

**Authority Board (WMA) & Energy Council (EC)**

Jerry Pentin, **WMA, President**  
City of Pleasanton, WMA

Dan Kalb, **WMA 1st Vice President, EC President**  
City of Oakland, WMA, EC

Greg Jones, **WMA 2nd Vice President, EC 1<sup>st</sup> Vice President**  
City of Hayward, WMA, EC

Lorin Ellis, **EC 2<sup>nd</sup> Vice President**  
City of Union City, WMA, EC

Keith Carson, County of Alameda, WMA, EC

Jim Oddie, City of Alameda, WMA, EC

Peter Maass, City of Albany, WMA, EC

Susan Wengraf, City of Berkeley, WMA, EC

Dave Sadoff, Castro Valley Sanitary District, WMA

Don Biddle, City of Dublin, WMA, EC

Dianne Martinez, City of Emeryville, WMA, EC

Suzanne Lee Chan, City of Fremont, WMA, EC

Laureen Turner, City of Livermore, WMA

Mike Hannon, City of Newark, WMA, EC

Shelia Young, Oro Loma Sanitary District, WMA

Tim Rood, City of Piedmont, WMA, EC

Deborah Cox, City of San Leandro, WMA, EC

Wendy Sommer, Executive Director

**AGENDA**

**MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT  
AUTHORITY (WMA) BOARD  
AND  
THE ENERGY COUNCIL (EC)**

**Wednesday, March 23, 2016**

**3:00 P.M.**

**StopWaste Offices  
1537 Webster Street  
Oakland, CA 94612  
510-891-6500**

Meeting is wheelchair accessible. Sign language interpreter may be available upon five (5) days notice by calling 510-891-6500. Members of the public wanting to add an item to a future agenda may contact 510-891-6500.

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. ANNOUNCEMENTS BY THE PRESIDENTS -** *(Members are asked to please advise the boards or the council if you might need to leave before action items are completed)*

Page **IV. CONSENT CALENDAR**

- |    |   |                    |
|----|---|--------------------|
| 1  | <b>1. Approval of the Draft WMA Minutes of February 17, 2016 (Wendy Sommer)</b>   | <b>Action</b>      |
| 5  | <b>2. Mandatory Recycling Ordinance (MRO) – Site Inspector Analysis (Pat Cabrera)</b><br>The P&A Committee recommends that the WMA Board direct staff to continue the use of contracted services for MRO site inspectors.                           | <b>Action</b>      |
| 7  | <b>3. Product Decisions Targets – Recommendations (Justin Lehrer)</b><br>The P&A and P&O Committees recommend that the WMA Board approve the proposed recommendations for the PD Targets and direct staff to implement them in the FY 16-17 budget. | <b>Action</b>      |
| 15 | <b>4. Minutes of the February 16, 2016 and March 15, 2016 Technical Advisory Group (Karen Kho)</b>  | <b>Information</b> |
| 23 | <b>5. Grants Under \$50,000 (Wendy Sommer)</b>  | <b>Information</b> |

**V. OPEN PUBLIC DISCUSSION**

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the boards or council, but not listed on the agenda. Total time limit of 30 minutes with each speaker limited to three minutes.

## **VI. REGULAR CALENDAR**

- |    |   |               |
|----|---|---------------|
| 25 | <b>1. Reusable Bag Ordinance – Ordinance Expansion Language (Wendy Sommer)</b><br>Staff recommends that the WMA Board review the proposed reusable bag ordinance expansion language (Attachment A) and direct staff to prepare formal amendments to Ordinance 2012-02.  | <b>Action</b> |
|    |   |               |
| 35 | <b>2. Priorities Program Areas for 2016-2018 (Karen Kho)</b><br>Staff recommends that the Energy Council discuss and approve Priority Areas for 2016-2018.  | <b>Action</b> |
|    |   |               |
|    | <b>3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)</b><br>(The April 14, 2016 P&O and Recycling Board meeting is cancelled in lieu of a joint meeting of the WMA Board, Energy Council, and Recycling Board on April 27, 2016 at 3:00 p.m. at StopWaste offices) |               |

## **VII. COMMUNICATIONS/MEMBER COMMENTS**

### **VIII. CLOSED SESSION:**

#### **CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant Government Code Section 54956.9(d)(2):  
(One potential case)

## **IX. ADJOURNMENT**

**DRAFT**

**MINUTES OF THE MEETING OF THE  
ALAMEDA COUNTY WASTE MANAGEMENT AUTHORITY (WMA) BOARD  
AND  
THE ENERGY COUNCIL (EC)**

**Wednesday, February 17, 2016**

**3:00 P.M.**

**StopWaste Offices  
1537 Webster Street 23211  
510-891-6500**

**I. CALL TO ORDER**

First Vice President Kalb, WMA, called the meeting to order at 3:00 p.m.

**II. ROLL CALL**

**WMA & EC**

County of Alameda	Keith Carson, WMA, EC
City of Alameda	Jim Oddie, WMA, EC
City of Albany	Peter Maass, WMA, EC
City of Berkeley	Susan Wengraf, WMA, EC
Castro Valley Sanitary District	Dave Sadoff, WMA
City of Dublin	Don Biddle, WMA, EC
City of Emeryville	Dianne Martinez, WMA, EC
City of Fremont	Suzanne Lee Chan, WMA, EC
City of Hayward	Greg Jones, WMA, EC
City of Newark	Mike Hannon, WMA, EC
City of Oakland	Dan Kalb, WMA, EC
Oro Loma Sanitary District	Shelia Young, WMA
City of Piedmont	Tim Rood, WMA, EC
City of San Leandro	Deborah Cox, WMA, EC
City of Union City	Lorrin Ellis, WMA, EC

**Absent:**

City of Livermore	Laureen Turner, WMA
City of Pleasanton	Jerry Pentin, WMA

**Staff Participating:**

Wendy Sommer, Executive Director  
Tom Padia, Deputy Executive Director  
Patricia Cabrera, Administrative Services Director  
Gina Peters, Chief Financial Officer  
Justin Lehrer, Senior Program Manager  
Debra Kaufman, Senior Program Manager  
Karen Kho, Senior Program Manager  
Brian Mathews, Senior Manager  
Richard Taylor, Legal Counsel, Authority Board  
Arless Dunn, Clerk of the Board

**III. ANNOUNCEMENTS BY THE PRESIDENTS**

There were none.

**IV. CONSENT CALENDAR**

- |           |  |                    |
|-----------|--|--------------------|
| <b>1.</b> | <b>Approval of the Draft Minutes of January 27, 2016</b>   | <b>Action</b>      |
| <b>2.</b> | <b>Annual Audit for Fiscal Year 2014/15 (Pat Cabrera &amp; Gina Peters)</b><br>Staff recommends that the WMA Board and the Energy Council review, accept and file the FY 2014/15 audit report.   | <b>Action</b>      |
| <b>3.</b> | <b>Assessment Criteria for Product Decisions Activities (Justin Lehrer)</b><br>Staff recommends that the WMA Board review and approve the proposed criteria for evaluating targets and programs and direct staff to use the adopted criteria to inform adjustments to the Product Decision Targets, propose organics projects, and develop future programs.  | <b>Action</b>      |
| <b>4.</b> | <b>Organics Processing Development Reserve Usage &amp; Criteria (Debra Kaufman)</b><br>The P&A Committee by a vote of 10-0 (Carson and Turner absent) recommended that the WMA Board affirm that the \$1 million EBMUD reserve is no longer reserved for EBMUD, and direct staff to budget some part of those funds for organics diversion projects that go beyond in-county processing capacity, using the proposed product decisions criteria. | <b>Action</b>      |
| <b>5.</b> | <b>Grants Under \$50,000 (Wendy Sommer)</b>  | <b>Information</b> |
| <b>6.</b> | <b>Minutes of the January 19, 2016 Technical Advisory Group (Karen Kho)</b>  | <b>Information</b> |

Board member Young made the motion to approve the Consent Calendar for the WMA Board. Board member Ellis seconded and the motion carried 18-0 (Pentin and Turner absent).

Board member Ellis made the motion to approve the Consent Calendar for the Energy Council. Board member Rood seconded and the motion carried 18-0.

**V. OPEN PUBLIC DISCUSSION**

Ken Bukowski announced that Assemblymember Tony Thurmond was holding a hearing on Feb. 19 to discuss Bay Area Regional Planning.

**VI. CLOSED SESSION:**

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Gov't Code 54956.9(d)(1))

Name of case: Waste Connections Inc. v. Alameda County Waste Management Authority, Kings County Superior Court Case No. 16-C0022

Authority Counsel Richard Taylor reported in open session that the members present voted unanimously to authorize legal counsel to defend the suit filed by Waste Connections Inc.

The vote was 18-0: **Ayes:** Biddle, Carson, Chan, Cox, Ellis, Hannon, Jones, Kalb, Maass, Martinez, Oddie, Rood, Sadoff, Wengraf, Young. **Nays:** None. **Absent:** Pentin, Turner. **Abstain:** None.

## VII. REGULAR CALENDAR

### 1. Updated Multi Year Fiscal Forecasts (Pat Cabrera & Mark Spencer)

Information

This item is for information only.

Pat Cabrera and Mark Spencer provided an overview of the staff report and presented a PowerPoint presentation. The combined report and presentation is available here: [Fiscal Forecasts-02-17-16](#)

Board member Carson inquired if staff was aware of other data sets such as the ones developed by the East Bay Economic Development Alliance (EDA) and why we didn't use those data in our model. Mr. Spencer replied that in fact EDA had shared a great deal of data with us when we were first building the model (housing starts, housing permits, commercial and industrial permits, local unemployment, tax revenues etc.) We used both a backwards and forwards approach to model building. With the backwards approach we used all possible variables and then pulled one variable out at a time looking at the partial-F (measure of significance for an individual variable in a model) and pulling the non-significant variables. With the forwards approach we built the model by adding significant variables one variable at a time. In the end we found that a simple model using either national and state unemployment levels and a seasonal variable provided the best understanding of tonnages. We then used the UCLA Anderson School unemployment projections to project tonnages for the coming year. Ms. Cabrera stated that since it's no longer working, staff recommend that the agency discontinue use of the current statistical model and for the coming 2016-2017 fiscal year base future projections on the long-term 3% decline in tonnages that can be seen when one examines tonnages going back to 1999. The forecasts would be updated and presented to the Board at least annually.

Board member Chan inquired that assuming the economy remained the same, would staff propose a flat or declining budget. Ms. Cabrera stated that the staff's ultimate objective was to align ongoing expenditures with ongoing revenues, but we will have to carefully use fund balances which we have purposefully accumulated through the years as well as reserves when appropriate as we work towards our overall programmatic and financial mission.

