

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISORS SHEILA KUEHL  
AND HILDA L. SOLIS

November 16, 2021

**Policies for Reducing Single-Use Plastics in County Facilities and Managing Organic Waste**

On May 4, 2021, the Board adopted a motion introduced by Supervisors Shelia Kuehl and Hilda L. Solis instructing Public Works, in coordination with County Sustainability Office and Public Health to report back to the Board within 180 days with a draft Board Policy that eliminates the use of single-use plastics at County facilities, establishes guidelines for County convenings to be zero waste events, establishes expectations for the implementation of Senate Bill 1383 at County departments, and ensures that data is collected.

In response to the motion, Public Works submitted a report on November 2, 2021 that included two draft policies to clarify the requirements for properly managing the two distinct waste streams, one for reducing single-use plastics and one addressing organic waste management.

The policy to reduce single-use plastics would phase out the purchase and use of single-use plastics at County facilities and in contracts and establish guidelines for County-sponsored events to be as waste free as possible. The initial focus of the

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policy would be on single-use plastic food service ware, with the goal of addressing all single-use plastic items over time as reasonable alternatives are identified.

The organic waste policy would set expectations for County departments to maximize organic waste diversion, procure products made from recovered organic waste such as compost, and ensure compliance with Senate Bill 1383 requirements.

Los Angeles County has demonstrated leadership in the waste management arena in its commitment to eliminate single-use plastics in our operations. The Board moved to eliminate plastic carryout bags and expanded polystyrene food containers from County operations in 2010, and has continued to build on these policies year after year.

**WE, THEREFORE, MOVE** that the Board of Supervisors adopt the attached policies for reducing single-use plastics at County facilities and managing organic waste.



MARK PESTRELLA, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: **EP-4**  
**10270-1-1**

November 2, 2021

TO: Each Supervisor

FROM: Mark Pestrella, PE   
Director of Public Works

### **BOARD MOTION OF MAY 4, 2021, ITEM 25 REDUCING SINGLE-USE PLASTICS IN COUNTY FACILITIES AND ORGANIC WASTE MANAGEMENT COUNTY POLICIES**

On May 4, 2021, the Board adopted a motion instructing Public Works, in coordination with County Sustainability Office and Public Health, to report back to the Board within 180 days with a draft Board policy that achieves the following:

1. Eliminates the use of single-use plastics in County facilities to the extent feasible, requires that any single-use items are compostable or highly recyclable, and encourages the use of reusables.
2. Establishes guidelines for County convenings to be zero waste events.
3. Establishes expectations for Senate Bill 1383 implementation at County departments.
4. Ensures that data is collected to characterize the effort for the County to manage organic waste and transition to more sustainable materials, especially data on costs.

In response to the motion, Public Works worked with Public Health, County Sustainability Office, County Counsel, and relevant County departments to develop two separate draft policies - one for reducing single-use plastics and one for organic waste management. Having two distinct policies helps clarify the requirements for properly managing these related but different waste streams. The draft policies reflect feedback received from County departments at County Sustainability Council Coordinating Committee meetings.

Each Supervisor  
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The policy to reduce single-use plastics phases out the purchase and use of single-use plastics at County facilities and in contracts and establishes guidelines for County-sponsored events to be as waste free as possible. The initial focus of the policy is on single-use plastic food service ware; however, it can be applied to other additional single-use plastic items as they are identified.

The organic waste policy establishes implementation requirements for County departments to properly manage organic waste to maximize organic waste diversion, procure organic waste products, and achieve compliance with Senate Bill 1383 requirements.

These policies will reduce waste and increase recycling in County operations helping to achieve the County's waste reduction and sustainability goals established by the OurCounty Sustainability Plan and the Roadmap to a Sustainable Waste Management Future. Implementing these policies for County operations demonstrates the County's leadership in the area of waste management.

Attached for the Board's consideration are the two draft policies. If you have any questions, please contact me or your staff may contact Deputy Director Keith Lilley at (626) 458-4016 or [klilley@pw.lacounty.gov](mailto:klilley@pw.lacounty.gov).

