



CITY OF GLENDALE CALIFORNIA
REPORT TO CITY COUNCIL

December 6, 2011

AGENDA ITEM

Report Regarding Glendale Zero Waste Action Plan

- (1) Zero Waste Resolution
- (2) Extended Producer Responsibility Resolution

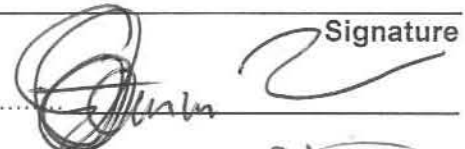
COUNCIL ACTION

Public Hearing [] Ordinance [] Consent Calendar [] Action Item Report Only []
 Approved for December 6, 2011, calendar

ADMINISTRATIVE ACTION

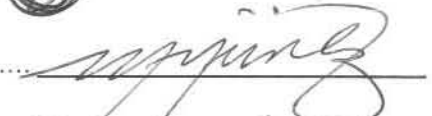
Submitted

Stephen M. Zurn, Director of Public Works

 Signature


Prepared

Mario F. Nunez, Integrated Waste Administrator.....



Approved

James Starbird, City Manager.....



Reviewed

Michael Garcia, City Attorney.....



Christina R. Sansone, General Counsel.....



RECOMMENDATION

It is respectfully recommended that the Glendale City Council adopt the attached zero waste and extended producer responsibility resolutions. Adoption of the resolutions is a key component of the recently completed Glendale Zero Waste Action Plan to guide the City's waste management policies in the coming decades. The policies and actions in the Plan will enable the City to meet increasingly ambitious State waste diversion mandates and substantially reduce waste-related environmental impacts, particularly the air emissions that lead to global warming.

SUMMARY

The Public Works Department directed the preparation of a Zero Waste Strategic Plan in order to reduce the environmental impact of waste management and meet State waste diversion mandates. Those mandates are guided by the State's zero waste goal and the waste reduction initiatives tied to AB 32, the Global Warming Solutions Act and AB 341. The zero waste and extended producer responsibility resolutions are two key policy recommendations of the Zero Waste Plan.

FISCAL IMPACT

While there are no immediate fiscal impacts from adopting the resolutions, the Zero Waste Strategic Plan lists potential costs of \$350,000/year. Those costs are divided between: (1) \$200,000/year to pay a substantial portion of the costs of servicing additional commercial recycling accounts under State-required mandatory commercial recycling, and (2) \$150,000/year to pay for business and institution waste reduction services (workshops, waste audits, technical assistance, educational materials, and a recognition program). Those costs roughly match the increased revenue the City began receiving in 2011 from a 5% increase (from 15% to 20% of gross receipts) in private refuse hauler AB 939 fees, which are designed to help pay for the City's commercial waste reduction expenses.

BACKGROUND

In April 2010 the Public Works Department awarded a contract to Zero Waste Associates for the preparation of a Zero Waste Strategic Plan. The consultants reviewed all City programs and resources associated with our waste reduction efforts, reviewed both current and pending regulations and conducted five widely-publicized business and public workshops on zero waste options in September and October 2010. A draft of the plan was completed late last year and has been reviewed and updated as we have both continued our efforts towards the review of waste conversion options and revisions to State regulations related to recycling and waste reduction.

The adoption of a zero waste goal by the State of California and several other agencies and companies is being driven by the recognition of the multiple economic and environmental benefits of reducing the generation and disposal of waste. The most cost-effective waste reduction strategies aim to eliminate waste at the source, instead of managing it once produced, and the Zero Waste Plan includes recommendations for commercial waste reduction services and a plastic bag ban that exemplify that fact. However, the Plan relies on two main strategies to meet the goal of 75% waste reduction by 2020 and 90% by 2030.

