

California Resource Recovery Association 2005 Policy Agenda: California Resource Management Act

2005 is a key year for California's move to Zero Waste. After fifteen years, the Integrated Waste Management Act is under scrutiny. The California Integrated Waste Management Board is open to reform. Alternative daily cover is back on the table. Conversion technologies are trying to get traction. Market development becomes increasingly important including the concept of buy recycled.

The California Resource Recovery Association Board of Directors offers this comprehensive Policy Agenda: the California Resource Management Act (RMA). The RMA consolidates recommendations from CRRA's members, leadership, and statewide partners. The last comprehensive CRRA Policy Agenda was prepared in 2000.

An April 21, 2005 workshop in Diamond Bar presented the initial recommendations and discussion. Californians Against Waste, League of California Cities, and Young Resources Strategies provided background information and continuing dialog. The California Association of Recycling Market Development Zones joined participating CRRA technical councils including the California Organics Recycling Council, the Construction and Demolition Council, Global Recycling Council and Local Agency Technical Council.

A Discussion Draft, condensing the earlier papers, was reviewed during the CRRA Board's policy discussion, May 18, 2005 in San Jose. Members and technical councils provided input, along with Board members. CRRA's newest council, e-Waste Handlers, presented its recommendations for the first time.

On June 3, the CRRA Board of Directors presented the California Resource Management Act for member consideration, circulated via the CRRA member list serve and posted on <http://www.crra.com/>. This 2nd draft is the results of comments received on the June 3 draft from emails and at the CRRA Annual Meeting. The CRRA Board of Directors will consider adoption of the RMA at its August meeting.

The RMA includes the following sections:

- Shift the Paradigm
- Numbers and Programs
- Wasters Pay
- Ban with a Plan
- 21st Century Approaches
- Bottles and Cans

- CRRA's Role
- Buy Recycled

The California Resource Management Act

Shift the Paradigm

The Integrated Waste Management Act of 1989 spurred investment in recycling and composting collection and processing. Driven by emerging Pacific Rim markets, recovered paper and beverage containers now enjoy relatively stable pricing and strong demand. While the past cannot predict the future of commodity prices, there is no compelling evidence that markets will fail to continue absorbing cardboard, newspaper, mixed paper, aluminum cans, glass bottles, and plastic PETE and HDPE containers. Markets for other material, such as mixed plastic, may not be as secure.

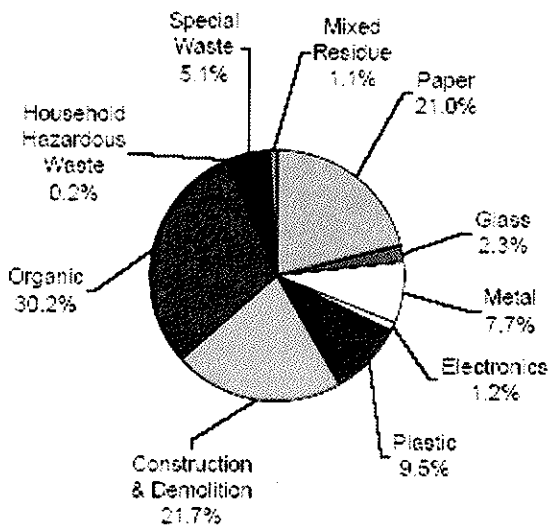
California's 2004 statewide diversion rate is 48%, although over half the communities have failed to meet the year 2000 50% diversion goal. Debate continues about measuring generation, allocating disposal, and calculating diversion. New base years may more accurately reflect current diversion. However, communities apply various approaches resulting in inconsistent and unpredictable data for the same circumstances and materials. CIWMB's adjustment method fails to capture construction and demolition activity, and is difficult to apply to unique local circumstances.

Meanwhile, statewide disposal has never significantly decreased and in 2003 disposal is at its highest level since 1990. Much of the disposal is attributed to construction and demolition materials, and food waste – negative value commodities with high collection and processing costs, and inadequate processing infrastructure.

