REPORT OF THE
CHIEF LEGISLATIVE ANALYST

DATE: January 9, 2023

TO: Honorable Members of the Rules, Elections, and Intergovernmental Relations Committee

FROM: Sharon M. Tso for
Chief Legislative Analyst Assignment No: 22-09-0554

SUBJECT: Resolutions regarding Bureau of Sanitation Legislative Proposals

CLA RECOMMENDATION: Adopt the attached Resolutions to SPONSOR and/or SUPPORT legislation in the 2023-2024 Federal and State Legislative Programs, as recommended by the Bureau of Sanitation (LASAN) to reuse and recycle local water, remove per-and polyfluoroalkyl substances (PFAS) from wastewater systems, and the reduction of single-use plastics.

SUMMARY:
In response to a request from the Mayor and Council President, the Bureau of Sanitation has prepared three proposals for inclusion in the City's 2023-2024 Federal and State Legislative Programs. The proposals are as follows:

1. Sponsorship and/or support of legislation, administrative and regulatory action concerning large scale water recycling and reuse to augment local water supply that seeks to:

    - Provide capital investment in recycled water and prioritize the investment and purchase of water cleaned at ocean discharge facilities;

    - Provide Federal and State grants to develop, convey and subsidize the development and reuse of recycled water; and

    - Streamline project approval and reporting processes to prevent project backlogs in funding or financing.

2. Sponsorship and/or support of legislation, administrative and regulatory action concerning per-and polyfluoroalkyl substances (PFAS) removal in wastewater systems that seek to:

- Address PFAS and the development of science-based and consistent regulations across Federal/State/local agencies;

- Provide funding for PFAS treatment and removal projects in wastewater and residuals;

- Prevent PFAS from entering wastewater system with restricted use and pretreatment programs, and recognize wastewater as a control point with funding; and

- Ensure that water and wastewater facilities are not held liable for the cleanup of contamination.

3. Sponsorship and/or support of legislation, administrative and regulatory action concerning the reduction in production and use of single-use plastics that seeks to:

    - Provide clarity on the types of materials that can be recycled or composted and set standards for these materials;

    - Remove barriers to create recycling markets and make it economically viable to recover and recycle these materials;

    - Reduce the use of single use items such as food and beverage accessories; and

    - Provide for the use of returnable beverage bottles, so that refillable bottles could flow through the State's Beverage Container Recycling system to be washed and refilled by beverage producers instead of crushed for recycling.

BACKGROUND:

Large scale Water Recycling and Reuse

The LASAN states that there is a need for legislation, administrative and regulatory action concerning water recycling in order to augment local water supply, reduce aquifer overdraft and meet statewide goals for recycled water production. The resulting benefit would be to offset imported water.

LASAN also state that there is a need for a grant program from the U.S. Department of Interior and the Environmental Protection Agency (EPA) to support large-scale water recycling projects in the western United States. The LASAN maintains that large-scale water recycling projects have an estimated cost of $300 million to meet the needs of the seventeen western states within the Bureau of Reclamation territory.

PFAS Removal in Wastewater

The LASAN states that PFAS are a group of human-made chemicals not found naturally in the environment and are linked to a variety of diseases and health conditions. Although, Congress adopted the Federal Infrastructure Investment and Jobs Act (H.R. 3864) which included funding for its removal, LASAN reports that more funding is needed for PFAS removal in the wastewater treatment and pretreatment program. Treatment at the wastewater facility level is an effective control point for PFAS pollution.

Solid Resource Plastics and Waste Reduction

The LASAN states that in 2021 Congress reported findings that the global production of plastic went from 2,000,000 tons per year in 1950 to 400,000,000 tons per year today. This has led to an estimated 6.3 billion metric tons of plastic waste. The current recycling process is inefficient in its achievements, as such the United States recycles only 9 percent of its plastic waste. The proper response is to make investments towards the development of domestic recycling markets, technology, and materials to make recycling more available and beneficial.

Blayne Sutton-Wills
Analyst

Attachment(s):

1. Resolution to sponsor/support large scale water recycling and reuse projects legislation
2. Resolution to sponsor/support removal of PFAS from the wastewater systems and develop science-based regulations.
3. Resolution to sponsor/support the reduction in production and use of single-use plastics and clarity on types recycled or composted materials.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with concurrence of the Mayor; and

WHEREAS, the Bureau of Sanitation states that there is a need for legislation, administrative and regulatory action concerning large scale water recycling and reuse to augment local water supply; and

WHEREAS, by increasing local water supply, local agencies can offset imported water and reduce regional aquifer use and reliance; and

WHEREAS, the provision of major capital investments in recycled water and investments in the purchase of water cleaned at ocean discharge facilities contributes by augmenting our water supply; and

WHEREAS, major capital investments in large scale water recycling projects are a benefit to the general public and are worthwhile investments utilizing Federal and State grants to develop, convey and subsidize the development and reuse of recycled water; and

WHEREAS, the ability to decide on large scale projects within a streamlined process will avoid backlogs and inevitably save money in the project's completion as well as reaping its operational benefits long-term;

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 Federal and State Legislative Programs Sponsorship and/or Support of legislation and administrative action concerning large scale water recycling and reuse to augment local water supply and advance water recycling goals that seek to:

- Provide capital investment in recycled water and prioritize investment and purchase of water cleaned at ocean discharge facilities;

- Provide Federal and State grants to develop, convey and subsidize the development and reuse of recycled water in the western states; and

- Streamline project approval and reporting processes and prevent backlogs in funding or financing.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with concurrence of the Mayor; and

WHEREAS, the Bureau of Sanitation states that per-and polyfluoroalkyl substances (PFAS) are a group of human-made chemicals not found naturally in the environment that are linked to a variety of diseases and are found in wastewater systems; and

WHEREAS, by investing in PFAS removal projects in wastewater treatment and pretreatment program an effective control point is created for pass through PFAS pollution;

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 Federal and State Legislative Programs Sponsorship and/or Support of legislation and administrative action concerning per-and polyfluoroalkyl substances (PFAS) removal in wastewater systems as follows:

- Address PFAS and the development of science-based and consistent regulations across federal, state and local agencies;
- Provide funding for PFAS treatment and removal projects in wastewater and residuals;
- Prevent PFAS from entering the wastewater system with restricted use and strong pretreatment program, and release wastewater systems from liability recognizing wastewater as a passthrough system not a generator; and
- Ensure water and wastewater facilities are not held liable for the cleanup of contamination.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations, or policies proposed to or pending before a local, state, or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with concurrence of the Mayor; and

WHEREAS, the Bureau of Sanitation states that Congress found of the 8.3 billion metric tons of plastic ever produced globally, 6.3 billion metric tons has become plastic waste; and

WHEREAS, the United States has failed to invest in the development of domestic recycling markets, technology, and materials to make the recycling process more available; and

WHEREAS, the limited investments in recycling markets in the U.S. has resulted in only 9 percent of its plastic waste being recycled;

NOW, THEREFORE BE IT RESOLVED, with the concurrence of the Mayor, that by adoption of this Resolution, the City of Los Angeles hereby includes in its 2023-2024 Federal and State Legislative Programs Sponsorship and/or Support of legislation and administrative action concerning the solid resource single-use plastics and waste reduction in the following:

- Provide clarity on the types of materials that can be recycled and set standards for these materials;

- Remove any barriers to creating a recycling marketplace that is economically viable to recover and recycle these solid waste materials;

- Reduce the persistent reliability of single use items such as food and beverage accessories; and

- Provide for the use of returnable beverage bottles, so that refillable bottles could be processed through the Beverage Container Recycling system to allow for washing and refilling by producers.