### 2. Unfunded Liability (Pat Cabrera)

Action

Staff recommends that the WMA Board adopt a pension funded status goal of 90% which is estimated to cost approximately \$1.6M. Assuming the agreement with NextEra for the conservation easement is finalized, staff recommends that the WMA approve using those proceeds to make a lump sum payment to CalPERS to pay the unfunded liability (UL) sufficient to achieve the 90% funded status level.

Pat Cabrera provided an overview of the staff report. The report is available here: [Unfunded Liability-02-17-16](#)

Board member Hannon suggested that staff put together a table each year perhaps as part of the budget that shows the projected annual unfunded liability. Ms. Cabrera stated that she would do so and also stated that those figures are projections and will change each year.

Board member Jones made the motion to adopt a pension funded status goal of 90%. Board member Ellis seconded and the motion carried 18-0 (Pentin and Turner absent).

**3. External Funding Priorities (Karen Kho)**

**Information**

This item is for information only.

Ms. Kho provided an overview of the staff report. The report is available here: [External Funding-02-17-16](#)

Board member Biddle commented on the difficulty in projecting available grant funding. Ms. Kho stated that future funding is difficult to predict, however, we are running programs that have multi-year commitments and we will work with the Energy Council Technical Advisory Group (TAG) to prioritize opportunities for new programs.

**4. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Wendy Sommer)** **Action**

(P&O/RB meeting, March 10<sup>th</sup> at 4:00 pm – StopWaste Offices, 1537 Webster Street, Oakland, CA)

Board member Pentin required an interim appointment. Board member Sadoff volunteered to attend as the interim appointment. Board member Oddie made the motion to approve the interim appointment. Board member Rood seconded and the motion carried 18-0 (Pentin and Turner absent).

**VIII. COMMUNICATION/MEMBER COMMENTS (WMA & EC)**

**Information**

There were none.

**IX. ADJOURNMENT (WMA & EC)**

The meeting adjourned at 4:20 p.m.

**DATE:** March 23, 2016

**TO:** Waste Management Authority Board

**FROM:** Wendy Sommer, Executive Director

**BY:** Pat Cabrera, Administrative Services Director

**SUBJECT:** Mandatory Recycling Ordinance (MRO) – Site Inspector Analysis

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## **SUMMARY**

On March 10, 2016 the Programs and Administration (P&A) Committee heard a presentation from staff regarding the feasibility of hiring in- house MRO site inspectors instead of continuing the use of contractors (currently employed by Stealth Marketing Services). The report submitted to the P&A Committee can be found at: [MRO Site Inspector Analysis-03-10-16](#)

## **COMMITTEE ACTION**

Based on the compensation and classification study findings, the equivalent cost of three in-house positions would be at least \$360,000 per year, not including one-time costs for furniture and equipment that would range from \$15,000 - \$20,000. The current contract for three inspectors is \$320,000. To obtain a better basis for forecasting long term enforcement workload which would include evaluating the ordinance's effectiveness as currently written and implemented, staff believes that , approximately three years from now would seem the most opportune time to revisit the issue of converting contract inspectors to in-house positions.

The P&A Committee by a 9-0 vote (Carson, Kalb and Turner absent) recommended that the Authority Board direct staff to continue engaging contracted services for MRO site inspections.

## **RECOMMENDATION**

The P&A Committee recommends that the WMA Board direct staff to continue the use of contracted services for MRO site inspectors.

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**DATE:** March 23, 2016

**TO:** Waste Management Authority Board

**FROM:** Wendy Sommer, Executive Director

**BY:** Justin Lehrer, Senior Program Manager

**SUBJECT:** Product Decisions Targets - Recommendations

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### **SUMMARY**

The Product Decision (PD) targets were assessed using the recently adopted Assessment Criteria, and staff has recommended changes to the projects for inclusion in the FY16-17 Budget.

### **COMMITTEE ACTION**

On March 10, the Programs and Administration (P&A) and Planning and Organization (P&O) Committees reviewed and discussed the key findings and recommendations for seven PD targets projects (Attachment A).

The overall theme is recognizing some limits to our reach and influence, and refocusing effort where there is opportunity for greater impact. Packaging-related activities can be consolidated, and Household Hazardous Waste Alternatives can be merged with the HHW Facilities project for improved internal efficiency. The recycled content building materials target would sunset, with efforts shifting to support member agency climate action planning and continued research on recycled content feedstocks. Savings from these steps would be applied to organics projects: food waste prevention and recycled content compost/mulch, which have the greatest short-term impact potential.

The P&A Committee by a vote of 11-0 (Turner absent), and the P&O Committee by a vote of 10-0 (Martinez absent) recommended that the WMA Board approve the recommendations and direct staff to implement them in the FY 16-17 budget.

### **RECOMMENDATION**

The P&A and P&O Committees recommend that the WMA Board approve the proposed recommendations for the PD Targets and direct staff to implement them in the FY 16-17 budget.

Attachments: Attachment A – Product Decisions – Key Findings & Recommendations

## ATTACHMENT A

### Product Decisions – Key Findings & Recommendations

For the mid-point assessment, each project team considered progress toward the original target, conducted a qualitative review of the project using the assessment criteria, and developed recommendations for a path forward. Below, key findings and recommendations are outlined for each of the seven projects assessed through this process, presented within the relevant priority area (Organics, Packaging, and Built Environment).

Generally, staff recommendations can be summarized as follows:

- **Organics:** continue to invest, and expand our efforts on food waste prevention and recovery and use of compost and mulch in the County.
- **Packaging:** Consolidate Reusable Packaging, Food Service Ware, and Package labeling into one Packaging project for greater efficiency and lower cost.
- **Built-Environment:** Halt efforts to achieve the current recycled content building materials target and re-focus on support for member agency climate action planning/implementation and continued research on recycled content feedstocks.
- **Household Hazardous Waste Alternatives:** Move this work into the HHW Facilities Discards Management project in order to focus on attracting more residents to the drop-off facilities.

#### **I. Organics Priority Area**

Supports the Agency Discards Goal of no more than 10% “good stuff” in garbage by 2020 by reducing the overall volume of food waste generated in Alameda County (the largest remaining recyclable component of MSW), and driving demand for recycled compost and mulch. Areas of emphasis include:

- Increasing the availability, access and quality of local, recycled bulk compost and mulch
- Promoting sheet mulch to home gardeners, landscape professionals, cities, and schools
- Preventing food waste and donating edible food generated in institutional kitchens and other high volume food service operations
- Working with food service providers to reduce pre-consumer food waste through tracking technology and training

#### **A. Food Waste Prevention Emphasis**

<b>Existing 2020 Target:</b>	Institutional kitchens and high volume food service operators located in Alameda County that participate in technical assistance or other support services from the Authority, reduce food and other inputs by an average of 25% or more from an established baseline.
<b>Progress:</b>	Preventing pre-consumer food waste and donating edible surplus food generated by institutional kitchens / high volume food service operations. <ul style="list-style-type: none"> <li>• Launched Smart Kitchen Initiative – food waste tracking and technical assistance to 18 large food service operators</li> <li>• Developed Oakland Unified School District food donation guide, now adapted for Livermore Valley (LVJUSD)</li> <li>• Grant funding for food recovery groups</li> </ul>
<b>Key Observations from Criteria Review:</b>	+ Timeliness – broad awareness of wasted food issue; regional and national goals, media campaigns to leverage in county + Innovation & Leadership – public/private partnership with LeanPath and

	Food Service companies to influence kitchen norms in this sector
<b>Recommendation:</b>	<p>Prioritize efforts to reduce food waste, which also supports the Agency's discards goal. Expand reach and work with businesses and consumers to reduce wasted food.</p> <ul style="list-style-type: none"> <li>• Expand audiences; on the ground tactics targeting households w/children</li> <li>• Augment commercial food waste prevention efforts; focus on recovery of surplus edible food through government &amp; community partnerships</li> <li>• Develop county-wide prevention outreach campaigns; leverage broader efforts to change social norms</li> </ul>
<b>Revised Goal:</b>	Reduce wasted food and recover edible surplus food generated by commercial food service operators, school districts and households resulting in a 25% reduction in food waste going to landfill from 50 kitchens; recovering edible surplus food from 4 school districts; and reaching 42,000 households with food waste prevention media and outreach targeting families with children.

## B. Recycled Content Compost and Mulch Emphasis

<b>Existing 2020 Target:</b>	90% of permitted landscape projects in Alameda County use locally produced or sourced compost and/or local, recycled mulch.
<b>Progress:</b>	<p>Increasing the availability, access and quality of local, recycled bulk compost and mulch and on using it in new large-scale landscape construction.</p> <ul style="list-style-type: none"> <li>• Met the target through policy and advocacy</li> <li>• Bay Friendly Basics require 1" compost, 3" mulch for permitted projects</li> <li>• CA Water Efficient Landscape Ordinance (WELO) requires statewide: 4cy/1000 sf compost and 3" mulch for all new construction over 500 sf</li> </ul>
<b>Key Observations from Criteria Review:</b>	<p>± Impact: Organics are a priority, but original target had narrow audience</p> <p>+ Timeliness: We can leverage the drought and community support to promote sheet mulching</p> <p>+ Leadership: we helped raise the bar statewide</p>
<b>Recommendation:</b>	<p>Continue this work with a revised goal to include all StopWaste core audiences: at home, at work, at school.</p> <ul style="list-style-type: none"> <li>• Promote sheet mulch to home gardeners, landscape professionals, cities, and schools</li> <li>• Expand other uses of compost: sedimentation control, biotreatment for stormwater, carbon ranching</li> </ul>
<b>Revised Goal:</b>	Apply compost and/or mulch to 1M square feet in Alameda County.

## II. Packaging Priority Area

In order to improve internal efficiency, three projects—Reusable Transport Packaging, Food Service Ware, and Packaging Life Cycle Analysis and Labeling—will be combined into one new Packaging project offering education, technical assistance, and financial support to organizations for their efforts to prevent, reuse, and improve the recyclability of packaging materials manufactured, sold, and discarded in Alameda County. Areas of emphasis include:

- Increasing use of reusable transport packaging in the commercial/industrial sector.
- Reducing use of hard to recycle single use disposables at food service establishments.
- Adoption of package labeling best practices for recyclability by Alameda County brand owners.
- Engagement with industry and other stakeholders to support policy and standards development in support of sustainable packaging.

