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.

SECTION 1. This act shall be known, and may be cited, as the Regional Integrated Organics Diversion and Beneficial Utilization Act.

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

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

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

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

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

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

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

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

(h) The diversion of food waste, fats, oils, and grease from landfills by using existing infrastructure and facilities at wastewater treatment agencies is recognized by the State Air Resources Board as an effective and cost-efficient strategy to
maximize the resource recovery of the organic waste. Using existing facilities also ensures projects can be sited, permitted, and constructed in a timely fashion to meet the state’s ambitious waste diversion goals.

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

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

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

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

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

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

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

(d) Effective use of public-private partnerships.

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

(f) Local job creation.

42649.88. (a) No later than June 1, 2017, the department, in consultation with the State Air Resources Board and the State Water Resources Control Board, shall develop a pilot demonstration program to provide matching grant funds for cost effective and efficient regional integrated food waste diversion.
projects at existing wastewater treatment facilities. The pilot
demonstration program shall give priority to projects that provide
the following benefits:
(1) Maximize food waste diversion in a cost-effective manner
that uses existing facilities and infrastructure.
(2) Maximize resource recovery of diverted waste, including
the production of clean energy, or low or negative carbon
transportation fuels.
(3) Maximize regional cooperation among publicly owned
wastewater treatment agencies, cities or counties, waste haulers,
landfill operators, and other relevant regional entities.
(4) Demonstrate effective and efficient organics management
strategies that can be duplicated throughout the state.
(b) Projects funded pursuant to the program shall be located
at existing wastewater treatment facilities in California and result
in all of the following:
(1) Permanent, annual, measurable, and verifiable reductions
in the emissions of greenhouse gases from the diversion of food
waste through avoidance of methane release at landfill and capture
and use of methane at wastewater treatment facilities.
(2) Permanent, annual, measurable, and verifiable increases
in the quantity of food waste diverted from landfills to digestion
or composting.
(3) Permanent, annual, measurable, and verifiable
environmental benefits for disadvantaged communities, as
identified pursuant to Section 39711 of the Health and Safety Code.
(c) (1) The department shall give priority to projects with
minimal siting and permitting requirements.
(2) In awarding grants pursuant to the program, the department
shall seek to maximize the reduction in the emissions of greenhouse
gases achieved by a project for each grant dollar awarded.
(d) (1) Projects eligible for matching grant funds pursuant to
the program include, but are not limited to, the modification,
renovation, or expansion of existing wastewater treatment facilities
to accept and process food waste streams.
(2) The department shall identify three to five regional projects
for matching grant funds pursuant to the program. The department,
upon appropriation by the Legislature, may expend moneys from
the Greenhouse Gas Reduction Fund established pursuant to
Section 16428.8 of the Government Code for awarding grants pursuant to the program.

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