

FRIDAY, MAY 6, 2022

PERSPECTIVE

## California law doesn't allow food waste to go into landfills, but few know about it

By Beth Hummer

On Jan. 1, 2022, California law no longer permits food waste to be disposed of in landfills. To understand why requires a small detour into climate science.

Methane and carbon dioxide (CO<sub>2</sub>) emissions affect the “earth’s temperature and climate system,” according to the U.S. Environmental Protection Agency. While 2020 data show CO<sub>2</sub> makes up 79% of greenhouse gas (GHG) emissions worldwide, the 20% methane contribution matters. The EPA has stated that “Methane is more than 25 times as potent as CO<sub>2</sub> at trapping heat in the atmosphere.”

However, this comparison is incomplete. While CO<sub>2</sub> may have longer lasting effects, methane’s first 20 years of warming power is 84 times that of CO<sub>2</sub>. Methane also oxidizes in the atmosphere to water vapor and CO<sub>2</sub>, thereby adding more CO<sub>2</sub>. So, reducing methane emission goes a long way, fast, in the battle against climate change.

The good news is that small changes can significantly reduce anthropogenic – human caused – methane emissions.

California is taking the lead on one strategy to reduce methane emissions by removing food waste from landfills. SB 1383, enacted in 2016, demonstrated California’s foresight on methane. The bill amended and added to the Public Resources and Health and Safety Codes requirements that the California Air Resources Board (CARB) and CalRecycle work together to reduce methane emissions from livestock and dairy manure management operations,



New York Times News Service

and for CalRecycle to adopt regulations to meet waste reduction goals for organic waste in landfills. (Public Resources Code § 42652.5.) Those regulations went into effect Jan. 1. (Title 14, California Code of Regulations §§18981.1 and 18981.2.), as new data tell a more complete story of just how destructive methane emissions are to our environment.

SB 1383 requires every California jurisdiction that collects solid waste to provide organic waste collection services as well. (Public Resources Code § 42652.5.) Californians living in single family homes and small multifamily buildings must sort their waste to separate organic from other waste and participate in their local jurisdiction’s waste collection program, with some minor exceptions. For multifamily complexes

of five units or more, the complex is obligated to collect organic waste from residents and employees, supply adequately-sized containers in sufficient numbers to collect self-sorted organic waste, and to educate employees and tenants about how to properly sort organic waste into the correct bins.

The bad news is that word appears to be getting out slowly. Anecdotal evidence points to apartment dwellers receiving food waste pails from their landlords, with no explanation about their use or the new rule requiring food waste to be separated from other trash. The regulations went into effect January 1, but it was not until April that CalRecycle started running public service announcements about them on local radio.

Recycling requirements can be

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opaque and confusing. Without knowing the “why” for these rules, it’s nearly impossible to learn the “how” necessary to comply. For example, pizza boxes cannot be recycled because the grease that saturates the cardboard cannot be separated from the paper fibers during the pulping process. Yet used pizza boxes frequently end up in cardboard recycling bins. The public can easily fall into wish-cycling a/k/a/ aspirational recycling, which harms (and defeats) the recycling process. Putting the wrong thing into recycling often creates more waste, because the

contaminated recycled material cannot be salvaged, or it destroys waste sorting equipment.

Just as recycling contaminated with non-recyclable items can wreak havoc on our solid waste management system, putting the wrong type of organics into your compost bin can create a smelly unpleasant mess. Now that collection of home food waste is starting, composters used to keeping meat and dairy products out of their compost bins may find the new organic food waste rules in their jurisdiction baffling. For example, the City of Santa Monica’s

organic waste collection program permits meat and dairy waste in their food waste.

For Californians without a backyard for a compost bin, the kitchen food waste pail presents particular challenges. CalRecycle’s suggestion that food waste be stored in plastic bags in the freezer both generates waste – the plastic bag – and seems unlikely to be something the public will be willing to do. The best way to keep ahead of the smell (and flies) from decomposing food scraps is to empty that pail regularly and backstop fly control with a nearby flytrap

made from apple cider vinegar with a couple drops of dish soap.

SB 1383 gives jurisdictions two years to work out the kinks in organic waste recycling before waste generators are penalized for not complying with the rules. (Public Resources Code §42652.5(a)(1) and (a)(6)). Let’s hope CalRecycle and local jurisdictions step up their game to educate Californians on the whys and hows of these rules. SB 1383 gives us two years to get this right, but climate change data tells us we don’t have two years. We need to get organic waste out of our landfills, now.