

SB 1383 Compliance Guide for Businesses

Understanding the Legislation

Organic waste (meaning materials such as food, yard waste, food-soiled paper, and natural fibers) makes up over half of California's waste stream. When landfilled, it generates methane, an extremely potent greenhouse gas that contributes to climate change and public health concerns. In a statewide effort to reduce emissions of short-lived climate pollutants, particularly from organic waste, Senate Bill (SB) 1383 requires organic waste diversion and sets parameters for edible food recovery.

SB 1383 lays out a comprehensive guide for food waste prevention, edible food recovery, and organic waste diversion from landfills in the State. Simply put, SB 1383 requires that businesses implement programs to ensure organic materials are no longer put in the trash, with edible food instead being donated and the rest sorted for organic waste recycling.

Why is SB 1383 Important?

- **Valuing Critical Resources** - Landfilling organic waste forever discards valuable resources. Recycling these materials extends landfill capacity and produces new resources, such as compost and renewable natural gas.
- **Fighting California's Climate Crisis** - The climate crisis is evident in sea level rise, extreme temperatures, longer fire seasons, and droughts. Recycling organic material reduces short-lived climate super pollutants that accelerate the climate crisis.
- **Feeding Hungry People** - Tons of edible food is disposed daily, while millions across California are food insecure. Rescuing edible food for recovery helps feed our communities.



SB 1383 Statewide Targets

2020:

50% Reduction in
Landfilled Organics

2025:

75% Reduction in
Landfilled Organics &
20% Donation of
Currently Disposed
Edible Food

How Will SB 1383 Impact My Business?

Everyone living and working in California will be impacted by SB 1383, as it **requires** all residents and businesses to **divert their organic waste**. In order to meet SB 1383's targets, your business must take the following actions to comply with all program requirements:

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Establish an Organics Recycling Program:

- **Enroll in curbside organics recycling service** with EDCO. They will deliver a green bin for organic material. Trash and recycling streams may be right-sized to accommodate your enclosure space.
- **Alternatively, self-haul organic materials** rather than enrolling in a curbside organics recycling program. The regulations allow you to take your organic material to a processing facility or to manage the material on-site, for example by composting. Contact the City of San Marcos for available options.
- **Provide organics and recycling bins** in all areas where disposal containers are provided and where such materials are generated, except in restrooms. Bins must be provided in adequate numbers, sizes, and locations, with correct labels and/or colors to align with the waste type. Customizable signage is available on CalRecycle's website at www.calrecycle.ca.gov/Recycle/Commercial/Organics/PRTToolKit/
- **Annually provide education** to employees, contractors, tenants (within 14 days of occupying premises), and customers about proper waste sorting.
- **Periodically inspect containers** for contaminants (e.g., edible foods or non organic material in your green bin). Inform employees and tenants if contamination is found and improve sorting signage.
- **Maintain responsibility** of ensuring that employees, contractors, tenants and customers properly sort organic materials into correct containers at business establishments.



To enroll in curbside organics recycling service, contact EDCO at **(760) 744-2700**
or visit www.EDCOdisposal.com

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Establish a Food Donation Program:

Food donation is mandatory for Tier One and Tier Two generators and encouraged for all food generating businesses. Tier classification depends on the following business categories plus additional size parameters. The City will contact you if you are a regulated Tier One or Two generator.

Tier One generators are supermarkets, grocery stores, food service providers, food distributors, and wholesale food vendors.

Tier Two generators are restaurants, hotels, health facilities, large venues and events, state agencies and local education agencies.

Regulated generators must implement the following:

- **Establish a contract** or written agreement with a food recovery entity.
- **Donate the maximum** amount of edible food.
- **Maintain records** of food donation activities.

Check the included insert for further guidance on food waste prevention and food recovery.



Business Requirements Timeline

Beginning 2022: Participation in organics recycling program required

January 1, 2022: Tier One generators must have a food donation program

January 1, 2024: Tier Two generators must have a food donation program

Organic Waste Diversion

After enrolling in organics recycling service, all organic material needs to be sorted into a third stream, separate from trash and recyclables. In order to ensure compliance:

- Educate all employees and tenants on how to properly sort materials
- Co-locate organics recycling containers with trash and recycling bins
- Post sorting signage at eye-level in all disposal areas

Accepted Items:

- Meat & bones
- Dairy & eggs
- Bread & grains
- Fruits & vegetables (including peels, pits & rinds)
- Food-soiled paper (napkins, coffee filters, tea bags, unlined paper plates)
- Green waste (plants, grass clippings, leaves, branches)



"If it grows, it goes!"

Contaminants:

- Plastic bags (including those labeled as "compostable")
- Glass
- Metal
- Styrofoam
- Plastic containers (including those labeled as "compostable")
- Bottles
- Fats, oils & greases (FOG)
- Wax paper
- Rocks & dirt



For more information on what goes where, contact EDCO at **(760) 744-2700** or visit www.EDCOdisposal.com.

How Are Materials Processed?

Organic material discarded in your green organics bin will be sent for anaerobic digestion at EDCO's organic waste diversion facility. In the natural process of anaerobic digestion, microorganisms break down organic materials such as food waste. Organic material is recycled into renewable natural gas and soil amendments.



EDCO's Anaerobic Digestion Facility

Self-Hauling

SB 1383 allows for businesses to self-haul their organic waste to an entity that processes or recovers source separated organic waste, or to a high diversion organic waste processing facility. Self-haulers are required to maintain thorough records of self-hauling activity and provide it to the City if requested:

- Delivery receipts and weight tickets from the entity accepting the waste
- The amount of material in cubic yards (CY) or tons transported by the generator to each entity (if the entity cannot determine the weight, generator is not required to keep a record of weight)

Exemptions

Exemptions from enrolling in organics recycling service may be granted by your city if your business:

1. Generates more than 2 cubic yards (CY) of solid waste per week and organic waste is less than 20 gallons per week or
2. Generates less than 2 CY of solid waste per week and organic waste is less than 10 gallons per week
3. Lacks adequate space for organic waste containers.
4. Displays proof of regular use of a County authorized solid waste facility for disposal of refuse.

For more information on self-hauling options and potential exemptions, contact your city.

Monitoring & Inspections

SB 1383 requires the City of San Marcos to monitor and inspect businesses to ensure they follow legislative guidelines and to identify areas where support may be needed. All businesses must allow access to their property by the City and EDCO.

→ **Organics Recycling Monitoring** entails review of organics recycling program compliance, including bin setup, contamination levels, and signage. Monitoring will be conducted by EDCO once pick-up service is in place.

→ **Edible Food Recovery Inspections** will be conducted by your city at Tier One businesses beginning January 1, 2022 and at Tier Two businesses beginning January 1, 2024. Check the insert for compliance guidelines.

The City will begin investigating noncompliance complaints starting January 1, 2022. Until the end of 2023, the City is responsible for providing educational material to support you with compliance.

Enforcement Timeline

January 1, 2022

- Compliance reviews of all solid waste collection accounts begin
- Inspections of Tier One generators begin

January 1, 2024

- Enforcement of all violations begin
- Inspections of Tier Two generators begin

Questions?

For more information on SB 1383 and how this will impact your business, please contact:

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