**COUNTY OF GLENN**  
**AGENDA ITEM TRANSMITTAL**

**MEETING DATE:** July 17, 2012  
**Submiting Department(s):**  
Planning & Public Works Agency

**BRIEF SUBJECT/ISSUE DESCRIPTION:**  
Formalize commercial recycling efforts by adopting a mandatory commercial recycling program that consists of education, outreach, monitoring and reporting of businesses on an annual basis.

**Contact:** John Linhart, Director  
**Phone:** 530-934-6530

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**AGENDA PLACEMENT**

**APPOINTMENT – Appearances by:**  
(Specify Name & Title)
John Linhart, Director

**Required _____ Minutes**

- [x] Business – No  
- [ ] Consent  
- [ ] Correspondence  
- [ ] Reports & Notices

**AFFECED DEPARTMENT(S)**

- [ ] Receive Concurrence

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**ATTACHMENTS**

- [x] Board Report  
- [ ] Letter  
- [ ] Minute Order  
- [ ] Contract  
- [ ] Transfer  
- [ ] Grant App.  
- [x] Resolution

**LEGAL/PERSONNEL/FISCAL**

- [ ] County Counsel  
- [ ] Personnel  
- [ ] Finance  
- [ ] County Administrative Office

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**CLERK INSTRUCTIONS**

- [ ] Return Minute Order  
- [x] Return Certified Copy Of: Resolution

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**PUBLIC HEARINGS & COMMITTEE VACANCIES**

- [ ] State  
- [ ] Federal

**LEGISLATION**

- [ ] Bill#: _____  
- [x] Latest Version of Bill  
- [ ] Draft Letter Attached  
- [ ] List of Supporters/Opositers  
- [ ] Statement of Relevance to County Interests  
- [ ] Description Attached

**FUNDING SOURCE/IMPACT**

- [ ] General Fund Impact  
- [ ] Other: _____  
- [ ] Budgeted  
- [ ] Transfer Attached  
- [ ] 4/5ths Vote Required  
- [ ] Contingency Request

**CONTRACTS, LEASES & AGREEMENTS**

- [ ] New  
- [ ] Renewal  
- [ ] Amendment  
- [ ] Insurance Certificate  
- [ ] Contract Report  
- [ ] Date of Original Contract:  
- [ ] Contract No.:  
- [ ] Fiscal Year:

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**RECOMMENDED ACTION/MOTION:**

Recommend approval of Resolution adopting a Mandatory Commercial Recycling Program.

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**Reviewed By (if applicable):**

Personnel Director  
Department of Finance  
County Administrative Officer

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**Department Head**

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**cc:**
BOARD REPORT

EXECUTIVE SUMMARY:
With the passing of AB 939 in 1998, Glenn County established and has maintained many recycling programs in the County. Now with the passing of AB 341 in 2011, the County is required to formalize its commercial recycling efforts by adopting a mandatory commercial recycling program that consists of education, outreach and monitoring of businesses on an annual basis.

RECOMMENDATION(S):
Recommend approval of Resolution adopting a Mandatory Commercial Recycling Program.

HISTORY AND BACKGROUND:
With the passing of AB 939, the County recognized that it was in the public interest to encourage the collection, recycling, reduction, reuse and reclamation of all recyclable materials; therefore the County adopted Resolution 98-212, recognizing state purchasing policies, regulations, requirements and program administration procedures for the implementation of AB 939 programs. Since the adoption of Resolution 98-212 the county has established a used oil and filter recycling program, participates in an annual grant to promote the recycling of beverage containers and litter reduction and negotiated curbside recycling services to all residents and commercial businesses with curbside garbage service. With the passage of Assembly Bill 341 in 2011, the County is required to formalize its recycling efforts by adopting a Mandatory Commercial Recycling Program as part of a statewide plan to reduce California’s greenhouse gas (GHG) emissions, the California Global Warming Solutions Act of 2006 (AB 32) Scoping Plan included a Greenhouse Gas (GHG) Reduction Measure that directed the California Air Resources Board (ARB) and Department of Resources Recycling and Recovery (CalRecycle) to develop a mandatory commercial recycling regulation. This measure focuses on increased commercial waste diversion as a method to reduce GHG emissions and was designed to achieve a reduction in GHG emissions of 5 million metric tons of carbon dioxide (CO2) equivalents. The commercial sector generates nearly three fourths of the solid waste in California, according to 2008 statewide waste characterization data, or 22.8 million tons for the 2010 statewide disposal data. To achieve the measure’s objective, an additional 2 to 3 million tons of materials annually will need to be recycled from the commercial sector by the year 2020 and beyond.

