

Proposed Revisions to Los Angeles County Construction and Demolition Debris Recycling and Reuse Ordinance

Background

The County of Los Angeles Construction and Demolition (C&D) Debris Recycling Ordinance, adopted January 4, 2005, requires 50% of all debris generated from construction, demolition, and/or grading projects in unincorporated areas of the County to be recycled or reused. The 50% recycling rate and other requirements in the County ordinance met or exceeded the original minimum requirements in the State's Green Building Standards Code (CalGreen).

In 2016, the State revised the CalGreen and increased the minimum recycling rate for all C&D debris from 50% to 65%. The revised 2016 CalGreen code also requires 100% accountability of excavated soil, proper accountability and disposal for universal waste, and 100% recycling of soil, vegetation, and rocks generated from land clearing activities. These were not required in the previous CalGreen code, so are not in the County's current C&D ordinance.

On April 30, 2018, Public Works updated the County green building code and adopted the 2016 CalGreen code by reference. However, the current County C&D ordinance does not comply with the minimum requirements in the 2016 CalGreen standard and the County building code.

Public Works is proposing to revise the County's Construction and Demolition (C&D) Debris Recycling and Reuse Ordinance to make the County ordinance consistent with the recycling requirements in the latest California Green Building Standards (CalGreen Code), to help achieve the waste diversion targets in the County's Roadmap to a Sustainable Waste Management Future, and to help the County better address illegal dumping of soil and C&D debris in the unincorporated County areas and allow the disposal of soil at certain gravel pits and quarries to facilitate future development of those sites.

Proposed Revisions

- **Increase minimum required recycling rate from 50 percent to 70 percent**
 - This new rate exceeds State minimum rate while being in alignment with County Roadmap goals.
 - A recycling rate of 70 percent is achievable based on the given rates of existing C&D recycling facilities in the County. Other jurisdictions in the County have similarly higher diversion rates such as the Cities of Los Angeles (70%), Pasadena (75%), and Santa Monica (70%).

- **Require a 100 percent recycling rate for trees, stumps, rocks, and associated vegetation and soil from land clearing**
 - In accordance with the current CalGreen standards.

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- **Require 100 percent of debris, including concrete and soil, for all projects be properly accounted for**
 - Documentation will be required for all debris generated by a project.
 - Revised ordinance will allow clean excavated soil to be taken to the following:
 - Approved C&D Facility. Weight tickets will be used to verify the amount taken to a C&D facility.
 - Approved Inert Debris Engineering Fill Operation (IDEFO) facility.
 - Another project site for grading/fill purposes. Copies of the grading permit and proof of environmental clearance from all applicable agencies will be required.

- **Require proper disposal of Universal Waste**
 - In accordance with the current CalGreen standards.
 - As defined by CalGreen, Universal Waste includes fluorescent lamps, ballast and mercury containing thermostats as well as other materials on the California prohibited Universal Waste materials list.
 - Revised ordinance will require that Universal Waste generated from the alteration and renovation of a building or tenant space is properly disposed of and diverted from landfills.

- **Introduce a Refundable Project Deposit**
 - A deposit will create financial incentive for applicants to comply with the revised ordinance requirements.
 - The deposit will be returned in full, if an applicant can provide documentation for all debris that was removed from the site and show that the required amount was properly recycled or reused. If an applicant fails to provide adequate documentation, a prorated portion up to the full amount of the deposit will be forfeited.

- **Require certification for C&D Debris Recycling Facilities**
 - Currently, facility operators self-report a facility's recycling rate, which is used to calculate the amount of debris that is diverted.
 - The revised ordinance will require that C&D debris recycling facilities fulfill one of the following to attain certification with County:
 - Attain third-party certification that is acceptable to the County.

- **Require all County Projects comply with the requirements of the Ordinance**
 - County projects will also comply with the ordinance; however, the ordinance will be enforced through County contracts rather than through the deposit system.