

Date of Hearing: June 29, 2022

ASSEMBLY COMMITTEE ON EDUCATION  
Patrick O'Donnell, Chair  
SB 1255 (Portantino) – As Amended May 10, 2022

**SENATE VOTE:** 39-0

**SUBJECT:** Single-use products waste reduction: Dishwasher Grant Program for Waste Reduction in K–12 Schools and Community Colleges

**SUMMARY:** Establishes the Dishwasher Grant Program for Waste Reduction in K–12 Schools and Community Colleges to be administered by the California Department of Education (CDE), to provide grants to school districts, charter schools, and community college districts (districts), for the purchase and installation of commercial dishwashers at schoolsites and campuses. Specifically, **this bill:**

- 1) Establishes the Dishwasher Grant Program for Waste Reduction in K–12 Schools and Community Colleges, to be administered by the CDE, to provide incentive grants to public K–12 schools and community colleges to enable them to transition to less costly and environmentally healthy reusable food service ware.
- 2) Defines “Commercial dishwasher” to mean a nonresidential dishwasher that meets the Energy Star Product Specification criteria for Commercial Dishwashers, Version 2.0, any revision to those criteria published by the United States Environmental Protection Agency that is adopted by the CDE, or other standards established by the CDE.
- 3) Establishes program grants of up to \$40,000 per kitchen of a school or campus of an applicant district, not to exceed the following amounts:
  - a) \$25,000 per kitchen of a school or campus of an applicant district for the purchase of a commercial dishwasher and its installation by the manufacturer; and
  - b) \$15,000 per kitchen of a school or campus of an applicant district for costs directly related to the installation, such as necessary electrical and plumbing upgrades, new outlets or appliance relocation, kitchen counter modification, modification of work areas to accommodate a new layout or function of the space, and venting and heat booster equipment and installation.
- 4) Prohibits grant funds from being used for the purchase of reusable food service ware or long-term dishwasher maintenance costs.
- 5) Requires grant recipients, as a condition of the receipt of grant funding, to agree to all of the following:
  - a) Grant funds will be used only for the purposes described in the measure;
  - b) Grant funds will be used within two years of receipt for the purchase and installation of at least one commercial dishwasher;

- c) The commercial dishwasher will be installed by the manufacturer or the manufacturer's designated installer and will be properly maintained and serviced when necessary; and
  - d) Training will be provided for staff to operate and properly maintain the machine, as necessary.
- 6) Authorizes the CDE to conduct an onsite inspection at any school or campus of the district for which a grant was awarded and requires the district to provide any documents and information requested by the department related to the grant.
- 7) Requires the CDE to develop administrative procedures and guidelines for the program.
- 8) States that the adoption of procedures and program guidelines for the awarding of grants pursuant to the measure is not the adoption of a regulation and is exempt from the requirements of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code.
- 9) States that the CDE may consult with the Office of the Chancellor of the California Community Colleges and enter into interagency agreements with other state agencies for purposes of the grant program.
- 10) Limits eligibility for grants to the following:
- a) A school district applying on behalf of one or more schools in its jurisdiction that maintains kindergarten, or any of grades 1 to 12, inclusive;
  - b) A charter school applying on behalf of one or more schools under its charter that maintains kindergarten or any of grades 1 to 12, inclusive; and
  - c) A community college district applying on behalf of one or more community colleges.
- 11) States that eligibility and priority for grants may not be based on the characteristics of the pupils at a school or the students at a college, or the district's eligibility for any federal or state funding program.
- 12) States that an applicant district may propose grant funding from the program over more than one fiscal year, and the CDE may make multiyear funding commitments.
- 13) Requires the CDE to determine a cap on grants that may be awarded to a district in any given year. The cap may be based on the number of schools or pupils, or the number of campuses or students, in the applicant district. Authorizes the annual cap to be scaled over time.
- 14) In implementing this chapter, requires the CDE to do both of the following:
- a) Develop and maintain information about the program on the CDE's website, including a list of environmentally preferable commercial dishwashers and information about any organizations that may donate or sell reusable service ware products; and

- b) Issue notices to districts to inform them of the program and the CDE's website with additional information about the program, and to invite the districts to submit applications for grants.