The Department of Resources Recycling and Recovery (CalRecycle) was engaged in the regulatory process of developing a draft regulation for adoption by the ARB since July 2009. With the passage of Assemblyman Wes Chesbro’s (D-Eureka) Assembly Bill 341 in 2011, a statewide 75% solid waste diversion goal and mandatory commercial recycling bill, the formal regulatory processing of the ARB AB 32 mandatory commercial recycling regulations was shifted to CalRecycle. Since AB 341 provided authority to CalRecycle to implement the mandatory commercial recycling program, CalRecycle commenced its own rulemaking to implement the statute. The mandatory commercial recycling regulation was adopted at CalRecycle’s January 17, 2012 public meeting.

The regulations require a business or public entity, including schools and nonprofits that generate four cubic yards or more of solid waste per week or multifamily units of 5 or more to arrange for recycling services by July 1, 2012. Businesses can self-haul, subscribe to a hauler(s), arrange for the pickup of recyclable materials, or subscribe to a recycling service that may include mixed waste processing that yields diversion results.
comparable to source separation. Property owners may require their tenants to source separate their recyclable materials to aid in compliance with this regulation.

In addition, local jurisdictions are required to implement a commercial recycling program (does not have to be an ordinance) by July 1, 2012, that provides outreach, education, identification, and monitoring of businesses and multifamily complexes. The law and regulation require that local jurisdictions conduct education and outreach to inform business, public entities, and multifamily complexes that meet the threshold about the new law to recycle and how they can recycle in the jurisdiction. Local jurisdictions are also required to monitor businesses and multifamily complexes and identify ones that are not recycling and inform them of the state law and how they can recycle in their jurisdiction. Local jurisdictions can, but are not required to enforce the regulations on businesses and multifamily complexes. Local jurisdictions are not required to provide commercial collection for recycling.

Throughout the informal regulatory process the Rural Counties’ Environmental Services Joint Powers Authority (ESJPA), of which our county is a member, worked with CalRecycle staff to ensure the regulation addressed the challenges facing rural areas, and to clarify and refine the regulatory language. As a result, language that provides additional flexibility for rural counties was included. CalRecycle made this proposal as flexible as possible within the AB 32 framework limitations. This allows jurisdictions to implement programs that meet local needs and work within existing infrastructures and resources.

As an example, rural jurisdictions currently have the assistance of CalRecycle’s “good faith effort” provisions in the existing source reduction and recycling element jurisdiction reporting and review Statute and regulations. In the mandatory commercial recycling regulation, two new factors will also be considered: “budgetary constraints” and, “in the case of a rural city or rural county as defined in Sec 956211(b)(14) the small geographic size, low population density, or distance to markets.” CalRecycle staff will review a jurisdiction’s “good faith effort” in implementing this regulation during the standard AB 939 compliance reviews by looking at the jurisdiction’s public education and outreach, and the extent and results of monitoring the businesses and multifamily complexes.

The ESJPA worked with CalRecycle staff on a model rural commercial recycling program that will satisfy the minimum requirements for consideration of a rural jurisdiction’s good faith efforts. The intent is to have a program that works within out County’s programs and limited infrastructure and resources, while knowing that it meets the expectations of CalRecycle.

**FISCAL/PERSOMNEL IMPACT(S):**

Many of the efforts required by AB 341 are in place today; however if CalRecycle finds that County’s not meeting the requirements, the County will be placed on compliance order, and if we do not meet the requirements of the compliance order, the County could be fined.

