (Rubio) attempts to give some relief to the recycling industry as mixed paper, mixed plastic, and cardboard is being held to such a low contamination that China has mounted an effective import ban. When it comes to SB 1383 and organics, the markets are local with compost, bioenergy, and transportation fuels as organics are not beholden to China. However, the infrastructure needs to be built and air permits procured, where air districts and local government need to permit these facilities.

[AB 1933 \(Maienschein\)](#)

TOPIC: This bill authorizes up to \$200 million to be appropriated from the Greenhouse Gas Reduction Fund (GGRF) to Cal Recycle for organic waste diversion and recycling projects each fiscal year. Up to \$100 million would be for organic waste recycling infrastructure projects and up to \$100 million for solid waste recycling infrastructure, with food rescue projects also eligible.

STATUS: Referred to Assembly Appropriations Committee. **SUPPORT**

[AB 3036 \(Cooley\)](#)

TOPIC: This bill revises the definition of solid waste to exclude byproducts from processing food if the byproducts: 1) originate from agricultural or industrial sources; 2) do not include animal or fish processing byproducts; 3) are source-separated by the generator; 4) are not discarded; and, 5) are intended for use as animal feed.

STATUS: Referred to Assembly Appropriations Committee. **SUPPORT**

[AB 3178 \(Rubio\)](#)

TOPIC: This bill requires CalRecycle to consider the availability of markets when determining whether a jurisdiction has made a good faith effort to implement its Source Reduction and Recycling Element (SRRE).

STATUS: Referred to Assembly Appropriations Committee. **SUPPORT**

[AB 1288 \(Eggman\)](#)

TOPIC: This current spot bill would increase the solid waste tipping fee from \$1.40 per ton to an as-yet-to-be-determined amount to help develop organic materials processing facilities and other market incentive programs that promote the highest and best use of recovered materials. The bill may also establish a generator charge to augment the existing disposal fee.

STATUS: Held in Senate Environmental Quality Committee. **SUPPORT**

With SB 1383 about 20 million tons of organics will need to be diverted - consisting of about 3.15 million tons of food waste by 2020, and 4.7 million tons by 2025. The 2014 CalRecycle Waste Characterization Study, which will be updated in 2018, determined that 265,000 tons of food waste are being collected at the curb, and another 929,000 tons are being self-hauled. AB 901 - Recycling and Disposal Facility Reporting will start in 2019 and track these tons of food waste, including from self-haulers that generate more than one ton per month. SB 1383 will also require that 20% of edible food be recovered by 2025, resulting in more than 49,500 tons to be rescued - or 270,000 pounds - resulting in 225,000 meals per day saved from becoming waste.

The Short-Lived Climate Reduction Strategy states that there will need to be at least \$100 million in incentives over the next 5 years to develop required compost and organics diversion infrastructure and edible food recovery infrastructure to meet the SB 1383 mandates. This year CalRecycle awarded \$24 million in infrastructure grants from the A-list. CalRecycle has another \$33.6 million available for eligible B-list projects that will be awarded in June 2018, ready to accommodate the disadvantaged community scoring criteria for Cap-and-Trade programs. A disadvantaged community and edible food rescue component is required, where \$570,000 for food rescue programs was granted for the A-list projects, and another \$940,000 is in waiting for the B-list projects, totaling \$1.5 million.

The FY 2016-17 (Cycle 1): Food Waste Prevention and Rescue Grant Programs, CalRecycle awarded \$5 million to 20 programs throughout California. For FY 2017-18 (Cycle 2), CalRecycle awarded another \$4.4 million to 12 more programs throughout California. CalRecycle will award over \$10.9 million in food waste rescue grants.

SB 1383 Article 10 - Edible Food

SB 1383 requires that 20% of edible food be recovered by 2025. CalRecycle is proposing **Article 10 – Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery** be reviewed out in the draft SB 1383 regulations, issued on May 1. Jurisdictions shall implement an edible food recovery program, which may be funded through franchise fees, local assessments, or other funding mechanisms. There will be required recordkeeping with documentation for jurisdictions as well as for edible food recovery organizations that collect more than 6 tons per year of edible food. Jurisdictions will need to educate and monitor. Tier One edible food generators need a program by January 2022. This includes supermarkets, grocery stores, food service distributors, and wholesale food markets. Tier Two edible food generators need a program in place by January 2024. This includes restaurants, hotels, institutions, large venues, and others.

2018 Waste Characterization Study

CalRecycle will start to collect more data on food waste in the upcoming Waste Characterization Study, which will be useful in designing edible food waste recovery programs and food waste collections systems. CalRecycle will be increasing the material types from 82 to 100. Food waste will be divided up into 7 detailed types, keeping requirements for SB 1383 and edible food in mind. Food waste types will be separated out from inedible/unrecoverable for human consumption and what is edible and revocable recoverable for human consumption. The anticipated Generator-Based Food Waste results will determine: 1) the composition of disposed food waste from several high-generating businesses; 2) the average disposal rates for selected business groups; 3) average density of food waste; and 4) the estimated statewide tons disposed for food waste types form each selected business group.