The first strategy directly responds to the expected California Air Resources Board (CARB) commercial recycling mandate, which is being driven by AB 32, the Global Warming Solutions Act. The most effective response to that mandate will be to require that all Glendale commercial discards be subject to either source separation of recyclables or be taken to a certified mixed waste processing facility with a high recycling rate. However, this action by the CARB was preempted by the recent passage and signing of AB 341 (Chesbro) which includes a provision for mandatory recycling for commercial and multi family buildings. In order for the City to meet that mandate for City-collected waste, the Glendale Recycling Center will need to be permitted as a large volume transfer/processing facility that can process mixed waste. A proposed amendment to the contract with the Allan Company for the operation of the Center will be presented to the Council in December to accomplish that goal. That amendment will address needed changes to the Center and our relationship with the Allan Company.

The second strategy involves increasing the diversion of food waste, food-contaminated paper, and other organic waste. The most cost-effective strategy involves both changes to the Recycling Center and the development of a waste conversion facility at Scholl Canyon Landfill. The latter subject is currently being considered through a feasibility study and Request for Qualification process to

determine the appropriate firm(s) and type or types of conversion technology processes that best meet the City's goals. While it is too early to discuss the conclusions of that study, the Zero Waste Plan made a recommendation that the City at a minimum develop an anaerobic digestion (AD) facility at the Scholl Canyon Landfill since that technology is the lowest cost waste conversion technology and is the only such technology that qualifies for State waste diversion credit and Renewable Portfolio Standard (green energy) credit. In order to supply such a facility with organic waste, the Recycling Center could be designed to remove food and organic waste from mixed waste for processing at an AD facility in addition to all yard waste and other organic waste currently disposed of at Scholl Canyon landfill. This classification of waste constitutes about 40% of the total waste stream that is delivered to the landfill.

While these programs indicate how a zero waste goal could be implemented, it is important for the City Council to adopt a broad zero waste resolution to guide City policy in this area. The attached draft resolution provides the background on the agencies, including the State of California, that have adopted zero waste goals. It notes that zero waste principles "promote the highest and best use of materials to eliminate waste and pollution, emphasizing a closed-loop system of production and consumption." The resolution then calls for the City to adopt a zero waste goal to achieve 75% waste diversion by 2020 and 90% diversion by 2030. It should be noted that in regards to the latter the previously mentioned AB 341 that was recently passed also included a requirement that all public agencies increase the minimum for waste diversion from disposal in landfills from the current 50% to 75% by 2020.

A second recommended resolution supports the policy of extended producer responsibility (EPR) of hazardous products that have restrictions on disposal. In the past, local governments have been primarily responsible for the handling of such hazardous products as fluorescent bulbs and tubes, batteries, sharps, and electronic waste. In order to increase producer responsibility for such waste products, the City is a member of the California Product Stewardship Council that advocates on behalf of EPR legislation and policies. Currently, CalRecycle, the National League of Cities, the National Association of Counties, and the US Conference of Mayors are supporting EPR framework legislation. Such legislation will give producers the incentive to design products to make them less toxic, more durable, and easier to reuse and recycle. The draft resolution authorizes the Public Works Director to send letters on behalf of EPR legislation and related regulations when deemed appropriate.

In order to provide a framework for City policy in the area of waste management, it is recommended that the Council adopt the draft resolutions regarding establishing a zero waste goal and extended producer responsibility.

EXHIBITS

- A. Draft Resolution of the City of Glendale Establishing a Zero Waste Goal for the City of Glendale.
- B. Draft Resolution of the City of Glendale Supporting Extended Producer Responsibility.
- C. Zero Waste Action Plan Executive Summary.