**ANALYSIS/DISCUSSION:**

The attached is the model rural commercial recycling program prepared by the ESJPA and CalRecycle. Staff has tailored the program to our specific infrastructure and resources.
BOARD OF SUPERVISORS, GLENN COUNTY, CALIFORNIA
RESOLUTION NO. 2012--

A RESOLUTION ADOPTING A MANDATORY
COMMERCIAL RECYCLING PROGRAM

WHEREAS, a mandatory commercial recycling regulation was adopted by the California Department of Resources Recycling and Recovery (CalRecycle) on January 17, 2012, through the authority of AB 341 and;

WHEREAS, the County of Glenn is not exempt from AB 341, the Mandatory Commercial Recycling Law and;

WHEREAS, the purpose of mandatory commercial recycling program is to meet the requirements of AB 341 (Chesbro), the Mandatory Commercial Recycling law, and to promote the recycling and diversion of solid waste and establish the requirements for recycling of materials generated by the commercial sector; and

WHEREAS, the definition of “commercial” means any business or public entity, including schools and non profits, that generates four cubic yards or more of commercial solid waste per week, or a multi-family residential dwelling of five units or more, regardless of the amount of commercial solid waste generated.

WHEREAS, the County shall implement an educational outreach, monitoring and reporting program and:

WHEREAS, the Waste Management Regional Agency, reviewed the Mandatory Commercial Recycling Program at a regularly scheduled public meeting and offered their approval of the program as presented to them.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors, County of Glenn does hereby adopt the County Mandatory Commercial Recycling Program.

THIS RESOLUTION was passed by the Board of Supervisors of the County of Glenn at a regular meeting there of held on July 17, 2012, by the following vote:

AYES:

NOES:

ABSENT OR ABSTAIN:

STEVE SOETH, Chairman
Board of Supervisors,
Glenn County California

SHERYL THUR, County Clerk-Recorder
and ex-officio clerk, Board of Supervisors,
Glenn County, California

APPROVED AS TO FORM:

HUSTON CARLYLE, County Counsel
Glenn County, California
SAMPLE

GLENN COUNTY
COMMERCIAL RECYCLING PROGRAM

1. Education/outreach means informing businesses/public entities/multifamily complexes about the state law and how they can recycle in their community.
   a. Education and outreach shall be done at a minimum annually and will be done by the County staff and franchise hauler(s).
   b. Education and outreach activities shall consist of the following:
      i. Print Materials:
         1. Print materials are to be provided to businesses/multifamily complexes through the County and hauler(s) that inform them about the state law and how businesses/multifamily complexes can recycle in the County.
         2. Distribution of print materials shall consist of the following: hauler billing inserts (mailed annually), Annual Public Events (may include but are not limited to County Fair, Car Shows, Business Expo) and be available at City Halls and Chamber of Commerce.
      ii. Website: The County and hauler(s) shall place information on their website(s) about the state law and how businesses/multifamily complexes can recycle in the County.
      iii. Direct Contact: The County and or hauler(s) shall inform commercial customers of the state law when making any direct contact. Annually, County staff and or hauler shall contact and/or make a presentation to the following: Chamber of Commerce, Waste Management Regional Agency, County Fair Board, apartment complex owners/occupants, and local business owners.

2. Monitoring means identifying businesses that are not recycling and informing them annually of the state law and how they can recycle in the County.
   a. The county and/or hauler(s) shall annually conduct monitoring activities.
   b. Monitoring activities shall consist of the following: Annual tracking by the hauler(s), of business/multifamily complexes that are not recycling. Hauler to notify County of Businesses or multifamily complexes not complying. County will send a letter to inform them of the state requirement and brochure of recycling services available, a follow-up telephone call will be made to confirm receipt of letter and to assist the business if needed with securing recycling services.

   a. The Glenn County Regional Waste Management Authority will provide the following info:
      1. Update on education/outreach/monitoring activities in the reporting year, e.g., updated flyers and handouts, info on WMA and haulers’ websites, etc.
      2. How many complexes with 5 or more units total and how many complexes with 5 or more units are not recycling
      3. How many total qualifying businesses and how many qualifying businesses are not recycling
      4. Describe follow-up efforts to those businesses/multifamily complexes that are not recycling, e.g., hauler met with XX number, Glenn County WMA sent a letter to XX number of complexes and XX number of businesses, County staff followed up with XX number, etc.
TO: Businesses Operating in the County of Glenn
Multi-family Communities in the County of Glenn

FROM: Glenn County Waste Management Regional Agency
A Joint Powers Authority between the County of Glenn, City of Orland and City of Willows

RE: State Recycling Requirements for Businesses and Multi-family Communities

As of July 1, 2012, State law requires the following businesses to arrange for recycling services:

Any business that generates 4 cubic yards or more of waste per week and Multi-family communities with five or more units.