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Attach.

cc: Chief Executive Office (Fesia A. Davenport, Gary Gero)  
Executive Office  
County Counsel  
Internal Services Department  
Department of Public Health

### 3.185 - Reduce Single-Use Plastics

Effective Date: ##/##/21

#### **PURPOSE**

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Establishes requirements for County departments to eliminate the use of single-use plastics and to purchase sustainable alternatives, establish guidelines for County convenings to be zero waste, and establish data collection protocols.

#### **REFERENCE**

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September 21, 2010, [EPS Food Container Ban at County Operations Board Motion](#)

November 16, 2010, [Single Use Carryout Bag Ordinance](#)

November 22, 2011, [Staff Report on the Feasibility of Implementing a Restriction at Food Establishments and Retails Stores](#)

December 4, 2018, [Straws Upon Request Ordinance](#)

August 2019 [OurCounty Sustainability Plan](#)

October 15, 2019, [Limiting Single Use Plastics Board Motion](#)

January 2020 [UCLA Study: Plastic Waste in Los Angeles County](#)

May 4, 2021, [Reducing Single Use Plastics in County Facilities Board Motion](#)

June 8, 2021, [Accessories Upon Request Ordinance](#)

June 8, 2021, [Enhancing Countywide Solid Waste Management Through Expanded Program and Infrastructure Investments Board Motion](#)

#### **POLICY**

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All County departments must no longer purchase single-use plastic products for use in County facilities and instead use reusables and alternative compostable products. This policy provides uniform guidelines across all County departments regarding the phase out of single-use plastics and prioritizing food service ware products in County contracts, facilities, and sponsored events. County-sponsored events must implement zero waste measures as outlined in Public Works' [Waste-Free Event Guide](#) to ensure that County-sponsored events are as waste free as possible.

## **Procurement**

The following County standards are provided for the purchase of food service ware for use in everyday operations, including County facilities with on-site food vending and during stakeholder convenings:

- In lieu of single-use plastics, departments must use reusables or alternatives that are, at a minimum, certified by **both** BPI and CMA, and are PFAS free. County facilities are encouraged to procure reusable products and modify operations that use single-use plastics as a first option. Examples include the purchase of metal cutlery and reusable cups/mugs for kitchen and cafeterias and/or retrofitting water fountains to become refill/hydration stations to encourage reusable water bottle refills.
- If limitations exist, such as lack of space for storing or washing reusables, then compostable products must be considered as the next option due to the potential benefit of combined collection with organics such as food waste.
- All new purchasing agreements/service contracts must include language prohibiting use of single-use plastics.
- All existing purchasing agreements/service contracts must be amended, at the time of renewal, to include language prohibiting use of single-use plastics.
- Single-use plastics are only acceptable if a facility has a source separated collection program and an agreement with a waste hauler to collect and deliver these products to a local facility that has been confirmed by the County to recycle them.

For other single-use plastic items, the Internal Services Department (ISD) will evaluate alternative products to include in purchasing agreements/service contracts.

Departments may seek an exemption from this policy based on a lack of available compliant products. Departments must provide a written justification for seeking an exemption from this policy to the Chief Executive Office for review and approval. The Chief Executive Office, in consultation with Public Works, Chief Sustainability Office, and ISD, may authorize a blanket exemption for specific product types or use cases depending on available alternative products. The written approval must be submitted along with any purchase requisition to ISD.

## **Sample Language to be Included in County Service Contracts**

### **Reduce Single-Use Plastics**

The Contractor acknowledges that County places a high priority on the implementation of Board Policy 3.185, Reduce Single-Use Plastics, and shall eliminate the use of single-use plastic in County facilities as required by Board Policy 3.185.

### **Procurement Data Reporting**

The Contractor will keep a monthly record of purchases of single-use products including product type, brand name, quantity purchased, and unit cost. Data will be provided to the Contract Monitor along with other regular reports and will be available upon request.

### **Zero Waste Events**

County-sponsored events must be zero waste events and reference the [Waste-Free Event Guide](#) during the planning phase. The *Waste-Free Event Guide* includes guidelines for recycling and organic waste management, e.g., composting at County-sponsored events and reporting the amount of material sent to various waste processing and recovery facilities after the event.

Upon request, Public Works will provide training to department liaisons for planning zero-waste events and periodically review the *Waste-Free Event Guide* to ensure material contained therein is current and accurate.

