

Study Session:

Updates on Senate Bill (SB) 1383,
Residential Recycling Contamination &
Residential Garbage and Recycling
Rates

April 12, 2021 | 1:30 PM – 4:30 PM



Environmental Services

Delivering world-class utility services and programs
to improve health, environment, and economy.

Agenda

- **San José's Solid Waste Program Overview**

- Presented by Valerie Osmond

- **Senate Bill 1383 Overview, San José's Program Alignment, and Next Steps**

- Presented by CalRecycle: Brianna Lara
City of San José: Shikha Gupta

- **Residential Recycling Contamination and Next Steps**

- Presented by City of San José: Valerie Osmond
SCS Engineers: Stacey Demers

- **Residential Garbage and Recycling Rates and Next Steps**

- Presented by Kerrie Romanow & Valerie Osmond

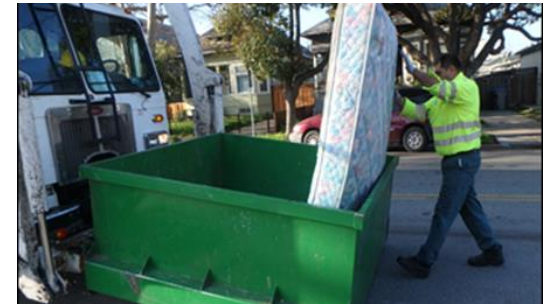
San José's Solid Waste Program Overview



Environmental Services

Integrated Waste Management

- Solid waste collection, processing, and disposal
- Residential, commercial, Construction & Demolition, and City facilities
- Leader in recycling since 1985
- Contract requirements surpass state recycling mandates



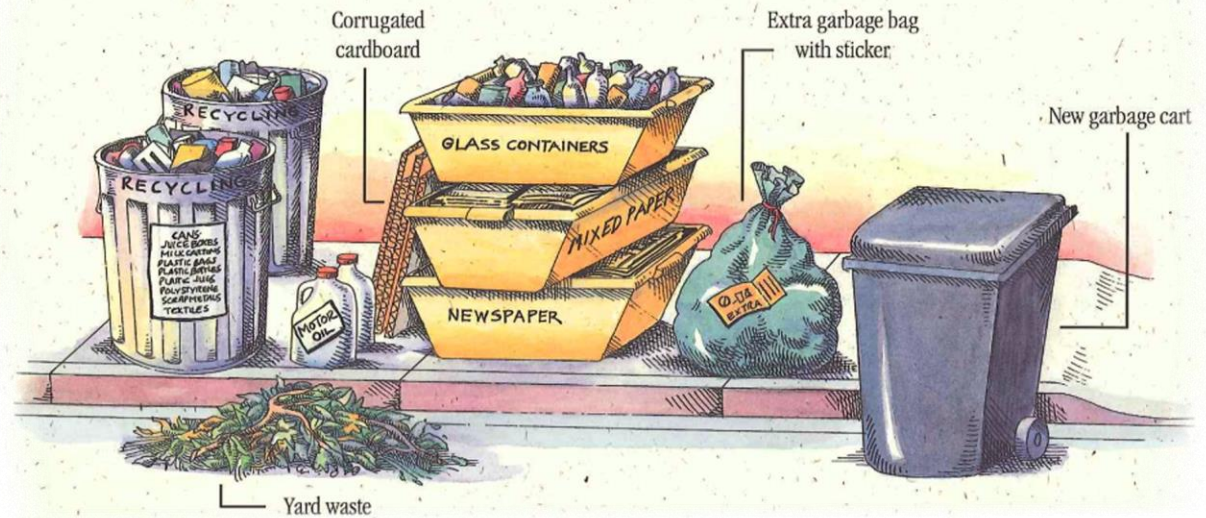
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History of San José's Solid Waste Program



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Previous Single-Family Collection Setout (1993-2002)

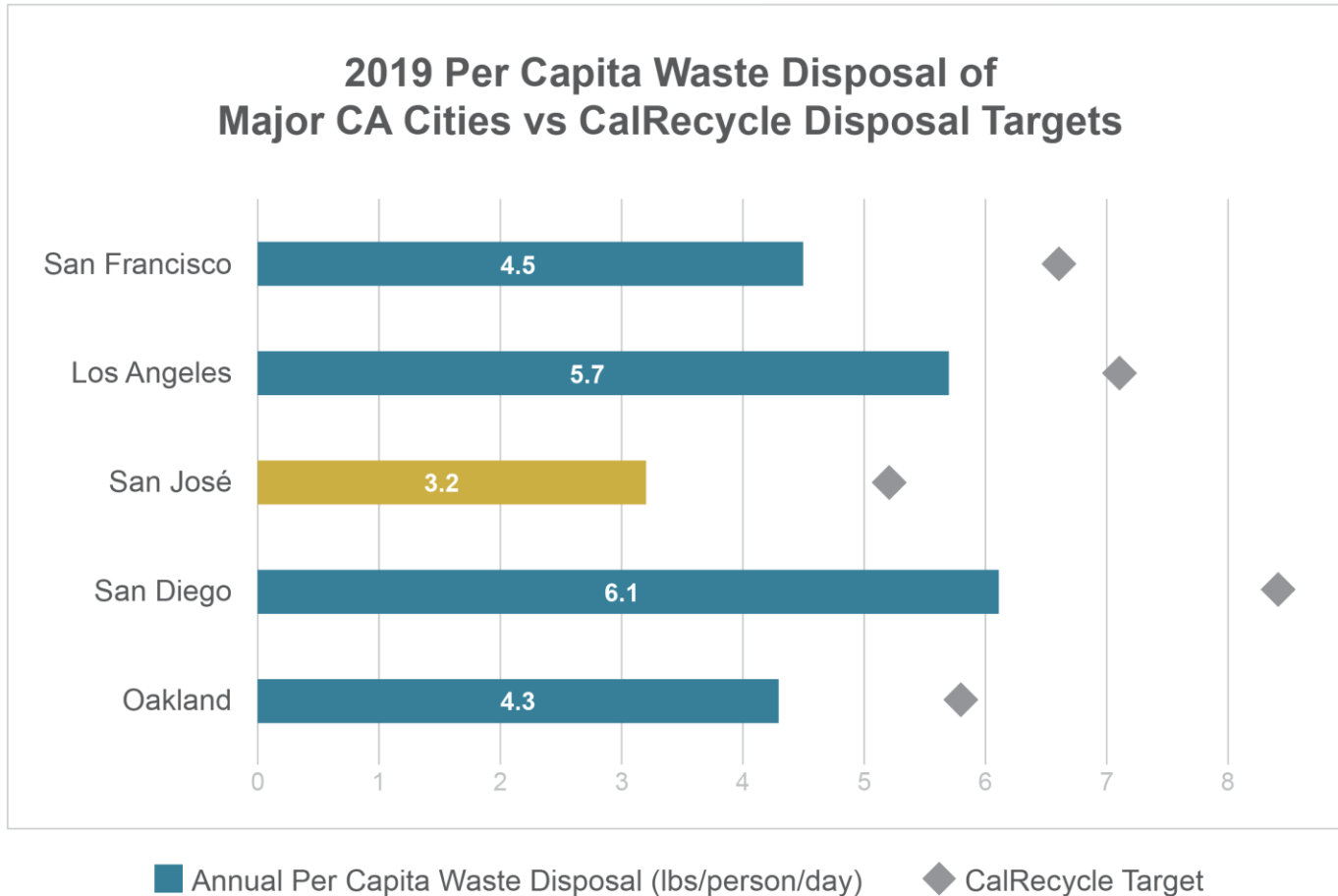


Current Single-Family Collection Setout (2002-present)



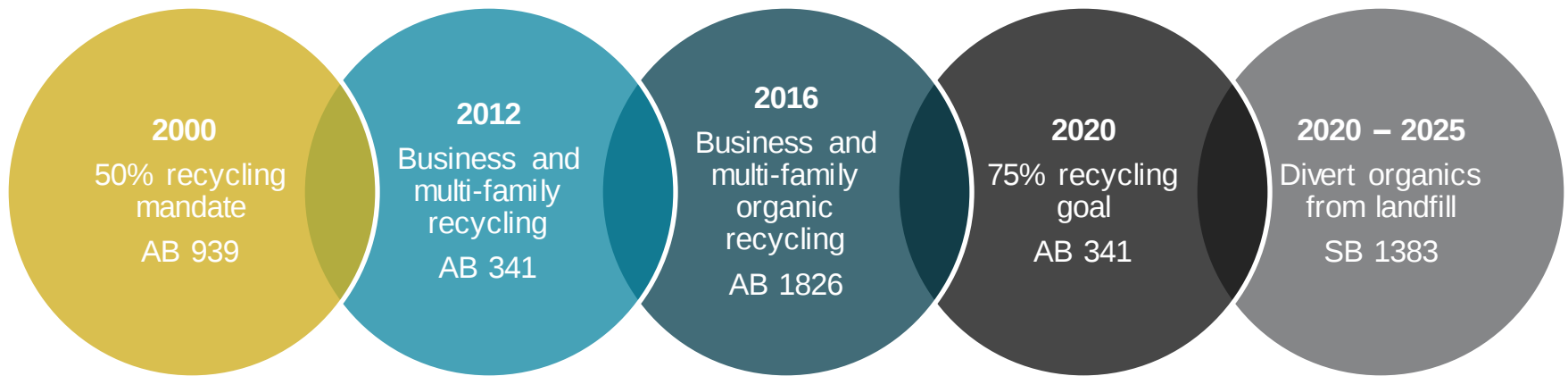
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City Overview



Delivering world-class utility services and programs
to improve health, environment, and economy.

Major Solid Waste Regulations



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to improve health, environment, and economy.

SB 1383 Overview

(Presented by CalRecycle)

**Next: San José's Program Alignment
and Next Steps**

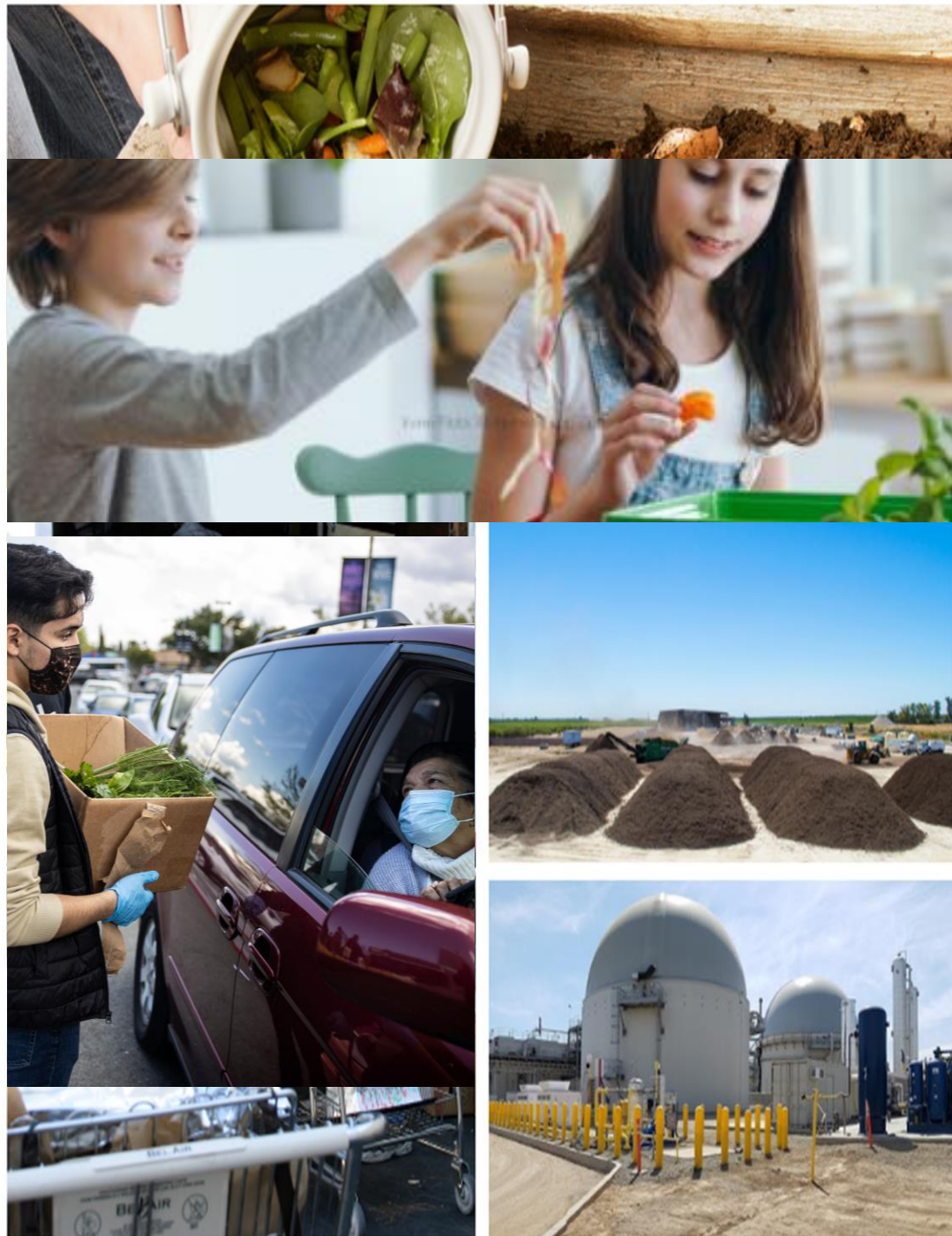


Environmental Services

The Green Reset: An Opportunity To Create Our Future

City of San José

California's
Super-Pollutant Reduction
Strategy



RESET



More Time for Ourselves



Family Bonding

Social Distance



Pandemic Lessons for SB 1383



THE CLIMATE CRISIS COSTS CALIFORNIA BILLIONS

Landfilled Organic Waste Emits
Methane Gas—
A Super Pollutant
More Powerful than CO₂