Over 50% of statewide disposal is organics, and construction and demolition material. Organics is the largest fraction of both residential and commercial disposal. Construction and demolition material is the largest portion of self-haul. Food waste is the largest single resource – almost 15% of landfilled totals.

Even highly recyclable materials like paper, metal, plastic and glass continue to be landfilled. Paper comprises 21% of total landfilling, with metal, plastic and glass totaling 19.5%. Bottle and can recycling in California reached 59% in 2004 for CRV materials. Only 1.1% of disposal was "mixed residue". **We know how to divert the remaining 98.9% today.**

Figure ES-A: Material Classes in
California's Overall Disposed Waste Stream, 2003



Source: Statewide Waste Characterization Study, CIWMB, 2004

Alternative Daily Cover continues to absorb most of Southern California's green waste, and totals 3.5 million tons statewide (6% of the statewide diversion). Puente Hills Landfill's scheduled phase-down and closure (2012) will put increasing amounts of green waste back on the market, as ADC demand falls.

Therefore, CRRA proposes a California Resource Management Act, moving forward by handling materials through a local, market-based approach while building on the last 15 years of accomplishment. Zero Waste requires comprehensive approaches to capturing discards as resources, and RMA would move California closer to zero waste. This would further the goal of a sustainable society.

Numbers and Programs

1. Cities and counties should have a program-based option to structure their resource management programs. Rather than solely holding cities and counties to numeric goals that encourage "paper" diversion, program appropriateness, comprehensiveness and effectiveness should become an equivalent test for a community's efforts and compliance.
2. Cities and counties should be able to continue using numeric goal measurement, if they choose. CIWMB should continue standardizing and improving base year, adjustment method, and disposal reporting techniques for those communities selecting numeric compliance.
3. CIWMB needs to provide consistent and reliable information and timely assistance to cities and counties. There needs to be flexibility and equity to reflect jurisdictional differences. Local accountability needs to be

- maintained. CIWMB should focus its efforts on identifying and disseminating effective diversion programs.
4. State agencies need to implement real diversion programs, and not primarily rely on source reduction calculations (2-sided copies, grasscycling, and e-mail). CIWMB needs to implement meaningful measurement standards that allow one agency's diversion numbers to be compared to another. Allowing each agency to count diversion by its own standard leads to an apples and oranges system of measurement. The legislature should receive a report, prepared by the Controller, describing the status of current state agency diversion by program type.
 5. School districts should no longer be able to ignore established local diversion programs and opportunities. All districts should participate and put their resources into the marketplace rather than landfills.

Wasters Pay

6. Wasters should become responsible for their buried resources, not cities and counties. The food and building industries need to be engaged in statewide resource management.
7. Communities cannot control the flow of all material through the marketplace. According to CIWMB, 21.3% of landfilled material was self-hauled in 2003. Over 80% of self-haul came from the commercial sector, with nearly 55% comprising C&D materials and another 14% organics. Contractors and landscapers will continue to self-haul.
8. There was a surge of private investment in the mid-1990s, covering residential and commercial collection, and a system of material recovery facilities and compost facilities. It now is time to stimulate collection and processing of food and construction and demolition materials.
9. Food and construction and demolition materials are not likely to be shipped to overseas markets. California needs to develop its own markets for these new resources.

Plan before a Ban

10. There should be no ban without a plan. Material disposal bans, such as we have experienced with Consumer Electronic Wastes such as CRTs, household hazardous waste including universal wastes, and treated wood waste, need to be preceded by programs to develop recovery collection, processing and markets before the disposal ban becomes effective. Various models should be tested on both rural and urban areas. Financing the proper management of banned material must be part of the plan.
11. Treated wood, batteries and paint need funding mechanisms now. All consumer electronic devices need to be included in a payment program now, before they hit the banned list. E-waste source confidentiality needs to be respected, and extended when appropriate to other materials.

