

Attachment 1

Overview of Recent Solid Waste Law

The following is a summary of key legislation that affects the City's solid waste programs:

The California Integrated Waste Management Act of 1989

Generally regulates the disposal, management and recycling of solid waste. Requires a city, county or regional agency formed under the act to develop a source reduction and recycling element and divert 50% of the solid waste subject to the element. Allows the 50% to include not more than 10% through transformation (waste-to-energy processing).

AB 939

Adopted in 1989; requires all California cities to divert at least 50% of their waste by January 1, 2000 and report solid waste program activities to the State's solid waste agency.

AB 341

Adopted in 2012, requires mandatory commercial recycling and sets forth a state diversion goal of 75% by 2020 based on data that suggests that the commercial sector generates nearly 75% of the solid waste in California.

AB 1826

Adopted in 2014, requires mandatory commercial organics (food & green waste) recycling from businesses, and green waste recycling from multi-family units (5 or more units) by April 2016. Cities were also required to offer a food scrap recycling program (Manhattan Beach complied early in September 2015).

SB 1383

Adopted in 2016, City ordinance established January 1, 2022. Establishes measures to reduce short lived climate pollutants (e.g. methane gas) in various sectors. SB 1383 requires several programs, including mandatory organics recycling.

AB 1594

Eliminates allowing the use of green (yard) waste for alternative daily cover at landfills as a diversion credit in state reporting, starting in January 2020. Manhattan Beach is already in compliance with this regulation.

Green Fence (2013), National Sword (2016) & Blue Sky (2018)

China, a long-utilized destination for the West Coast's recycling material, adopted new standards related to the cleanliness, acceptance and marketability of the recyclable material it receives from other countries, most notably concerning plastics. The definition of "contamination" has broadened considerably along with a list of waste materials that are no longer accepted. These more stringent standards, and the rejection of loads that were previously accepted, have adversely affected the United States and California recycling industries, making recyclables either more expensive to process or eliminating recyclables from accepted lists for collection. In the 2018-2019 RFP process to award a new franchise agreement for solid waste hauling, all three proposers only listed plastics # 1, 2 and 5 as acceptable plastics for the recycling containers.

Green Fence (2013) was an aggressive inspection program to reduce the amount of contaminated waste and recyclables entering China. National Sword (2016) included strict contamination limits on recyclable materials and bans on the importation of certain types of solid waste. Blue Sky (2018) intended to reduce the illegal smuggling of banned solid waste and enforced the 0.5 percent contamination standard that was introduced during the National Sword.

AB 1857

Adopted in 2022, repealed the section of the 1989 provision authorizing agencies in CA to include 10% of their diversion through transformation (waste-to-energy). Transformation was redefined from recycling to disposal (landfill).