15) States that the implementation of this chapter is contingent on an appropriation being made for its purposes by the Legislature in the annual Budget Act or another statute.

**EXISTING LAW:**

- 1) Under the Integrated Waste Management Act of 1989 (IWMA), establishes a state recycling goal of 75% of solid waste generated to be diverted from landfill disposal through source reduction, recycling, and composting. Requires each state agency and each large state facility to divert at least 50% of all solid waste through source reduction, recycling, and composting activities. The IWMA also requires a state agency and large state facility, for each office building of the state agency or large state facility, to provide adequate receptacles, signage, education, and staffing, and arrange for recycling services, as specified.
- 2) Prohibits a state food service facility from dispensing prepared food using a type of food service packaging unless the packaging is on a specified list maintained by CalRecycle and has been determined to be reusable, recyclable, or compostable.
- 3) Requires "full service restaurants" to only provide single-use plastic straws upon request.
- 4) Requires CalRecycle to develop and implement a source reduction and recycling program for school districts that includes, among other things, the development of a model waste reduction and recycling program for school districts and schools.
- 5) Requires the California Energy Commission (CEC), in collaboration with each utility, to develop and administer the School Noncompliant Plumbing Fixture and Appliance Program to provide grants to state agencies and local educational agencies (LEAs) to replace noncompliant plumbing fixtures and appliances that fail to meet water efficiency standards with water-conserving plumbing fixtures and appliances.

**FISCAL EFFECT:** According to the Senate Appropriations Committee:

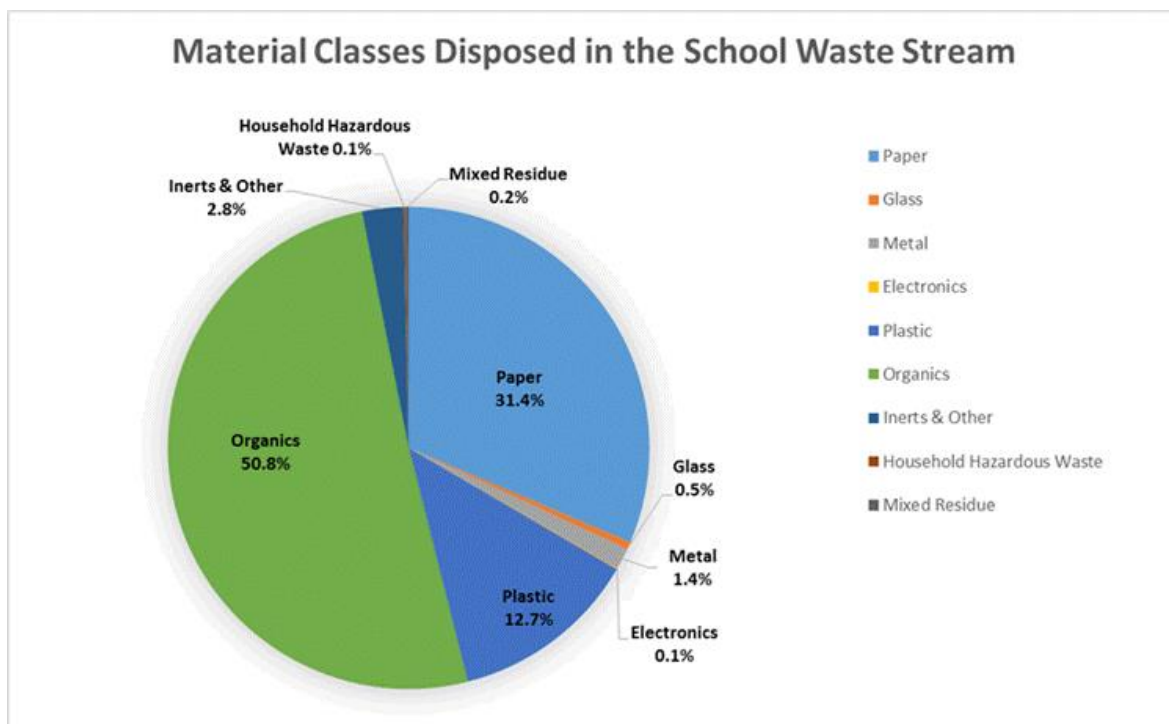
- While the establishment of the Dishwasher Grant Program would be contingent upon an appropriation, this bill could result in significant, unknown Proposition 98 General Fund cost pressure to fund it. A precise amount would depend on the number of grants provided to LEAs, but it could be in the low millions of dollars each year.
- The CDE may require additional General Fund costs to administer the program. The extent of these costs is unknown but could be in the low hundreds of thousands of dollars each year.

