

Department of Resources, Recycling & Recovery

BUDGET NO. 3500

REPORT NO. 1

PUBLIC RESOURCES CODE

DIVISION 30. WASTE MANAGEMENT [40000. - 49620.]

(Division 30 added by Stats. 1989, Ch. 1096, Sec. 2.)

PART 7. OTHER PROVISIONS [47000. - 48706.]

(Part 7 added by Stats. 1989, Ch. 1095, Sec. 22.)

CHAPTER 1. Household Hazardous Substance Information and Collection [47000. - 47550.]

(Heading of Chapter 1 amended by Stats. 1990, Ch. 1355, Sec. 52.)

ARTICLE 3.4. Drug Waste Management and Disposal [47120. - 47126.]

(Article 3.4 added by Stats. 2007, Ch. 542, Sec. 1.)

47123.

Notwithstanding Section 7550.5 of the Government Code, no later than December 1, 2010, the board shall report to the Legislature. The report shall include an evaluation of the model programs for efficacy, safety, statewide accessibility, and cost effectiveness. The report shall include the consideration of the incidence of diversion of drugs for unlawful sale and use, if any. The report also shall provide recommendations for the potential implementation of a statewide program and statutory changes.

[\(Added by Stats. 2007, Ch. 542, Sec. 1. Effective January 1, 2008. Repealed as of January 1, 2013, pursuant to Section 47126.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX3-36	Gaines	Integrated waste management: transfer of authority.	Introduced 06/09/2009	10/26/2009 - Died at Desk.	Assembly-Died	Yes	Majority
ABX3-84	Gaines	Solid waste: resource recycling and recovery.	Introduced 09/10/2009	10/26/2009 - Died at Desk.	Assembly-Died	Yes	Majority
AB-1150	Gaines	Solid waste: resource recycling and recovery.	Amended Assembly 09/10/2009	02/02/2010 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Natural Resources	Yes	Majority
SBX3-39	Denham	Integrated waste management: transfer of authority.	Introduced 06/09/2009	10/26/2009 - From committee without further action.	Senate-Died - Rules	Yes	Majority
SB-44	Denham	Integrated waste management.	Amended Senate 04/13/2009	02/01/2010 - Returned to Secretary of Senate pursuant	Senate-Died - Environmental Quality	Yes	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				to Joint Rule 56.			
SB-966	Simitian, Kuehl	Pharmaceutical drug waste disposal.	Chaptered 10/12/2007	10/12/2007 - Chaptered by Secretary of State. Chapter 542, Statutes of 2007.	Secretary of State-Chaptered	Yes	Majority

COMMENTS/ RECOMMENDATIONS:

According to the Department of Resources, Recycling and Recovery, this one-time report was completed.

REPORT NO. 2

PUBLIC RESOURCES CODE

DIVISION 30. WASTE MANAGEMENT [40000. - 49620.]

(Division 30 added by Stats. 1989, Ch. 1096, Sec. 2.)

PART 1. INTEGRATED WASTE MANAGEMENT [40000. - 40511.]

(Part 1 added by Stats. 1989, Ch. 1096, Sec. 2.)

CHAPTER 3. Department of Resources Recycling and Recovery [40400. - 40511.]

(Heading of Chapter 3 amended by Stats. 2009, Ch. 21, Sec. 7.)

ARTICLE 3. Powers and Duties [40501. - 40511.]

(Article 3 added by Stats. 1989, Ch. 1095, Sec. 22.)

40507.

(a) On or before March 1 of each year, the board shall file an annual report with the Legislature highlighting significant programs or actions undertaken by the board to implement programs pursuant to this division during the prior calendar year. The report shall include, but is not limited to, the information described in subdivision (b).

(b) Commencing January 1, 1997, the board shall file annual progress reports with the Legislature covering the activities and actions undertaken by the board in the prior fiscal year. The board shall prepare, and may electronically file with the Legislature, the progress reports throughout the calendar year, as determined by the board, on the following programs:

- (1) The local enforcement agency program.
- (2) The research and development program.
- (3) The public education program.
- (4) The market development program.
- (5) The used oil program.
- (6) The planning and local assistance program.
- (7) The site cleanup program.

(c) The progress report shall specifically include, but is not limited to, all of the following information:

(1) Pursuant to paragraph (1) of subdivision (b), the status of the certification and evaluation of local enforcement agencies pursuant to Chapter 2 (commencing with Section 43200) of Part 4.

(2) Pursuant to paragraph (2) of subdivision (b), all of the following information:

(A) The results of the research and development programs established pursuant to Chapter 13 (commencing with Section 42650) of Part 3.