Departments that provide facilities for private events shall provide event coordinators with a copy of the *Waste-Free Event Guide* when they sign up and encourage that their events be zero waste.

### **Data Collection**

To characterize the transition to more sustainable materials:

- ISD shall be responsible for compiling purchasing data for all County departments that purchase food service ware through ISD purchasing agreements/service contracts.
- Each County department, with their respective food service ware purchasing agreements/service contracts, is required to collect and report purchasing data to Public Works on the amount, type, and cost of single-use and reusable food service ware purchased on a monthly basis for a minimum of twenty-four (24) months after this policy becomes effective.
- ISD shall be responsible for compiling data for other single-use plastic products and make the data available upon request to Public Works.

### **Department Responsibilities**

Departments are responsible for assigning a liaison to support the implementation of the Reducing Single-Use Plastics Policy. The liaison may be their representative on the County Sustainability Council. The liaison must attend meetings, trainings, and workshops; coordinate efforts to amend their respective contracts; and make County-sponsored events held at their department's facilities as waste-free as possible and ensure their department's purchasing data is collected and reported. The liaison must make known to the County Sustainability Council and/or the County Recycling

Coordinator, their department's use of other single-use plastic products to evaluate for inclusion in this policy.

ISD will act as the lead department in updating purchasing policies to eliminate the purchase of single-use plastics.

Each County department is responsible for including reporting requirements regarding purchasing data for single-use and reusable food service ware in their respective purchasing agreements/service contracts.

Public Works, in collaboration with the Chief Sustainability Office of the Chief Executive Office, will coordinate education and outreach to departments regarding the new policy.

### **Definitions**

- "BPI" stands for Biodegradable Products Institute and provides certification services for compostable products.
- "CMA" stands for Compost Manufacturing Alliance and provides an accepted standard for compostables by performing field disintegration testing through several prominent processing methods to ensure products sent to industrial compost facilities adequately break down within the production cycle.
- "County-sponsored events" include, but are not limited to, community meetings, workshops, dedication ceremonies and fairs such as health fairs, resource fairs, and job fairs where the County is the lead organizer and/or funder of the event.
- "PFAS" stands for Per- and polyfluoroalkyl substances; a group of synthetic chemicals that includes PFOA, PFOS, and many other chemicals.
- "Single-use plastics" are disposable plastics that are typically used only once before they are thrown away. Examples include, but are not limited to, food packaging, plastic bags, food service ware (plastic cutlery, straws, etc.) and disposable water bottles.
- "Zero waste" is managing, reducing, and diverting solid waste from the waste stream, and maximizing recycling and other diversion opportunities. For more information, refer to the [Waste-Free Event Guide](#).
- "Zero Waste Event" is an event where 90+ percent of waste generated is diverted from landfill disposal.



## RESPONSIBLE DEPARTMENTS

Public Works  
Chief Executive Office  
Internal Services Department

## DATE ISSUED/SUNSET DATE

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Issue Date: November 17, 2021	Sunset Review Date: November 20, 2025
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### 3.190 - Organic Waste

Effective Date: ##/##/21

#### **PURPOSE**

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Establishes requirements for County departments to implement organic waste management programs, donate excess edible food, collect and divert organic waste from landfills, and procure certain products made from organic waste.

#### **REFERENCE**

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November 25, 2008, [County Utilization of Recycled-Content Paper Board Motion](#)

October 2014 [AB 1826](#) signed into law

October 21, 2014, Board adopted [County Roadmap to a Sustainable Waste Management Future](#)

October 9, 2017, [AB 1219](#) signed into law

September 18, 2018, [AB 2178](#) signed into law

March 6, 2018, Board proclaimed [Food Waste Prevention Week](#)

August 2019 [OurCounty Sustainability Plan](#)

October 2, 2019, [AB 827](#) signed into law

November 2019 [Staff Report on Food Recovery and Distribution in Los Angeles County](#)

November 2020 CalRecycle adopts [SB 1383 regulations](#)

May 4, 2021, [Reducing Single Use Plastics in County Facilities Board Motion](#)

June 8, 2021, [Enhancing Countywide Solid Waste Management Through Expanded Program Board Motion](#)

#### **POLICY**

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All County departments must take the necessary steps to comply with requirements of State regulations for Senate Bill (SB) 1383 (Lara, 2016). This policy provides uniform guidelines across all County departments regarding the diversion of organic waste generated by County operations and facilities from landfill disposal.

