

AMENDED IN SENATE JANUARY 7, 2014

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AMENDED IN SENATE APRIL 2, 2013

**SENATE BILL**

**No. 498**

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**Introduced by Senator Lara**

February 21, 2013

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An act to amend Section 40106 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 498, as amended, Lara. Solid waste: biomass conversion.

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan. With certain exceptions, the source reduction and recycling element of that plan is required to divert 50% of all solid waste, through source reduction, recycling, and composting activities. Existing law allows the 50% diversion requirement to include not more than 10% through transformation or "biomass conversion," as defined, if specified conditions are met. The act defines various terms, including "biomass conversion," for the purposes of the act.

This bill would revise the definition of the term "biomass conversion" to include, in addition to controlled combustion, ~~any other~~ *the use of* conversion technology, as defined.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 40106 of the Public Resources Code is  
2 amended to read:

3 40106. (a) “Biomass conversion” means the *controlled*  
4 combustion used for producing heat or electricity *of*, or the use of  
5 conversion ~~technology~~; *technology on, the following materials*  
6 when separated from other solid ~~waste~~, ~~of the following materials~~:  
7 *waste*:

8 (1) Agricultural crop residues.

9 (2) Bark, lawn, yard, and garden clippings.

10 (3) Leaves, silvicultural residue, and tree and brush pruning.

11 (4) Wood, wood chips, and wood waste.

12 (5) Nonrecyclable pulp or nonrecyclable paper materials.

13 (b) “Biomass conversion” does not include the controlled  
14 combustion of recyclable pulp or recyclable paper materials, or  
15 materials that contain sewage sludge, industrial sludge, medical  
16 waste, hazardous waste, or either high-level or low-level  
17 radioactive waste.

18 (c) (1) For purposes of this section, “nonrecyclable pulp or  
19 nonrecyclable paper materials” means either of the following, as  
20 determined by the department:

21 (A) Paper products or fibrous materials that cannot be  
22 technically, feasibly, or legally recycled because of the manner in  
23 which the product or material has been manufactured, treated,  
24 coated, or constructed.

25 (B) Paper products or fibrous materials that have become soiled  
26 or contaminated and as a result cannot be technically, feasibly, or  
27 legally recycled.

28 (2) For the purposes of this section, “conversion technology”  
29 means a method capable of converting biomass into marketable  
30 products and fuels through a noncombustion thermal, chemical,  
31 or biological process.