Methane Gas Contributes to
Climate Change

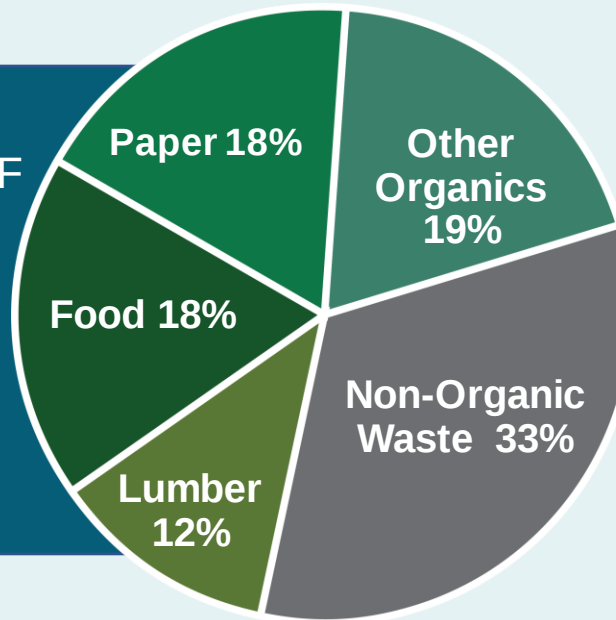


CALIFORNIA
is already experiencing
the impacts of
CLIMATE CHANGE

IN 2015 THE DROUGHT COST THE
AGRICULTURE INDUSTRY IN THE
CENTRAL VALLEY AN ESTIMATED
\$2.7 BILLION & 20,000 JOBS

Organic Waste Is the Largest Waste Stream in California

CALIFORNIA DISPOSED OF
APPROXIMATELY
27 MILLION TONS OF
ORGANIC WASTE IN 2017



California's Waste Stream

IN CALIFORNIA, MILLIONS ARE
FOOD INSECURE

1 IN 5 CALIFORNIANS



CALIFORNIA THROWS AWAY
MORE THAN 6 MILLION TONS
OF FOOD WASTE EVERY YEAR!

SB 1383 Requirements

2020

50% REDUCTION IN LANDFILLED ORGANIC WASTE
(11.5 Million Tons Allowed Organic Waste Disposal)

2022

REGULATIONS TAKE EFFECT

2025

75% REDUCTION IN LANDFILLED ORGANIC WASTE
(5.7 Million Tons Allowed Organic Waste Disposal)

2025

**20% RECOVERY OF CURRENTLY DISPOSED EDIBLE
FOOD FOR HUMAN CONSUMPTION**

New Statewide Programs to Reduce Super Pollutants

Food & Organics Waste Collection



27 million tons of organic waste not landfilled

Edible Food to Food Insecure



Millions of meals to 1 in 5 food insecure in CA

New and Expanded Recycling



15,000 green jobs

Recycled Organics Products



10,000 refuse trucks or 5,700 buses powered by renewable fuels

**Lower GHGs =
1.7 million fewer cars a year**

Jurisdiction Responsibilities

**Provide Organics
Collection Services to All
Residents and
Businesses**



**Conduct Education and
Outreach to Community**



**Secure Access to
Recycling and Edible
Food Recovery Capacity**



**Establish Edible Food
Recovery Program**



**Procure Recyclable
and Recovered
Organic Products**



**Monitor Compliance
and Conduct
Enforcement**

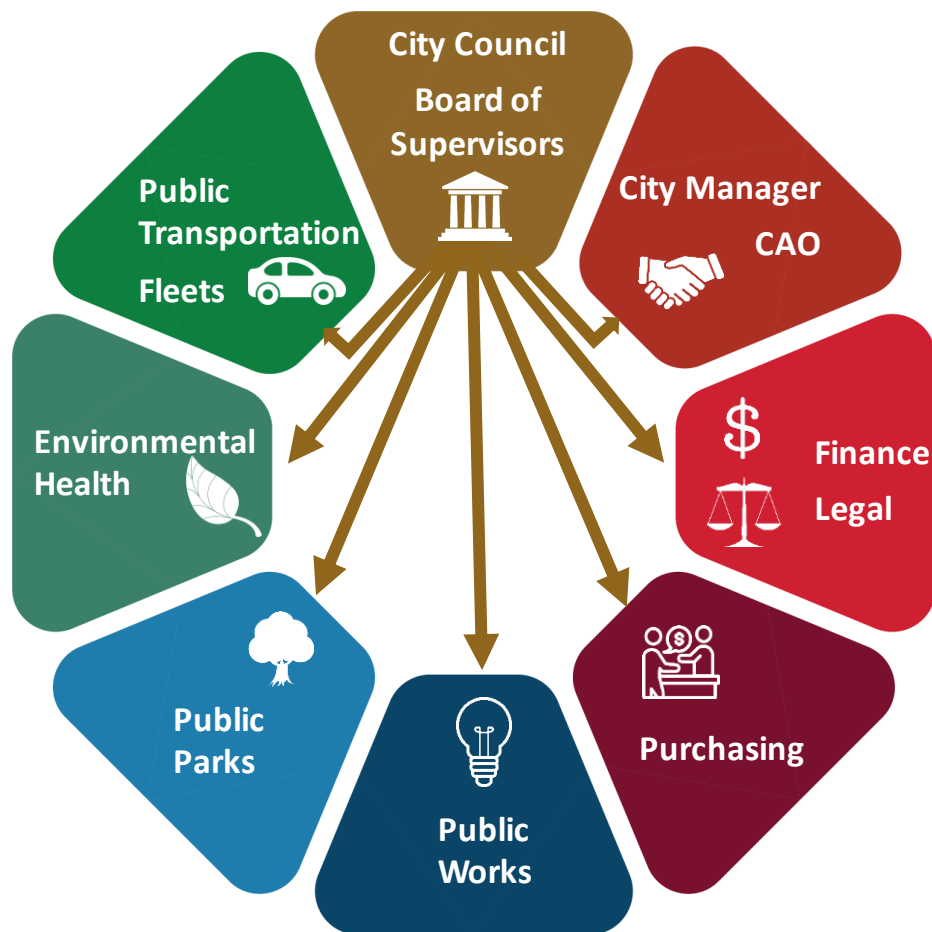


SB 1383 IN ACTION

LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

SB 1383 doesn't just apply to waste management and recycling departments.

Every local department plays a role in SB 1383 implementation.



SB 1383 IN ACTION

INSPECTION AND ENFORCEMENT REQUIREMENTS



**Monitor Compliance and
Conduct Enforcement**

JURISDICTION REQUIREMENTS

Ordinance 2022



Adopt an
Ordinance
(Enforceable
Mechanism)

Including
Enforcement

Compliance Monitoring & Education 2022-2024



Annual
Compliance
Reviews, Route
Reviews,
Inspections

Educate Violators

Compliance Monitoring & Enforcement 2024



Annual Compliance
Reviews

Route Reviews,
Inspections,

Notice of Violations,

Penalties for
Violators



STATE ENFORCEMENT



CALRECYCLE OVERSIGHT (BEGINS IN 2022)



Authorize Waivers

- Low Population
- Rural Areas

Emergency Circumstances

Oversee and Monitor

- State Agencies and Facilities
- Local Education Agencies



Oversee and Monitor for Compliance

Jurisdiction Review

- Conduct joint inspections with jurisdictions
- Review Implementation Record



If Violations

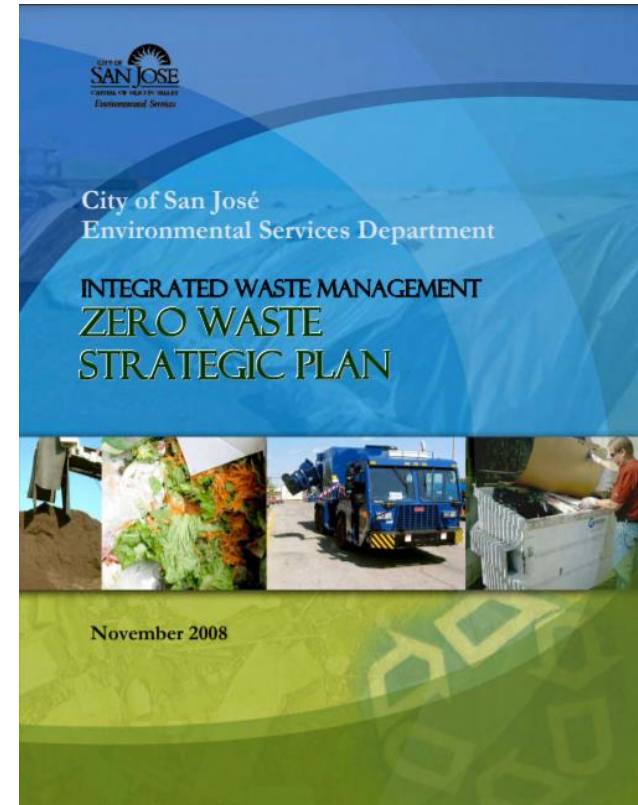
- Issue Notices of Violation
- May Authorize Corrective Action Plan
- Allows up to 24 months to address barriers outside of a jurisdiction's control

<https://www.calrecycle.ca.gov/organics/slcp>



<https://www.youtube.com/watch?v=ckX3HNO2ymw&feature=youtu.be>

San José – leading the nation in diversion from landfills



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San José Recycling Infrastructure



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to improve health, environment, and economy.

Residential

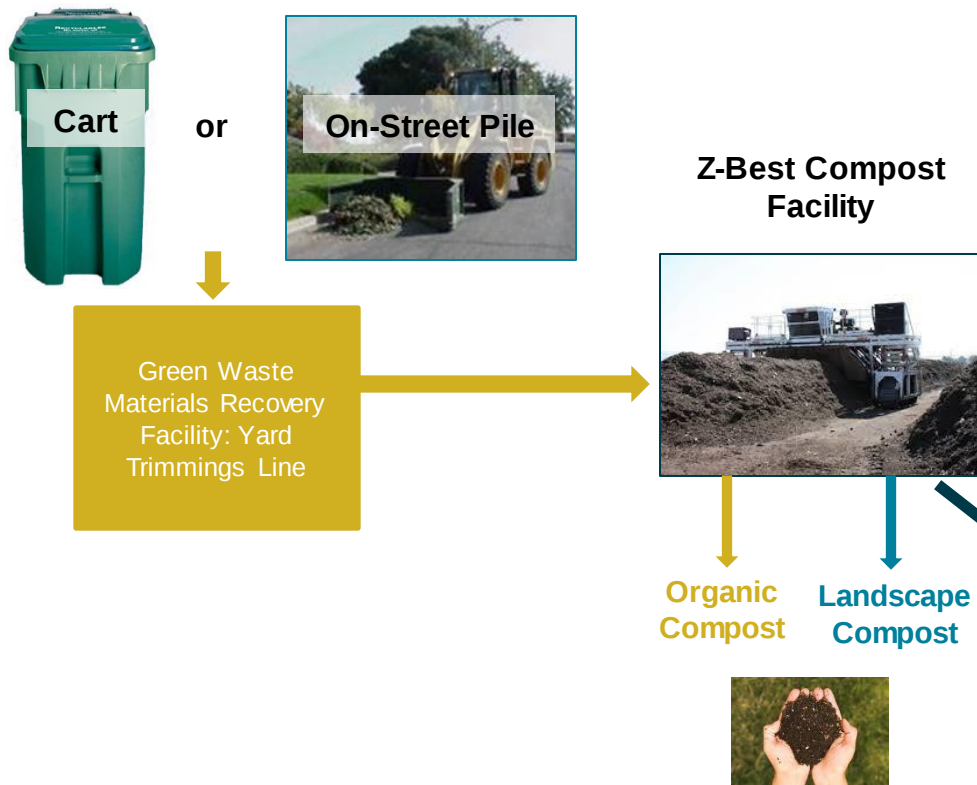
- Single-stream recycling since 2002
- Garbage processing since 2008
- Source-separated yard trimmings



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Residential Organics

Source-Separated Yard Trimmings 97% Landfill Diversion



Garbage Processing 70% Landfill Diversion



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Commercial

- Organics (“wet”) are source separated and processed at an anaerobic digestion facility, ZWED
- Consolidated into single franchise in 2012

Wet

Organics

Place accepted material loosely or in clear plastic bags in the Green container. Glass is not accepted in the Wet container.

YES

- Fruits & Vegetables
- Bread & Pastas
- Dairy Products
- Meat & Seafood
- Coffee Grounds & Filters
- Food Soiled Paper & Cardboard
- Napkins & Paper Towels
- Paper Cups & Plates
- Paper Take-Out Food Containers
- Landscape Waste

NO

- Glass, Plastics
- Clean Cardboard
- Clean Paper
- Metal
- Helium/Propane Tanks
- Latex Gloves
- E-waste
- Hazardous or Medical Waste
- Construction Debris
- Styrofoam Peanuts

WET ORGANICS

Dry

Recyclables & Everything Else

Place accepted material loosely in the Blue container. Place minimal amounts of glass in clear plastic bags inside the container.