## **Organic Waste Recycling**

County facilities must implement the following measures by January 1, 2022:

- Subscribe to organic waste collection services from a waste hauler, manage organic waste on-site, or self-haul to an organic waste recycling facility and comply with all other requirements of SB 1383, such as providing information to employees regarding source separating organic waste.
- Provide recycling and organic waste bins for customers and employees as required by SB 1383 and AB 827.
- Provide appropriate signage and educational material to encourage proper use of recycling and organic waste bins.
- Amend all existing service contracts related to cafeteria or food services, janitorial services, and landscaping services to include provisions for the collection and recycling of organic waste and proper reporting of quantities recycled.
- Include provision in all new service contracts related to cafeteria or food services, janitorial services, and landscaping services for the collection and recycling of organic waste and proper reporting of quantities recycled.

## **Edible Food Recovery**

County facilities that are Tier 1 commercial edible food generators, such as facilities in which vendors provide cafeteria services, must amend contracts related to food service to include provisions for the recovery and donation of surplus edible food and fulfill SB 1383 reporting requirements. Efforts shall be made to amend such contracts by January 1, 2022, or as soon thereafter as feasible.

County facilities that are Tier 2 commercial edible food generators, such as health facilities, large events, and large venues, must update their contracts related to food service to include provisions for the recovery and donation of surplus edible food and fulfill SB 1383 reporting requirements by January 1, 2024.

County facilities must coordinate with the County Food DROP program to donate edible surplus food after meal service or at end of day.

## **Procurement**

County facilities and County-sponsored events that use compost or mulch in their operations must procure SB 1383-compliant products created from municipal organic waste produced within California and produced at a facility located within California. Departments must procure additional organic waste products, such as biomethane and electricity, as needed until the minimum procurement requirements of SB 1383 are met.

In addition, County departments must:

- Ensure all new service contracts related to landscaping include provisions for procurement of SB 1383-compliant organic waste products such as compost or mulch as well as proper reporting of quantities purchased.
- Amend all existing service contracts related to landscaping to include provisions for procurement of SB 1383 compliant organic waste products such as compost or mulch as well as proper reporting of quantities purchased.
- Amend purchasing agreements/service contracts that use printing and writing paper products to require that products have a minimum recycled content of 30 percent (by fiber weight, postconsumer fiber) and require written documentation showing the products are recyclable and eligible to be labeled with an "unqualified recyclable label," as defined in the Federal Trade Commission's *Guides for the Use of Environmental Marketing Claims*.
- Maintain records certifying the minimum recycled content and recyclability of paper purchases.

### **Data Collection**

To document the management of organic waste:

- Each County department is required to collect data and report to Public Works monthly on the organic waste diverted from landfill through landscaping-related service contracts, including quantities of organic waste diverted and hauling cost.
- Public Works shall be responsible for compiling data from Facility Ancillary Services Master Agreement (FASMA) waste haulers regarding facilities serviced, level of service, volume and/or tonnage of waste taken to each disposal facility, transfer station, material recovery facility, recycling facility, and/or organic waste processing facility, and annually report the list of facilities to which recyclable nonorganic and organic waste has been taken to for diversion or processing.
- Each County department will be responsible for compiling data from facilities that do not sign up for waste hauling service using the County FASMA contracts and shall report to Public Works the facilities being serviced, level of service, volume and/or tonnage of waste taken to each disposal facility, transfer station, material recovery facility, recycling facility, and/or organic waste processing facility monthly.
- Each County department, with their respective food service contracts, shall be responsible for compiling data and reporting to Public Works monthly regarding edible surplus food diverted from landfill, including quantities diverted and hauling costs.

## **Sample Language to be Included in County Service Contracts**

### **Organic Waste Recycling (Landscaping Services)**

As of January 1, 2022, all organic waste including green waste must be diverted from landfills and recycled per Senate Bill (SB) 1383.

