

AB341: A FAST FACT SHEET FOR LOCAL GOVERNMENT

The Basics

- Sets a state-wide 75% waste diversion goal
- Requires mandatory commercial recycling by certain businesses and public entities
- Changes the due date of state agency annual reports
- Modifies the process of amending Non-Disposal Facility Elements
- Modifies enforcement agency notification requirements for modifications to a solid waste facility

The 75% Diversion Goal

- Achieve 75% diversion goal by the year 2020
- Requires CalRecycle to provide a report to the Legislature by 1/1/2014 to identify strategies to achieve that goal
- CalRecycle shall not establish or enforce a diversion rate on a jurisdiction that exceeds the current 50% diversion rate

Mandatory Commercial Recycling

- Commercial businesses and public entities that generate 4 cubic yards or more of solid waste per week and multi-family complexes with 5 units or more are subject to mandatory recycling, and are required to do one of the following:
 - Source separate recyclable materials from the solid waste and either self-haul or arrange for separate collection of the recyclables
 - Subscribe to a service that includes mixed waste processing that yields diversion results comparable to source separation

Other Key Information

- Jurisdictions that have an existing commercial recycling program that includes all of the elements listed above are not required to implement a new or expanded program
- The State will not be taking enforcement action on businesses that do not comply with the requirements, nor will jurisdictions be required to enforce them.
- You **do not** need to adopt a local mandatory ordinance or enforce mandatory recycling
- You **do** need to start implementing your education, outreach, and monitoring by July 1, 2012, but you can phase in the components of your program



"Think Green"

Affects of AB341 Legislation

Generators

- Labor Costs - Increased time to source separate materials, breakdown boxes, perception of doing more work
- Training for Employees
- Space Constraints – No room in enclosure
- Increased service costs

Haulers

- Increased Capital Expenses
 - Trucks - Addition of Routes
 - Containers - Carts and Bins
- Labor – Addition of Drivers
- Recycling - Processing and Transportation
- Public Education - Outreach Materials/Mailings

Jurisdictions

- Increased Staff Time
 - Conduct education and outreach activities to inform the affected commercial generators of the mandatory recycling requirement
 - Assess whether affected generators are complying with the requirement to recycle
 - Identify and notify businesses that are not in compliance and inform them of the requirement to recycle and how they can recycle
 - Report on progress of implementing their commercial recycling programs, including outreach, education, and monitoring efforts, as part of the existing CalRecycle annual report process
 - Reporting will include the jurisdiction's activities to educate businesses on the mandatory requirements, as well as the jurisdiction's efforts to track and monitor compliance on the part of businesses.

Actions to Consider

Evaluate your current commercial recycling and outreach program to see if you need to make changes to comply with AB 341.

- Create new tools or, where feasible, adapt existing tools (such as those developed by the Institute for Local Government) to educate businesses on the mandatory commercial recycling requirements, such as flyers, articles for Chamber of Commerce newsletters, bill inserts and press releases.
- Conduct outreach to businesses to educate them on mandatory recycling requirements, by conducting quick high-level "recycling blitzes" and by reaching out to business associations.



“Think Green”

- Set up monitoring systems so your jurisdiction can demonstrate compliance with AB 341 in the annual reporting process. Evaluate and make modifications to existing hauler reporting, and create new tracking mechanisms if needed.
- 2012 DOC Funds – Look to incorporate AB341 plans in the 2012 DOC Bottles and Cans application process to utilize funding to support public education and outreach materials.