YES

- Clean Cardboard
- Packing Materials
- Glass Bottles
- Carpet & Padding
- Plastics
- Clean Wood
- Scrap Metal
- Metal Cans
- Foam Cups & Containers
- Compostable Service Ware
- Face Masks

NO

- Food Waste & Food-Soiled Paper
- Treated Wood
- Pallets
- Landscape Waste
- E-waste
- Hazardous or Medical Waste
- Construction Debris
- Styrofoam Peanuts
- Helium/Propane Tanks
- Large Amounts of Glass

DRY EVERYTHING ELSE

Customized

Source Separated Recyclables

Place accepted material loosely in the white container. Place glass in clear plastic bags.

YES

- Fiber
- Cardboard
- Mixed Paper
- Shredded Paper
- Plastic Bottles
- Plastic Containers
- Bubble Wrap (place in plastic bag)
- Styrofoam, (block Styrofoam only, no peanuts)
- Bottles & Cans
- Metal Cans

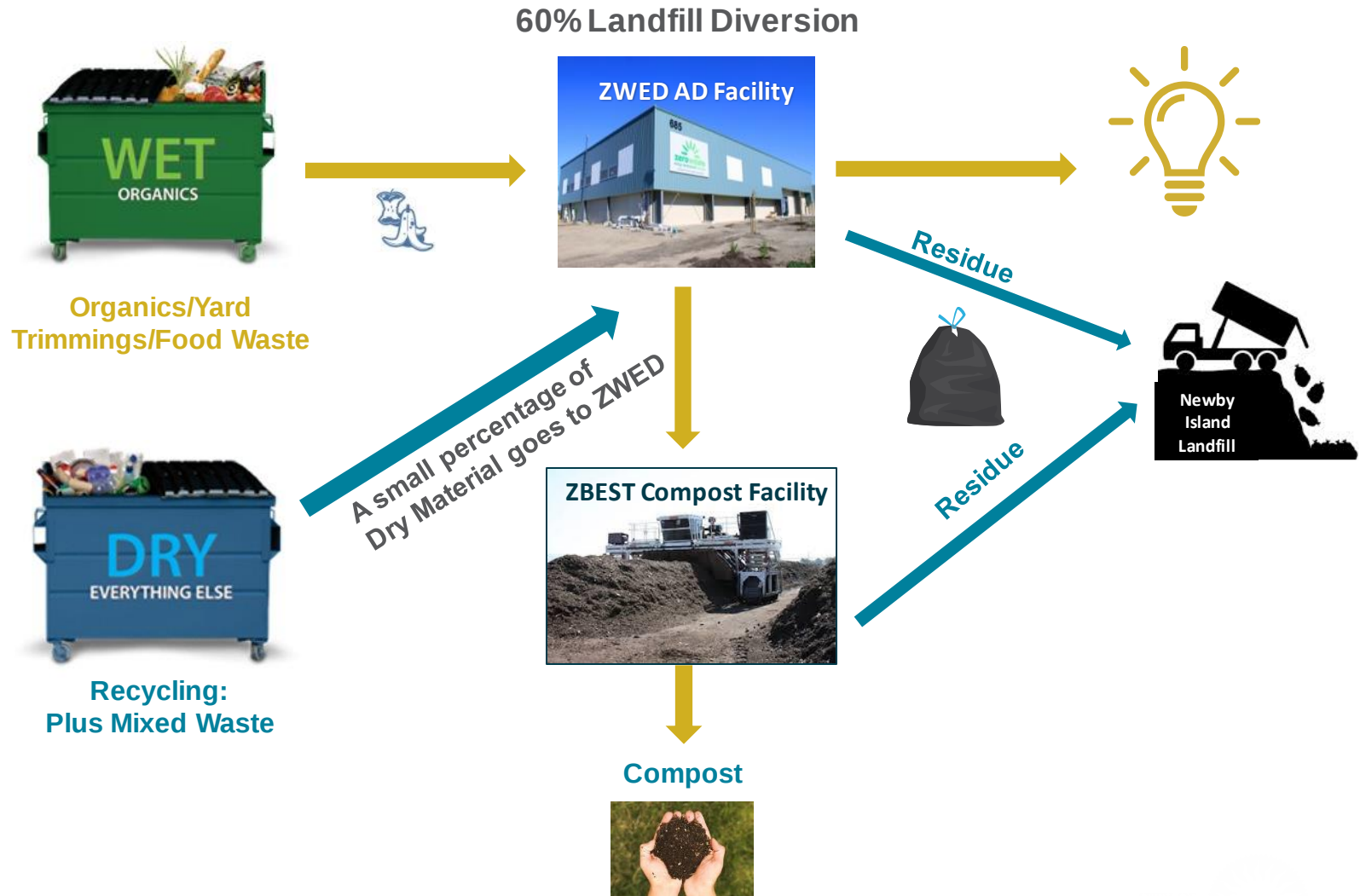
NO

- Food Waste & Food-Soiled Paper
- Treated Wood
- Pallets
- Landscape Waste
- E-waste
- Hazardous or Medical Waste
- Construction Debris
- Styrofoam Peanuts
- Helium/Propane Tanks

CUSTOMIZED

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Commercial Organics

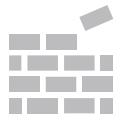


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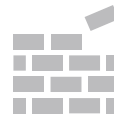
City is Required to Adopt Ordinances/Policies



Organic Waste Recovery



Edible Food Recovery



Self-haul of organics



CALGreen Building Standards and
Model Water Efficient Landscape



Administrative Civil Penalties

Collection & Processing



Provide Organics Collection Services
to all Residents and Businesses



Conduct Education and
Outreach to Community



Contamination
monitoring



Deliver mixed waste to high diversion
organic waste processing facility

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Procurement

RECYCLED ORGANICS PRODUCTS*



Compost



Mulch



Electricity



Biofuel

**All procured recycled organic products must meet regulation standards*

RECYCLED CONTENT PAPER PROCUREMENT

Extensive list of paper products (examples include paper janitorial supplies, office paper, storage folders and boxes)



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Inspections & Enforcement

WARNING NOTICE
AVISO DE ADVERTENCIA
THÔNG CÁO CẢNH BÁO

Your Container may not be serviced on future collection days due to the following:

Es posible que su Contenedor no reciba servicio en los próximos días de recolección debido a lo siguiente:

Thùng rác của quý vị có thể sẽ không được đổ vào những ngày thu rác trong tương lai vì những lý do sau:

☐ Container Overloaded (Lid Must Be Closed)
Contenedor sobrecargado (la tapa debe estar cerrada)
Thùng chứa quá tải (Nắp thùng phải đóng lại được)

☐ Container Contaminated With Non-Recyclable Material
Recipiente contaminado con material no reciclable
Thùng chứa bị ô nhiễm do chứa những vật liệu không thể tái chế

☐ Container Contaminated With Non-Wet/Non-Organic Material
Recipiente contaminado con material inorgánico / no húmedo
Thùng chứa bị ô nhiễm do chứa những vật liệu không phải Rác Ướt/Rác Hữu Cơ

Date / Fecha / Ngày _____

Please contact Republic Services at 408-432-1234 to schedule an extra pickup or to request a larger container.
Comuníquese con Republic Services al 408-432-1234 para programar una recolección adicional o para solicitar un contenedor más grande.
Vui lòng liên hệ với Republic Services theo số 408-432-1234 để sắp xếp thêm một lần thu rác hoặc để yêu cầu một thùng rác lớn hơn.



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Recordkeeping & Reporting

- Need additional resources & data management tools



Organic
Collection
Services



Hauler
Program



Contamination
Minimization



Waivers



Education &
Outreach



Edible Food
Recovery
Program



Recycled
Organic Waste
Procurement



Recycled
Paper
Procurement



Commercial
Edible Food
Generators



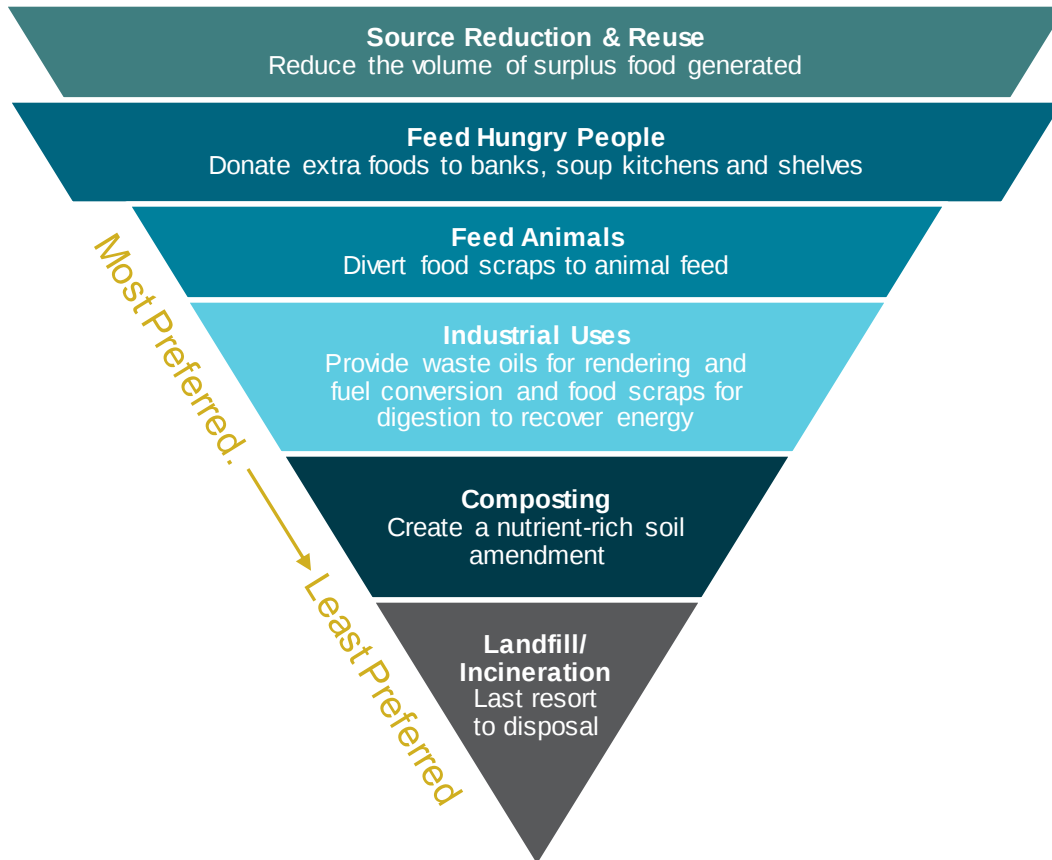
Jurisdiction
Inspection &
Enforcement

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Edible Food Recovery



Food Recovery Hierarchy



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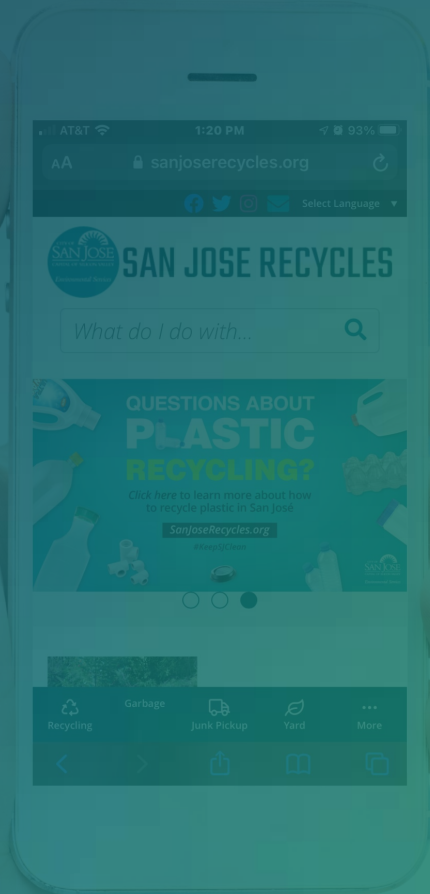
SB 1383 Coordination

SB 1383 Topic	City Department / Entity
Procurement of recycled organic waste products	ESD, DOT, PRNS, Public Works, Real Estate
Procurement of recycled content paper	ESD, Finance
Edible food recovery	ESD, County of Santa Clara work group, City Housing & PRNS, Second Harvest of Silicon Valley, Loaves & Fishes

Next Steps/Upcoming Asks of Council

- Adopt required ordinances & update schedule of fines by January 1, 2022
- City staff are collaborating across departments on:
 - Recycled organic waste procurement targets
 - Recycled content paper requirements
 - Edible food recovery efforts
- Additional resources for solid waste enforcement and reporting
- Staff will return to Council with additional information on options for edible food recovery compliance

