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City Administrator's Office

MEMORANDUM

TO: HONORABLE MAYOR &
CITY COUNCIL

FROM: Vitaly B. Troyan, P.E.

SUBJECT: StopWaste.Org Countywide Ordinances

DATE: February 9, 2012

City Administrator
Approval

Slava John

Date

2/15/12

INFORMATION

Summary

On January 25, 2012, the Alameda County Waste Management Authority adopted ordinances on mandatory recycling and single-use bag distribution, which will be effective countywide. The mandatory recycling ordinance requires larger businesses and multi-family properties to recycle. The bag ordinance prohibits free distribution of single-use bags at check-out in stores that sell packaged food. Both ordinances, aimed at reducing solid waste and litter, were identified as long-term waste reduction strategies in StopWaste.Org's 2010 Strategic Plan. StopWaste.Org is the Alameda County Waste Management Authority and the Alameda County Source Reduction and Recycling Board operating as one public agency.

Mandatory Recycling

Effective July 1, 2012, businesses generating four or more cubic yards of solid waste per week, and multi-family owners/managers (five units or more), will be required to obtain recycling collection services for paper, cardboard, and beverage and food containers. Effective July 1, 2014, these customers will be required to add organics collection. This ordinance is consistent with the recycling requirements imposed statewide by AB 341, but clarifies which materials must be recycled and requires that an adequate level of recycling service be obtained. The ordinance allows for businesses that are unable to obtain recycling services at a reasonable cost to apply to StopWaste.Org for waivers, an important provision for Oakland, where commercial recycling services are not provided through the garbage franchise.

StopWaste.Org staff will enforce the mandatory recycling ordinance, but will issue notices of violation only with written authorization by the local jurisdiction; the specific form and content of such authorization have not yet been determined. Enforcement will be focused on outreach and education about the covered materials, rather than on fines and penalties. Notices of violation would not be issued before January 1, 2013.

To: Honorable Mayor & City Council
Subject: StopWaste.Org County-wide Ordinances
Date: February 9, 2012

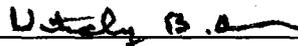
page 2

Single-Use Bag Reduction

Effective January 1, 2013, the adopted Single-Use Bag Reduction Ordinance bans single-use plastic carryout bags in Alameda County. The Ordinance allows that recycled-content paper bags may be provided if the retailer charges a minimum price of \$0.10 per bag. The ordinance applies to stores with sales of packaged food, including drug stores, large stores selling packaged food, pharmacies, supermarkets, grocery stores, convenience food stores, and liquor stores. The ordinance excludes restaurants, take-out food establishments, retail stores not selling packaged food, and charitable thrift stores. Enforcement will be administered and coordinated by StopWaste.Org, with the local jurisdiction assistance in disseminating information to affected businesses.

The single-use bag ordinance is consistent with the City of Oakland ordinance banning plastic bags, which was rescinded in response to a 2008 court finding that the City had not conducted sufficient assessment of the environmental impacts. StopWaste.Org, recognizing Oakland's experience and legal challenges to similar ordinances adopted by California cities, conducted a full environmental review of the ordinance and certified an Environmental Impact Report prior to adoption.

Respectfully submitted,



Vitaly B. Troyan, P.E.
Director, Public Works Agency

For questions please contact Susan Kattchee, Environmental Services Manager, 238-6382.