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AB-2411 Solid waste: use of compost: planning. (2017-2018)

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Assembly Bill No. 2411

CHAPTER 238

An act to amend Sections 42240, 42241, 42241.5, 42243, 42244, and 42245 of, and to add Sections 42241.3 and 42243.5 to, the Public Resources Code, relating to solid waste.

[Approved by Governor August 28, 2018. Filed with Secretary of State August 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2411, McCarty. Solid waste: use of compost: planning.

Existing law, the California Integrated Waste Management Act of 1989, establishes a compost market program to increase the use of compost products, including requiring the Department of General Services and the Department of Resources Recycling and Recovery to maintain specifications for the purchase of compost by the state and requiring the Department of Transportation to use compost in place of, or to supplement, petroleum-based commercial fertilizers in the state's highway landscape maintenance program.

This bill would require the Department of Resources Recycling and Recovery, on or before December 31, 2019, to develop and implement a plan to maximize the use of compost for slope stabilization and for establishing vegetation in the course of providing debris removal services following a wildfire. The bill would require the Department of Resources Recycling and Recovery, in coordination with the Department of Transportation, to identify best practices for each of the Department of Transportation's 12 districts regarding the cost-effective use of compost along roadways and to develop a plan to implement the identified best practices in each of the districts. The bill would additionally require the Department of Resources Recycling and Recovery to review the best practices at least once every 5 years and update the best practices as necessary. The bill would also make nonsubstantive changes to the compost market program provisions.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 42240 of the Public Resources Code is amended to read:

42240. The Department of General Services and the department, in consultation with other affected state agencies, shall maintain specifications for the purchase of compost by the State of California. The specifications shall designate the state minimum operating standards and product quality standards. The specifications shall be designed to maximize the use of compost without jeopardizing the safety and health of the citizens of the state or the environment.

SEC. 2. Section 42241 of the Public Resources Code is amended to read:

42241. The Department of Transportation shall use compost in place of, or to supplement, petroleum-based commercial fertilizers in the state's highway landscape maintenance program.

SEC. 3. Section 42241.3 is added to the Public Resources Code, to read:

42241.3. (a) On or before December 31, 2019, the department, in coordination with the Department of Transportation, shall do both of the following:

(1) Identify best practices for each of the Department of Transportation's 12 districts regarding the cost-effective use of compost along roadways. The best practices shall reflect the highest and best use of compost, taking into consideration the circumstances particular to each jurisdiction.

(2) Develop a plan to implement the best practices identified pursuant to paragraph (1) in each of the Department of Transportation's 12 districts.

(b) The department shall review the best practices identified pursuant to paragraph (1) of subdivision (a) at least once every five years, and update the best practices as necessary.

SEC. 4. Section 42241.5 of the Public Resources Code is amended to read:

42241.5. The department may develop a program to increase the use of compost products in agricultural applications. The program may include, but shall not be limited to, either or both of the following:

(a) Identification of federal, state, and local financial assistance.

(b) Cooperative efforts with appropriate federal and state agencies.

SEC. 5. Section 42243 of the Public Resources Code is amended to read:

42243. The Department of Forestry and Fire Protection, the Department of Parks and Recreation, and the Department of General Services shall initiate programs to restore public lands that use compost, co-compost, rice straw, and chemically fixed sewage sludge and shall use those products or materials wherever possible.

SEC. 6. Section 42243.5 is added to the Public Resources Code, to read:

42243.5. On or before December 31, 2019, the department shall develop and implement a plan to maximize the use of compost for slope stabilization and for establishing vegetation in the course of providing debris removal services following a wildfire.

SEC. 7. Section 42244 of the Public Resources Code is amended to read:

42244. The department shall evaluate compost, co-compost, and chemically fixed sewage sludge for use as solid waste landfill cover materials or for use as extenders for currently used cover material. Compost, co-compost, and chemically fixed sewage sludge products, when used as a substitute for or mixed with currently approved cover material, shall possess all the physical characteristics required in the definition of a cover material.

SEC. 8. Section 42245 of the Public Resources Code is amended to read:

42245. Based on the results of the evaluation conducted in accordance with Section 42244, the department may, on a case-by-case basis, approve the use of compost, co-compost, and chemically fixed sewage sludge, that meet the performance standards for cover material, for up to 25 percent of landfill cover materials or landfill cover extenders.