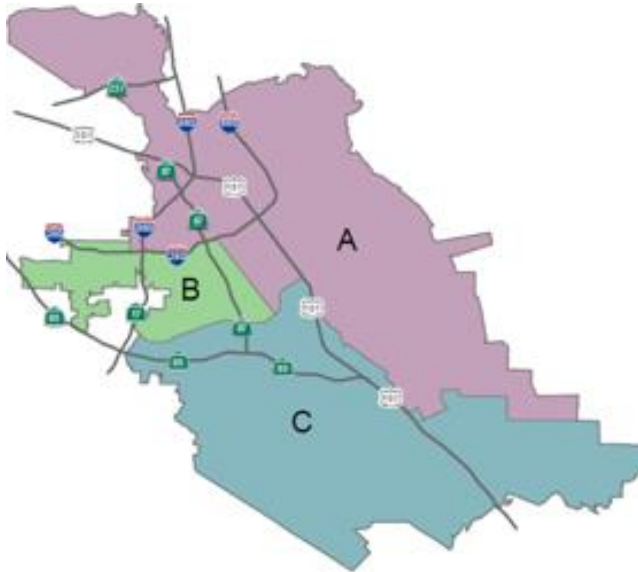
Study Session: Update on Residential Recycling Contamination



Environmental Services

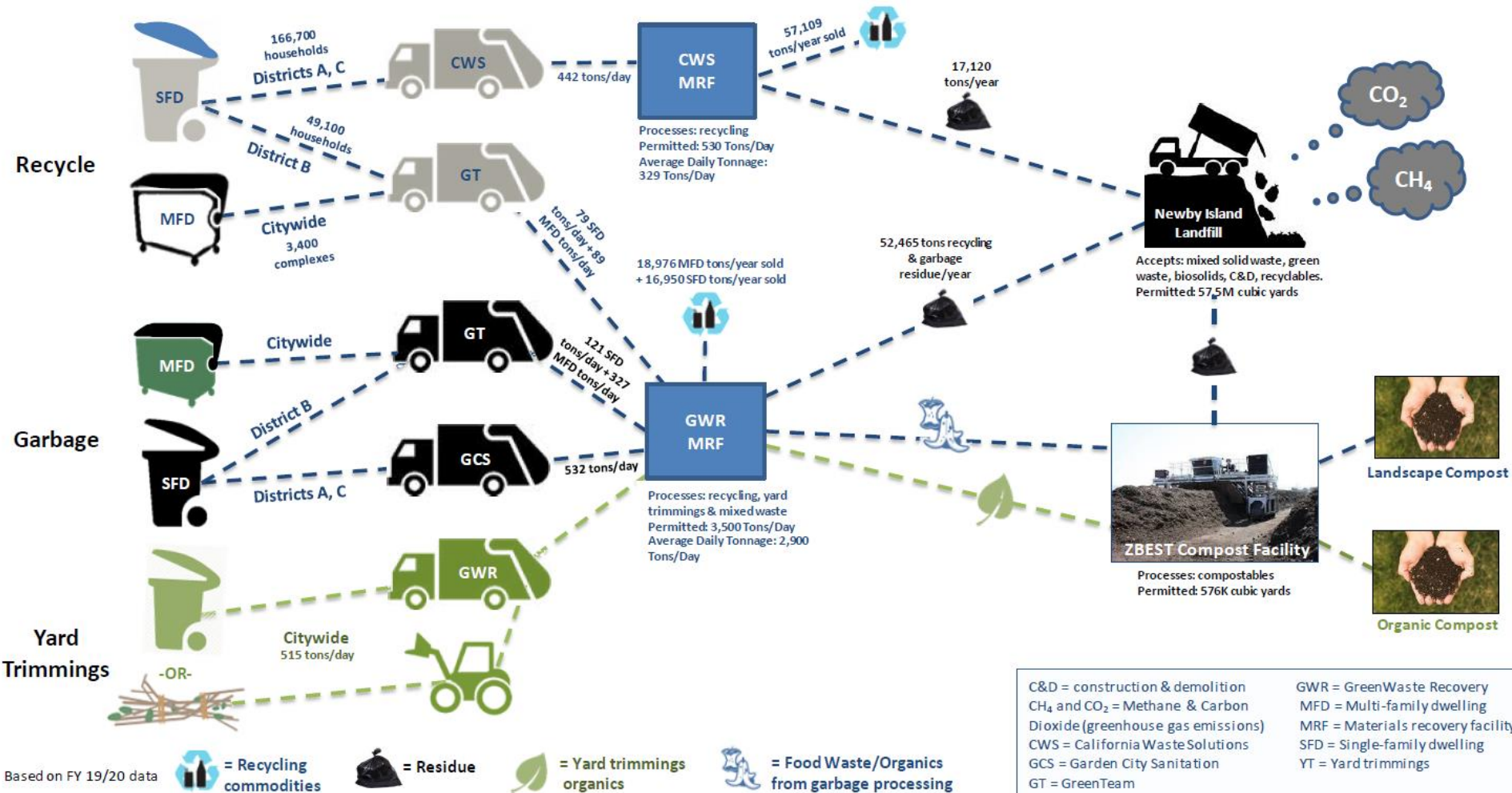
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Residential Garbage & Recycling Services

Contractor	Services	Service Districts
	Single-family recycling District A District C	
	Single-family garbage District A District C	
	- Single-family garbage & recycling - Citywide Multi-family & City Facilities garbage & recycling District B	
	- Citywide yard trimmings - Citywide garbage processing - Citywide street sweeping	
		Single-family Households A: 98,000 B: 50,000 C: 68,000 Multi-family Households Citywide: 115,000

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Residential Material Flow



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Most Common Single-Family Cart Sizes



32-Gallon Garbage

87% of SFDs

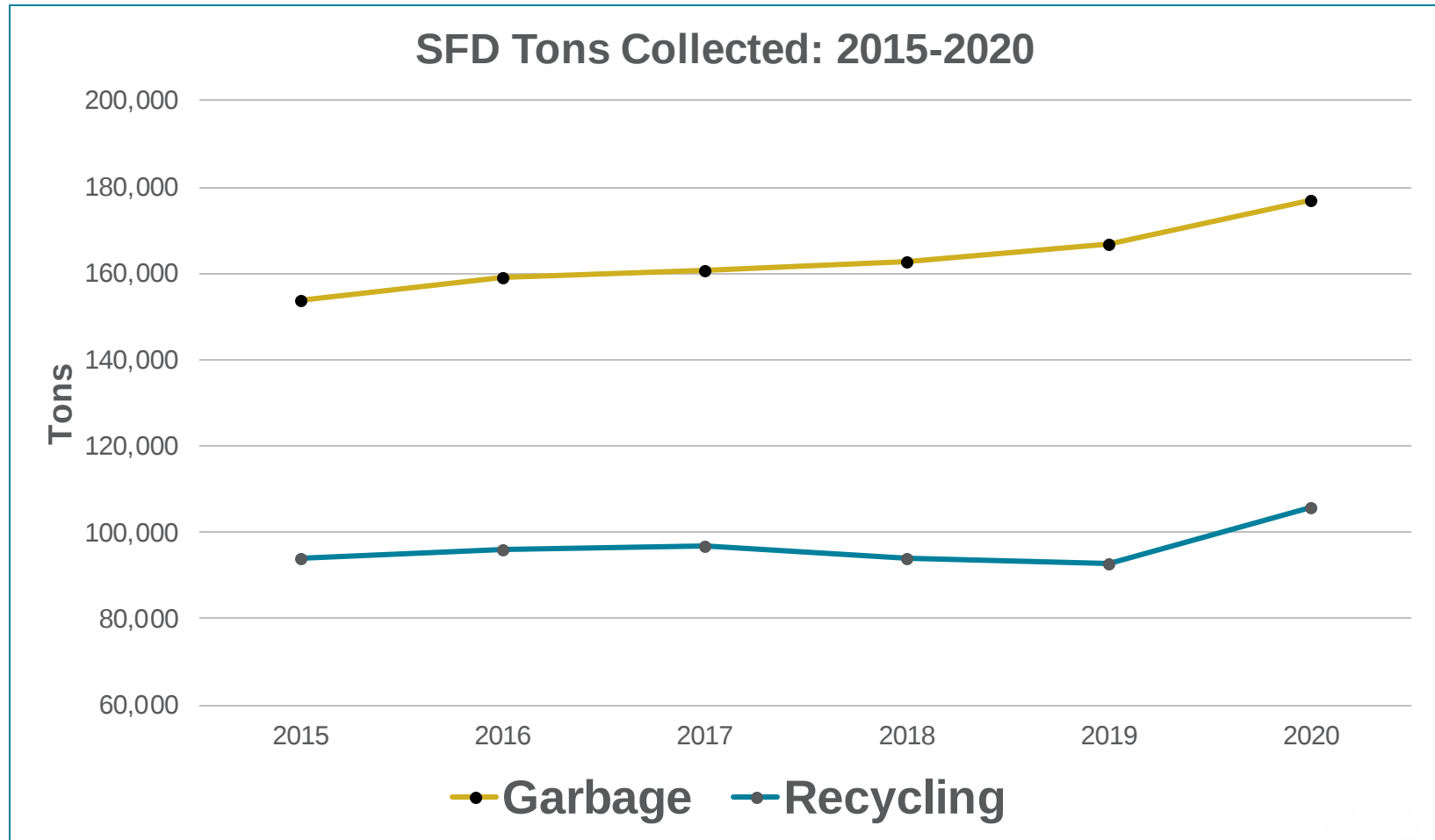


96-Gallon Recycling

Approximately
80% of SFDs

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Single-Family Dwelling Tons Steady Before 2020



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COVID-19 Impacts on Solid Waste & Public Outreach

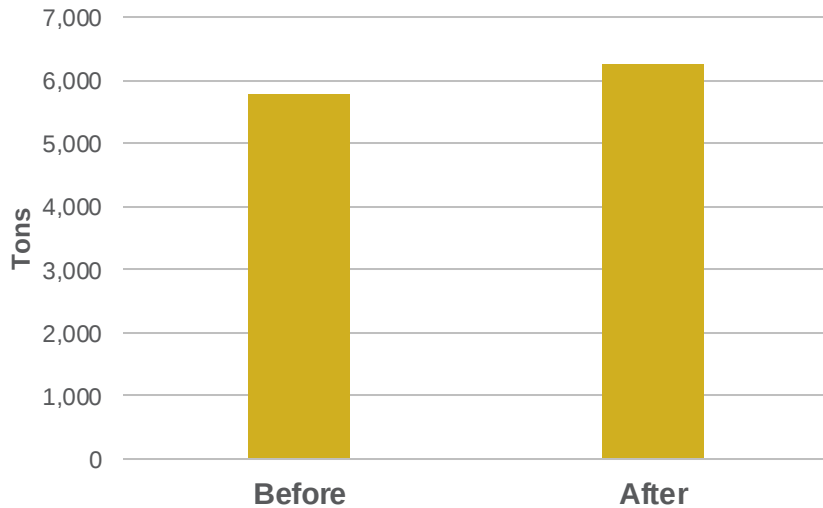


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Increased Tons During COVID-19 Pandemic

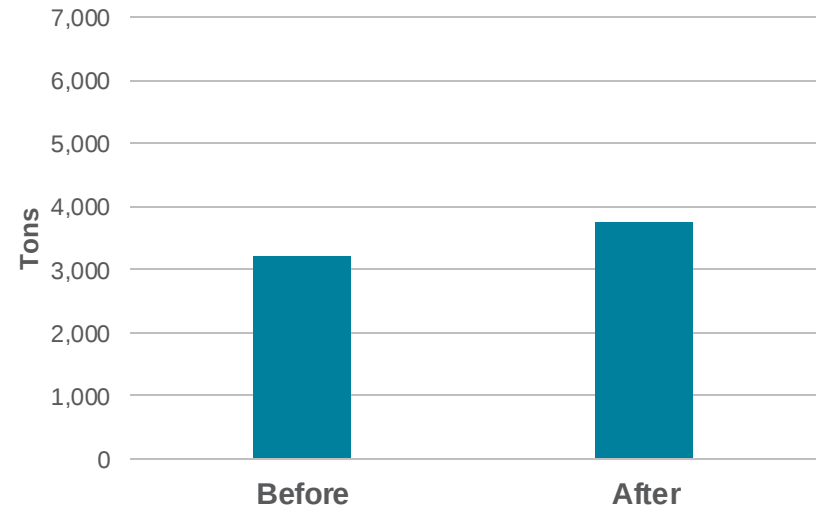
- Before and after shelter-in-place
- Apr-Dec 2019 vs. Apr-Dec 2020

