

City of Hermosa Beach



Formal Program Action Plan

In response to "30-day Letter" from California Department of Resource Recycling and Recovery, dated
January 28, 2020

The City of Hermosa Beach has developed multiple strategies for achieving compliance with organics recycling mandates (AB1826). Some of these strategies are in progress and others will be enacted in 2020 to ensure all affected entities are in full compliance with mandatory organics recycling requirements before year's end.

BACKGROUND

The City of Hermosa has a long history of ambitious programs and policies related to sustainability and specifically waste reduction. The City was one of the first in the State to enact a ban on polystyrene food take out containers (2012). The City complemented this in 2019 with a ban on almost all polystyrene products, many single-use plastics, mylar balloons, and more. Additionally, due to its implementation of mixed material recovery in its solid waste collection services, the City was in full compliance with the mandatory commercial recycling requirements of California State Assembly Bill 341 well before the final compliance deadlines.

In July of 2019, the Hermosa Beach City Council approved a new organics recycling service along with new solid waste rates designed to make organics service free to all customers both commercial and residential. These rates went into effect November 1, 2019 and include requirements for the franchised waste hauler to assist in outreach and programs to achieve compliance with solid waste regulations. Site visits to all AB1826 affected customers were performed by the City's franchised waste hauler (Athens Services) in October and November 2019. These visits informed customers of the new service and rates, educated about organics recycling, and offered additional assistance in setting up effective programs. By the end of 2019, twenty-eight customers had subscribed for service and thirty-four successfully filed for exemptions (based on CalRecycle-approved exemption criteria). This represents approximately 30% of total affected customers achieving compliance. These new rates and program also allow for a residential organics recycling service which will help ensure compliance with the upcoming requirements of SB1383.

The City is also in the process of crafting an Ordinance codifying these mandatory recycling laws (AB341 and AB1826, as well as SB1383) to make them part of the City's Municipal Code and make non-compliance a citable offense. This will not only give the City an effective enforcement tool but also ensure these laws are memorialized. The Ordinance is in draft form and will be brought for City Council approval in Spring 2020. This Ordinance will reference model ordinances and materials to be provided by CalRecycle in early 2020.

COMPLIANCE STRATEGIES

The City will continue site visits and outreach efforts introducing the new organics recycling service. These include waste audits and interviews to determine eligibility for exemptions. Outreach on the City website, social media channels and via direct mailing will continue as well.

The City also inspects all restaurants annually as part of storm water inspection mandate and will utilize these inspections to address organics recycling compliance.

Upon adoption of the mandatory recycling ordinance in Spring of 2020, the City will send targeted letters to non-compliant customers notifying of their violation, potential penalties, and options for achieving compliance. In conjunction with these notices, the City's waste hauler will be doing an additional round of site visits to non-compliant customers informing them of the mandates, detailing their services options, and determining if an exemption is appropriate. It is expected that this notice, along with site visits, will bring a significant number of customers into compliance.

In Fall of 2020, an analysis of customer data will be performed to determine compliance. This data will generate a list of customers that will then be sent second notices informing the customer that they will be delivered an organics cart to achieve compliance. Because the City has only approximately 220 customers that are affected by the requirements of AB1826, we are confident that the dual strategy of adopting a mandatory recycling ordinance and increased outreach will achieve compliance among a significant number of customers. As of January 2020, 60 of these 220 customers have either signed up for organics service or successfully applied for exemptions. Consequently, delivering carts to the final few non-compliant customers in Fall of 2020 will be logistically tenable and the Waste Hauler is committed to doing so via the franchise agreement. The fact that organics recycling service is free to these customers will also make this strategy politically more acceptable. Follow up audits will be performed before the end of 2020 and on an ongoing basis indefinitely, leading up to the full implementation of SB1383. This will ensure proper use of organics service as well as provide opportunities for educating customers on changes in requirements.

TIMELINE FOR COMPLIANCE STRATEGY IMPLEMENTATION

Program Development Activity	Description and Responsible Parties	Target Completion Date
Customer site visits and waste audits	Performed by Waste Hauler and City staff, site visits have been in progress since Fall of 2019 and will continue to: introduce the program, explain regulations, educate on-site staff, determine eligibility for exemptions, and monitor disposal behavior. These will continue indefinitely and focus on contamination as we transition to SB1383 compliance.	Ongoing
Mandatory Recycling Ordinance	City staff will draft and have adopted by City Council an Ordinance codifying mandatory recycling laws, including AB341, AB1826 and SB1383. This will be informed by model documents provided by CalRecycle in March.	April-May 2020
Notices of Violation	Notices will be sent to all non-compliant customers by the City. These will reference the newly adopted Municipal Code and require implementation of service or filing for exemption.	June-July 2020
Cart deliveries	Organics carts will be delivered by the waste hauler to all non-compliant customers to ensure participation. This to be followed by site visits by waste hauler to ensure proper use.	Fall 2020
Monitoring of Disposal Behavior	Both targeted and random waste audits will be performed by the waste hauler to determine customer disposal behavior for trash, recycling and organics. These will occur semi-annually ever after.	Ongoing

CONCLUSION

The City of Hermosa is confident that full compliance with AB1826 will be achieved in 2020. The City has taken the appropriate steps to develop a City-wide program that is no cost to customers and logistically flexible. We have identified the non-compliant customers and will focus our efforts on these customers. The adoption of a mandatory recycling ordinance will also position the City for future program requirements related to solid waste.