

MODEL MANDATORY ORGANIC WASTE DISPOSAL REDUCTION ORDINANCE

inclusive of community scale composting activities

This document is prepared by [Inika Small Earth, Inc.](http://inika Small Earth, Inc.), as a resource for local agencies interested in making room for decentralized, community scale composting activities. This document should be used as a supplement to the [Model Mandatory Organic Waste Disposal Reduction Ordinance](#) provided by Calrecycle (scroll down to the Model Tools section of the page). Suggested revisions to the Model Ordinance are provided in **green**.

Please contact us at info@inika.org for questions, clarifications and to provide feedback on the suggested inclusions provided below.

SECTION 1. PURPOSE AND FINDINGS

d) SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including Jurisdictions, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, ~~and~~ **Food Recovery Services, and Community Composting Organizations** to support achievement of Statewide Organic Waste disposal reduction targets.

SECTION 3. DEFINITIONS

g) "Community Composting" means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR 94 Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

g1) "Community Composting Operation", "Community Composting Organization" or "Community Composter" means any for profit or nonprofit entity that offers hauling and collection of vegetative foodscrap for the purpose of composting the material in accordance with the definition of Community Composting above.

Community Composting Organizations may charge generators a fee for providing services. Community Composting Organizations conducting business in the City of <INSERT CITY NAME> will be restricted to hauling no more than <INSERT VOLUME OR WIEGHT RESTRICTIONS for e.g. 1000 tons per year> of vegetative food waste.

(iii) "Self-Hauler" means a person, who hauls Solid Waste, Organic Waste or recyclable material he or she has generated to another person or Community Composter. Self-hauler also includes a person who back-hauls waste, or as otherwise defined in 14 CCR 502 Section 18982(a)(66). Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator's own employees and equipment, or as otherwise defined in 14 CCR Section 505 18982(a)(66)(A).

SECTION 6. REQUIREMENTS FOR COMMERCIAL BUSINESSES 738 (STANDARD-COMPLIANCE APPROACH)

(n) Nothing in this Section prohibits a generator from preventing or reducing waste 921 generation, managing Organic Waste on site, or using the services of a Community Composting Organization pursuant to 14 CCR Section 18984.9(c).

SECTION 7. REQUIREMENTS FOR COMMERCIAL BUSINESSES 926 (PERFORMANCE-BASED COMPLIANCE APPROACH)

(m) Nothing in this Section prohibits a generator from preventing or reducing waste 921 generation, managing Organic Waste on site, or using the services of a Community Composting Organization pursuant to 14 CCR Section 18984.9(c).

SECTION 8. WAIVERS FOR GENERATORS

- (a) De Minimis Waivers - A Jurisdiction may waive a Commercial Business' obligation (including Multi-Family Residential Dwellings) Commercial Businesses requesting a de minimis waiver shall:

[(1), (2), (3), (4)]

(5) Provide proof that the Commercial Business cannot participate in a program offered by a Community Composter and the reasons for their inability to participate.

- (b) Physical Space Waivers – A Jurisdiction may waive a Commercial Business’ or property owner’s obligations..... A Commercial Business or property owner may request a physical space waiver through the following process:

[(1), (2), (3)]

(4) Provide proof that the Commercial Business or property owner cannot participate in a program offered by a Community Composter and the reasons for their inability to participate.

SECTION 11. REQUIREMENTS FOR HAULERS AND FACILITY OPERATORS

- (b) Requirements for Facility Operators and Community Composting Operations

(2) Community Composting operators, upon Jurisdiction request, shall provide information to the Jurisdiction to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation.

Community Composting Operators shall keep a record for the Entities contacted by the Jurisdiction shall respond within 60 days.

Community Composting Operators shall keep a record of the amount of Organic Waste (in cubic yards or tons) transported and composted for each Commercial Business Participant; this record shall be subject to Inspection by the Jurisdiction.

SECTION 12. SELF-HAULER REQUIREMENTS

- (a) Self-Haulers shall source separate all recyclable materials and Organic Waste (materials that Jurisdiction otherwise requires generators to separate for collection in the Jurisdiction’s organics and recycling collection program) generated on-site from Solid Waste in a manner consistent with 14 CCR Sections 18984.1 and 18984.2, or shall haul Organic Waste to a High Diversion Organic Waste Processing Facility or Community Composting Operation as specified in 14 CCR Section 18984.3.
- (b) Self-Haulers shall haul their Source Separated Recyclable Materials to a facility that recovers those materials; and haul their Source Separated Green Container Organic Waste to a Solid Waste or Community Composting facility, operation, activity, or

property that processes or recovers Source Separated Organic Waste. Alternatively, Self Haulers may haul Organic Waste to a High Diversion Organic Waste Processing 1486 Facility.