The contractor shall not dispose of green waste material(s) in a landfill. The contractor shall identify means for proper management, through composting, recycling, or reuse of green waste materials, such as vegetative cuttings, shrubs, brushes, grasses, tree trimmings, and pruning.

All such materials collected must be managed on-site or taken to an approved organic waste processing facility. If using an off-site organic waste processing facility, then the contractor shall provide the County with contact and location information for the facility. If the organic waste is managed on-site at the generating facility, the contractor shall train facility staff in managing the green waste to compost the acceptable materials.

The contractor shall identify methods of preventing contamination, segregating paper and plastic found in landscaping waste, and removing debris such that those items do not end up contaminating green waste. The contractor shall provide a report to the Contract Manager as to methods they have used to prevent contamination of green waste. As needed, Contractor shall train Contractor's staff on measures needed to comply with County's directive to prevent contamination of green waste.

### **Procurement of SB 1383-Compliant Compost and Mulch (Landscaping Services)**

Any compost or mulch purchased by the Contractor shall be SB 1383 compliant. Contractor is responsible for verifying that any compost or mulch comes from an SB 1383- compliant source prior to purchasing. Contractor shall provide documentation showing the quantity of mulch or compost purchased, the date of purchase, and the name and address of the facility where the compost or mulch was produced.

### **Edible Food Donation (Food Services)**

The food service contractor shall recover the maximum amount feasible of Edible Food, consistent with food safety requirements, and arrange to provide such Edible Food to a Food Recovery Organization/Service.

The food service contractor shall not intentionally cause or allow the spoilage of Edible Food capable of being recovered.

The food service contractor shall keep records of the following and provide them to the contract monitor on a quarterly basis:

1. The name, address, and point of contact of each Food Recovery Organization/Service that has collected Edible Food from the food service contractor.
2. Copies of all contracts, agreements, and written communications with each Food Recovery Organization/Service that has collected Edible Food from the food service contractor.
3. The types, established frequency, and quantity, measured in pounds, of Edible Food that has been provided to each Food Recovery Organization/Service each month.
4. The types and amounts, measured in pounds, of Edible Food that has been made available to, but that was not accepted by a Food Recovery Organization/Service.

### **Department Responsibilities**

Departments are responsible for assigning a liaison to support the implementation of the Organic Waste Policy. The liaison may be their representative on the County Sustainability Council. The liaison must attend meetings, trainings, and workshops; coordinate efforts to amend their respective contracts; and ensure their department's organic waste diversion and purchasing data is collected and reported.

Each County department, with their respective service contracts is responsible for including provisions for the collection and recycling of organic waste, donation of edible food, and proper reporting.

Public Works, in collaboration with the Chief Sustainability Office of the Chief Executive Office, will coordinate education and outreach to departments regarding the new policy.

### **Definitions**

"County-sponsored events" include, but are not limited to, community meetings, workshops, dedication ceremonies, and fairs such as health fairs, resource fairs, and job fairs, where the County is the lead organizer and/or funder of the event.

"Edible food generators":

"Tier 1 commercial edible food generator" means a commercial edible food generator that is one of the following:

- (A) Supermarket.
- (B) Grocery store with a total facility size equal to or greater than 10,000 square feet.
- (C) Food service provider - entity primarily engaged in providing food services to institutional, governmental, commercial, or industrial locations of others based on contractual arrangements with these types of organizations.
- (D) Food distributor - company that distributes food to entities including, but not limited to, supermarkets and grocery stores.
- (E) Wholesale food vendor.

"Tier 2 commercial edible food generator" means a commercial edible food generator that is one of the following:

- (A) Restaurant with 250 or more seats or a total facility size equal to or greater than 5,000 square feet.
- (B) Hotel with an on-site food facility and 200 or more rooms.
- (C) Health facility with an on-site food facility and 100 or more beds.
- (D) Large venue - permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility. A venue facility includes, but is not limited to, a public, nonprofit, or privately owned or operated stadium, amphitheater, arena, hall, amusement park, conference or civic center, zoo, aquarium, airport, racetrack, horse track, performing arts center, fairground, museum, theater, or other public attraction facility. A site under common ownership or control that includes more than one large venue that is contiguous with other large venues in the site is a single large venue.
- (E) Large event - event that charges an admission price or is operated by a local agency and serves an average of more than 2,000 individuals per day of operation of the event, including, but not limited to, a public, nonprofit, or privately owned park, parking lot, golf course, street system, or other open space when being used for an event, including, but not limited to, a sporting event or a flea market.