Packaging Project			
Existing 2020 Packaging Targets:	Reusable Transport Packaging	Institutional and Commercial Food Service Ware and Packaging	Packaging Life Cycle Analysis and Recyclability Labeling
	90% of businesses in Alameda County with appropriate shipping and receiving circumstances are utilizing reusable transport packaging when economically advantageous	90% of customers (institutional and commercial) with separate organics collection purchase and use readily recyclable/ reusable/compostable food service ware and packaging.	90% of Alameda County brand owner/manufacturers will incorporate life-cycle metrics into their packaging design process and utilize accurate recyclability labeling (How2Recycle label).
<b>Progress:</b>	<p>Assistance and funding to expand adoption of reusable transport packaging to replace single-use pallets, corrugated boxes, and pallet wrap.</p> <ul style="list-style-type: none"> <li>• Reached 500 businesses, implemented 25 projects, preventing 5,000 tons of waste (tracked)</li> <li>• Launched new website, <a href="http://www.UseReusables.org">www.UseReusables.org</a> featuring 30 success stories, vendor database and cost calculators</li> <li>• Estimated 46% adoption rate for reusables countywide (2014)</li> <li>• Completed 4 year,</li> </ul>	<p>Assistance and funding to food service businesses and school districts for source reduction of food service ware and related packaging, and use of reusable alternatives.</p> <ul style="list-style-type: none"> <li>• Implemented “Rethink Disposable” campaign reaching 430 businesses which led to 50 sites that reduced 7.5 tons of single use disposable food ware products.</li> <li>• Developed Compostable Food Ware Purchasing Guide available on <a href="http://www.RecyclingRulesAC.org">www.RecyclingRulesAC.org</a> and adapted by other jurisdictions and counties</li> <li>• Produced five videos with Clean Water Fund highlighting business and</li> </ul>	<p>Assistance and funding to brand owners to adopt package labeling best practices for recyclability and incorporate life cycle assessment into product packaging decisions.</p> <ul style="list-style-type: none"> <li>• Developed and published Package labeling guide: <a href="http://guides.stopwaste.org/packaging">http://guides.stopwaste.org/packaging</a></li> <li>• Provided assistance to locally headquartered national brands for adoption of How2Recycle label on their packaging, and for conducting life cycle analysis of packaging materials</li> </ul>

	\$500,000 EPA grant	school success stories	
<b>Key Observations from Criteria Review:</b>	<ul style="list-style-type: none"> <li>- Influence – slow adoption process with limited influence, grants are key</li> <li>- Measurability – hard to measure progress; survey based and/or case-by-case approach to determine “appropriateness” which is time intensive</li> </ul>	<ul style="list-style-type: none"> <li>- Feasibility – unresolved technical issues with collection, sorting and processing (recycling or composting) single use food service ware are fatal flaw</li> <li>- Influence – purchasing and manufacture of single-use products happens across county lines</li> <li>+ Timeliness – leverage mandatory and TA to incentivize; impact of disposables on local watersheds</li> </ul>	<ul style="list-style-type: none"> <li>- Impact – overall impact efficiency is low due to small universe of target businesses and very slow adoption rate</li> <li>- Influence – low influence over brand owners, who are not likely to alter packaging refresh schedules for our purposes</li> </ul>
<b>Recommendation:</b>	<p>Identifying and converting 90% of businesses is impractical and would require substantial additional funding. Adjust scope to reflect reduced funding after the EPA grant, and focus on sectors with a proven opportunity for reusables for improved efficiency.</p> <ul style="list-style-type: none"> <li>• Leverage new website as primary education and outreach tool</li> <li>• Focus on local opportunities with small manufacturers and food production</li> </ul>	<p>The target is not achievable without a consistent solution for recycling or composting food service ware. Keep project costs low and continue to encourage adoption of reusable food ware and waste prevention practices.</p> <ul style="list-style-type: none"> <li>• Participate in policy and technical discussions working to address compostability/recyclability issues with food ware</li> <li>• Continue to promote and incentivize waste prevention and reusable food service ware as preferable alternatives</li> </ul>	<p>The target as written is not realistically achievable by 2020, but it is worthwhile to offer support for those businesses that are motivated to improve their packaging.</p> <ul style="list-style-type: none"> <li>• Continue participation in state and national policy development and industry dialogs related to sustainable packaging</li> <li>• Offer technical assistance as needed to engaged brand owners</li> </ul>
<b>Revised Goal:</b>	Assist a minimum of 150 businesses in switching to reusable transport packaging, reusable food service ware, and/or more sustainable packaging, resulting in at least 6,000 tons of measurable waste prevented.		

### III. Built-Environment Priority Area

Address the impacts of materials management by influencing the design, construction and maintenance of the built environment. Areas of emphasis include:

- Advocate for greater recycled content in green building codes and standards
- Provide member agencies with innovative policy assistance and support local climate action planning/implementation.
- Support development of market transformation tools (e.g., GreenPoint Rated)
- Research and technical advocacy on topics related to recycled content feedstock for building materials. (e.g., Healthy Building Network)

*Note: Additional PD projects, including all Energy Council projects fall within the Built-Environment priority but are not discussed here as they are externally funded and not part of this assessment process.*

#### **Recycled Content: Building Materials**

<b>Existing 2020 Target:</b>	90% of building material supply centers will stock and promote recycled content building materials.
<b>Progress:</b>	<p>Driving the demand for recycled content product purchases in Alameda County. Retailers are stocking recycled content products (e.g., insulation, decking) but are not interested in actively promoting the recycled content attributes alone.</p> <ul style="list-style-type: none"><li>• Provided information and convenient tools for the purchase of recycled content products</li><li>• Encouraged retailers to supply products via an outreach strategy in conjunction with other agency projects</li><li>• Advocated for recycled content building materials in green building codes and standards</li></ul>
<b>Key Observations from Criteria Review:</b>	<ul style="list-style-type: none"><li>- Influence - limited with retailers</li><li>- Geography - requires regional/national focus to affect change</li><li>- MA Alignment - Not directly useful to member agencies</li></ul>
<b>Recommendation:</b>	<p>Given limited influence within the retail sector, a shift in approach is recommended. Agency resources are better spent on activities where we can have greater impact and support Member Agencies. Sunset this project and shift resources to 2 new projects:</p> <ul style="list-style-type: none"><li>• <u>Codes and Standards</u>: Continue codes and standards development and technical advocacy efforts, to support policy changes that result in increased use of recycled content and broader green criteria.</li><li>• <u>Building Services &amp; Partnerships</u>: Provide technical and policy assistance to member agencies and support strategic building industry partners.</li></ul>

#### IV. HHW

##### Household Hazardous Waste: Point of Purchase Alternatives

<b>2020 Target:</b>	90% of stores that sell products destined for HHW facilities will stock and promote non-toxic/less-toxic HHW alternative products.
<b>Progress:</b>	<p>Promotes the message of “Buy Smart,” appropriate use of products and proper disposal at Household Hazardous Waste (HHW) facilities</p> <ul style="list-style-type: none"><li>• Partnership with Our Water Our World in 40 stores to provide HHW alternatives information</li><li>• Partnership with PaintCare in 24 stores to provide leftover paint collection and HHW information</li><li>• Outreach &amp; promotion in support of events and expanded facility hours has been effective</li></ul>
<b>Key Observations from Criteria Review:</b>	<ul style="list-style-type: none"><li>- Influence - limited with retailers</li><li>- Feasibility – alternatives are still technically HHW</li><li>+ Member agencies are seeking more info and access to collection events for their residents</li></ul>
<b>Recommendation:</b>	<p>Since less-toxic alternatives are still HHW, funds are best used to educate the public about what is HHW and where they can dispose of it properly.</p> <ul style="list-style-type: none"><li>• Continue external partnerships and alternatives messaging</li><li>• Combine with HHW Facilities project for administrative efficiency</li></ul>

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## **Energy Council TECHNICAL ADVISORY GROUP (TAG)**

Tuesday, February 16 2016 – 1:00 pm to 4:00 pm

### **Attendance:**

City of Alameda: Maria DiMeglio (phone)  
City of Albany: Claire Griffing  
City of Berkeley: Billi Romain, Caytie Campbell-Orrick (Civic Spark)  
City of Dublin: Kathy Southern  
City of Emeryville: Nancy Humphrey, Hoi Fei Mok (Civic Spark)  
City of Fremont: Rachel DiFranco  
City of Hayward: Mary Thomas  
City of Livermore: Frank Guido (phone) 3pm session  
City of Oakland: Shayna Hirshfield – Gold, Ben Silverman (Civic Spark), Naomi Wentworth (Climate Corps)  
City of Piedmont: Emily Alvarez, Matt Anderson (Civic Spark)  
City of San Leandro – Sally Barros  
City of Union City – Avalon Schultz (phone)  
StopWaste: Heather Larson, Karen Kho, Candis Mary-Dauphin, Miya Kitahara, Wes Sullens, Mark Spencer  
Guest: Chris Jones- UC Berkeley, Abby Young – BAAQMD, Pam Evans & Carolina Miranda – Alameda County

## **Meeting Notes**

### **Board Updates**

- Next EC Board meeting dates; Feb 17, March 23
- Took 2 EC items to board at last meeting, both approved
  - Acceptance of 2016 BayREN contract
  - Authorization to move forward with climate adaptation scope between now and June
    - Authorized to proceed with projects under 50k, including Compact of Mayors work
    - Will look to bring new priority areas item to Board at March meeting
  - EBEW will go in March – pending strategic advisory committee's approval, also in March

### **CCA Updates**

- Last meeting included discussion on outreach timeline. County will be reaching out to staff contacts to start reviewing JPA formation documentation
- Still working within timeframe to have cities all signed on to JPA by September
- Discussed governance of JPA – looking at similar structures for ideas. Reviewed lessons learned from Sonoma Clean Power

### **Program Updates**

- Codes and Standards
  - 2016 policy assistance includes 80k on the table for ZNE policies and existing building ordinances. Either 20k per project or larger amount for a regional project
  - Additional 200k of rollover funds available – could be accessed for policy assistance with a justifiable project.
  - StopWaste is planning to request support for ZNE technical assistance and developing a BESO implementation tool
    - Jurisdictions interested in ZNE engineering support on Municipal Buildings:
      - Fremont is trying to see what the possibilities are for their new city hall. Interested in ZNE technical assistance for new civic center, but not ready for policy assistance
      - Hayward is looking to offset total city operations, doesn't have to be on site. Looking at RES-BCT tariff, and the possibility of adding to it. Already has a 1 MW at wastewater treatment plant. Looking to double it.
      - Oakland may be interested, checking in with Scott, will follow-up
      - Claire, Kathy, and Sally would also like to be kept in the loop
    - Could use Quest or EBEW to do audit and rebate part, get more detailed specs on audits from an engineering firm
    - Cities interested in multifamily building ordinance implementation support, possibly software
      - Oakland may adopt in the longer term
      - Emeryville hopes to bring something to council in September
      - Hayward is implementing for multifamily in 2017
      - All of the above are interested in implementation support
- PG&E LGP contract
  - EBEW co-chairs have been working to develop a new partnership manager structure. Administrator would be StopWaste, and Co-Administrator – Contra Costa County.
  - Copy of SOW draft distributed at last meeting – will be voted on by the full SAC on March 1<sup>st</sup>
  - No questions or concerns with SOW

### **Green Business Program Update**

- Pamela Evans, Alameda County Green Business Program
  - 2015 – Partnership planning year for program in Alameda County – surveyed partners to get a better understanding of partner priorities
  - 2015 – California Green Business Network officially became a nonprofit. Keeps consistency among green business programs throughout the state – maintains data and resources.

