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AB-1548 Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects. (2023-2024)

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Date Published: 10/12/2023 02:00 PM

Assembly Bill No. 1548

CHAPTER 693

An act to amend Section 42999 of the Public Resources Code, relating to greenhouse gases.

[Approved by Governor October 10, 2023. Filed with Secretary of State October 10, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1548, Hart. Greenhouse Gas Reduction Fund: grant program: recycling infrastructure projects.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as a part of the market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund.

Existing law requires the Department of Resources Recycling and Recovery, with additional moneys from the Greenhouse Gas Reduction Fund that may be appropriated to the department, to administer a grant program to provide financial assistance to promote the in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste or to process organic and other recyclable materials into new value-added products. Existing law requires the program to provide eligible financial assistance for certain activities, including recyclable material manufacturing. Existing law specifies eligible infrastructure projects for purposes of the program. Existing law requires the department to consider if and how the project may benefit disadvantaged communities in awarding a grant for organics composting or organics in-vessel digestion.

This bill would expand the scope of the grant program to include providing financial assistance to promote in-state development of projects to sort and aggregate organic and other recyclable materials, as provided, or to divert items from disposal through enhanced reuse opportunities. The bill would require the grant program to provide eligible financial assistance for increasing opportunities for reuse of materials diverted from landfill disposal and for recyclable material recovery, sorting, or bailing equipment for use at publicly owned facilities. The bill would authorize eligible infrastructure projects for the grant program to include projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, the purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations, and the establishment of reuse programs to divert items from landfill disposal for reuse by members of the public. The bill would also require the department to consider if and how the project may benefit low-income communities, as defined, in awarding a grant for organics composting or organics in-vessel digestion.

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

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

SECTION 1. Section 42999 of the Public Resources Code is amended to read:

42999. (a) The department shall, upon appropriation by the Legislature, administer a grant program to provide financial assistance to promote in-state development of infrastructure, food waste prevention, or other projects to reduce organic waste, sort and aggregate or process organic and other recyclable materials into new, value-added products, or divert items from disposal through enhanced reuse opportunities. Moneys appropriated by the Legislature from the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code, to the department shall be expended consistent with the requirements of Article 9.7 (commencing with Section 16428.8) of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code and Chapter 4.1 (commencing with Section 39710) of Part 2 of Division 26 of the Health and Safety Code.

(b) Eligible financial assistance shall be provided for any of the following:

- (1) Organics composting.
- (2) Organics in-vessel digestion.
- (3) Recyclable material manufacturing.
- (4) Activities that expand and improve organic waste diversion and recycling, including, but not limited to, the recovery of food for human consumption and food waste prevention.
- (5) Preprocessing organic materials for composting or organics in-vessel digestion.
- (6) Codigestion at existing wastewater treatment plants.
- (7) Increasing opportunities for reuse of materials diverted from landfill disposal.
- (8) Recyclable material recovery, sorting, or baling equipment for use at publicly owned facilities. Eligibility for funding under this paragraph is limited to local jurisdictions.

(c) For purposes of this section, eligible infrastructure projects include, but are not limited to, any of the following:

- (1) Capital investments in new facilities and increased throughput at existing facilities for activities, such as converting windrow composting to aerated-static-pile composting to use food waste as feedstock.
- (2) Designing and constructing organics in-vessel digestion facilities to produce products, such as biofuels to be used or distributed onsite, bioenergy, and soil amendments.
- (3) Designing and constructing or expanding facilities for processing recyclable materials.
- (4) Projects to improve the quality of recycled materials.
- (5) Projects undertaken by a local government at publicly owned facilities to improve the recovery, sorting, or baling of recyclable materials to get those materials into the marketplace, including related equipment purchasing and installation costs.
- (6) Purchase of equipment and construction of facilities to help develop, implement, or expand edible food waste recovery operations.
- (7) Establishment of reuse programs to divert items from landfill disposal for reuse by members of the public.

(d) In awarding a grant for organics composting or organics in-vessel digestion pursuant to this section, the department shall consider all of the following:

- (1) The amount of reductions of emissions of greenhouse gases that may result from the project.
- (2) The amount of organic material that may be diverted from landfills as a result of the project.
- (3) If and how the project may benefit disadvantaged or low-income communities, as defined in Section 39713 of the Health and Safety Code.
- (4) For a grant awarded for an organics in-vessel digestion project, if and how the project maximizes resource recovery, including the production of clean energy or low-carbon or carbon negative transportation fuels.
- (5) Project readiness and permitting that the project may require.
- (6) Air and water quality benefits that the project may provide.

(e) To the degree that funds are available, the department may provide larger grant awards for large-scale regional integrated projects that provide cost-effective organic waste diversion and maximize environmental benefits.