SFD Daily Garbage Tons Collected



+8%

SFD Daily Recycling Tons Collected

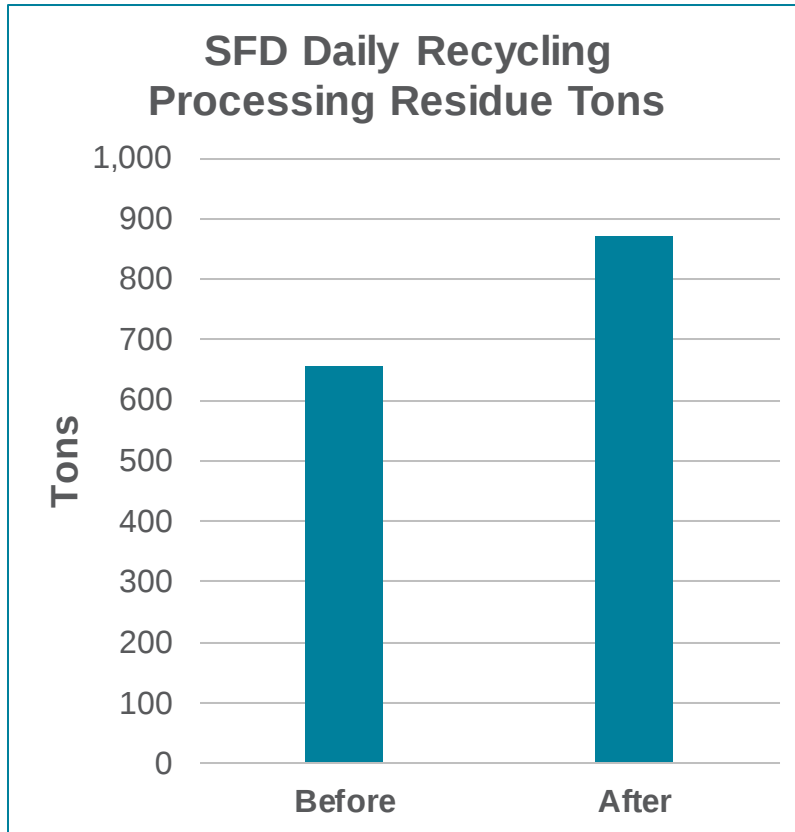


+17%

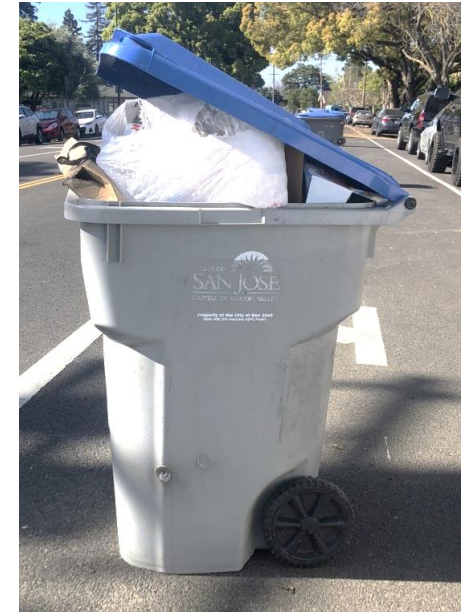
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Single-Family Dwelling Recycling Contamination

+33%



Apr-Dec 2019 vs. Apr-Dec 2020



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Program Material

Numbers
1, 2, 3, 4,
5, 7

WHAT TO RECYCLE

For a full list of recyclables, visit: SanJoseRecycles.org



Plastic



Paper



Metal



Glass

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Materials Not Accepted in Recycling Cart



➤ **Garbage & Food-Soiled Containers**



➤ **Yard Trimmings**



➤ **Food & Liquid**



➤ **Tanglers**



➤ **Large Items**



➤ **Hazardous Waste**



➤ **Packaging**



➤ **Plastic Bags, Wrap, & Film**



➤ **Diapers & Pet Waste**



➤ **Textiles**



➤ **#6 Plastic (Expanded Polystyrene)**

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Measuring Cart Contents

- Contracts require a third-party study every two years



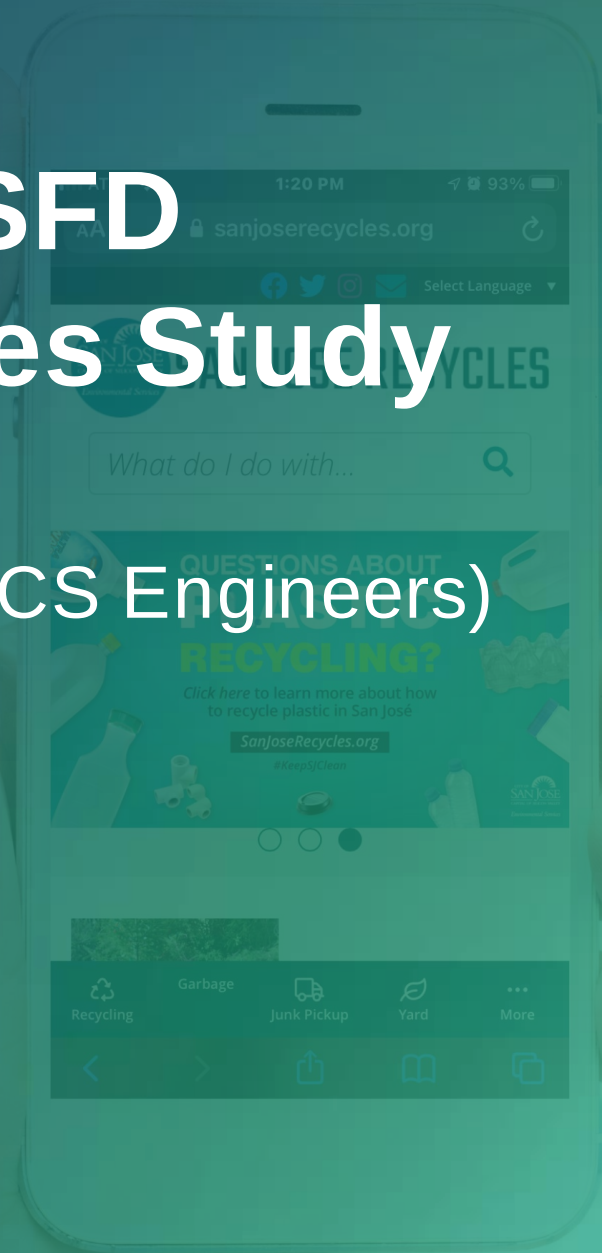
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Fall 2020 SFD Recyclables Study Results

(Presented by SCS Engineers)



Environmental Services





City of San
José

Characterization
of Inbound
Residential
Curbside
Recyclables

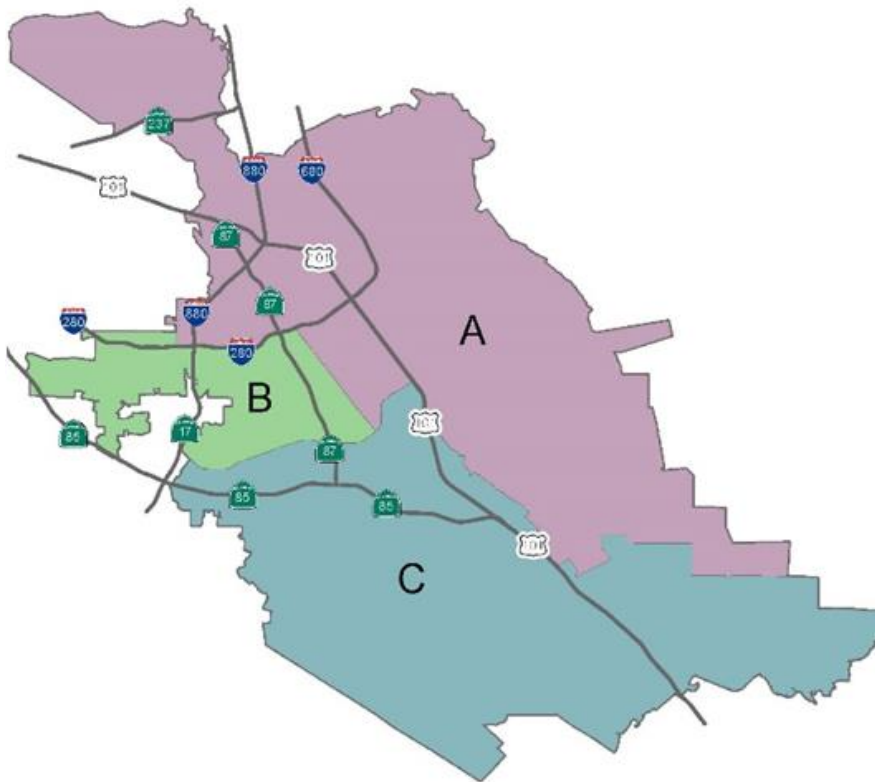
Presentation of Results

**Stacey Demers
Project Director**

SCS ENGINEERS

Study Design

Recycling Collection Districts



District	Average # Routes/Day	Number of Samples
A	22	110
B	10	50
C	16	80
Total	48	240

Fieldwork Schedule

Week Beginning Monday:	Days of Fieldwork	MRF
September 28, 2020	5	CWS
October 5, 2020	No Sorting	
October 12, 2020	5	CWS
October 19, 2020	5	CWS
October 26, 2020	No Sorting	
November 2, 2020	5	CWS
November 9, 2020	5	GreenWaste

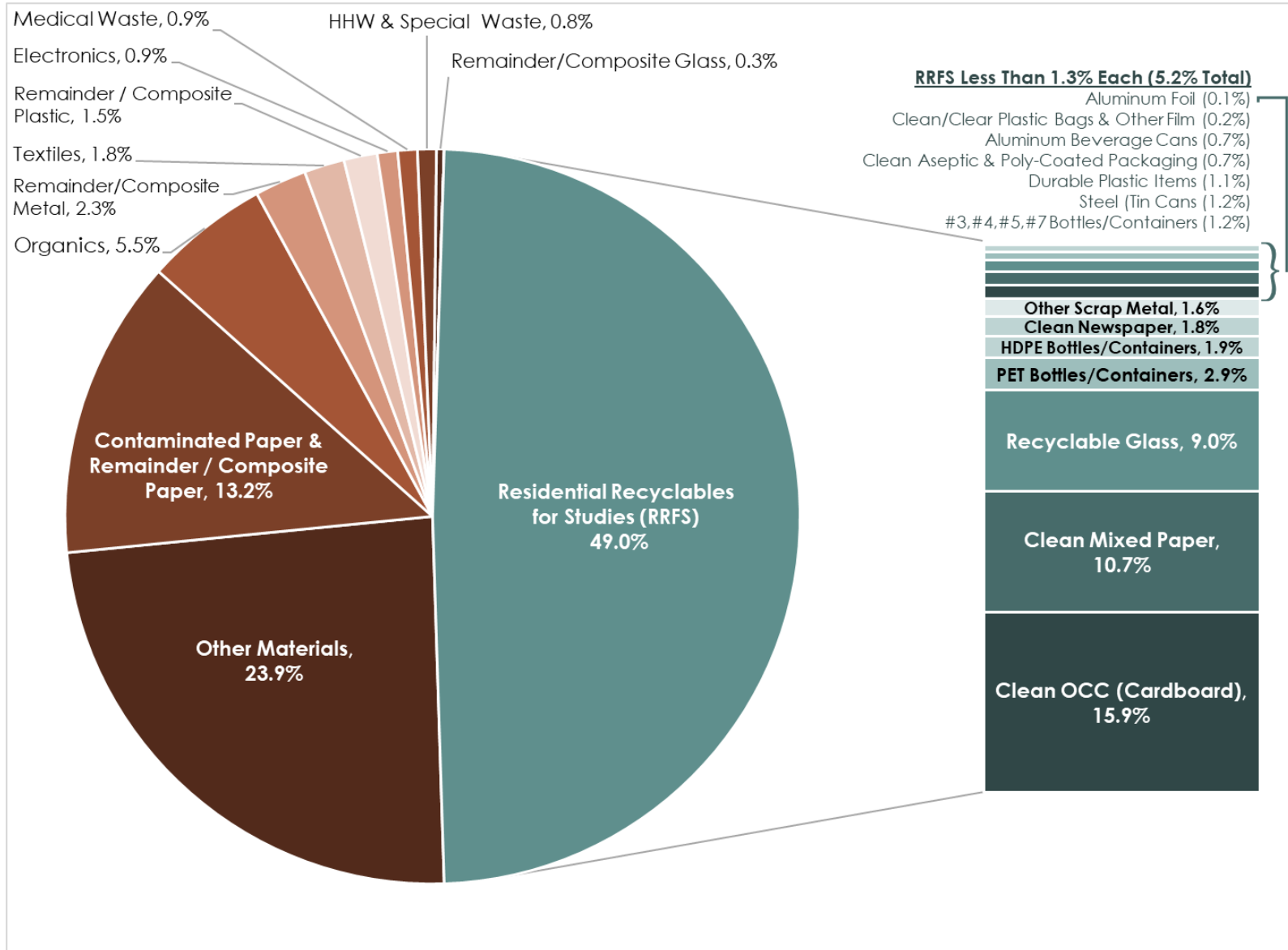
Material Classifications

Material Type	RRFS Materials	Non-RRFS
Paper	Clean Newspaper	Contaminated Paper & Remainder/Composite Paper
	Clean OCC	
	Clean Mixed Paper	
	Clean Aseptic & Poly-coated Packaging	
Plastic	#1 PET Bottles & Containers	Remainder/Composite Plastic (includes opaque plastic film)
	#2 HDPE Bottles & Containers	
	#3, #4, #5, #7 Bottles & Containers	
	Clear/Clean Plastic Bags & Other Film	
	Durable Plastic Items	
Metal	Aluminum Beverage Cans	Remainder/Composite Metal
	Aluminum Foil	
	Steel (Tin) Cans	
	Other Scrap Metal	
Glass	Recyclable Glass	Remainder/Composite Glass
Textiles	NA	Bagged and Loose Textiles
Organic	NA	Organics
Medical	NA	Includes sharps & personal hygiene products)
Electronic	NA	Electronics
HHW & Special Waste	NA	Includes chemicals, motor oil, oil filters, mercury lamps, batteries, tanks)
Other	NA	Other Materials including polystyrene