SB 1383 - Regulations

After two delays in the schedule, CalRecycle will hold its seventh workshop on May 8, 2018, in Sacramento, CA and on May 7, 2018 to discuss the SB 1383 implementation process. The proposed regulation text was sent out on May 1. We hope to finally see some compost and wood material market development regulatory text within SB 1383. Topics will include an overview of the 2nd draft of the rulemaking text that is 90% there before entering the OAL process in June and July. CalRecycle plans to adopt the regulations in late 2018 or early 2019. Although the regulations will not take effect until 2022, adopting them in 2019 allows regulated entities approximately three years to plan and implement necessary budgetary, contractual, and other programmatic changes. Jurisdictions, haulers, and generators should consider taking actions to implement programs to be in compliance with the regulations on January 1, 2022. During 2019, CalRecycle will be networking, providing technical assistance, and developing tools, model ordinances, contracts, and case studies to support efforts at the local level to meet the organic waste reduction targets and comply with the regulatory requirements. With the draft regulations still in play, others in the industry are already calling for SB 1383 Reform this year. SB 1383 can provide MRF First! and deliver clean organics to the compost industry, where we are trying the best to make SB 1383 work.

AB 901 - Regulations

Notice of the proposed regulations was published in the California Regulatory Notice Register by the Office of Administrative Law (OAL) on January 26, 2018, beginning the formal 45-day comment period of the rulemaking process. [The AB 901 Text from the Fifth draft regulations published by OAL of January 2018 will now have some proposed additions to AB 901 text for SB 1383 reporting.](#)

CCC Members Receive Food Rescue Grants

The California Compost Coalition is a registered Lobbying Coalition with the Fair Political Practices Commission (FPPC), created in 2002 by a group of compost operators in response to demands for increased recycling of organic materials & production of clean compost, bioenergy, anaerobic digestion, renewable natural gas, and biochar.

CCC Members

Agromin
Atlas Disposal
Burrtec Waste Industries
Caglia Environmental
California Waste Recovery Systems
California Wood Recycling
CleanFleets.net
Clean Fleets Advocates
Clover Flat Compost
Cold Canyon Compost
GreenWaste Recovery
Harvest Tulare
Harvest Lathrop
Marin Sanitary Service
Mt. Diablo Resource Recovery
Napa Recycling Compost
Northern Recycling Compost
Organic Waste Solutions
Phoenix Energy
Quackenbush Mt. Compost
Recology Blossom Valley Organics
Recology Feather River Organics
Recology Jepson Prairie Organics
ReFuel Energy Partners
Soiland Co, Inc.
Sonoma Compost
Tracy Delta Compost
Upper Valley Recycling
Vision Recycling
Zanker Road Resource Management
Z-Best Compost Facility
Zero Waste Energy Development
Zero Waste Energy, LLC

CCC Executive Committee

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Monica White, Sustainability Advisor
Sean Edgar, Fleet Advisor

CCC Legislative Affairs

Justin Malan, EcoConsult
Neil Edgar, Edgar & Associates Inc.

Food Waste Prevention and Rescue Grants

For the second time CalRecycle has provided \$5,000,000 in grant funds to both large and small tier food recovery groups to enhance edible food recovery programs in disadvantaged communities across the State, in support of their commitments to reducing organics to landfill. 32 programs across the State were awarded funds, where the bulk of the funding will be used to support infrastructure for edible food collection.

Snapshot of Winners:



Ventura County Public Health in collaboration with **Agromin and Waste Not OC**, were two of the awardees of grant funding for \$160,000 and \$499,000. Both programs follow Public Health developed guidelines and support a coalition approach to

tackling issues of hunger in the region. The coalition includes waste haulers, food banks, food pantries, restaurant associations, food supply companies, health officials, physicians, etc., all working in a collaborative approach to tackling food waste by delivering food safely to those that need it.



South Lake Refuse Company, LLC

Project Type: Rural
Compost Infrastructure
with Food Rescue with
Grant Funds of \$1,218,026.

SLRC was awarded a CalRecycle Organics Infrastructure Grant to add food waste composting infrastructure to their Quackenbush Mountain Compost Facility. Funding will also be available to Sacramento Food Bank and Family Services (SFBFS), which feeds over 135,000 hungry people in Sacramento County, to expand their

services. Funds of \$54,288.00 will pay for equipment and labor.

SFBFS is one of a few charitable agencies that is authorized to accept USDA surplus food and distribute it to food insecure individuals and families, instead of sending the material to landfill. The grant funding set aside for SFBFS will purchase an additional repackaging station and a supervisor to operate it. These upgrades will assist in recovering and distributing an additional 1,000,000 meals a year, on top of SFBFS's current diversion programs. Repackaging stations are essential to distribute food, due to the bulk nature of the USDA donations. The improvements will allow SFBFS to rescue and distribute an additional 600 TPY of food.

Napa Recycling
& WASTE SERVICES



Napa Recycling & Waste Services, LLC

Project Type: Rural
Compost Infrastructure
with Food Rescue with Grant Funds of \$541,700.

The Napa Organics Recovery Project will install a Scott THOR Turbo Separator at the Napa Materials Diversion Facility, where food waste from commercial sources, and food residuals from industrial food processors will be recovered, blended with green materials, and composted. This project also includes funds to support programs at the Emergency Food Bank (EFB) in Stockton, CA.

Funds in the amount of \$80,000 will be used to purchase a new refrigerated truck that will result in the recovery of at least 1,000 lbs. per day, or 130 TPY of edible food. The food will then be provided to food pantries, churches, and other charities throughout the area feeding hungry residents in numerous census tracts - among the most disadvantaged in the state. This truck will be able to collect edible food from grocery stores, distribution centers, and other commercial generators, assisting in the diversion of organics from landfill.