



## ENVIRONMENTAL MANAGEMENT DEPARTMENT

<http://www.edcgov.us/EMD/>

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### SB 1383 ORGANICS RECYCLING REGULATIONS WAIVER APPLICATION

#### INSTRUCTIONS:

California Senate Bill (SB) 1383 requires all businesses (defined as: commercial businesses and multi-family dwellings) to arrange for organic waste recycling services (i.e. food waste and green waste). Certain commercial businesses and multi-family dwellings of five or more units may qualify for waivers from organic waste requirements. If a waiver is not approved by EMD, your business will be required to comply with all SB 1383 mandates.

To apply for a waiver, please complete the SB 1383 Waiver Application form and provide applicable supporting documentation (i.e. photographs, agreements, contracts, receipts, blueprints, hauler verification, etc.). Waivers may be requested for each type of exemption you believe applies to your business. There are three types of waiver requests:

#### **1. Third-Party Waiver for Businesses with Landscape Contractors/Organics Recyclers**

- Businesses that have organics recycling provided by a landscaper or other third-party recycler may apply.
- Third-party recyclers must maintain disposal/recycling records and divert green waste from landfills as required by state law.
- Your business must agree to submit information to the County periodically to verify continued third-party organics recycling (i.e. copy of agreement specifying green waste is diverted, disposal receipts).

#### **2. Waiver for Businesses with Minimal Organic Waste (i.e. "De Minimis Waiver")**

- Businesses that generate a limited amount of organic waste may apply for a low-generator "de minimis" waiver if they have:
  - A) Total solid waste disposal of two cubic yards or more per week, and includes organic waste of less than 20 gallons per week; or
  - B) Total solid waste disposal of less than two cubic yards per week, and includes organic waste of less than 10 gallons per week.

#### **3. Space Constraint Waiver**

- Businesses lacking space for separate or additional green waste or food waste collection containers may request a space-constraint waiver.
- To qualify, you must demonstrate that space constraints cannot be resolved by downsizing existing containers, using split containers, or other solutions. You must first work with your hauler to consider solutions to space constraints.

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**NOTE:** Businesses granted any of the above referenced waivers will be exempted for a five (5) year period from SB 1383 requirements.

EMD approved waivers are valid for a period of five (5) years. It shall be the applicant's responsibility to apply for a waiver renewal 30 days prior to the expiration date. Failure to renew a waiver prior to the expiration date does not waive any penalties or fines for noncompliance that may be incurred. (This requirement is consistent with the guidelines outlined in Section 18995.1. (A)(6) of the SB 1383 regulations)

***To apply for a waiver, please complete the SB 1383 Waiver Application form (include any supporting documentation) and submit to your hauler's recycling coordinator.***



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## SB 1383 Waiver Application

Type of Application:	New Application	Renewal	Appeal	Date: _____
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### APPLICATION

BUSINESS OR MULTI-FAMILY COMPLEX NAME		BUSINESS LICENSE NUMBER	
BUSINESS OR MULTI-FAMILY PHYSICAL ADDRESS	CITY	STATE	ZIP
BUSINESS OFFICE MAILING ADDRESS	CITY	STATE	ZIP
CONTACT INFORMATION (for designated business representative who should receive waiver related notices from EMD)			
Contact Name/Title	Phone Number	E-Mail	

**WAIVER TYPE** (Check the box(es) adjacent to the exemption waiver type(s) you are requesting below and provide information requested. Photo verification and/or supporting documentation must be submitted with this application for exemption consideration.)

#### THIRD-PARTY WAIVER (for properties with landscape contractors/organics recyclers)

Please provide the following information and supporting documentation: contract, receipts, etc.

- Third-party organic waste recycling service (e.g., landscaper) information:

➤ Recycler: \_\_\_\_\_ Business Lic #: \_\_\_\_\_ Phone: \_\_\_\_\_

➤ Material type(s): \_\_\_\_\_

➤ Facility where this material is taken for recycling \_\_\_\_\_

#### DE MINIMIS WAIVER FOR BUSINESSES WITH MINIMAL ORGANIC WASTE

Please provide the following information and supporting documentation: hauler verification, photos, etc.

- Average amount of organic waste collected per week:

≥ 2 cubic yards of waste & < 20 gallons of organics

< 2 cubic yards of waste & < 10 gallons of organics

#### PHYSICAL SPACE CONSTRAINT WAIVER

Please provide the following information and supporting documentation: hauler verification, photos, blueprints, etc.

- Property does not have the physical space to add additional organic waste recycling containers
- Please indicate the specific program(s) you are requesting a waiver for:

Green waste recycling only

Food waste recycling only

Green waste & food waste

#### Customer Attestation

☐ I certify that all the information presented in this application is correct and assume responsibility to notify EMD and my hauler of any changes. I understand that this waiver expires one year from the approval date and accept that it is my responsibility to apply for a waiver renewal 30 days prior to the expiration date. Failure to renew a waiver prior to the expiration date does not waive any penalties or fines for noncompliance that may be incurred.

Signature of person submitting application: \_\_\_\_\_ Date: \_\_\_\_\_

Name of person submitting this application: \_\_\_\_\_

### FOR EMD AND/OR HAULER OFFICE USE ONLY:

HAULER COMPANY: _____		Inspection Date: _____	Inspected by: _____
Photos	Supporting Documentation	Missing Documentation	Unable to conduct inspection
Notes: _____			
EMD Date Application Received: _____ Inspection Date: _____ Inspected by: _____			
Photos	Supporting Documentation	Missing Documentation	Unable to conduct inspection
Notes: _____			
EXEMPTION STATUS		Approved Denied/Reason: _____	
Approved by Jeffrey Warren, EMD Director: _____		Date: _____	