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA
ESTABLISHING A ZERO WASTE GOAL FOR THE CITY OF GLENDALE**

WHEREAS, a resource management-based economy will create and sustain more productive and meaningful jobs; and,

WHEREAS, through the application of innovative policies, programs and facilities, virtually all resources can be recovered; and

WHEREAS, with the appropriate economic incentives, manufacturers will produce and sell products that are durable and repairable - that can be safely recycled back into the marketplace or nature - and will package items in materials that are recyclable or can be returned to nature; and

WHEREAS, local governments in California are empowered to establish policies and programs to eliminate waste, to create the economic and regulatory environment in which to achieve Zero Waste, and to lead by example; and

WHEREAS, the California Integrated Waste Management Act of 1989 (AB 939) requires that all California jurisdictions achieve a landfill diversion rate of 50% by the year 2000, and reduce, reuse, recycle, and compost all discarded materials to the maximum extent feasible before any landfilling or other destructive disposal method is used; and

WHEREAS, in 2001 the California Integrated Waste Management Board set a goal of Zero Waste in its strategic plan for the state; and

WHEREAS, local governments worldwide have adopted a goal of achieving Zero Waste, including: the counties of Santa Cruz, San Luis Obispo, Marin and Del Norte in California; the cities of Los Angeles, Burbank, Culver City, Oceanside, El Cajon, San Francisco, Sacramento, Oakland, San Jose, Palo Alto, Sunnyvale, Mountain View, Fairfax and Berkeley in California; Seattle, Washington; Chicago, Illinois; Boulder City, Boulder County, and Telluride, Colorado; Austin, Texas; Toronto, Canada, and 66% of New Zealand's local government councils; and

WHEREAS, some businesses in the United States are leading the way to Zero Waste including: Vons/Safeway, Toyota, Honda, Ricoh Electronics; and other businesses and institutions have adopted Zero Waste goals, including Wal-Mart, Disney Studios, and the University of California system; and all Zero Waste businesses save money, increase efficiencies, reduce their liabilities, and decrease their greenhouse gas emissions; and

WHEREAS, Zero Waste principles promote the highest and best use of materials to eliminate waste and pollution, emphasizing a closed-loop system of production and consumption, moving in logical increments toward the goal of Zero Waste through the core principles of:

- Pursuing 'upstream' re-design strategies to reduce the volume and toxicity of discarded products and materials, and promote low-impact lifestyles;
- Improving 'downstream' reuse, recycling and composting of end-of-life products and materials to ensure their highest and best use;
- Fostering and supporting use of discarded products and materials to reinvest in the local economy and create good green jobs; and

WHEREAS, most Zero Waste communities in California have selected an interim target of between 70-75% waste diversion within about 5 years, and 90% waste diversion by 2020-2025; and Glendale posted a diversion rate of 60% in 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

1. That the Council hereby adopts a Zero Waste Goal to achieve 75% waste diversion by 2020 of the current disposal tonnage of 162,000 tons per year, and 90% waste diversion by 2030; and,
2. Glendale will partner with other Zero Waste and sustainability advocates to actively pursue and advocate strategies and incentives to advance Zero Waste principles for resource management, system re-design, highest and best use of discarded products and materials, and a closed-loop sustainable society.

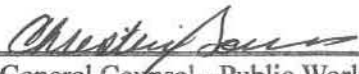
Adopted this _____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM



General Counsel - Public Works

Date: 12-1-11

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

I, ARDASHES KASSAKHIAN, City Clerk of the City of Glendale, certify that the foregoing Resolution No. _____ was adopted by the City Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2011, by the following vote:

Ayes:

Noes:

Absent:

RESOLUTION NO. _____

**RESOLUTION OF THE CITY OF GLENDALE
SUPPORTING EXTENDED PRODUCER
RESPONSIBILITY**

WHEREAS, approximately 149,000 tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of roughly \$49.00 per ton; and

WHEREAS, on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

WHEREAS, said Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, as well as electronic devices such as video cassette recorders, microwave ovens, cellular phones, cordless phones, printers, and radios; and

WHEREAS, it is anticipated that the list of Universal and other waste products determined to be hazardous and therefore banned from landfills will continue to grow as demonstrated by the ban on treated wood effective January 2007 and medical sharps in September 2008; and

