

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 970

Introduced by Senator Leyva

February 8, 2016

An act to add Section 42649.88 to the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 970, as amended, Leyva. Organic food waste diversion.

Existing law requires the Department of Resources Recycling and Recovery to identify and recommend actions to address permitting and siting challenges and to encourage the continued viability of the state's organic waste processing and recycling infrastructure, in partnership with the California Environmental Protection Agency and other specified state and regional agencies. Existing law requires the department to cooperate with local jurisdictions and industry to provide assistance for increasing the feasibility of organic waste recycling and to identify certain state financing mechanisms and state funding incentives and post this information on its Internet Web site.

This bill would ~~require, by June 1, 2017,~~ *require* the department, in consultation with the State Air Resources Board and the State Energy Resources Conservation and Development Commission, *by June 1, 2017,* to develop a pilot *demonstration* program ~~that encourages to award matching grant funding for~~ cost effective and efficient integrated organic food waste diversion ~~projects.~~ *projects at existing wastewater treatment facilities, as provided.*

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. This act shall be known, and may be cited, as the
2 Regional Integrated Organics Diversion and Beneficial Utilization
3 Act.

4 SEC. 2. The Legislature finds and declares all of the following:

5 (a) The California Global Warming Solutions Act of 2006
6 (Division 25.5 (commencing with Section 38500) of the Health
7 and Safety Code) establishes a policy to reduce emissions of
8 greenhouse gases to 1990 levels by 2020 and to continue those
9 reductions of greenhouse gases beyond 2020.

10 (b) The critical role that short-lived climate pollutants (SLCPs)
11 must play in the state's climate efforts is recognized in Chapter
12 4.2 (commencing with Section 39730) of Part 2 of Division 26 of
13 the Health and Safety Code, which requires the State Air Resources
14 Board to develop a strategy to reduce the emissions of SLCPs.

15 (c) California must achieve deep reductions in the emissions of
16 SLCPs by 2030 to meet potential or actual future greenhouse gas
17 emissions targets and air quality goals.

18 (d) Intensified state and global action to reduce the emissions
19 of SLCPs is the only way to immediately slow global warming
20 and manage the damaging effects of climate change.

21 (e) California has clear goals to reduce waste and to divert
22 organic materials from landfills and put them to beneficial use.
23 The state has a target to reduce landfilling of solid waste by 75
24 percent by 2020.

25 (f) Organic waste constitutes more than one-third of California's
26 waste stream. Food waste alone accounts for about five million
27 tons of landfilled organics each year.

28 ~~(g) Efforts to divert organics from landfills and develop~~
29 ~~infrastructure that makes best use of the material are key elements~~
30 ~~of an integrated strategy.~~

31 *(g) Conservative estimates suggest that publicly owned*
32 *wastewater treatment agencies have existing capacity to codigest*
33 *up to 75 percent or more of the food waste currently being*
34 *landfilled.*

35 *(h) The diversion of food waste, fats, oils, and grease from*
36 *landfills by using existing infrastructure and facilities at*
37 *wastewater treatment agencies is recognized by the State Air*
38 *Resources Board as an effective and cost-efficient strategy to*

1 maximize the resource recovery of the organic waste. Using
2 existing facilities also ensures projects can be sited, permitted,
3 and constructed in a timely fashion to meet the state’s ambitious
4 waste diversion goals.

5 (h)

6 (i) Significant efforts to divert organic materials from ~~landfills~~
7 ~~and landfills~~, reduce methane ~~emissions~~ emissions, and ~~develop~~
8 create clean energy, including low or negative carbon
9 transportation ~~fuels~~ fuels, should be encouraged by state policies.

10 (i)

11 (j) As future clean energy investments are planned and
12 implemented, state officials should ensure targeted investment,
13 regional cooperation, and public-private partnerships are utilized
14 at existing wastewater agencies to maximize the state’s organics
15 diversion efforts and achieve cost effective and environmentally
16 beneficial reductions in the emissions of greenhouse gases.

17 SEC. 3. Section 42649.88 is added to the Public Resources
18 Code, to read:

19 ~~42649.88. By June 1, 2017, the department, in consultation~~
20 ~~with the State Air Resources Board and the State Energy Resources~~
21 ~~Conservation and Development Commission, shall develop a pilot~~
22 ~~program that encourages cost-effective and efficient integrated~~
23 ~~organic food waste diversion projects. The pilot program shall~~
24 ~~give priority to projects that are based on regional cooperation and~~
25 ~~provide the following benefits:~~

26 (a) ~~Cost-effective utilization of existing anaerobic digestion~~
27 ~~capacity at public wastewater agencies.~~

28 (b) ~~Making the best use of diverted organics, including the~~
29 ~~production of low or negative carbon transportation fuels.~~

30 (c) ~~Direct or indirect reduction in the emissions of criteria air~~
31 ~~pollutants.~~

32 (d) ~~Effective use of public-private partnerships.~~

33 (e) ~~Environmental benefits for disadvantaged communities, as~~
34 ~~identified pursuant to Section 39711 of the Health and Safety Code.~~

35 (f) ~~Local job creation.~~

36 42649.88. (a) No later than June 1, 2017, the department, in
37 consultation with the State Air Resources Board and the State
38 Water Resources Control Board, shall develop a pilot
39 demonstration program to provide matching grant funds for cost
40 effective and efficient regional integrated food waste diversion

1 projects at existing wastewater treatment facilities. The pilot
2 demonstration program shall give priority to projects that provide
3 the following benefits:

4 (1) Maximize food waste diversion in a cost-effective manner
5 that uses existing facilities and infrastructure.

6 (2) Maximize resource recovery of diverted waste, including
7 the production of clean energy, or low or negative carbon
8 transportation fuels.

9 (3) Maximize regional cooperation among publicly owned
10 wastewater treatment agencies, cities or counties, waste haulers,
11 landfill operators, and other relevant regional entities.

12 (4) Demonstrate effective and efficient organics management
13 strategies that can be duplicated throughout the state.

14 (b) Projects funded pursuant to the program shall be located
15 at existing wastewater treatment facilities in California and result
16 in all of the following:

17 (1) Permanent, annual, measurable, and verifiable reductions
18 in the emissions of greenhouse gases from the diversion of food
19 waste through avoidance of methane release at landfill and capture
20 and use of methane at wastewater treatment facilities.

21 (2) Permanent, annual, measurable, and verifiable increases
22 in the quantity of food waste diverted from landfills to digestion
23 or composting.

24 (3) Permanent, annual, measurable, and verifiable
25 environmental benefits for disadvantaged communities, as
26 identified pursuant to Section 39711 of the Health and Safety Code.

27 (c) (1) The department shall give priority to projects with
28 minimal siting and permitting requirements.

29 (2) In awarding grants pursuant to the program, the department
30 shall seek to maximize the reduction in the emissions of greenhouse
31 gases achieved by a project for each grant dollar awarded.

32 (d) (1) Projects eligible for matching grant funds pursuant to
33 the program include, but are not limited to, the modification,
34 renovation, or expansion of existing wastewater treatment facilities
35 to accept and process food waste streams.

36 (2) The department shall identify three to five regional projects
37 for matching grant funds pursuant to the program. The department,
38 upon appropriation by the Legislature, may expend moneys from
39 the Greenhouse Gas Reduction Fund established pursuant to

1 *Section 16428.8 of the Government Code for awarding grants*
2 *pursuant to the program.*

3 *(3) The department may award matching funds of up to ten*
4 *million dollars (\$10,000,000) for each project. The amount*
5 *awarded shall not exceed 50 percent of the project cost.*

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