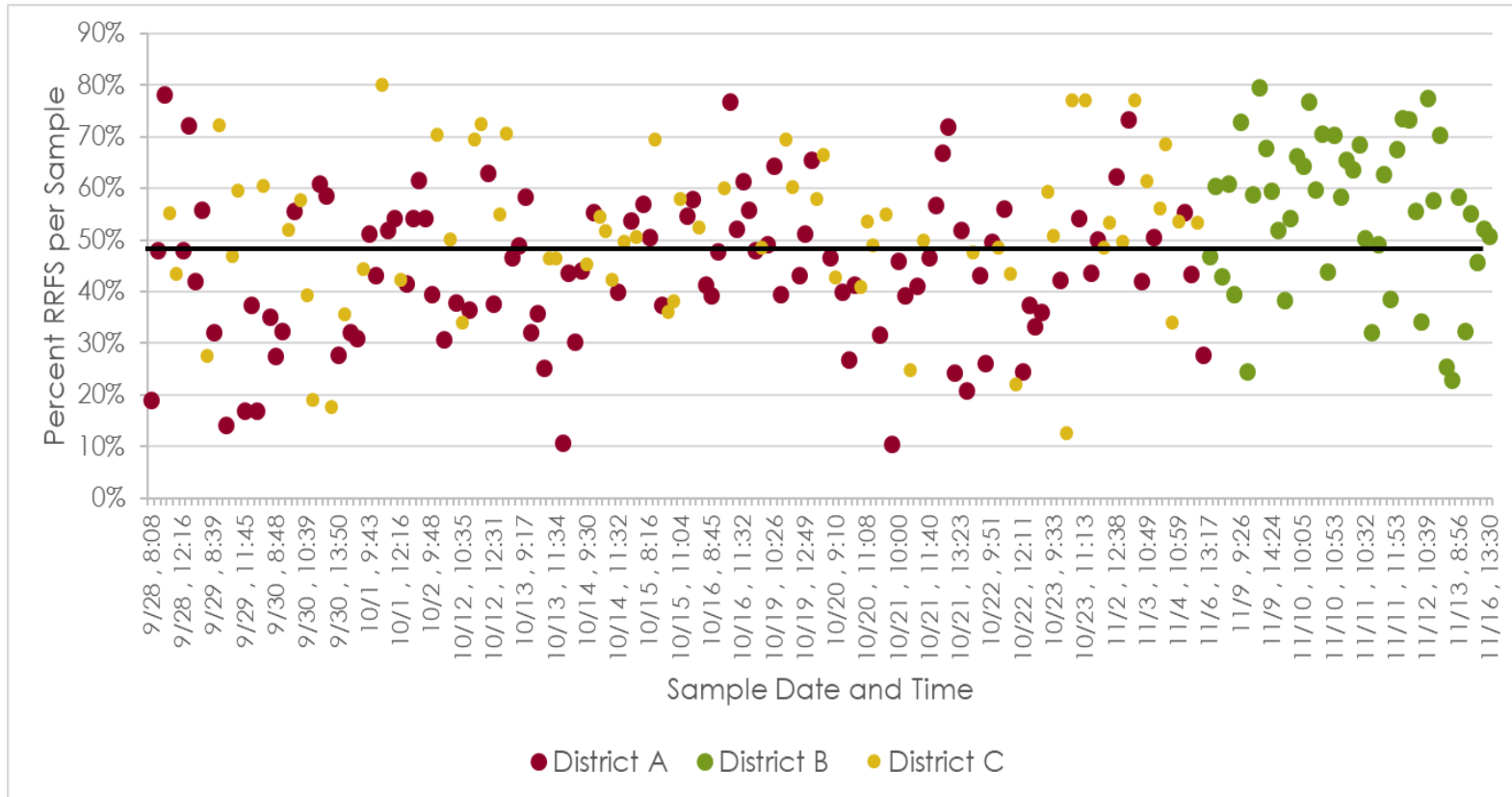
Summary of Citywide Results

Material Type			Mean Composition		
Residential Recyclables For Studies (RRFS)	Paper	Clean Newspaper	1.8%	29.2%	49.0%
		Clean OCC (Cardboard)	15.9%		
		Clean Mixed Paper	10.7%		
		Clean Aseptic & Poly-Coated Packaging	0.7%		
	Plastic	#1 PET Bottles and Containers	2.9%	7.3%	
		#2 HDPE Bottles and Containers	1.9%		
		#3, #4, #5, #7 Bottles and Containers	1.2%		
		Clean/Clear Plastic Bags and Other Film	0.2%		
		Durable Plastic Items	1.1%		
	Metal	Aluminum Beverage Cans	0.7%	3.5%	
		Aluminum Foil	0.1%		
		Steel (Tin) Cans	1.2%		
		Other Scrap Metal	1.6%		
Glass	Recyclable Glass	9.0%	9.0%		
NON- Residential Recyclables For Studies (NON RRFS)	Contaminated Paper & Remainder / Composite Paper		13.2%	13.2%	51.0%
	Remainder / Composite Plastic		1.5%	1.5%	
	Remainder/Composite Metal		2.3%	2.3%	
	Remainder/Composite Glass		0.3%	0.3%	
	Textiles		1.8%	1.8%	
	Organics		5.5%	5.5%	
	Medical Waste		0.9%	0.9%	
	Electronics		0.9%	0.9%	
	HHW & Special Waste		0.8%	0.8%	
	Other Materials		23.9%	23.9%	
	Total			100.0%	

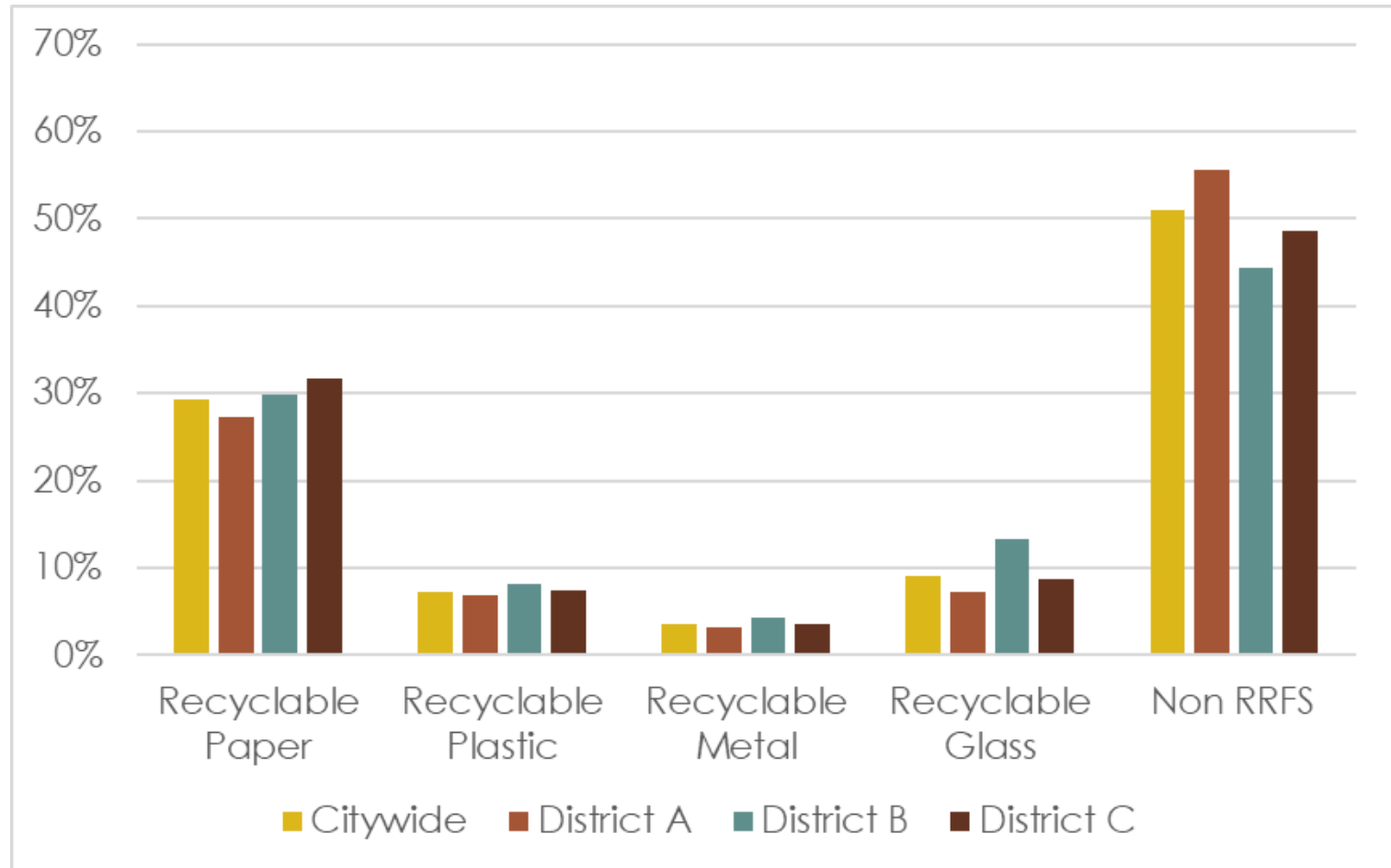
Note: Composition based on 216 samples.