WHEREAS, state policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

WHEREAS, Universal Waste management costs are currently paid by taxpayers and rate payers and are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, local governments do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal; and

WHEREAS, the City has spent roughly \$20,000 in the past year to recycle household batteries alone, apart from the cost to recycle other hazardous products such as fluorescent light tubes and medical sharps; and

WHEREAS, the Glendale City Council supports statewide efforts to have producers share in the responsibility for Universal Waste products and other product waste management costs; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, pharmaceuticals, and other products; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers assume financial responsibility for management of waste products and which has been shown to be effective; and

WHEREAS, when products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, EPR framework legislation establishes transparent and fair principles and procedures for applying EPR to categories of products for which improved design and management infrastructure is in the public interest; and

WHEREAS, the California Product Stewardship Council (CPSC) is an organization of California local governments working to speak with one voice in promoting transparent and fair EPR systems in California; and

WHEREAS, the City of Glendale has already demonstrated its support for producer responsibility through its membership in the California Product Stewardship Council; and

WHEREAS, the City of Glendale wishes to incorporate EPR policies into the City's and County's product procurement practices to reduce costs and protect public health and the environment; and

WHEREAS, in January 2008 the California Integrated Waste Management Board, now known as CalRecycle, adopted a Framework for an EPR System in California; and

WHEREAS, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR, and in November 2009 the National League of Cities adopted EPR policy, and in June 2010 the US Conference of Mayors adopted a resolution in support of EPR.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

1. That by adoption of this Resolution, the City Council urges CalRecycle to continue taking timely action to implement the Framework for an EPR System in California to manage problematic products, and to urge the Department of Toxic Substances Control to implement the Green Chemistry initiative to manage Universal and other toxic products; and

2. That the Council of City of Glendale urges the California Legislature to enact product specific and framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and

3. That the Public Works Director of City of Glendale be authorized to send letters to the California State Association of Counties, CalRecycle, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation and related regulations when deemed appropriate; and

4. That the City of Glendale encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials; and communicating with haulers and local governments about end of life management.

Adopted this _____ day of _____, 2011.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

Christina Jones

General Counsel - Public Works

Date: 12-1-11

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF GLENDALE)

I, ARDASHES KASSAKHIAN, City Clerk of the City of Glendale, certify that the foregoing Resolution No. _____ was adopted by the City Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2011, by the following vote:

Ayes:

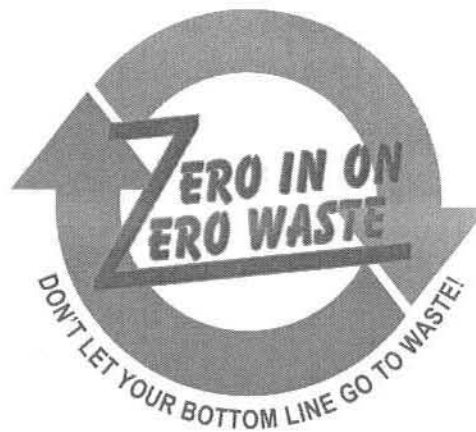
Noes:

Absent:

Zero Waste Action Plan

for the City of

Glendale, California



Zero Waste Associates

A partnership of **Richard Anthony Associates**
and **Gary Liss & Associates**

with Support from

Hidden Resources and
Earth Resource Foundation

December 1, 2010

Executive Summary

1A. Existing System

The City of Glendale (the "City") provides collection services for all single-family residences (1-4 units), 80% of apartment buildings with 5 units or more, and 15% of businesses (mostly small ones). All 1-4 units have recycling. Only 45% of 5-unit multifamily dwellings (MFDs) have recycling bins. All recycling collection services are provided by Glendale for free. Sixty-two private haulers provide 85% of commercial collection within the City. This is an openly competitive system, with five large companies - Athens, Southland, Crown, Waste Management and Consolidated - possessing more than 80% of the business. Some provide recycling services for free, and some charge. The majority of refuse collected is hauled to the Scholl Canyon Landfill.

