

ASSEMBLY THIRD READING  
AB 1985 (Robert Rivas)  
As Introduced February 10, 2022  
Majority vote

## SUMMARY

Requires the Department of Resources Recycling and Recovery (CalRecycle) to compile and maintain a list of entities that have organic waste products (products) available.

### Major Provisions

- 1) Requires CalRecycle to compile and maintain a list of persons or entities that produce and have organic waste products (products) available. Requires CalRecycle to update the list at least every six months.
- 2) Requires a person or entity seeking to be included on the list to send CalRecycle a written request that includes specified information.
- 3) Requires CalRecycle to:
  - a) Verify the accuracy of the information provided by the person or entity;
  - b) Post the information provided by the person or entity;
  - c) Ensure that the list is organized by ZIP Code.

## COMMENTS

*Organic waste recycling.* An estimated 35 million tons of waste are disposed of in California's landfills annually. Over half of the materials landfilled are organics subject to SB 1383 (Lara), Chapter 395, Statutes of 2016, requirements. CalRecycle's most recent waste characterization study, completed in 2018, found that 55.5% of disposed waste is organic waste. Of that, nearly 15% of disposed waste was food, and approximately 7% was yard and tree wastes. SB 1383 required the ARB to approve and implement the comprehensive short-lived climate pollutant strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the bill specified that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste 50% by 2020 and 75% by 2025 from the 2014 level.

In order to achieve these goals, California's waste management infrastructure is going to have to recycle much higher quantities of organic materials, involving significant investments in additional processing infrastructure. Organic waste is primarily recycled by composting the material, which generates compost that can be used in gardening and agricultural as a soil amendment and engineering purposes for things like slope stabilization. Anaerobic digestion is also widely used to recycle organic wastes. This technology uses bacteria to break down the material in the absence of oxygen and produces biogas, which can be used as fuel, and digestate, which can also be used as a soil amendment. Tree trimmings and prunings can also be mulched.

Like all recycling, organic waste recycling can only succeed if there is a market for the recycled materials. Compost, mulch, and other recycled organic waste products can be used in a wide range of applications and provides significant benefits, including reducing soil erosion, improving water quality by controlling runoff, reducing or eliminating the need for chemical fertilizers, conserving water and improves drought resistance, increasing carbon sequestration, and improving the biological, chemical, and structural health of soil. In spite of these benefits, production of compost and other organic waste products exceeds demand. SB 1383 includes a requirement for local governments to procure minimum amounts of organic waste products, and existing law requires state agencies, like the Department of Transportation, to use these materials in their projects.

*Recycled content directory.* CalRecycle maintains a Recycled-Content Product Manufacturers (RCPM) directory that provides information about recycled-content products made by California manufacturers who use recycled waste as a feedstock. RCPM provides contact information for consumers, procurement officers, and state and local governments to find recycled-content product manufacturers who make recycled-content products.

### **According to the Author**

In 2016, California set organic waste diversion goals of 50% by 2020 and 75% by 2025 in order to reduce methane and short-lived climate pollutants emissions. This has led to local governments adopting practices like composting to reduce the amount of organic waste going into landfills. Due to a historically limited amount of organic waste products available, local governments have struggled to find a market for their organic waste products. AB 1985 will help local governments in reaching organic waste goals by providing a way to connect with local farmers and community members in need of organic waste products.

### **Arguments in Support**

According to the California State Association of Counties and Rural County Representatives of California, "as jurisdictions ramp up their organic waste collection programs, many cities and counties are struggling to meet their procurement targets due to a limited amount of organic waste infrastructure across the state. In many cases, local governments also struggle to connect with end markets for the organic waste they do process. Jurisdictions are seeking out unique and creative pathways to help them achieve these targets that can simultaneously vitalize a growing organic waste recycling market. AB 1985 will assist local governments in achieving their procurement targets by creating an online database of organic waste products on the market across the state."

### **Arguments in Opposition**

None on file

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee, this bill has costs of \$529,000 for fiscal year 2023-24 and \$523,000 ongoing for CalRecycle to compile, maintain and update the list of persons or entities that produce and have available in the state organic waste products, as well as verify information submitted by entities seeking to be included on the list.

## VOTES

### **ASM NATURAL RESOURCES: 11-0-0**

**YES:** Luz Rivas, Flora, Friedman, Cristina Garcia, Mathis, McCarty, Muratsuchi, Seyarto, Stone, Wood, Robert Rivas

### **ASM APPROPRIATIONS: 16-0-0**

**YES:** Holden, Bigelow, Bryan, Calderon, Carrillo, Megan Dahle, Davies, Mike Fong, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Wilson

## UPDATED

VERSION: February 10, 2022

CONSULTANT: Elizabeth MacMillan / NAT. RES. / (916) 319-2092

FN: 0002666