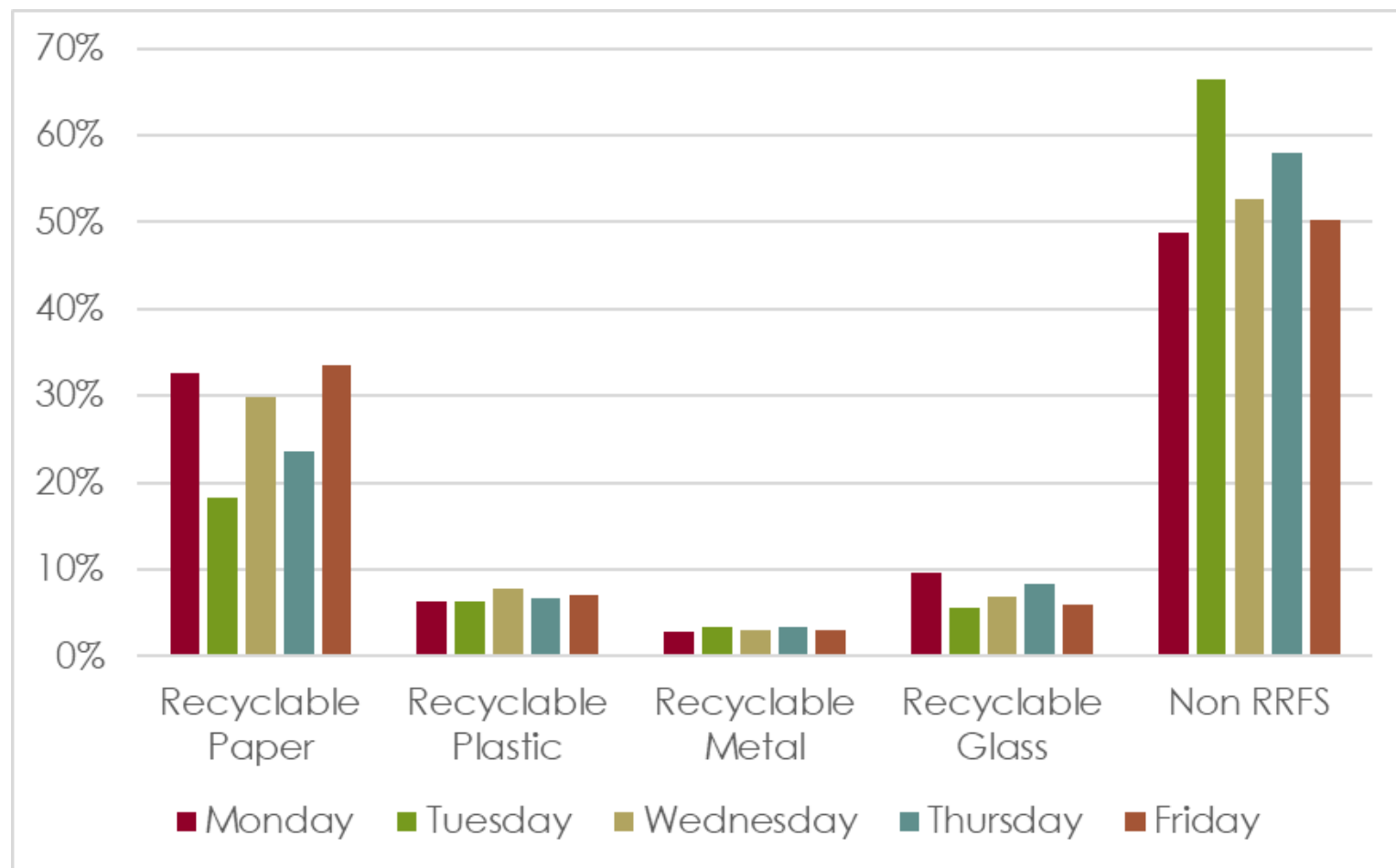
Proportion of RRFS by Sample



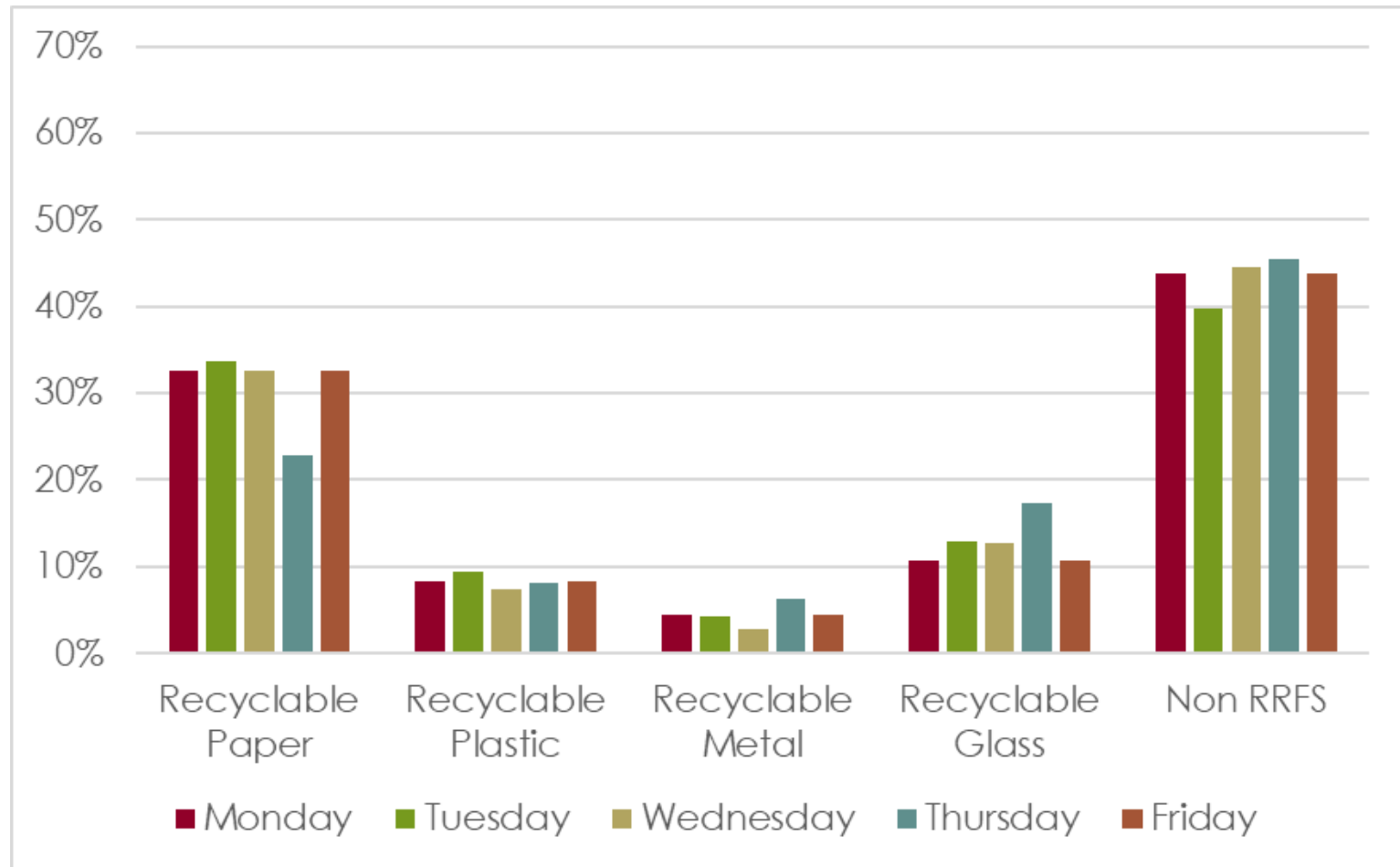
Major Material Classification by Collection District