In addition to Glendale, six other jurisdictions use Scholl Canyon. They include La Canada-Flintridge, Pasadena, South Pasadena, San Marino, Sierra Madre, and the adjacent unincorporated parts of Los Angeles County. Tip fees are currently \$48.99/ton, and estimated to increase to \$90/ton after the Landfill closes and rail haul is established. Glendale's Environmental Management Division estimates that Scholl Canyon will reach capacity in 2030 without expansion. Annual tons disposed in this landfill are down from a peak of 466,000 in 1998 to roughly 239,000 tons in 2010.

The estimated worth of the materials disposed of in the landfill in 2009 is over \$8 million. This is the value of the material baled or ready for sale, and although it does not include the processing costs, it also does not include avoided landfill costs. Reusable items alone are estimated to be worth nearly 25% of this amount, or close to \$2 million. Fifty percent recovery of these reusables should be worth \$4 million per year to the City in combined savings and potential new revenue.

1B. Zero Waste Recommendations

Zero Waste Policies - This Zero Waste Action Plan ("Plan") calls for Glendale to adopt a Zero Waste Resolution to increase its diversion rate from landfills and incinerators from 60% in 2010 to 75% by 2020 of current disposal tonnage of the 162,000 tons per year, and, if feasible, 90% by 2030. The year 2030 was selected as a target year because this is approximately when the landfill at Scholl Canyon is scheduled to close without expansion. By diverting more materials, the life of the existing landfill could be extended significantly, particularly if the communities that share Scholl Canyon implement similar Zero Waste resource management initiatives.

Glendale is already a member of the California Product Stewardship Council, and adoption of an Extended Producer Responsibility (EPR) resolution is a critical next step in protecting public health and reducing resource management costs by giving producers the incentive to design products that are less toxic and easier to reuse and recycle. A Glendale EPR resolution, as illustrated in the sample resolution in Appendix D, would call on state government to incorporate producer responsibility in regulations and legislation.

Many communities in Los Angeles County have already adopted such resolutions. Glendale could also compile and publish a list of businesses or non-profits that will take back products

and packaging from customers that are otherwise difficult to reuse, recycle or compost locally. The City could also join other local communities in the area to adopt local take-back policies and programs for problematic materials. The most important such step would be to **join with Los Angeles County in implementing a citywide ban on stores distributing free single-use plastic shopping bags**. A draft plastic bag ordinance, modeled after the one recently adopted by the County, is included as Appendix B.

Mandatory Commercial Recycling - Glendale should consider a requirement that all commercial discards be subject to either source separation of recyclables or be taken to a certified mixed waste processing facility with a high recycling rate, with penalties on haulers for non-compliance. The City should not allow commercial discards to go directly to the landfill without processing first, as is already the case for construction and demolition waste from projects with a valuation of at least \$100,000. This would allow Glendale to maintain its open, competitive marketplace for hauling services within the framework of the new statewide requirement of mandatory commercial and multifamily recycling. It would also strengthen the City's role to ensure that everyone receives recycling services by maintaining the policy of collecting commercial, multifamily, and residential recyclables for free.

Recovering Energy and Compost from Organic Discards – While mandatory commercial recycling will help recover the vast majority of clean paper and other common recyclables, it will not address the need to recycle food waste, soiled paper, horse manure, and other organic materials with low recycling value. Fortunately, there is a technology, namely anaerobic digestion (AD), that can be used to cost-effectively recover both energy, in the form of methane, and compost from such organic waste.

It should be stated that this study was not designed to be a comprehensive survey of competing waste conversion technologies, including direct combustion, gasification and pyrolysis. The focus here was on technologies that produce compost as at least one of the products. It can, however, be stated that anaerobic digestion is the only waste conversion technology that qualifies for State waste diversion credit and Renewable Portfolio Standard (green energy) credits. If an AD facility were developed at Scholl Canyon Landfill it would also address the problems of how to recycle local yard trimmings and maintain Landfill host fees once the amount of waste at the Landfill (and the need for yard trimmings as alternative daily cover) declines after mandatory commercial recycling is required.