(B) A report on information and activities associated with the establishment of the Plastics Recycling Information Clearinghouse, pursuant to Section 42520.

(C) A report on the progress in implementing the monitoring and control program for the subsurface migration of landfill gas established pursuant to Section 43030, including recommendations, as needed, to improve the program.

(D) A report on the comparative costs and benefits of the recycling or conversion processes for waste tires funded pursuant to Chapter 17 (commencing with Section 42860) of Part 3.

(3) Pursuant to paragraph (3) of subdivision (b), all of the following information:

(A) A review of actions taken by the board to educate and inform individuals and public and private sector entities who generate solid waste on the importance of source reduction, recycling,

and composting of solid waste, and recommendations for administrative or legislative actions which will inform and educate these parties.

(B) A report on the effectiveness of the public information program required to be implemented pursuant to Chapter 12 (commencing with Section 42600) of Part 3, including recommendations on administrative and legislative changes to improve the program.

(C) A report on the status and effectiveness of school district source reduction and recycling programs implemented pursuant to Chapter 12.5 (commencing with Section 42620) of Part 3, including recommendations on administrative and legislative changes to improve the program's effectiveness.

(D) A report on the effectiveness of the integrated waste management educational program and teacher training plan implemented pursuant to Part 4 (commencing with Section 71300) of Division 34, including recommendations on administrative and legislative changes which will improve the program.

(E) A summary of available and wanted materials, a profile of the participants, and the amount of waste diverted from disposal sites as a result of the California Materials Exchange Program established pursuant to subdivision (a) of Section 42600.

(4) Pursuant to paragraph (4) of subdivision (b), all of the following information:

(A) A review of market development strategies undertaken by the board pursuant to this division to ensure that markets exist for materials diverted from solid waste facilities, including recommendations for administrative and legislative actions which will promote expansion of those markets. The recommendations shall include, but not be limited to, all of the following:

(i) Recommendations for actions to develop more direct liaisons with private manufacturing industries in the state to promote increased utilization of recycled feedstock in manufacturing processes.

(ii) Recommendations for actions which can be taken to assist local governments in the inclusion of recycling activities in county overall economic development plans.

(iii) Recommendations for actions to utilize available financial resources for expansion of recycling industry capacity.

(iv) Recommendations to improve state, local, and private industry product and material procurement practices.

(B) Development and implementation of a program to assist local agencies in the identification of markets for materials that are diverted from disposal facilities through source reduction, recycling, and composting pursuant to Section 40913.

(C) A report on the Recycling Market Development Zone Loan Program conducted pursuant to Article 3 (commencing with Section 42010) of Chapter 1 of Part 3.

(D) A report on implementation of the Compost Market Program pursuant to Chapter 5 (commencing with Section 42230) of Part 3.

(E) A report on the progress in developing and implementing the comprehensive Market Development Plan, pursuant to Article 2 of Chapter 1 (commencing with Section 42005) of Part 3.

(F) The number of retreaded tires purchased by the Department of General Services during the prior fiscal year pursuant to Section 42414.

(G) The results of the study performed in consultation with the Department of General Services pursuant to Section 42415 to determine if tire retreads, procured by the Department of General Services, have met all quality and performance criteria of a new tire, including any recommendations to expand, revise, or curtail the program.