- Worked with StopWaste end of 2014 early 2015 to engage several cities and collaborate more closely on green business program. Additional time and technical assistance had a positive impact on business participation and success. Commitment rate increased from 25% to 50% due to additional engagement.
  - Decided to redirect resources – to spend more time with newer applicants.
  - Extended recertification period from 3 years to 4 years. Exception – restaurants, because of frequent turnover and business changes.
  - Pam retires this year. Her department is committed to maintaining her position. Carolina Miranda will serve as interim coordinator.
- BEST and Smart Lights will be dividing Alameda County Territory – expecting clarity within the next few months

## **Climate Action Planning 2.0**

- Abby Young - [ayoung@baaqmd.gov](mailto:ayoung@baaqmd.gov) - BAAQMD realized that it didn't have the authority over all jurisdictions' sources of emissions. Took an inventory on those sources that it did have authority over, and created a plan. Did not want to look at emissions in a vacuum – developed an integrated approach in 2010. Board wanted a regional climate protection strategy that put the region on the right path for meeting 2050 goals.
  - Plan looked at economic sources, and what needed to be done within each economic sector. Looking at GHG emissions and other pollutant sources within these categories. Recommendations were to:
    - Decrease demand
    - Switch to electrification
    - Continue toward decarbonization of existing energy
    - Reduce non energy GHGs - methane, black carbon
  - Provided handout on methods for reducing carbon – invited members to provide comments. Releasing official draft in June – will be followed by a more formal public commenting period. Will bring next draft to board in the fall, hope to release final list of methods in December 2016.
  - Next steps – convene debrief of 2020 measures, examine 2030 and 2050 targets, consider deep decarbonization measures, integrating with general and adaptation plans

## **Consumption Based Emissions Inventories (CBI)**

- Chris Jones, UC Berkeley & Abby Young, Bay Area Air Quality Management District
  - CBI allocates all emissions to final demand – households or municipalities
  - Method of looking at GHG emissions and as a tool to make decisions on where to focus and invest in the long term. Effort to include upstream emissions and include more sources of emissions.

- Also a good tool for engaging residents. Categories are easier to communicate.
  - CBI results are generally about 35% larger than geographical inventory. Changes significantly within cities and between cities – depends on urban, rural, suburban location, home size and household income.
- Naomi Wentworth, City of Oakland
  - Creating a way to look at emissions through both a standard and a consumer based lens by applying an upstream emissions factor to each core reporting activity

## **MEMBER COMMENTS & DISCUSSION**

**Energy Council**  
**TECHNICAL ADVISORY GROUP (TAG)**

Tuesday, March 15, 2016 – 1:00 pm to 3:00 pm

Attendance:

City of Albany: Claire Griffing  
City of Berkeley: Billi Romain, Caytie Campbell-Orrock (Civic Spark)  
City of Dublin: Kathy Southern  
City of Emeryville: Hoi Fei Mok (Civic Spark)  
City of Fremont: Rachel DiFranco (phone)  
City of Hayward: Mary Thomas  
City of Livermore: Judy Erlandson (phone)  
City of Oakland: Shayna Hirshfield-Gold, Ben Silverman (Civic Spark)  
City of Piedmont: Emily Alvarez, Matt Anderson (Civic Spark)  
City of San Leandro: Sally Barros  
City of Union City: Avalon Schultz  
County of Alameda: Damien Gossett  
StopWaste: Karen Kho, Heather Larson, Candis Mary-Dauphin, Miya Kitahara

**MEETING NOTES**

**Board Updates**

- February Board agenda: Addressed questions about shifting fund-seeking priorities
- March 23 Board agenda: Action item to adopt Priority Areas for 2016-18.

**CCA Updates**

- Key points from last meeting:
  - Technical consultant gave a presentation on load data (6500 GWH of load, broken down by city) , and there was an update on CCA activity across the state
  - Update on exit fees and work to restructure to increase transparency. Fees doubled from last year.
- Consultant presentation listed energy programs as part of the Purpose of the JPA, which is different from Marin and Sonoma focus on procurement. TAG members think the cities will have a strong role in deciding whether the JPA will manage energy programs and consider this all up for negotiation.

**Program Updates**

- Single-family & Multifamily (see hand-out)
  - PG&E has increased the energy savings requirements and reduced its incentives for Advanced and Home Upgrade programs. PG&E Home Upgrade only operates outside the 9-county Bay Area. BayREN is not

currently proposing any rebate structure changes. Contractors may be shifting out of the Advanced program into BayREN Home Upgrade.

- Codes and Standards
  - 2016 policy assistance - working with San Francisco and San Mateo Counties on a \$60k municipal ZNE TA proposal that was approved.
  - Working with BayREN on the procurement process. Will put an RFP out for a consultant for ~ 7 buildings in County. Could get additional funding as more counties become interested.
  - BESO working group scheduled for April 7th
- Financing- PACE CSA
  - CSA is being amended due to changes requested by HERO
  - Piedmont and San Leandro have communicated that they are waiting for CSA before adopting
- PG&E LGP contract
  - Administrative proposal approved at last SAC meeting
  - Ramping up admin, deciding sub-committee structure and fee reimbursement frequency
  - Cities would like to see program dashboards and activity updates, similar to what Quest used to generate
  - Opportunities to leverage green business program should be part of programmatic scope

#### **East Bay Sunshares**

- Vote Solar implemented the Sunshares program under the agreement that Walnut Creek would not have to pay as long as 40,000 contacts were reached. Extended the program to other cities to ensure it would meet level of agreement.
- Fremont is interested in taking the lead on another round. Business Council on Climate Change in SF is taking on the program. Fremont is looking at other cities to join in. BC3 is starting campaign in June looking for commitments by mid-April. Interested cities include: Piedmont, Hayward, Oakland, Berkeley, San Leandro, Dublin, Union City, Albany would like to be kept in the loop
- Postponing the program rollout date by a few months would give jurisdictions more time to take it to Council

#### **CAP 2.0 Continued; Deep De-carbonization Pathways**

- Presentation addressed deep decarbonization using energy efficiency, fuel switching, and cleaning the grid (presentation uploaded onto Basecamp)
  - SW is working on fuel switching that will meet the CPUC 3-prong test
    - Looking at heat pumps, ground source heat pumps – best when applied on a district scale, and solar thermal
  - Electrification of vehicles and gas will increase load – how do we prepare? This will be a big challenge for a CCA.

- Fremont commented that EVs are not being factored into the County CCA load analysis. The “duck chart” shows that supply needs will shift and 4-7 pm is new peak load.

### **Energy Council Priorities 2016-18**

Discussion regarding new priorities:

#### Fuel switching

- EBEW cannot look at fuel switching, but Energy Council can consider long term, more strategic issues
- Helpful with CCA formation to see these issues and be able to advise decision makers

#### Community-scale grid solutions

- This helps with decentralization of energy supply, as substantial losses occur in energy distribution
- CEC/EPIC funding is shifting to distributed generation and energy storage issues

#### Current Energy Programs Landscape – additions from the group

- Energy Codes became more stringent
- Cap and Trade funding source
- Focus moving from efficiency projects to DG, storage and EV infrastructure
- New TAG and EBEW structure allows cities to look beyond rate payer funded programming.
- Interest in looking at CCA formation and having more information as a county on where we stand and where we want to go with energy planning

#### EC Priorities – Input from Cities

- Single Family
  - Enhancing contractor networks in non-central parts of the county
  - Find out if BayREN is reaching out and contractors are uninterested, or if they have not made contact
  - Cities requested a granular update from BayREN on contractor outreach.
  - Question regarding the statewide marketing promotion of Planet Ecosystems
  - Community Climate Solutions – focuses on actions residents can take that align with city’s climate action plan. Fremont is using the program, and share with the group once live.
- Multifamily retrofits

- Electric vehicles infrastructure
- Innovative financing
  - Explore opportunities for electric vehicles charging infrastructure financing
  - Case studies on financing that illustrate monthly cash flow
  - What will happen to PG&E on bill financing when cities join CCA?
- Labeling and Recognition
- Codes and Standards
  - Advocacy for the next code cycle
- Integrated Services for Small/Med Commercial Businesses
  - Green business program is not working in Hayward – cumbersome for the city. No emphasis on making sure consumers are aware of participation/certification. Promotion will drive demand, currently no benefit for businesses.
    - The process is time consuming.
    - One stop shop for small businesses – something more streamlined.
  - Interest in equivalent of Home Upgrade advisor for commercial.
- Water Energy Nexus
  - Codes are addressing water, as well as StopWaste landscaping programs
  - There are other programs out there addressing water efficiency
  - The projects SW has explored are not cost effective
  - Hayward sees this as less of a priority due to low water usage during drought
- Municipal Building Operations
  - Institutional barriers in schools has made it difficult for them to take advantage of Prop 39 funds
  - Jurisdictions can tap into EBEW for TA – but there is a gap that should be addressed when it comes to DG, Storage, and EV
  - Municipal ZNE – cities starting with municipal ZNE before expanding ZNE policies Need to be flexible with approach, because sometimes a community project might be best opportunity
- Should ZNE be a priority area?
  - ZNE for existing buildings – code is taking care of new buildings, but there's a gap to fill for existing buildings
- Grid Solutions could cover municipal ZNE as well as renewables (i.e. Sunshares).





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**Date:** March 16, 2016

**TO:** Authority & Recycling Boards

**FROM:** Wendy Sommer, Executive Director

**SUBJECT:** Informational Report on Grants Issued Under ED Signature Authority

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The purchasing and grant policies were amended to simplify paperwork and board agendas by giving the Executive Director authority to sign contracts and grant agreements less than \$50,000. A condition of the new grant policy is that staff informs Board members of the small grants issued at the next regularly scheduled Board meeting.

