**To: Environmental Health and Safety Coordinator**

**From: Sam Celly, MS, JD, CSP**

**Date: July 15, 2012**

**Ref: There is Green in this Green Regulation (California AB 341)**

**The Law:** As of July 1, 2012, businesses and other entities in California that generate 4 cubic yards (about one dumpster) or more of solid waste such as cardboard, metal, and plastic waste per week, are subject to mandatory recycling requirements. The intent of this law is to reduce greenhouse emissions by diverting commercial solid waste from landfills and expand opportunities for recycling. Most automobile dealerships and body shops generate at least 4 cubic yards of waste per week, so compliance becomes mandatory.

**Compliance:** Automobile dealerships and body shops can comply with this regulation as follows:

* At the dealership, separate the recyclables from the solid waste being discarded and either self-haul or arrange for separate collection of recyclables OR
* Subscribe to a service that includes mixed waste processing that yields diversion results comparable to source separation as listed above. Examples include cardboard recycler or plastics recycler to pick up recyclables from the dealership or body shop.

**Enforcement:** Celly Services has interviewed the regulators regarding enforcement and they seem to be in guidance mode rather than enforcement mode, as of now. Each jurisdiction (county/city) is responsible for enforcement of AB 341. Over the next few years, if the state determines that the jurisdiction is not making a good effort, things can get tougher for the jurisdiction and businesses. We recommend that you keep a copy of the recycling contract with your waste recycling vendor in files as proof that a recycling program is in place.

**Green as In Money Green**: Many businesses have been recycling solid wastes on site for financial gains. The Drew Collision Center in San Diego County installed a cardboard compactor (approx. $20,000) for crushing cardboard that is later sold for $300. The savings include $250/week in disposal costs. They have a metal recycling bin also where they sell metal waste for $400/month. Total savings are $1750/month. The story is repeated at a Temecula multi-store location. They save $1000 in cardboard disposal costs and earn $350 in selling cardboard bales. The earnings on cardboard fluctuate as they are part of commodity markets. In any case, the cost of the $15,000 bailer was recovered in 10 months. Chris Johnson, the Service manager says that once they did the numbers, this whole baler installation was a no-brainer.

*Authority Cited: California Assembly Bill 341 (2012)*

*Sam has been helping automobile dealers comply with EPA & OSHA regulations since 1987. Sam is the past-Chair of the Law Committee and the Environmental Issues Committee of the AIHA. Sam has a BS & MS in Chemical Engineering followed by a JD from Southwestern University School of Law.* Send your comments to.[*sam@cellyservices.com*](mailto:sam@cellyservices.com)*.*