- (H) The number of recycled lead-acid batteries purchased during the prior fiscal year by the Department of General Services pursuant to Section 42443.
- (I) A list of established price preferences for recycled paper products for the prior fiscal year pursuant to paragraph (1) of subdivision (c) of Section 12162 of the Public Contract Code.
- (J) A report on the implementation of the white office paper recovery program pursuant to Chapter 10 (commencing with Section 42560) of Part 3.
- (5) Pursuant to paragraph (5) of subdivision (b), both of the following information:
- (A) A report on the annual audit of the used oil recycling program established pursuant to Chapter 4 (commencing with Section 48600) of Part 7.
- (B) A summary of industrial and lubricating oil sales and recycling rates, the results of programs funded pursuant to Chapter 4 (commencing with Section 48600) of Part 7, recommendations, if any, for statutory changes to the program, including changes in the amounts of the payment required by Section 48650 and the recycling incentive, and plans for present and future programs to be conducted over the next two years.
- (6) Pursuant to paragraph (6) of subdivision (b), all of the following information:
- (A) The development by the board of the model countywide or regional siting element and model countywide or regional agency integrated waste management plan pursuant to Section 40912, including its effectiveness in assisting local agencies.
- (B) The adoption by the board of a program to provide assistance to cities, counties, or regional agencies in the development and implementation of source reduction programs pursuant to subdivision (c) of Section 40912.
- (C) The development by the board of model programs and materials to assist rural counties and cities in preparing city and county source reduction and recycling elements pursuant to Section 41787.3.
- (D) A report on the number of tires that are recycled or otherwise diverted from disposal in landfills or stockpiles.
- (E) A report on the development and implementation of recommendations, with proposed implementing regulations, for providing technical assistance to counties and cities that meet criteria specified in Section 41782, so that those counties and cities will be able to meet the objectives of this division. The recommendations shall, among other things, address both of the following matters:
- (i) Assistance in developing methods of raising revenue at the local level to fund rural integrated waste management programs.
- (ii) Assistance in developing alternative methods of source reduction, recycling, and composting of solid waste suitable for rural local governments.
- (F) A report on the status and implementation of the “Buy Recycled” program established pursuant to subdivision (d) of Section 42600, including the waste collection and recycling programs established pursuant to Sections 12164.5 and 12165 of the Public Contract Code.
- (7) Pursuant to paragraph (7) of subdivision (b), a description of sites cleaned up under the Solid Waste Disposal and Codisposal Site Cleanup Program established pursuant to Article 2.5 (commencing with Section 48020) of Chapter 2 of Part 7, a description of remaining sites where there is no responsible party or the responsible party is unable or unwilling to pay for cleanup, and recommendations for any needed legislative changes.
- [\(Amended by Stats. 2005, Ch. 22, Sec. 164. Effective January 1, 2006.\)](#)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-54		Solid waste.	Chaptered 10/04/1993		-		
AB-626		Integrated waste management: advisory committee: reports: solid waste disposal: financial assurances.	Chaptered 09/29/1996		-		
AB-939		Solid waste management, source reduction, recycling, composting, and market development.	Chaptered 09/30/1989		-		
AB-1515		Waste management.	Chaptered 10/09/1991		-		
AB-1548	Pavley	Office of Education on the Environment.	Chaptered 10/03/2003	10/03/2003 - Chaptered by Secretary of State - Chapter 665, Statutes of 2003.	-		
AB-1939	Vincent, Margett	Solid waste diversion requirements: nonburn transformation.	Introduced 02/15/2000	11/30/2000 - From committee without further action.	-	Yes	Majority
AB-2067	Washington	Solid waste diversion requirements: nonburn transformation: County of Los Angeles.	Introduced 02/22/2000	11/30/2000 - From committee without further action.	-	Yes	Majority
AB-2494		Solid waste: plans: source reduction and recycling elements.	Chaptered 09/30/1992		-		
AB-3992		Solid waste.	Chaptered 09/27/1990		-		
SB-46	Sher	Solid waste management.	Enrolled 09/09/1999	01/10/2000 - Stricken from Senate file. Veto sustained.	-		
SB-600	Committee on Judiciary	Maintenance of the codes.	Chaptered 07/14/2003	07/14/2003 - Chaptered by Secretary of State. Chapter 62, Statutes of 2003. 07/14/2003 - Approved by Governor.	-		
SB-1108	Committee on Judiciary	Maintenance of the codes.	Chaptered 06/28/2005	06/28/2005 - Chaptered by Secretary of State. Chapter	-	No	Majority

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
				22, Statutes of 2005.			
SB-1195	Denham	Solid waste: annual progress report.	Introduced 02/09/2004	11/30/2004 - From committee without further action.	-	No	Majority
SB-1526	Romero	Waste: out-of-state hazardous waste disposal: zero waste goal: conversion technology: out-of-state solid waste disposal.	Amended Senate 05/01/2002	11/30/2002 - Died on file.	-	Yes	Majority
SB-1587	Romero	Solid waste: landfill facilities: disposal sites.	Amended Senate 05/23/2002	11/30/2002 - From committee without further action.	-	Yes	Majority
SB-2061		Enforcement agencies: training and technical assistance: solid waste facilities: wood waste.	Chaptered 09/29/1992		-		

COMMENTS/ RECOMMENDATIONS:

The Department is recommending modifying the reporting requirements to delete portions they deem no longer relevant. The Legislature may wish consider delaying action until a specific proposal is submitted.

REPORT NO. 3

PUBLIC RESOURCES CODE

DIVISION 30. WASTE MANAGEMENT [40000. - 49620.]

(Division 30 added by Stats. 1989, Ch. 1096, Sec. 2.)

PART 2. INTEGRATED WASTE MANAGEMENT PLANS [40900. - 41956.]

(Part 2 added by Stats. 1989, Ch. 1095, Sec. 22.)

CHAPTER 7. Approval of Local Planning [41800. - 41851.]

(Chapter 7 added by Stats. 1989, Ch. 1095, Sec. 22.)