(F) A State agency with a cafeteria with 250 or more seats or a total cafeteria facility size equal to or greater than 5,000 square feet.

(G) A local education agency with an on-site food facility.

“Organic waste processing facility” includes recycling centers, composting facilities, anaerobic digestion facilities, biomass conversion facilities, and other operations that recover organic waste.

"Organic waste" includes, but is not limited to, food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, paper products, printing and writing paper, manure, biosolids, digestate, and sludges.



## RESPONSIBLE DEPARTMENTS

Public Works  
Chief Executive Office  
Internal Services Department

## DATE ISSUED/SUNSET DATE

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Issue Date: November 17, 2021	Sunset Review Date: November 20, 2025
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MOTION BY SUPERVISORS SHEILA KUEHL AND  
HILDA L. SOLIS

May 4, 2021

**Reducing Single Use Plastics in County Facilities**

Plastic waste continues to be a serious problem in Los Angeles County, especially with the multiple disruptions to international recycling markets that have occurred over the past few years. This issue was highlighted in a report published by the UCLA Luskin Center, entitled “Plastic Waste in Los Angeles County”, which was produced in response to a 10/15/19 motion by the Board on “Limiting Single-Use Plastics in Los Angeles County Unincorporated Areas.” The report was developed through an extensive literature review as well as interviews with local waste haulers and Materials Recovery Facilities. Key takeaways from that report showed that plastic food service ware is rarely collected for recycling primarily due to size, potential food contamination, and undesirable materials.

This problem has grown during the COVID-19 pandemic, as restaurant and grocery deliveries have increased exponentially and the use of reusable beverage containers and grocery bags was discouraged or disallowed early on.

At the same time, the pandemic has also put a tremendous strain on businesses, particularly on small businesses and restaurants, due to closures or limitations on

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capacity. Although the UCLA report suggests that a transition to more sustainable food service ware materials or reusables is unlikely to represent a significant economic burden and may in fact be either cost neutral or result in savings in the long-term, the County believes this transition should be done in partnership with restaurants when they have the capacity to fully participate in conversations about these policies and determine how to implement any required changes affecting their individual businesses.

We are facing additional challenges related to the ways in which we manage organic waste, especially food waste. Of the 10.5 million tons of waste disposed Countywide in 2019, approximately 55% (5.8 million tons) was organic waste and of that, 27% (1.6 million tons) was food waste. Once in landfills, organic matter decomposes to carbon dioxide and, even more concerning, methane, which is a more potent climate pollutant than carbon dioxide. In 2018, methane from landfills accounted for 22% of California's overall methane emissions. In response to this problem, the State of California passed SB1383 which established ambitious goals to increase organic waste diversion from landfills and recover edible food, and placed mandates on counties throughout the State to achieve these goals.

There is a real opportunity for the County to demonstrate leadership in the waste management arena. Prior to COVID-19 closures and a transition to telework for many County employees, the County used many single-use items in everyday operations, including in County facilities with onsite food vending and during stakeholder convenings. In addition, SB1383 requires the County to adopt organic waste reduction measures within its own facilities in addition to the broader community-wide changes. Organic waste management, especially when it comes to food waste, also has a strong nexus with food service ware materials. A switch to readily

compostable food service ware can increase food waste diversion, since both the food service ware and food waste can be collected in the same container and sent for diversion.

**WE, THEREFORE, MOVE** that the Board of Supervisors direct the Department of Public Works, in coordination with the Chief Sustainability Office, and the Department of Public Health, to consult with relevant County departments and report back to the Board within 180 days with a draft Board Policy that achieves the following:

1. Eliminates the use of single use plastics in County facilities to the extent feasible, requires that any single-use items are compostable or highly recyclable, and encourages the use of reusables;
2. Establishes guidelines for County convenings to be zero waste events;
3. Establishes expectations for SB 1383 implementation at County Departments; and
4. Ensures that data is collected to characterize the effort for the County to manage organic waste and transition to more sustainable materials, especially data on costs.