**COMMENTS:**

*Need for the bill.* The author states, "California has a single-use waste crisis and is looking for waste reduction solutions. Few schools have dishwashers, and thus school districts generate a tremendous amount of waste from single-use foodware such as trays, plates, and utensils. This

waste must be managed, but plastic recycling is inadequate and ineffective, and compostable items are not recycled at local facilities. The low-quality plastic and harmful chemicals used in single-use items pose health risks by releasing contaminants in composting facilities and leaching into our water supply and soil. Students also learn the wrong values from the daily practice of using and tossing single-use serviceware. Installing commercial dishwashers at K–12 schools and community colleges provides a simple solution, but is cost-prohibitive for many schools that are already operating in very limited budgets. The Dishwasher Grant Program for Waste Reduction in K–12 Schools and Community Colleges will allow the transition to safe, reusable foodware designed for repeated use and sanitizing. Such a change will result in less waste and reduced hauling and litter cleanup costs, alleviating these burdens on schools and colleges. Instead of contributing to the waste crisis facing California, schools and community colleges can eliminate the use of single-use foodware to help reduce waste while instilling these values in students.”

***Composition of the school waste stream.*** CalRecycle estimates, based on its 2014 waste characterization study of 45 samples of non-recycled waste from K-12 schools, that, on average, paper and plastics compose nearly half of the waste generated by schools, as shown in the chart below.



*Source: CalRecycle*

California has recently implemented a universal school meal policy, making all students, regardless of income, eligible to receive meals at school. ***The Committee may wish to consider*** that this policy may heighten the need for schools to seek more sustainable and cost effective means of serving school meals.

***Disposable vs. reusable serving ware in school cafeterias.*** According to an analysis provided by the author (School Nutrition Foundation, 2009), research indicates that reusable compartment trays used at schools have a lower environmental impact and are less expensive when compared to disposable serving ware options. The analysis found that reusable trays:

- Used the least amount of energy;
- Had the lowest amount of solid wastes;
- Produced the lowest greenhouse gas emissions, and
- Were the least expensive.

The type of dishwasher used had a significant impact on the environmental factors studied. Newer model dishwashers which use less water and energy can reduce water usage and energy by nearly half, resulting in substantial reductions in the overall energy, solid waste, and GWP results for the serving ware for these systems. The report notes that cost analysis was not studied for the cost of a replacement dishwasher due to varying ages and depreciations for current dishwashers in each school.

***Efficiency of commercial dishwashers.*** According to the Senate Environmental Quality Committee, today's commercial dishwashers use very little water, last approximately 15 years, and can complete a cycle in only a few minutes. Additionally, certain models can be installed without venting, significantly decreasing installation and utility costs.

A transition back to the use of new, energy and water efficient dishwashers at schoolsites and campuses would support numerous important state environmental goals articulated above. Further, analyses of schools in other states, as well as California, have demonstrated cost savings by switching to commercial dishwashers, due to reduced waste and hauling costs and the elimination of single-use foodware purchases.