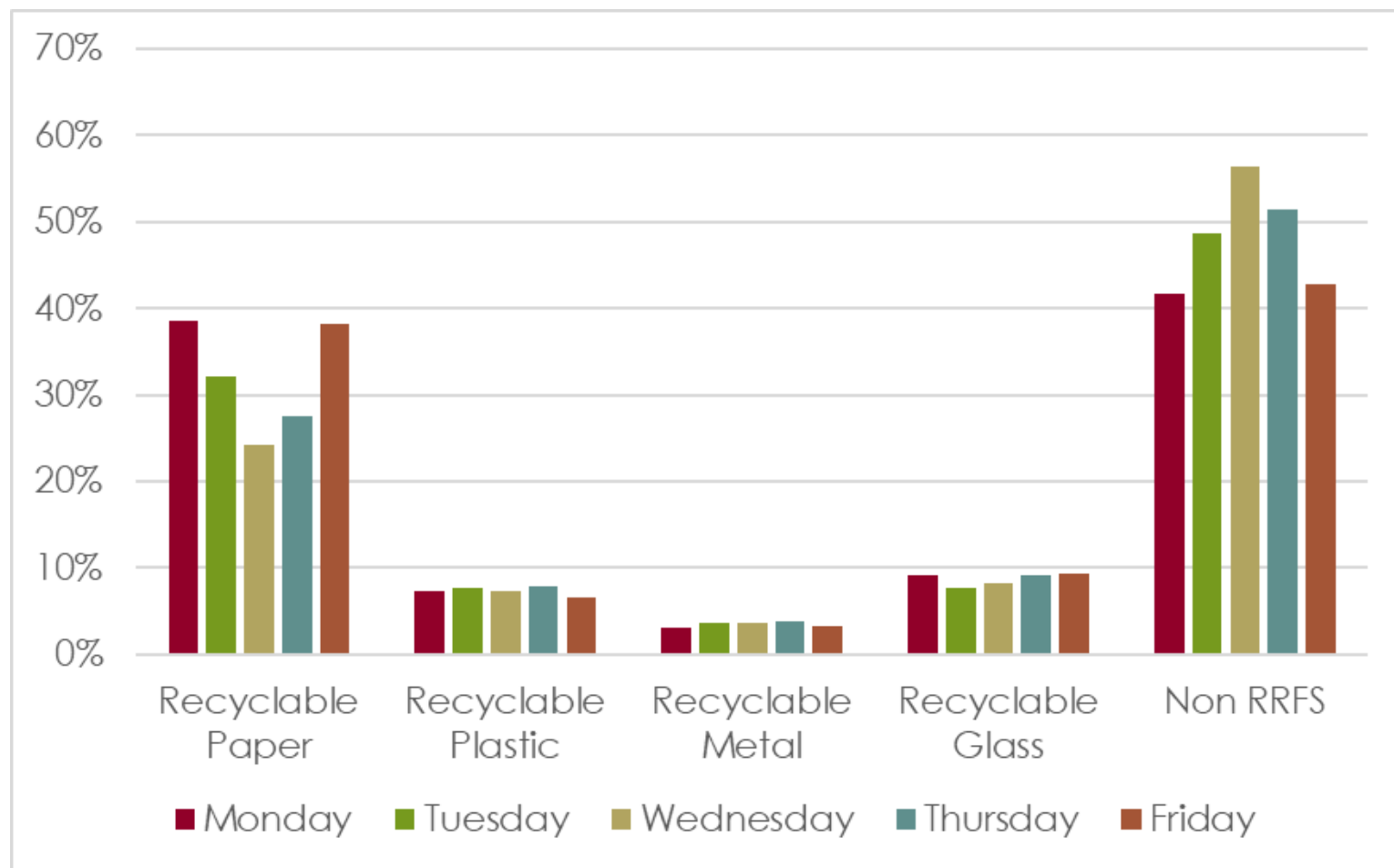
Day of Week – Collection District A



Day of Week – Collection District B



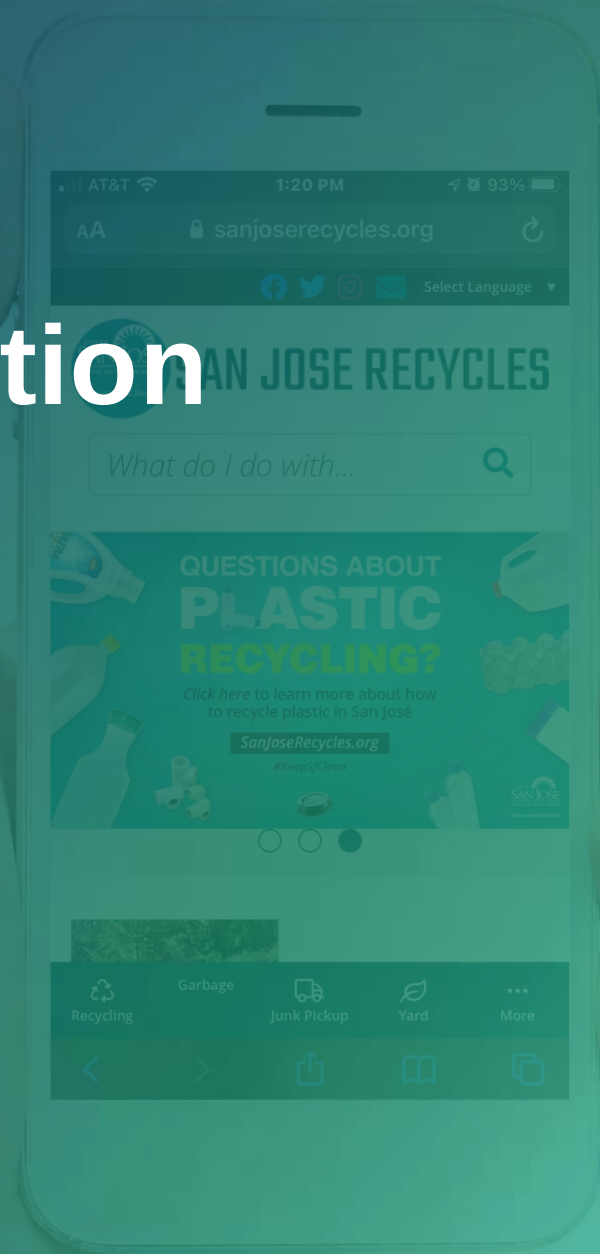
Day of Week – Collection District C



Contamination Impacts

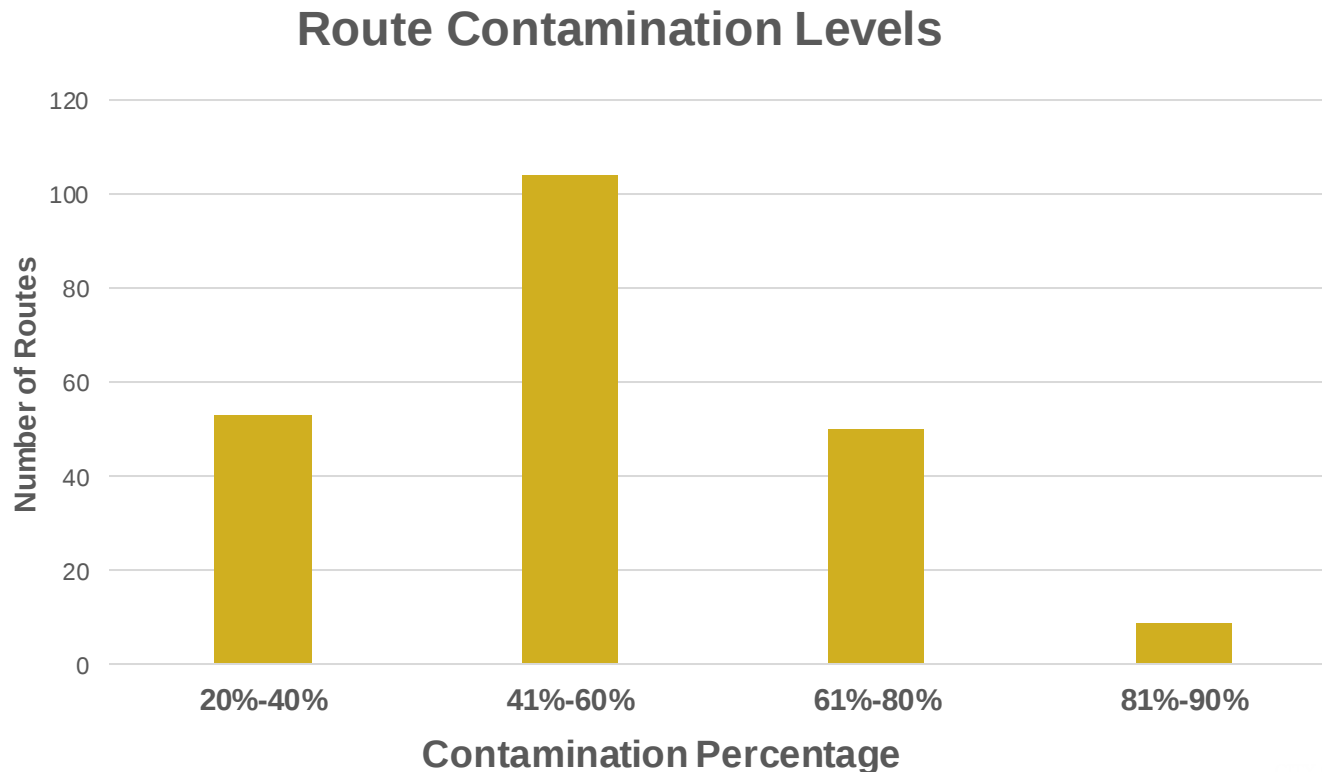


Environmental Services



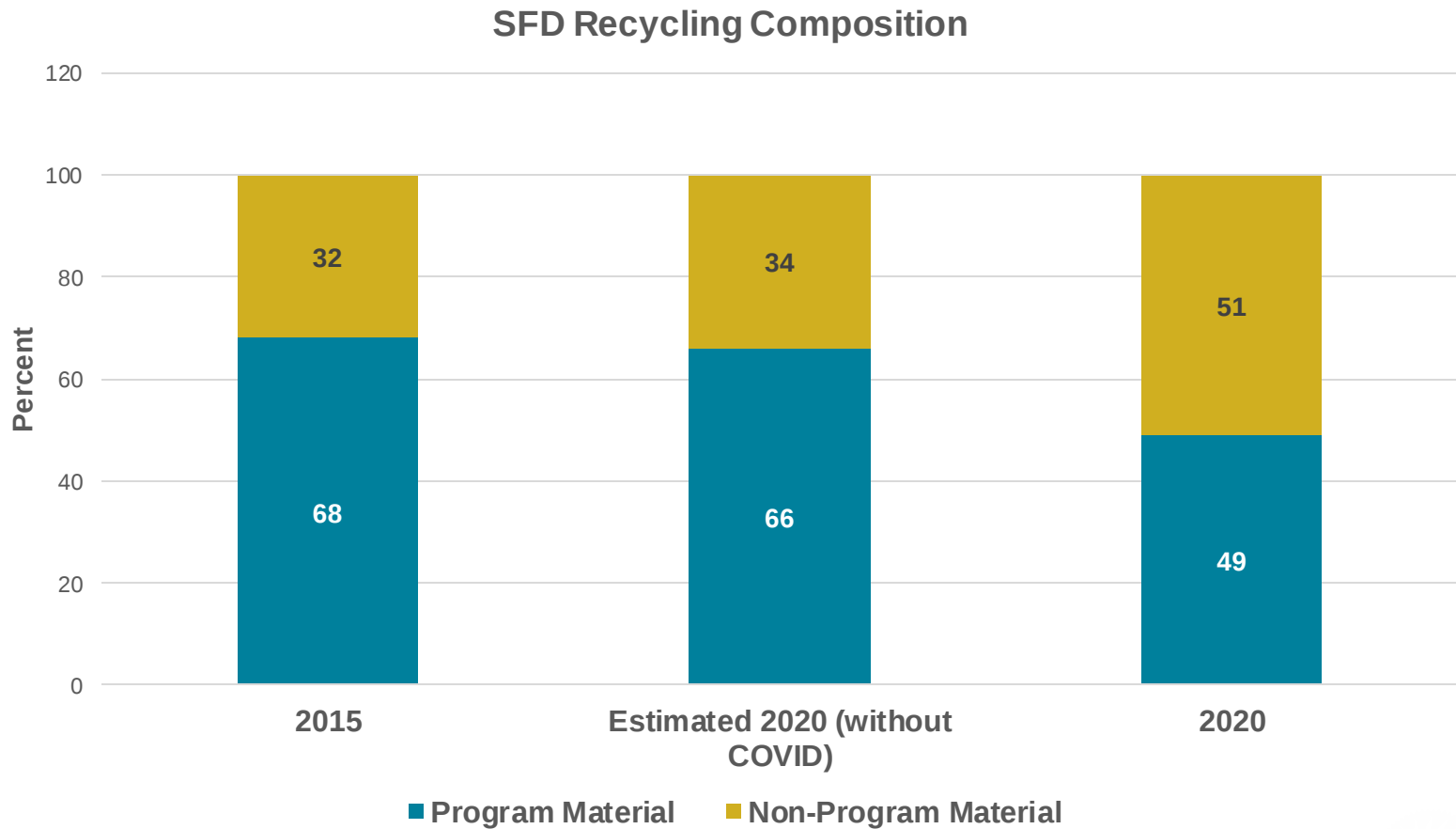
Recycling Routes Sampled

- About 775 SFD households per route
- Most routes have between 41%-60% contamination



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Recycling Composition Changes



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Recycling Compensation Structure

Previous Agreement

Contractor Compensation Structure
Flat rate for collection & processing



Recycling Revenue & Markets
Contractor keeps all revenues from recyclables sold and **bears market risks**



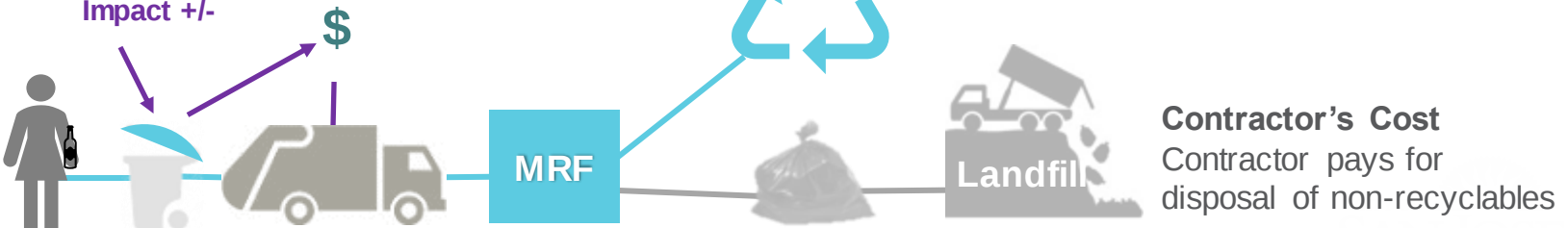
New Agreement

Contractor Compensation Structure
Dynamic rate for collection & processing based on % non-recyclables



Recycling Revenue & Markets
Contractor keeps all revenues from recyclables sold and **City provides "safety net" for recycling markets**

Potential Ratepayer Impact +/-



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Increased Contractor Compensation

- The 2020 contamination level increased from the 2015 level
- The 2020 level will increase contractor compensation of about \$8M in 2021-2022

Contamination Increase	Contractor Approx. Compensation Increase	Percentage Point SFD Rate Impact (Rounded)
5%	\$4.5M	+4%
10%	\$6.8M	+6%
15-20%	\$8.3M	+7%

ESD's Response

- Encourage garbage cart upsizing
- Sell Extra Garbage Stickers
- Recycle Right marketing campaign
- Cart lid replacement pilot



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Cart Lid Replacement Pilot Program

- Uses route data from Fall 2020 Study
- Trilingual Recycle Right messages
- 5,000 SFD households
- Launch: late Apr. 2021



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Residential Garbage and Recycling Customer Rates



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Forecasted Rate Increases Presented to Council in February

21%

Single Family

- An increase of \$8.21 per month or \$1.89 per week for the typical service level, billed to property owners

7%

Multi-Family

- An increase of approximately \$1.61 per month or \$0.37 per week per dwelling unit, billed to property owners

Why Increases?

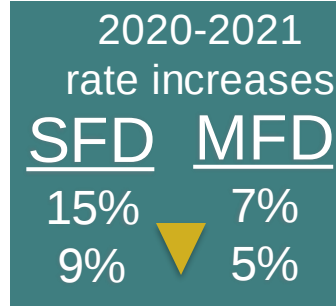


New prices approved in 2019



Recycling contamination

Over 15% increase in contamination during COVID



One-time cost offsets for 2020-2021 rate increases

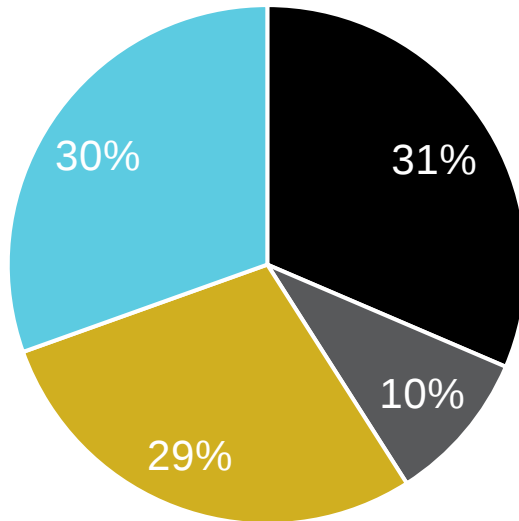


Annual inflationary (“cost of living”) contractual adjustments for contractors

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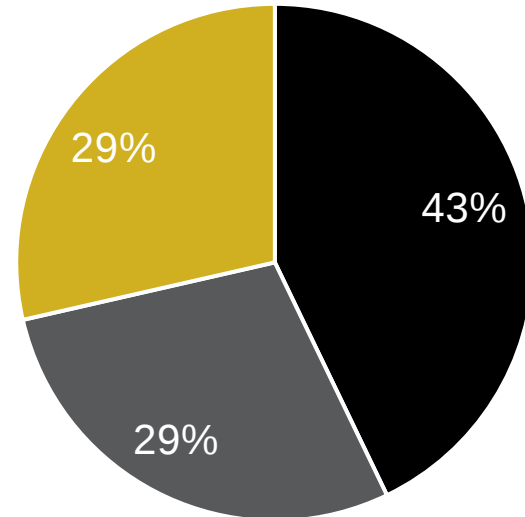
Why Increases?

Single-Family



- New Pricing
- Cost-of-Living
- One-Time Savings from 20-21
- Recycling Contamination

Multi-Family



- New Pricing
- Cost-of-Living
- One-Time Savings from 20-21

Local Rates Comparison

Single-Family

Regional Jurisdictions	FY 20-21 Monthly Rate
San Francisco	\$ 59.70
Oakland	\$ 51.27
Palo Alto	\$ 50.07
San José (FY 21-22 Forecast)	\$47.33
Santa Clara	\$ 44.10
Fremont	\$ 39.72
San José (Current)	\$ 39.12
Sunnyvale	\$ 37.36
Hayward	\$ 35.62

Multi-Family

3yd Garbage 1x/week	Monthly Rate
Countywide Average (FY 19-20)	\$ 334.85
San José (Forecasted FY 21-22)	\$286.35
San José (Current)	\$ 267.62

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Exploring Reductions



Continue to
**freeze staff
positions** funded
by residential
garbage and
recycling
ratepayers



**Use Fund
Reserves**
Partial drawdown
of O&M reserve
in 2021-2022
Use of fund
balance



**Reductions to
current services**
(Junk Pickup,
Garbage
Processing)
City potentially
not SB 1383
compliant



If available, use
**Federal relief
funds** to offset
some cost
caused by
stay-at-home
orders
One-time offset

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Recommended Strategy

Potential Strategy	Estimated Reduction	Concerns
<i>Use fund balance</i> Leverage available savings after updating budget projections and use of Bottle Bill funds	SFD: 2.0%	• None

- Typical fine-tuning of budget projections and proposed rate setting
- Revised forecast for SFD increase: 19%
- An increase of \$7.43 per month or \$1.72 per week for the typical service level, billed to property owners

Additional Strategy

Potential Strategy	Estimated Reduction	Concerns
Use fund reserve Partial use of Operations and Maintenance Reserve (\$2.4M)	SFD: 2.0%	• Makes the fund less resilient should a new emergency arise • One-time offset, will make next two years of rate increases higher than planned to restore O&M Reserve

- Forecasted SFD increase would go from 19% to 17%
- **O&M Reserve** use: double impact to future customer rates (one-time offset and restoration of Reserve)

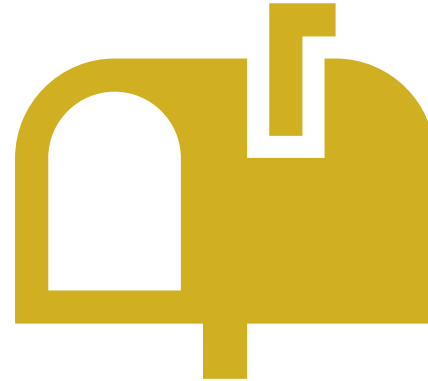
2021-2022 SFD Rate Adjustment	2022-2023 SFD Rate Adjustment	2023-2024 SFD Rate Adjustment
2% Decrease	<u>Additional</u> 2% Increase	<u>Additional</u> 2% Increase <u>Potential cost savings</u> if recycling contamination returns to pre-COVID levels, <u>up to 7% decrease</u>

Not Recommended Strategies

Potential Strategy	Estimated Reduction	Concerns
<i>Continue to freeze staff vacancies</i>	SFD: less than 1%	• Near-term, critical efforts related to SB 1383 compliance and recycling outreach • City overhead already on the low end of the industry
<i>Limit SFD Junk Pickup</i> restrict service to two 3-item collections per year	SFD: 2%	• Popular service amongst residents, many households request pick up of more than 6 items per year • Challenging to implement administratively • Residents would need to pay for pickup after 6 items
<i>Federal relief funds</i> from the American Rescue Plan for a one-time reduction to SFD rate increase focused on recycling contamination costs	TBD	• Competing priorities for federal funds • One-time offset, would likely make future rate increases higher than planned • Relief through rate reduction would be citywide and not completely focused on most vulnerable

Rate Notices

- Notices in English, Spanish, Vietnamese of max rate increases
- To property owners
- 45-Day protest period
- Mailing week of April 19
- Proposed rates scheduled for June 15, 2021 Council agenda



Questions?



Environmental Services

Study Session: Updates on Senate Bill (SB)1383, Residential Recycling Contamination & Residential Garbage and Recycling Rates

April 12, 2021 | 1:30 PM – 4:30 PM

Presented by: Kerrie Romanow, Director, Environmental Services Department

Valerie Osmond, Deputy Director, Environmental Services Department

Shikha Gupta, Senior Environmental Program Manager, Environmental Services Department

Brianna Lara, Environmental Scientist, California Department of Resources Recycling and Recovery
(CalRecycle)

Stacey Demers, Project Director, SCS Engineers



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