**Grants – February 15, 2016 through March 15, 2016**

PROJECT NAME	GRANT RECIPIENT	PROJECT TYPE/DESCRIPTION	LOCATION	VERIFICATION	GRANT AMOUNT	BOARD
Community Outreach Grants	Vietnamese Community Center	Non-profit grant funds to promote food scrap recycling to difficult to reach audiences. Grantees utilize Agency outreach materials to reach their communities using their networks and social media.	Oakland	Final Reports/Pledge	\$15,000	RB

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**DATE:** March 23, 2016

**TO:** Waste Management Authority Board

**FROM:** Wendy Sommer, Executive Director

**BY:** Meri Soll, Senior Program Manager

**SUBJECT:** Reusable Bag Ordinance – Ordinance Expansion Language

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#### **SUMMARY**

Staff has been providing regular updates on the Reusable Bag Ordinance’s effectiveness and potential expansion. At the December 2015 meeting, the WMA Board unanimously selected the option to expand the ordinance to all retail stores and restaurants, with a phase-in approach for restaurants (timeframe to be determined) and an opt-out provision for member agencies. At the March 23 WMA meeting, staff will present draft ordinance language for review and discussion.

#### **DISCUSSION**

Together with legal counsel and member agency staff (via the Technical Advisory Committee), staff developed proposed ordinance language for the expansion of the Reusable Bag Ordinance. Attachment A contains proposed amendments to include all Alameda County retail stores (an estimated 9,000 additional stores) and restaurants (an estimated 4,000 countywide). This attachment shows how the existing sections of the current ordinance could be revised, but it doesn’t represent the ordinance in its entirety. Once there is consensus on the policy framework and proposed changes, staff will prepare formal ordinance amendments and distribute them to member agency staff and potentially affected businesses in advance of the amended ordinance’s first reading, which is scheduled for September 2016.

Details regarding expansion timing and activities can be found in Attachment B. Agency staff will be available to provide presentations at city council and other meetings regarding ordinance language and expansion activities.

#### **RECOMMENDATION**

Staff recommends that the WMA Board review the proposed reusable bag ordinance expansion language (Attachment A) and direct staff to prepare formal amendments to Ordinance 2012-02.

ATTACHMENT A: Operative Provisions of ACWMA Ordinance 2012-02 with Proposed 2016 Amendments  
ATTACHMENT B: Reusable Bag Ordinance Expansion Schedule

**OPERATIVE PROVISIONS OF ACWMA ORDINANCE 2012-02**  
**WITH PROPOSED 2016 AMENDMENTS**

*[The following shows how the comprehensive policy framework for carryout bag regulation in Ordinance 2012-02 would be revised by the amendments now under discussion. Once there is consensus on the policy framework to be considered by the ACWMA Board, staff will prepare formal ordinance amendments reflecting that direction.]*

**ORDINANCE REGULATING THE USE OF CARRYOUT BAGS  
AND PROMOTING THE USE OF REUSABLE BAGS**

**SECTION 3 (Definitions)**

The definitions set forth in this Section shall govern the application and interpretation of this ordinance.

- (a) “Alameda County” means all of the territory located within the incorporated and unincorporated areas of Alameda County.
- (b) “Authority” means the Alameda County Waste Management Authority created by the Joint Exercise of Powers Agreement for Waste Management (JPA).
- (c) “Authority Representative” means any agent of the Authority designated by the Enforcement Official to implement this Ordinance, including Member Agency employees, or private contractors hired for purposes of monitoring and enforcement.
- (d) “Covered Jurisdiction” means a Member Agency of the JPA that has not opted out of coverage under **Ordinance 2012-02 or Ordinance 2016-01** ~~this Ordinance~~ pursuant to Section 9 of this Ordinance. **“2012 Covered Jurisdiction” means a Member Agency. “2016 Covered Jurisdiction” means a Member Agency that has not opted out of coverage under Ordinance 2016-01.**
- (e) “Customer” means any Person obtaining goods from a Store.
- (f) “Enforcement Official” means the Executive Director of the Authority or his or her authorized designee.
- (g) “Executive Director” means the individual appointed by the Authority Board to act as head of staff and perform those duties specified by the Authority Rules of Procedure and by the Board.
- (h) “Member Agency” means a party to the JPA. Current member agencies are the County of Alameda, the Cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City, and the Castro Valley and Oro Loma Sanitary Districts. The service areas for the purpose of Section ~~9~~**8** of this Ordinance are:

- (1) The legal boundaries of each of the 14 incorporated municipalities within Alameda County.
- (2) The unincorporated sections of the County.
- (i) "Nonprofit Charitable Reuse Organization" means a charitable organization recognized as having Section 501 (c)(3) status by the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent (50%) of its revenues from the handling and sale of those donated goods or materials.
- (j) "Person" means an individual, firm, public or private corporation, limited liability company, partnership, industry or any other entity whatsoever.
- (k) "Postconsumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.
- (l) "Primary Enforcement Representative" is the chief executive of a Covered Jurisdiction or a qualified designee who will coordinate with the Authority regarding implementation of the Ordinance. A qualified designee shall have at least two years of municipal code enforcement experience or have undergone at least the level one municipal code compliance training program of the California Association of Code Enforcement Officers, or equivalent training program approved by the Enforcement Official.
- (m) "Public Eating Establishment" means a restaurant, take-out food establishment or other business (including, but not limited to, food sales from vehicles or temporary facilities open to the public) that receives 90% or more of its revenue from the sale of prepared and ready-to-consume foods and/or drinks to the public ~~prepared on the premises.~~
- (n) "Recycled Content Paper Bag" means a paper bag provided by a Store to a Customer at the check stand, cash register, point of sale, or other location for the purpose of transporting food or merchandise out of the Store and that contains no oldgrowth fiber and a minimum of forty percent (40%) postconsumer recycled material; is one hundred percent (100%) recyclable and compostable, consistent with the timeline and specifications of the American Society of Testing and Materials (ASTM) Standard D6400; and has printed in a highly visible manner on the outside of the bag the words "Recyclable," the name and location of the manufacturer, and the percentage of post-consumer recycled content.
- (o) "Reusable Bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all of the following requirements: 1) has a minimum lifetime of 125 uses, which for purposes of this subsection, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175

feet; 2) has a minimum volume of 15 liters; 3) is machine washable or is made from a material that can be cleaned or disinfected; 4) does not contain lead, cadmium or any other heavy metal in toxic amounts, as defined by applicable state and federal standards and regulations for packaging or reusable bags; 5) has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location (country) where the bag was manufactured, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used, if any; and 6) if made of plastic, is a minimum of at least 2.25 mils thick.

- (p) "Single-Use Carryout Bag" means a bag other than a Reusable Bag provided at the check stand, cash register, point of sale or other location for the purpose of transporting food or merchandise out of the Store. Single-Use Carryout Bags do not include bags that are integral to the packaging of the product, or bags without handles provided to the Customer (i) to transport produce, bulk food or meat from a produce, bulk food or meat department within a Store to the point of sale, (ii) to hold prescription medication dispensed from a pharmacy, or (iii) to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a Reusable Bag or Recycled Content Paper Bag; these types of bags are referenced in this ordinance as "Produce or Product Bags."
- (q) "Store" means any of the following stores located within Covered Jurisdictions:
- (1) Within 2012 Covered Jurisdictions a A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, that sells a line of dry grocery, canned goods, or nonfood items and some perishable items;
  - (2) Within 2012 Covered Jurisdictions a A store of at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or
  - (3) Within 2012 Covered Jurisdictions a A drug store, pharmacy, supermarket, grocery store, convenience food store, foodmart, or other entity engaged in the retail sale of goods that include milk, bread, soda, and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control.
  - (4) Within 2016 Covered Jurisdictions on and after May 1, 2017 the stores listed in sections 3(q)(1), (2) and (3) above and any other commercial establishment operating from a permanent enclosed structure that sells perishable or nonperishable goods including, but not limited to, clothing, food and personal items directly to a customer; and
  - (5) Within 2016 Covered Jurisdictions on and after November 1, 2017 any Public Eating Establishment.

SECTION 4 (Carryout Bag Restrictions)

- (a) No Store shall provide a Single-Use Carryout Bag or Reusable Bag to a Customer at the check stand, cash register, point of sale or other location for the purpose of transporting food or merchandise out of the Store ~~after January 1, 2013~~ except as provided in this Section.
- (b) ~~On or before January 1, 2015, a~~ A Store may make available for sale to a Customer a Recycled Content Paper Bag or a Reusable Bag for a minimum price of ten cents (\$0.10).
- (c) **A Store that is a Public Eating Establishment may make available to a Customer a Recycled Content Paper Bag at no charge, or a Reusable Bag for a minimum price of ten cents (\$0.10).** ~~On or after January 1, 2015, a Store may make available for sale to a Customer a Recycled Paper Bag or a Reusable Bag for a minimum price of twenty-five cents (\$0.25). This restriction, however, shall not apply if the Authority finds, after January 1, 2014, that the Ordinance has achieved its goal to substantially reduce the environmental impacts of the use of Single-Use Carryout Bags, in which case the minimum ten cents (\$0.10) per bag price provided in Section 4(b) shall apply.~~
- (d) No Store may make available for sale a Recycled Content Paper Bag or Reusable Bag unless the amount of the sale of the Recycled Content Paper Bag and Reusable Bag is separately itemized on the sales receipt.
- (e) A Store may provide a Reusable Bag at no charge if it is distributed as part of an infrequent and limited time promotion. An infrequent and limited time promotion shall not exceed a total of 90 days in any consecutive 12 month period.
- (f) A Store may provide free Reusable Bags or free Recycled Content Paper Bags at the point of sale to a Customer participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the California Health and Safety Code; **a Customer participating in CalFresh pursuant to Chapter 1 commencing with Section 18900) of Part 6 of Division 9 of the California Welfare and Institutions Code;** and a Customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the California Welfare and Institutions Code, as necessary to carry the items purchased at the Store by each such Customer.

SECTION 5 (Permitted Bags)

Nothing in this Ordinance prohibits Customers from using bags of any type that they bring to the Store themselves or from carrying away goods that are not placed in a bag.