***CalRecycle offers resources to help schools and school districts meet recycling requirements.*** The following is a partial list of solid waste and recycling laws affecting local educational agencies (LEAs):

- The Mandatory Commercial Recycling, AB 341 (Chesbro), Chapter 476, Statutes of 2011, requires public entities that generate a certain threshold of solid waste per week to reuse, recycle, compost, or otherwise divert solid waste from disposal.
- Mandatory Organic Recycling , AB 1826 (Chesbro), Chapter 727, Statutes of 2014, requires regulated entities to implement an organic waste recycling program to divert food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.
- Short-Lived Climate Pollutants: Organic Waste Methane Emissions Reduction, SB 1383 (Lara), Chapter 395, Statutes of 2016, requires LEAs to prevent, reduce the generation of, and recycle organic waste. Additionally, effective on January 1, 2024, LEAs with an on-site food facility will be required to recover edible food.

Other related school recycling and sustainability laws require CalRecycle to provide assistance to school districts in establishing and implementing source reduction and recycling programs. Additionally, existing law encourages each school district to establish and maintain a paper recycling program in all classrooms, administrative offices, and other areas owned or leased by the school district.

***California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) Program.*** AB 841 (Ting), Chapter 372, Statutes of 2020, established the School Energy Efficiency Stimulus Program (CalSHAPE), administered by the CEC. The CalSHAPE Program includes two, ratepayer-funded, grant programs for LEAs, the CalSHAPE Ventilation Program and CalSHAPE Plumbing Program. The CalSHAPE Plumbing Program provides funding to LEAs to replace aging and water-inefficient plumbing fixtures and appliances with water-conserving plumbing fixtures and appliances. The noncompliant appliances eligible for replacement are commercial dishwashers, automatic commercial ice makers, and commercial clothes washers that do not meet ENERGY STAR® Product Specifications.

The CalSHAPE Plumbing Program guidelines were adopted by the CEC in June 2021 and the online system opened for user registration shortly after. The CEC received 127 applications (including 31 commercial dishwasher requests) in the first round of funding for the Program, totaling \$18,573,635 in grant funding, and issued 43 notices of the proposed award. Per Program requirements for the first funding round, schools in underserved communities were given priority.

***Arguments in support.*** Californians Against Waste writes, “SB 1255 would require the Department of Resources Recycling and Recovery to award grants of up to \$40,000 per kitchen at each school or campus in an applicant district. Installing commercial dishwashers at K–12 schools and community colleges will allow the transition to safe, reusable foodware designed for repeated use and sanitizing. This change will result in reductions of waste as well as hauling and litter clean-up costs, alleviating these burdens on schools and colleges. Instead of contributing to the waste crisis facing California, eliminating the use of single-use foodware in schools and community colleges will help reduce waste while instilling environmental stewardship values in students.”

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Glendale Environmental Coalition (sponsor)  
 301 Organics  
 350 Humboldt: Grass Roots Climate Action  
 350 Silicon Valley  
 7th Generation Advisors  
 Active San Gabriel Valley  
 Burbank Eco Council  
 California Product Stewardship Council  
 California School Employees Association  
 Californians Against Waste  
 Center for Environmental Health  
 City and County of San Francisco  
 City of Los Angeles  
 Climate Reality Project, Los Angeles Chapter  
 Climate Reality Project, San Fernando Valley  
 Green Lunchroom  
 Habits of Waste  
 Heal the Bay  
 Northern California Recycling Association

Oak Crest Institute of Science  
Plastic Oceans International  
Plastic Pollution Coalition  
Plastic Pollution Coalition, a Project of Earth Island Institute  
Plasticfreerestaurants.org  
Recyclesmart  
Save Our Shores  
Sea Hugger  
Seventh Generation Advisors  
Sf Environment  
Sierra Club  
Stopwaste  
Surfrider Foundation  
The 5 Gyres Institute  
The Center for Oceanic Awareness, Research, and Education  
Upstream  
Wishtoyo Chumash Foundation  
Zero Waste USA  
One individual

**Opposition**

None on file

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