ARTICLE 3. Other Provisions [41820.5. - 41822.]

(Article 3 added by Stats. 1989, Ch. 1095, Sec. 22.)

41821.5.

(a) Disposal facility operators shall submit to counties information from periodic tracking surveys on the disposal tonnages by jurisdiction or region of origin that are disposed of at each disposal facility. To enable disposal facility operators to provide that information, solid waste handlers and transfer station operators shall provide information to disposal facility operators on the origin of the solid waste that they deliver to the disposal facility.

(b) Recycling and composting facilities shall submit periodic information to counties on the types and quantities of materials that are disposed of, sold to end users, or that are sold to exporters or transporters for sale outside of the state, by county of origin. When materials are sold or transferred by one recycling or composting facility to another, for other than an end use of the material or for export, the seller or transferrer of the material shall inform the buyer or transferee of the county of origin of the materials. The reporting requirements of this subdivision do not apply to entities that sell the byproducts of a manufacturing process.

(c) Each county shall submit periodic reports to the cities within the county, to any regional agency of which it is a member agency, and to the board, on the amounts of solid waste disposed by jurisdiction or region of origin, as specified in subdivision (a), and on the categories and amounts of solid waste diverted to recycling and composting facilities within the county or region, as specified in subdivision (b).

(d) The board may adopt regulations pursuant to this section requiring practices and procedures that are reasonable and necessary to perform the periodic tracking surveys required by this section, and that provide a representative accounting of solid wastes that are handled, processed, or disposed. Those regulations or periodic tracking surveys approved by the board shall not impose an unreasonable burden on waste handling, processing, or disposal operations or otherwise interfere with the safe handling, processing, and disposal of solid waste.

(e) On or before January 1, 2002, the board shall submit a report to the Legislature that evaluates the implementation of this section. The report shall include, but not be limited to, all of the following:

- (1) An evaluation of the accuracy of the disposal reporting system under differing circumstances.
- (2) The status of implementation of the disposal reporting system at the local level by waste haulers, landfills, transfer station and material recovery operators, and local agencies.
- (3) The need for modification of the disposal reporting system to improve accuracy.
- (4) Recommendations for regulatory and statutory changes needed to address deficiencies in the disposal reporting system.

(5) Recommendations to improve implementation and to streamline the reporting system, including ways to assist agencies to meet the reporting and tracking requirements.

(f) The board shall convene a working group composed of representatives of stakeholder groups, including, but not limited to, cities, counties, regional agencies, the solid waste industry, recyclers, and environmental organizations, to assist the board in preparing the report required pursuant to subdivision (e).

(Amended by Stats. 2000, Ch. 740, Sec. 10. Effective January 1, 2001.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
ABX3-36	Gaines	Integrated waste management: transfer of authority.	Introduced 06/09/2009	10/26/2009 - Died at Desk.	Assembly-Died	Yes	Majority
ABX3-84	Gaines	Solid waste: resource recycling and recovery.	Introduced 09/10/2009	10/26/2009 - Died at Desk.	Assembly-Died	Yes	Majority
AB-688		Solid waste: planning: diversion requirements.	Chaptered 09/30/1994		-		
AB-1090	Matthews	Solid waste: diversion: conversion.	Amended Assembly 01/09/2006	01/31/2006 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.	-	Yes	Majority
AB-1150	Gaines	Solid waste: resource recycling and recovery.	Amended Assembly 09/10/2009	02/02/2010 - From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.	Assembly-Died - Natural Resources	Yes	Majority
AB-1431	Committee on Accountability and Administrative Review	Government reports.	Amended Assembly 01/24/2012	01/31/2012 - In Senate. Read first time. To Com. on RLS. for assignment.	Senate-Pending Referral	Yes	Majority
AB-2494		Solid waste: plans: source reduction and recycling elements.	Chaptered 09/30/1992		-		
SBX3-39	Denham	Integrated waste management: transfer of authority.	Introduced 06/09/2009	10/26/2009 - From committee without further action.	Senate-Died - Rules	Yes	Majority
SB-44	Denham	Integrated waste management.	Amended Senate 04/13/2009	02/01/2010 - Returned to Secretary of Senate pursuant to Joint Rule 56.	Senate-Died - Environmental Quality	Yes	Majority
SB-2202	Committee on Environmental	Solid waste management:	Chaptered 09/27/2000	09/27/2000 - Chaptered by	-		

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
	Quality	diversion: reports.		Secretary of State. Chapter 740, Statutes of 2000.			

COMMENTS/ RECOMMENDATIONS:

This one-time report was required of the Integrated Waste Management board in 2002, the precursor to the Department of Resources, Recycling, and Recovery.