SECTION 6 (Exemptions)

This Ordinance does not apply to:

- (a) ~~Single-Use Carryout Bags or Reusable Bags~~ **Produce and Product bags** distributed to Customers by food providers for the purpose of safeguarding public health and safety during the transportation of take-out foods and drinks prepared on the food provider's premises but intended for consumption at or away from the food provider's premises.
- (b) Single-Use Carryout Bags or Reusable Bags used by ~~Public Eating Establishments or~~ Nonprofit Charitable Reuse Organizations.
- (c) **Stores operating in a certified farmers' market registered in accordance with Section 47020 of the California Food and Agricultural Code.**

SECTION 7 (Recordkeeping and Inspection)

- (a) ~~Every Store shall keep complete and accurate records of the number of Recycled Paper Bags and the number of Reusable Bags purchased and sold each month at the Store during the period commencing July 1, 2012 and ending December 31, 2013. The store shall also keep complete and accurate records of the days on which free Reusable Bags are distributed pursuant to section 4(e) of this Ordinance. All records required by this Ordinance shall be available for inspection within 7 days of the Authority's request at no cost to the Authority during regular business hours by any Authority Representative authorized to enforce this Ordinance. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be available at the Store address.~~
- (b) ~~The provision of false information including incomplete records or documents to the Authority shall be a violation of this Ordinance.~~
- (c) ~~Authority Representatives are authorized to conduct any other inspections reasonably necessary to further the goals of this Ordinance, subject to applicable laws.~~

SECTION 87 (Enforcement and Phasing)

- (a) An enforcement action shall not be taken in any Covered Jurisdiction without written approval from the Primary Enforcement Representative of that Covered Jurisdiction. The Primary Enforcement Representative shall provide approval or disapproval of a proposed enforcement action in a timely manner.
- (b) Violation of any provision of this Ordinance shall constitute grounds for assessment of a notice of violation and fine by an Authority Representative in accordance with Government Code § 53069.4 or as the code shall subsequently be amended or



reorganized. Where an enforcement action is necessary to enforce this Ordinance, the Enforcement Official will typically issue a notice of violation as authorized in this subsection prior to taking the actions authorized pursuant to sections 78(c) or 78(d) of this Ordinance. A separate notice of violation and fine may be imposed for each day on which a violation occurs. The fine shall not exceed the amounts detailed for misdemeanors in Section 78(d) of this Ordinance. The notice of violation shall list the specific violation and fine amount and describe how to pay the fine and how to request an administrative hearing to contest the notice of violation. The fine must be paid within 30 days of the notice of violation and must be deposited prior to any requested hearing. A hearing, by a hearing officer, will be held only if it is requested within 30 days of the notice of violation. Evidence may be presented at the hearing. If it is determined that no violation occurred, the amount of the fine shall be refunded within 30 days. The Authority shall serve the final order on the Person subject to the notice of violation by first class, overnight or certified mail.

- (c) Violation of any provision of this Ordinance may be enforced by a civil action including an action for injunctive relief.
- (d) Violation of any provision of this Ordinance shall constitute a misdemeanor punishable by a fine not to exceed \$500 for the first violation, a fine not to exceed \$750 for the second violation within one year and a fine not to exceed \$1000 for each additional violation within one year. Violation of any provision of this Ordinance may also be enforced as an infraction punishable by a fine not to exceed \$100 for the first violation, a fine not to exceed \$200 for the second violation within one year and a fine not to exceed \$500 for each additional violation within one year. There shall be a separate offense for each day on which a violation occurs.
- (e) Enforcement pursuant to this Ordinance may be undertaken by the Authority through its Executive Director, counsel, or any Authority Representative. In any enforcement action, the Authority shall be entitled to recover its attorneys' fees and costs from any Person who violates this Ordinance. **Authority Representatives are authorized to conduct any inspections reasonably necessary to further the goals of this Ordinance, subject to applicable laws.**
- (f) **Notwithstanding the foregoing inspection and enforcement authorization** ~~Enforcement of this ordinance~~ **the amendments to this ordinance adopted by Ordinance 2016-01** shall be phased on the following schedule. Prior to January 1, 2013, ~~the date that a type of establishment will be considered a Store, those establishments~~ **Stores** will be notified and public education and outreach activities will take place. ~~Warnings and enforcement~~ **Enforcement** actions will be taken as needed **beginning November 1, 2017 for Stores described in Section 3(q)(4) and beginning May 1, 2018 for Stores described in Section 3(q)(5)** ~~January 1, 2013.~~

#### **SECTION 98** (Local Regulation and Opt-Out and Opt-In Provisions)

- (a) Local Regulation. Nothing in this Ordinance shall be construed to prohibit any Member Agency from enacting and enforcing ordinances and regulations regarding

the distribution of Single-Use Carryout Bags and Reusable Bags, including more stringent requirements than those in this Ordinance.

- (b) Opt-Out Provision. Any Member Agency by a resolution of its governing body prior to ~~March 2, 2012 may choose to exclude its service area from this Ordinance~~ **December 9, 2016 may choose to exclude its service area from the amendments to Ordinance 2012-02 adopted by Ordinance 2016-01 adopted September 28, 2016.**
- (c) Opt-In Provision. Any Member Agency that chooses to exclude its service area may request of the Authority by a resolution of its governing board to be re- included in coverage of the Ordinance at any subsequent time. Such coverage under the Ordinance, however, shall not occur unless it is accepted in writing by the Enforcement Official or the Authority Board, and shall become effective only on the date specified in such written acceptance. Such acceptance shall not be unreasonably withheld or delayed.
- (d) Dispute Resolution. In the event of a dispute between the Authority and a Covered Jurisdiction regarding the implementation of this Ordinance, either party may request a meeting, in which case the Enforcement Official and the Primary Enforcement Representative for the Covered Jurisdiction (or other designee of the chief executive of the Covered Jurisdiction) shall meet to discuss implementation of the Ordinance. After such meeting, the parties may agree to enter into mediation to resolve any disputes between the parties related to implementation of the Ordinance. In addition, after meeting to seek to resolve any disputes between the parties and possible mediation, the Authority Board or the governing body of the Covered Jurisdiction, with at least 30 days public notice, may by resolution choose to exclude the service area of the Covered Jurisdiction from this Ordinance.

763590.4

## Attachment B

### **REUSABLE BAG ORDINANCE EXPANSION** **SCHEDULE**

<b>Timing</b>	<b>Activity</b>
<b><i>FY 15/16</i></b>	
March 2016	Draft amended ordinance language presented to WMA
April 2016	Budget presentation*
April - June 2016	CEQA analysis and update conducted
April – July 2016	WMA representatives, city and agency staff consult with elected colleagues
<i>* Note that the FY 16/17 budget proposal will need to include dollars and staff hours for expansion activities prior to consideration of adoption of an ordinance amendment. However, if the expansion is not adopted, the budgeted costs will not be needed.</i>	
<b><i>FY 16/17</i></b>	
September 2016	1 <sup>st</sup> reading of ordinance
October 2016	2 <sup>nd</sup> reading of ordinance/adoption
December 6, 2016	Deadline for Member Agencies to opt out (via resolution of governing body)
December 2016	If adopted, outreach to stores commences
Dec. 2016 - March 2017	Store observation surveys conducted
April 2017 – Earth Day	Ordinance becomes effective at newly affected retail stores
April 2017 (+ 6 months)	Technical assistance begins (for 6 months)
<b><i>FY 17/18</i></b>	
July 2017-September 2017	Technical assistance continues
October 2017	Complaint based enforcement activities at retail stores begins (6 months post effective date)
November 2017	Ordinance becomes effective at restaurants
December 2017	Store observation surveys conducted to assess effectiveness
June 2017	Complaint based enforcement activities begin for restaurants (6 months post effective date)
<b><i>FY 18/19</i></b>	
July 2018 - June 2019	Complaint based enforcement continues.
December 2018	Store observation surveys conducted to assess effectiveness

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**DATE:** March 23, 2016  
**TO:** Energy Council  
**FROM:** Wendy Sommer, Executive Director  
**BY:** Karen Kho, Senior Program Manager  
**SUBJECT:** Priorities Program Areas for 2016-2018

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## **SUMMARY**

In July 2013 Energy Council adopted an initial set of priority areas to guide staff in pursuing funding opportunities and developing new pilot programs. On March 23, 2016 staff will provide an overview of activities in each of these areas, the current energy program landscape, and recommendations from the Energy Council Technical Advisory Group (TAG) for updating these priorities for 2016-2018.

## **DISCUSSION**

After the Energy Council's formation in Spring 2013, staff worked with the TAG to review current energy programs, opportunities and gaps. A key consideration was to build on the Agency's existing strengths and experience. Many program activities started under the Agency's well-regarded green building program and were expanded with foundation and economic stimulus grants. A few factors that shaped the selection of the initial eight priority areas were:

- The prolonged recession which hit the construction industry particularly hard
- The California Public Utilities Commission's authorization of Regional Energy Networks and continuation of funding for programs started under economic stimulus grants
- Concerns about not duplicating East Bay Energy Watch (EBEW) programs

As the Council updates these priority areas for 2016-18, the following new developments provide context for energy programs:

- The Bay Area real estate market is booming again, but there is less need for local policy because the State's building codes include green building requirements that affect all new construction and major remodels.

- The EBEW Strategic Advisory Committee recently voted for the Agency to become its Independent Administrator, which allows for more synergy in program planning.
- The emergence of Community Choice programs throughout the Bay Area.
- Member agencies are embarking on a new cycle of Climate Action Plan updates and are prioritizing climate mitigation/adaptation activities.

The Energy Council Technical Advisory Group (TAG) discussed updates to the priority areas at their meeting on March 15, 2016. Six of the priority areas are proposed to be continued in 2016-18 at a similar level of activity. Energy Council has external contracts funding projects in each of these areas, and there are opportunities to evolve the specific activities over time. The Water-Energy Nexus priority area is proposed to be continued, but staff would not actively pursue pilot projects unless a promising new funding opportunity arises. The Municipal Building Operations priority area is proposed to be dropped, however, municipal ZNE activities would be incorporated under a proposed new priority area called Grid Solutions. The TAG also recommends Fuel Switching as a new priority area.

The Energy Council TAG reviewed the existing priorities and recommends the following changes:

Priority Area	Recommendation
Single-Family Retrofits	Keep. Focus on contractor engagement
Multifamily Retrofits	Keep. Seek opportunities to integrate EVs
Innovative Financing	Keep. Identify financing for EV charging infrastructure
Labeling and Recognition Programs	Keep. Coordinate with Green Business Program
Codes & Standards	Keep. Include advocacy for next code cycle
Integrated Services for Small/Medium Commercial Business	Keep. Integrate with EBEW strategic planning
Water/Energy Nexus	Keep, but scale back activity level
<i>Municipal Building Operations</i>	<i>Drop. Include Municipal ZNE in new priority area</i>
Fuel Switching	Add. Address regulatory and technical barriers
Grid Solutions	Add. Support local energy resiliency

The two proposed new strategies are needed to achieve California's aggressive greenhouse gas emission reduction targets. They will assist member agencies in planning for decarbonizing and decentralizing our energy systems, which support both climate mitigation and adaptation. Recent studies show that a clean energy supply will only address the electric end uses, but not emissions from natural gas and gas/diesel end uses. Fuel switching is needed to decarbonize our energy supply, and TAG members are requesting help in navigating the existing regulatory and technical barriers. Community-scale grid solutions increase energy resiliency by enabling local communities to better control their energy loads and reliability. These solutions include assessments of local renewable energy generation and storage potential, minimizing transmission losses and protecting local critical infrastructure. If adopted by the Board, staff will shift its focus for new projects and funding to these two areas.