12. Construction and demolition materials should be banned from landfills, as should organic materials. The bans must be part of plans to collect, process, and market new products from the banned materials.
13. A statewide system of processing facilities should be supported through an expanded Recycling Market Development Zone loan program, funded with a statewide landfill surcharge. The surcharge would be calculated on the estimated cost to finance and effectively operate the facilities needed to handle banned materials.
14. Communities should be able to zone and designate sites for construction and demolition materials recycling, and organics composting. Those sites would be eligible for the surcharge to fund facility construction. Eligibility should include basic processing, and end-product manufacturers.
15. In addition to financing, participating resource recovery businesses should benefit from California equipment tax credits, other loan programs, job training and employment tax credits.
16. Recycling market development, including buy recycled, should be a central part of California's economic policy. It is time to create local markets for local resources, pulling materials into new products.
17. Alternative daily cover needs to be phased out as countable diversion. Compost markets must be expanded to absorb increased amounts of organic resources. Crop-specific research needs to be renewed and expanded as part of resources R&D. Landscape markets need to close the loop by taking back locally composted green material.
18. A focused statewide research and development program also should be paid for from the increased landfill surcharge. California higher education institutions, trade organizations, and private businesses would receive grant funding to undertake the R&D needed to absorb California recovered resources as new products that are manufactured locally.

21st Century Approaches

19. LEED certification for all new State facilities is called for now. State leadership will set the stage for city and county, and private commercial, institutional and residential LEED mandates. LEED would save billions in energy, water, health, landfill and transportation infrastructure costs. Those cost savings need to be used to initiate statewide LEED requirements for all new buildings, and all remodeling.
20. Building codes, energy codes, and water resources planning need to adapt to encourage LEED standards. Reused building materials also need to be encouraged through building codes. Deconstruction must replace demolition. Stakeholders need to be an integral part of the work to reform California's construction practices.
21. Conversion technologies need to be more transparent. Material-specific applications need to be identified. Industrial processes should not be treated as solid waste facilities, but as any other manufacturing process using recovered resources. High-temperature energy recovery needs to be classified as transformation, and regulated accordingly. Precautionary

principles should be applied to energy processes. Renewable energy subsidies should only be considered for CT processes meeting the current legislative test of producing “no discharges of air contaminants or emissions; no discharges to surface or groundwater; and no hazardous wastes.” Composting and recycling opportunities should not be sacrificed to energy recovery. Energy recovery conversion facilities should only receive material that has gone through a recycling and/or composting process.

Bottles and Cans

22. Department of Conservation should continue managing California’s beverage container program, as they have demonstrated the ability to increase recycling rates through collection, processing, and market development efforts.
23. All beverage containers need to be added to the program. A recycler sees no difference between a glass soft drink bottle, a beer bottle, a wine bottle, or a liquor bottle except that wine and liquor bottle recycling are financially unsustainable. The CRV value should change based on the recovery rate for the container.
24. The City/County payment program provides needed funds to support innovative community recycling efforts. Program payments need to be tied at least to increased deposit payments. More local effort will help to improve beverage container recycling; so unused CRV deposits should be allocated to communities demonstrating the ability to increase CRV recycling.

CRRA’s Role

25. CRRA shall continue to be a forum to openly exchange ideas, information, dialogue, and solutions to implement the RMA programs. CRRA’s Zero Waste Toolkit (<http://www.crra.com/zerowaste/zero/zero.htm>) is full of those ideas, information, and solutions.
26. CRRA should develop certified training programs to implement the RMA. This work should be supported by, and prepared cooperatively with, CIWMB, DoC, and other agencies and organizations charged with carrying out the Act.
27. As the state recycling organization, an affiliate of the National Recycling Coalition, CRRA should continue to press NRC to take positions on California and national recycling issues.
28. CRRA should continue supporting the work of Californians Against Waste, Silicon Valley Toxics Coalition, NCRA, the Sierra Club, League of California Cities, CalEPA, CIWMB, Department of Conservation, Department of Toxic Substances Control, CARMDZ, U.S. EPA and others when they are moving California toward Zero Waste.
29. CRRA will serve as California’s Zero Waste Council – leading the way to Zero Waste by 2025.