HOW TO ARRANGE FOR RECYCLING SERVICES
Businesses/ multi-family communities that meet the threshold can easily recycle by requesting a commingled collection bin from Waste Management of Glenn County. Commercial recycling is included as part of your overall Waste Management service package at no additional cost. For your convenience we have included a brochure of services provided by Waste Management of Glenn County.

Businesses/ multi-family communities may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.

OPPORTUNITIES TO SAVE MONEY BY RECYCLING
In Glenn County, you can save money by recycling more and disposing less. Disposing of less saves you money by reducing your trash service.

OPPORTUNITIES TO SAVE RESOURCES AND HELP THE ENVIRONMENT
Recycling conserves resources and reduces greenhouse gas emissions. It extends the life of our landfills and helps create a healthy environment for our community and future generations.

WHERE TO GO FOR MORE INFORMATION
For more information on the Glenn County Commercial Recycling Services Program, please call Waste Management of Glenn County at (800) 479-8101.

For the latest information on Glenn County’s programs, please check our website at www.glennrecycles.net or contact the Glenn County Planning and Public Works Agency at (530) 934-6530 or (530) 865-2782.

Information about California’s business recycling requirements is available from the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov/climate/Recycling/default.htm.
Mandatory Commercial Recycling Made Easy!

All 341 (Chester) requires businesses and public entities that generate four or more cubic yards of commercial solid waste per week or multifamily residential dwellings of five units or more to arrange for recycling services by July 1, 2012.

Waste Management offers businesses the ease and convenience of single stream recycling. All your paper, cardboard, plastic, glass and metals go into a single container. Commercial recycling is included as part of your overall service package at no additional cost.

We have designed this program to be easy to implement, simple to use, and effective. Through this program and with your efforts we will extend the useful life of landfills, preserve natural resources, and improve the quality of our environment.

Program Highlights:
- Free recycling service
- Save money by reducing trash service
- Convenient commingled collection

For more information on the Glenn County commercial recycling services program please call: (800) 470-5101

Waste Management of Glenn County
3281 Hwy 95W
Canning, CA 95012

For the latest information on Glenn County’s programs, please check our website at http://www.glenn.org or call the Glenn County Planning and Public Works office: (530) 934-6530.

Glen County Planning & Public Works
Agency
Solid Waste Division
PO Box 1019
111 N. Cedar Street
Willows, CA 95988

Waste Bins & Recycling Containers To Fit Your Company’s Needs

In Glenn County, businesses come in all shapes and sizes. That's why Waste Management offers a wide variety of containers and waste bin types and sizes to accommodate the needs of its commercial customers.

For recycling, we offer 64-gallon wheeled carts, as well as 3-cubic yard bins.

Bin Size
Bin Dimensions
3-yard
6'6" W x 4'10" D x 4'11" H

For non-recyclable waste, we offer:
- Bins in 64- and 90-gallon sizes
- Bins from 1- to 6-cubic yards
- Debris boxes in 20- and 30-cubic yards

List of Acceptable Recycle Materials
- Aluminum: cans, clean foil and containers
- Metal: Tin and steel cans
- Glass: bottles, jars, and containers
- Corrugated
- Paper: newspaper, bags, catalogs, phone book, junk mail
- Construction paper, egg cartons, magazines, telephone books, and white paper
- Plastic: bottles, jars, and containers labeled numbers 1 through 7

Un-Acceptable Materials Include:
- Styrofoam
- Plastic film (including plastic bags)
- Food contaminated paper (pizza boxes, paper plates)
- Electronics (including TVs, computer monitors or laptops)
- Light bulbs (including CFLs)
- Garden trimmings or dirt
- Household hazardous waste

Commercial Hazardous Waste

If your business qualifies as a Conditional Exempt Small Quantity Generator (CESQG), Glenn County is developing a program that will help you properly dispose of items such as:
- Televisions
- Computer monitors
- Laptop computers
- Fluorescent bulbs
- CFL bulbs
- Mercury switches
- Thermometers
- VCRs
- Paint
- Batteries
- Cleaning supplies
- Motor oil/antifreeze
- Automotive parts

These items are not allowed in trash or recycling bins. CESQGs are defined as generators with 220 lbs. or 27 gallons or less of Household Hazardous Waste per month. Please contact Glenn County at 530-934-0288 for proper disposal procedures and information describing how the program works, if your business qualifies and disposal times.