Once and if such an AD facility were developed, the Glendale Recycling Center could begin sorting mixed waste for food, food-contaminated paper, and other organic waste for delivery to the AD facility, in addition to separating traditional recyclables. Cities that process both sorted recyclables and mixed waste for both organic waste and recyclables have diversion rates in excess of 80%. It will be necessary to permit the Center as a large volume transfer/processing facility in order to allow the sorting of mixed waste at the Center.

Another option would be to include in the Mandatory Recycling Ordinance (MRO) the provision to keep "wet" discards (which include yard trimmings, food scraps and soiled paper, manure and other "putrescibles") separate from "dry" discards. Wet discards would be collected for processing through AD and dry products and materials would be reused, repaired or recycled. There are already two programs in Southern California (San Fernando and Arvin) where Community Recycling allows residents to include food scraps in their yard trimming containers, with the waste processed for composting. As over half of the remaining materials being landfilled are compostable, aggressively pursuing this organics strategy and a mandatory

commercial recycling program will allow the City to divert more than 75% of its total discard stream from landfills.

Commercial Waste Reduction Initiative – Most of Glendale’s waste reduction programs have focused on the residential sector even though more than half of local waste is generated by non-residential sources. A major reason is the wide diversity of the types of waste and building arrangements found in the commercial sector. While it is more difficult to implement commercial programs, there is a great potential for implementing an enormous array of waste prevention programs that can reduce costs and liabilities for local businesses. Waste prevention programs are often the most cost-effective programs for the City since, once implemented, the waste is diverted from landfill at no cost to the City. Examples include the use of returnable shipping containers, requiring suppliers to reduce unnecessary packaging, and purchasing more durable equipment and supplies.

In order to best communicate the advantages of such programs, it is recommended that the City contract for business waste reduction services that would include: workshops tailored to specific industries, waste audits, technical assistance, educational materials, and a recognition program. These services would be offered under the guidance and with the advice of a Glendale green business alliance and would incorporate insights from the field of community-based social marketing. Such a business alliance would be most valuable when and if the City includes commercial generators in a food waste recycling program that requires the separation of wet and dry discards.

Benefits to Glendale from adopting this Zero Waste Action Plan include:

- *Reduced Costs for Residents and Businesses* – All Zero Waste businesses that have been documented have saved money. Since Glendale residents and businesses can already reduce their refuse charges by subscribing to a smaller volume of refuse service, waste prevention programs and incentives can help them save money by reducing waste and recycling more.
- *Costs Gradually Shifted out of the Community* – As Extended Producer Responsibility (EPR) programs are implemented, costs for household hazardous waste management will be shifted from local public agencies to manufacturers, first importers, brand owners and retailers.
- *Reduced Liabilities* – Every ton buried in a landfill remains the responsibility of the generator, under federal Superfund law. If there are any problems stemming from the landfill (e.g., from leaks of gas or liquids), attorneys involved will send a bill to everyone who ever used that facility, proportionate to the amount generated. This will affect most communities with regard to all residential discards, and for commercial discards if the communities assume responsibility for those discards in directing exclusive contracts.
- *Increased Efficiency* – When sustainability audits are conducted for businesses documenting all the energy, materials and products they buy to create their own products, they find that nationally only 6% is actually used for producing products, and 94% is wasted. Communities that pursue zero waste will help their businesses become more efficient and sustainable.
- *Improved Green Commitment* – This is of increasing importance to communities and

elected officials, as reflected in Glendale's work in using the United Nations Environmental Accords as a framework for organizing its sustainability actions. One of those accords calls for Glendale to "Establish a policy to achieve zero waste to landfills and incinerators by 2040. This Plan is an important step in moving toward that goal.