## **RECOMMENDATION**

Staff recommends that the Energy Council discuss and approve Priority Areas for 2016-2018.

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## April 2016 Meetings Schedule

### Alameda County Waste Management Authority, The Energy Council, & Source Reduction and Recycling Board

(Meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
					1	2
3	4	5	6	7	8	9
10	11	12	13	<p>14</p> <p><b>CANCELLED</b> 9:00 AM Programs &amp; Administration Committee</p> <hr/> <p><b>CANCELLED</b> 4:00 PM Planning &amp; Organization Committee /Recycling Board</p>	15	16
17	18	19	20	21	22	23
24	25	26	<p>27</p> <p>3:00 PM Joint Meeting Waste Management Authority, Energy Council &amp; Recycling Board Key Items:</p> <ol style="list-style-type: none"> <li>1. Benchmark Discussion</li> <li>2. Budget Presentation</li> <li>3. Legislative Update</li> </ol>	28	29	30

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# Recycling goes where? Why everyone's confused

By Angela Hill, [ahill@bayareanewsgroup.com](mailto:ahill@bayareanewsgroup.com)

POSTED: 03/11/2016 12:01:00 PM PST

UPDATED: 03/14/2016 08:58:46 AM PDT



Workers sort items on the material recovery facility line at the Fremont Recycling and Transfer Station on Wednesday, March 9, 2016, in Fremont, Calif. (Aric Crabb/Bay Area News Group)

## Recycling quandary: What goes in and what stays out of the bin?

So there you are, in your kitchen, holding an empty juice carton and the fate of the planet in your hands.

Your quandary? The carton is paper, but the nozzle is plastic. Can it go in recycling as is, or do you have to cut out the nozzle? Then there's that peanut butter jar. Do you have to clean out the gunk, wasting water and/or paper towels? What do you do with the gunky paper towel? Is all plastic recyclable? What do the "recycling" triangles really mean? Why are some rules -- and even colors of bins -- different city to city?

Why is this all so confusing?

"For me and you, we're just consumers. We just want to get rid of something, but you're not going to get a bachelor's degree in how to curbside recycle," said Bruce Olszewski, director of the Center for the Development of Recycling, Santa Clara County's recycling information clearinghouse.

The problem comes, he said, because of variables -- from products and packaging made with multiple elements to confusing labeling, contracts with different waste haulers, market fluctuations and more.



Paper cups, cartons, frozen food boxes, chip containers and hard plastics go in the recycling bin and are photographed at Waste Management's Davis Street Transfer Station, in San Leandro, Calif., on Wednesday, March 2, 2016. (Anda Chu/Bay Area News Group)  
( ANDA CHU )

Indeed, since the dawn of curbside recycling in California in the early 1990s, we've been doing pretty well when it comes to the basics -- bottles, cans, paper. But many of us, even in the planet-friendly Bay Area, still get stumped about dumping certain miscellaneous items, and things often end up in the wrong bins, either contaminating the recyclables stream or sending items unnecessarily to the landfill.

In Alameda County, for instance, 35 percent of what landed in residential garbage bins in 2015 could have been recycled or composted, according to audits from StopWaste, a county agency promoting waste reduction and recycling.

"We know there's a lot of what we call 'good stuff' that still ends up in the landfill," said Tom Padia, of the Oakland-based StopWaste, meaning things that could have been recycled or composted. "The difficulty comes with some of these newer materials. It's the miscellaneous plastics, laminated drink pouches, the juice carton with the plastic nozzle.

"Different (waste) companies handle them differently," Padia said.

"For the juice carton, some would say compost -- the plastic would pop out. Some would say put it in recycling. Some mills can separate the fibers from the plastic. So people don't always know what to do."

Movements are afoot to put the onus on the manufacturer to streamline packaging and plan for how products should end their lives. Groups such as GreenBlue's Sustainable Packaging Coalition are pushing for standardized labeling and encouraging businesses to participate voluntarily in their How2Recycle Label program, making it clearer how to dispose of individual recyclable items.

#### TROUBLESOME TRIANGLE

But even labeling can be deceptive. For example, recycling advocates say, don't be fooled by the familiar "recycle" triangle with various numbers stamped on many plastic products. Just because it's there doesn't mean the item will end up recycled into something else.

"The numbers were created for marketing purposes for the plastics industry," Padia said. "They have to do with the dominant plastic resin in a product," and aren't really intended to guide the consumer.

Rebecca Jewell, recycling program manager at Waste Management's Davis Street Transfer Station in San Leandro, said the triangle is "the worst favor the chemistry industry ever did for us."

"Manufacturers strive to get eco-friendly information on their product labels, because it sells. But the symbol is not a reliable indicator of whether something ultimately gets recycled," she said. "There are thousands of plastic products and packaging, and each one has its own unique chemical recipe. Many plastics cannot be made into new products at this time," she said, holding up a block of hardened plastic with multicolored chunks that resemble mosaic tiles to show how different plastics melt and can't be combined.

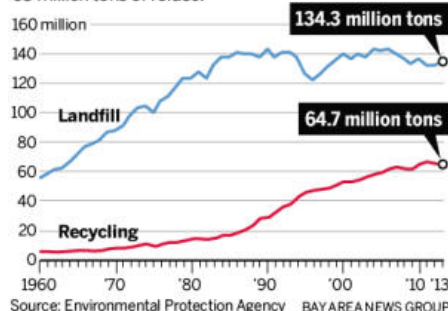
So what does the consumer do?

"Ignore the symbol," she said. "Here in the Bay Area, all rigid plastics -- like juice jugs and bottles, laundry detergent containers -- go in the recycling, whether they have the symbol or not, and our optical sorters separate them," she said. "But be sure to keep filmy plastics, like bread wrappers, plastic grocery bags and sandwich bags, out of the recycling bin -- either take them to your grocery store, if they accept bags back, or throw them in the trash."

Unless you live in central Contra Costa County, where Republic Services tells its customers that plastic bags are fine -- so long as they consolidate them into one bag.

#### RECYCLING ON THE RISE

As Americans recycle more, the amount of trash being buried has leveled off. In 2013, we recycled close to 65 million tons of refuse.



Glass seems easy enough, right? Not so. Not all glass goes in recycling. Only bottle glass from beer, wine and soda bottles, Padia said. Window panes, mirrors and kitchen glass -- such as drinking glasses or bakeware -- can't be mixed in because they're different kinds of glass and, like plastics, melt at different temperatures. Those items must go in the trash.

With all this, it's no wonder we're confused.

I never know about paper items, like the ones that are shiny, slick advertisements and magazines," said Los Altos resident Linda Miller. "Are those recyclable?" (Yes). "Also, I have heard that glass containers and cans don't have to be washed before recycling? Is that true?" (Try to wipe out as much as you can, but some residue is OK. It burns off in the recycling process. Then put the food-soiled paper in the organics bin.)

## VEXING VARIABLES

Around the Bay Area, the broad strokes of recycling are similar, but contracts with different waste companies create minor variations, which can complicate matters. Some accept batteries placed in plastic bags atop the bins. Some don't, and things like batteries, CFL bulbs and chemicals must be taken to county hazardous-waste facilities. Some cities use different-colored bins. Some accept food scraps in the green yard waste/organics bins, but some don't.

And food scraps -- along with food-soiled paper, like greasy pizza boxes or the paper towel you used to wipe out the peanut butter jar -- are some of the most important things to keep out of the garbage. When those scraps end up in the landfill, they produce high levels of methane gas. But when collected in a compost bin with yard waste, they can be turned into marketable compost for farmers and gardeners.

"Food scraps and food-soiled paper is the biggest area of potential for improvement -- basically the biggest bang for the buck -- that individuals can do to help combat climate change," Padia said.

Yet, in a recent StopWaste survey of a few hundred residents in Alameda County, nearly 60 percent didn't realize they should be putting food-soiled paper in the compost/organics bin.

Recycling advocates say it's great that so many people are trying to recycle these days, but don't forget the whole mantra of "reduce, reuse, recycle," Jewell said. "Recycle is last in that hierarchy on purpose. Try to do the other two first."

Contact Angela Hill at [ahill@bayareanewsgroup.com](mailto:ahill@bayareanewsgroup.com) (<mailto:ahill@bayareanewsgroup.com>), or follow her on Twitter @GiveEmHill.

Bin boggled?

For specifics on what goes where, see "Righteous Recycling" on the cover of the Your Life section.

# Bay Area recycling tips: Can I recycle that or not?

By Angela Hill, [ahill@bayareanewsgroup.com](mailto:ahill@bayareanewsgroup.com)

POSTED: 03/10/2016 10:00:00 AM PST

UPDATED: 03/14/2016 09:19:05 AM PDT

Let's sort this out. Here in the Bay Area, we're all doing a pretty good job with recycling the basics: bottles, cans, paper. Kudos to us!

But when it comes to that pizza box, your broken bathroom mirror or a mysterious lipstick container with plastic/metallic casing and residue of Ravishing Rose, our environmentally responsible brains start to hurt. Those things are often mis-sorted and end up in the wrong bins, either contaminating recyclables or languishing for centuries in the landfill. In fact, recycling advocates say up to a third of what ends up in the garbage in many counties could have been recycled or composted.



(Dave Johnson/Bay Area News Group)

So with help from local recycling experts, we've compiled a list of frequently mis-sorted items. Be advised, guidelines vary city-by-city because of contracts with different waste-hauling companies. So check with your service provider before you toss.

Generally, though, even the experts say you don't need to get obsessive. Do the best you can. And remember, in the hierarchy of reduce, reuse, recycle, there's a reason "recycle" comes last -- we're supposed to do the other two first.

**Food scraps:** The big push right now is to compost food scraps either by doing it yourself in your yard, or -- much easier -- by putting it in the green yard-waste/organics bin if your city offers that collection service. Experts say turning food waste into compost is one of the biggest-impact things individuals can do to slow climate change. Food in the landfill generates far more methane than when composted and turned into useful soil.

Advertisement

**Food-soiled paper:** "This is one of the biggest 'What do I do with it?' questions we get all the time," says Rebecca Jewell, recycling expert at Waste Management, which handles trash pickup for some East Bay cities. "If you wipe a sticky pan with a paper towel, the gunk will never come out of those fibers and it can't be recycled." The best thing for soiled paper towels, paper napkins and greasy pizza boxes is to put them in the green compost bin. Paper actually helps the composting process. "The paper and the food is the perfect blend for making compost," Jewell says.

"For one thing, it makes it less yucky for you if you take food out in a paper bag or an empty milk carton. But even adding the parking receipts you get, your bank statements and credit-card offers -- all that absorbs the liquids and the moisture in the green bin, which means fewer fruit flies and maggots. And no one's gonna get your bank statement information when it's wrapped around last night's dinner."

**Glass:** Not all glass is created equal! Bottle glass -- wine bottles, beer bottles, soda bottles -- all go in recycling. But things like mirrors, window panes, ceramics, kitchen glass (such as mugs, drinking glasses and bakeware), are all made from different types of glass and should either be

donated to thrift stores or go in the trash. "Other kinds of glass melt at different temperatures, and can't be mingled with bottle glass," says Bruce Olszewski, director of the Center for the Development of Recycling in Santa Clara County.

**Plastics:** Many people are confused about the numbers in the "recycling" triangles on plastics, which experts say really weren't intended to guide the consumer in the first place. "The mark was something chemists came up with decades ago to indicate the level of resin in a plastic item," says Tom Padia at StopWaste, a public agency reducing waste in Alameda County. Generally, throw all harder plastics in recycling, even if there's no triangle on the product, such as clamshell packaging. However, any super thin or filmlike plastic -- sandwich bags, wrappers for bread loaves, the plastic bags you put your veggies in at the store -- take them to your grocery store if they accept plastic bags for recycling. Otherwise, they must go in the trash. You can also check [www.plasticfilmrecycling.org](http://www.plasticfilmrecycling.org) (<http://www.plasticfilmrecycling.org>) for drop-off locations by ZIP code.

**Batteries, CFL bulbs and other hazardous items:** Some cities have started allowing residents to put batteries in a sealed clear plastic bag and set them on top of their trash bins. If not, every county is required to have a Household Hazardous Waste free drop-off facility, which will accept batteries, chemicals, motor oil, paint cans, light bulbs and more. Also, some home supply stores will accept bulbs and batteries, but check first. Leftover hazardous waste should never be thrown in the trash or recycling bin, flushed down the toilet or dumped down the drain or storm sewer.

**Clothes hangers:** Wire hangers are murder on the big machines at recycling plants. Either take them to back to your dry cleaner if they accept them for reuse, or throw them in the trash. Plastic hangers: trash. Wood hangers: compost bin.

**Cosmetics packaging:** Most contain multiple elements, even embedded mirrors. Some cosmetics companies encourage customers to recycle. For instance, MAC offers a free lipstick if you return the packaging from six of their products; Origins also has a packaging recycling plan.

**Shredded Paper:** Shredding results in the splitting of fibers, the paper can no longer be recycled. Plus, unless it's bagged (in a paper bag) it blows all over the place. Put it in compost.

Extra tips:

- How clean do things have to be? For recyclable glass, cans and plastic containers, many people are unsure whether to clean the items before putting them in the bin, or if it's OK to leave residue. Clean and dry is the general guideline, "but we're in a drought, so you don't want to waste water washing them," Jewell says. "Get as much peanut butter or salad dressing out as you can, but it doesn't need to be sterile. With a glass item, less than 10 percent residue is OK because it will burn off in the recycling process. If you wipe it with a paper towel, throw the paper towel in the green bin."
- Don't bag recyclables in regular plastic trash bags. Not only do the bags wrap around sorting equipment, they slow the manual sorting process on a conveyor belt, Jewell says. "Also, it's hazardous to workers because they don't know what's in there -- it could be broken glass, syringes. When bagged items come through the sort line, they throw it in the trash."
- When in doubt about an item, check with your city or waste hauler. But if you still can't figure it out, Jeff Becerra at StopWaste says it's better off in the garbage so it doesn't contaminate the recycling stream.

Contact Angela Hill at [ahill@bayareanewsgroup.com](mailto:ahill@bayareanewsgroup.com) (<mailto:ahill@bayareanewsgroup.com>), or follow her on Twitter @GiveEmHill.

- StopWaste, a public agency serving Alameda County: [www.stopwaste.org](http://www.stopwaste.org) (<http://www.stopwaste.org>)
- Center for the Development of Recycling, Santa Clara County's recycling information clearinghouse: [www.recyclestuff.org](http://www.recyclestuff.org) (<http://www.recyclestuff.org>), 408-924-5453, 800-533-8414
- TerraCycle, a New Jersey-based recycling company that specializes in hard-to-recycle items that consumers can ship to them for free: [www.terracycle.com](http://www.terracycle.com) (<http://www.terracycle.com>)



Some commonly confusing items:

## Recycle

- Paper juice or milk cartons with plastic nozzles: Put the whole thing in recycling. Or if you use the empty carton to capture your food scraps, put it in the green compost bin, if your city provides a food-scrap collection service.
- Caps from plastic bottles: Plastic lids stay on plastic bottles.
- Empty pill bottles: Reuse or recycle.

## Compost

- Corks from wine bottles: Real corks can go in compost, or most Whole Foods stores will accept them; plastic corks, trash.
- Disposable coffee cups: The plastic lining to make them waterproof means they can't be recycled, so put them in compost. Coffee lids, trash.
- Crayons

## Trash

- CDs/DVDs: Donate to thrift stores or artists. Otherwise, trash.
- Toothpaste tubes
- Cigarette butts
- Foil-like lids from yogurt cups
- Ink cartridges from printers: Reuse/refill or trash.
- Eyeglasses: Donate or trash
- Disposable diapers
- Single-cup coffee pods



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# RESOURCE RECYCLING

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## Redemption centers feel financial squeeze in California

By Bobby Elliott, Resource Recycling

March 1, 2016

Following the recent shuttering of nearly 200 container redemption centers in California, the state says it is exploring ways to prevent further closures as it grapples with its own funding questions.



According to Mark Oldfield, communications director for California's recycling agency, CalRecycle, the Feb. 1 [announcement](#) that a major network of redemption centers would be closing 191 of its sites throughout the Golden State was a "huge blow for consumers in California." Officials at the redemption center company, rePlanet, said the site closings resulted in more than 270 workers being laid off.

"We're working together to talk through some of these issues," Oldfield said in an interview with Resource Recycling. "Clearly, the challenges facing the recycling industry as a result of the drop in commodities prices are a huge concern to us."

### CRV touchpoint for residents

Redemption centers are located throughout California to provide residents with access to container redemption services. According to CalRecycle's website, there are approximately 2,200 recycling centers statewide, creating the infrastructure that allows residents to redeem their bottles and cans under the California Redemption Value (CRV) system.

The state's Beverage Container Recycling Fund is responsible for providing recycling centers with processing payments for the material those facilities handle. The payments are meant to make up for the difference between the cost of recovery and the value of the recovered beverage containers.

However, the closure of the rePlanet locations raises questions about the formula the state uses to determine payments to redemption centers.

One issue, Oldfield acknowledged, is that the sums are based on 12-month-old data, meaning the money doesn't necessarily cover the cost of recycling containers in the current marketplace. "It's behind the curve," Oldfield said.

"Typically, when you've got fairly small swings in the commodity prices, that's not a problem. When you have the price dropping 30 or 40 percent in the course of a year, it does become an issue," Oldfield said.

Rod Rougelot, rePlanet's president and chief operating officer, told Resource Recycling the company has had to close a total of 300 sites since January of 2015 and is now left with 350.

"The market today is unlike anything we have ever experienced and we need to reform the program to account for times like this," Rougelot said.

### Significant pain

According to Rougelot, the company had done its best to weather the steep drop seen in the prices paid for recyclable material on the open market.

However, Rougelot was expecting the state to respond to current market conditions by increasing its processing payments for containers made with PET, a material that's been hit particularly hard in recent months in terms of value on the market. Instead, the state decreased its processing payment for PET by about 6.5 percent in its annual update to the fee on Jan. 1.

From Oct. 1 to Dec. 31 of 2015, CalRecycle paid out \$177.40 per ton of PET to cover processing costs of the material. Starting Jan. 1, that payment fell to \$165.96 per ton.

"Rather than going up as expected, it was reduced and that was a significant pain-point for us," Rougelot said. "Had CalRecycle stayed out in front of this, those 300 centers we had to close would be open today."

Susan Collins, the executive director of the Culver City, Calif.-based Container Recycling Institute, said changes need to be made immediately to prevent further recycling center closures.

"CalRecycle should assist by educating the legislators about the nature and scope of the problem and advocating for an immediate solution that protects the rights of Californians to have access to redemption centers where they can receive a refund of their deposit," Collins said.

CalRecycle's Oldfield maintained that the department "was working with the industry and stakeholders" and said "there are a variety of ways you could increase revenue" to improve the current program, including raising the deposit fee from a nickel to 6 cents, decreasing the payout to consumers and "eliminating some of the payments from the fund."

He did, however, note that the state is currently bound by legislation to estimate processing payments based on a 12-month rolling average.

"That's what the statute tells us to do. And there's actually a good reason behind that. ... The rolling average does smooth things out over time. Yes, it means there are going to be some months where it doesn't quite cover the cost, but it also means there are going to be some months when it overcompensates."

### Larger funding challenges

Questions have **long lingered** about the financial footing of the state's Beverage Container Recycling Fund, which has been running at a deficit for several years.

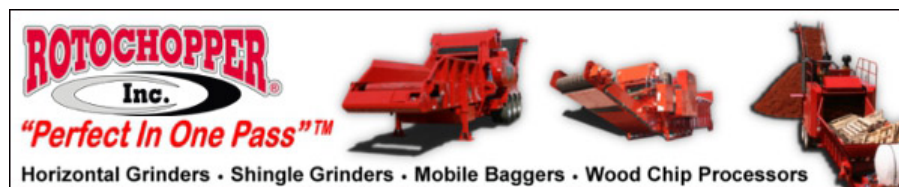
According to CalRecycle's **latest estimates**, the average structural deficit of the fund is now expected to surpass \$74 million in both the 2016-2017 and 2017-2018 fiscal years, which would carry significant repercussions.

"Absent any program changes, we're going to go into what's called proportional reduction and all payments out of the fund are going to be cut to all participants and that would include the processing payment," Oldfield said.

He says financial backing for the Fund could be cut by as much as 80 percent as a result of proportional reductions "There is a sense of urgency to take this on in a larger sense than just looking at the processing payment," he added.

Rougelot from rePlanet said a range of stakeholders need to be at the table and agree to a series of changes to address the solvency of the Beverage Container Recycling Fund.

"There needs to be a near-term focus on solvency of the fund and once that's solidified, then you can take a longer-range view and engineer the program of the future," Rougelot said. "This was conceived of back in the mid-1980s and we need to modernize the program."



To return to the Resource Recycling newsletter, [click here](#).

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