



# Creating Enforcement and Compliance Elements for Commercial Recycling

December 16, 2010

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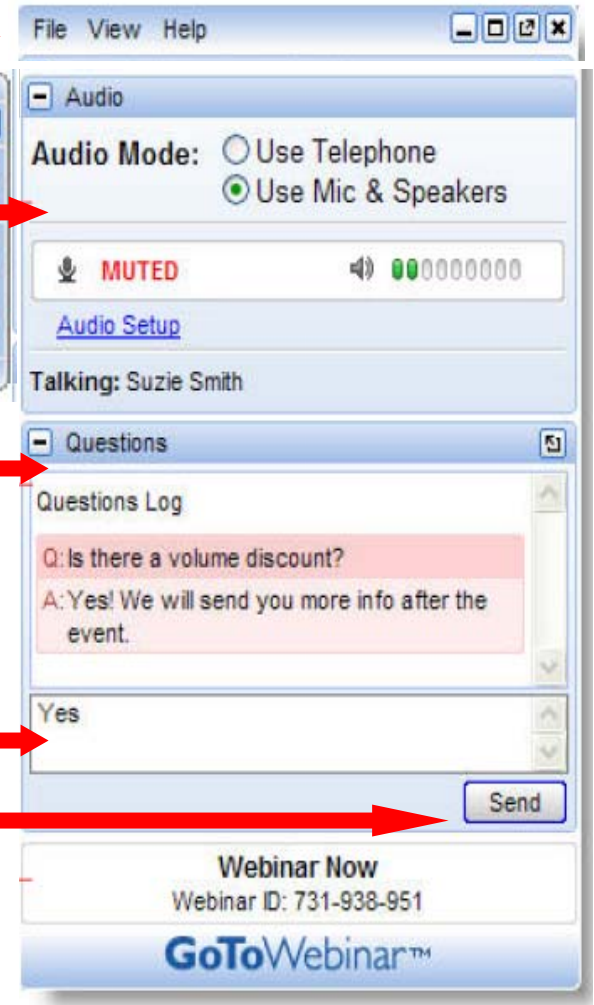
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# Today's Agenda

## Welcome and Introductions

Yvonne Hunter, Program Director, California Climate Action Network, Institute for Local Government

## CalRecycle Regulatory Update

Howard Levenson, Assistant Director, CalRecycle

## Creating Effective Enforcement and Compliance Elements

Yvonne Hunter, Program Director, California Climate Action Network, Institute for Local Government

Ken Prue, Recycling Program Manager, City of San Diego, Environmental Services Department

Patty Garbarino, President, Marin Sanitary Service

## Questions and Discussion



# Mandatory Commercial Recycling Regulation

Howard Levenson  
December 16, 2010  
CalRecycle

# Goals

- Goal: Reduction of 5 million metric tons CO<sub>2</sub>E
  - 27 million tons disposed by commercial sector
  - Will need to recycle about 3 millions tons by 2020
- Flexible for jurisdictions and businesses
  - Does not specify which materials must be diverted
  - Allows jurisdictions to design program
  - Allows businesses various ways to recycle depending on local infrastructure
- Builds on existing AB 939 processes

# Draft Regulatory Approach: Business Requirements

- Businesses and multifamily units that generate > 4 cubic yards of waste/week must:
  - Subscribe to recycling service, or
  - Send materials to mixed waste processing facility, or
  - Self-haul recyclables

# Draft Regulatory Approach: Jurisdiction Requirements

- Jurisdictions must implement program that consists of education, outreach, and monitoring by July 2012
  - Regardless of meeting 50% per capita disposal target
  - Can use existing programs
  - Can also decide if they want to implement ordinance, policy, or franchise
  - Flexibility to phase in program components
  - Enforcement not mandatory
  - Report to CalRecycle in Electronic Annual Report

# Draft Regulatory Approach: CalRecycle Responsibilities

- For jurisdictions on 2-year cycle, CalRecycle evaluation begins 2014 and continues every two years
- For jurisdictions on 4-year cycle, evaluation begins in 2016 and continues every four years.
- Measure emission reductions statewide



# Revisions in December Draft

- Business definition – added “public entity”
- Threshold – changed to 4 CY of waste
  - Multi-family unit threshold – changed to 16 units
- Transformation – clarified no change
- Mixed waste processing – added “comparable to source separation”
- Rural – added further clarification of what constitutes good faith effort
- Other clarification changes

# Timeline

<b>Initial Informal Stakeholder Feedback</b>	<b>Draft Regulation Development</b>	<b>Additional Informal Stakeholder Workshops</b>	<b>Formal Rule Making</b>	<b>Adoption/ Implementation</b>
July – September, 2009	September 2009 – December 2010	June & Sept 2010, January 19, 2011	January-March 2011	2011/2012

# More Information

- CalRecycle's web page at  
<http://www.calrecycle.ca.gov/Climate/Recycling/default.htm>
- Tracey Harper
  - [Tracey.harper@calrecycle.ca.gov](mailto:Tracey.harper@calrecycle.ca.gov) or 916-341-6531
- Marshalle Graham
  - [Marshalle.graham@calrecycle.ca.gov](mailto:Marshalle.graham@calrecycle.ca.gov) or 916-341-6270

# Questions



# Overview of Enforcement and Compliance Options for Commercial Recycling

Yvonne Hunter, Program Director  
California Climate Action Network  
Institute for Local Government

# Key Items to Consider

- Exclusive Franchise or Open Competition?
- Role of Local Agency in Enforcement
- Role of Service Provider in Enforcement
- Keeping the Playing Field Level



# Incremental Approach

- Warning and Education
- “Fix-It Ticket”
- Charging More for Mixing Solid Waste with Recyclables
- Fines or Penalties for Violations



# Education Is *The* Key to Compliance






# BUSINESS RECYCLING ORDINANCE

## INFORMATION BOOKLET

*RECYCLING MEANS GOOD BUSINESS!*



A GUIDEBOOK FOR ALL BUSINESSES LOCATED IN THE  
CITY OF SACRAMENTO AND THE UNINCORPORATED AREA  
OF SACRAMENTO COUNTY

 Printed on recycled paper, 100% post-consumer waste

# Resources to Learn More

- **ILG Commercial Recycling Resource Center**  
[www.ca-ilg.org/commercialrecycling](http://www.ca-ilg.org/commercialrecycling)
  - Sample Commercial Recycling Ordinance
  - Examples of Education Materials
  - Community Stories
  - Commercial Recycling Ordinances
  - Links to Previous Two ILG Commercial Recycling Webinars
- **CalRecycle Resources** (links at above ILG website URL)



City of San Diego

# **CITY OF SAN DIEGO MAKING IT MANDATORY**

## **INSTITUTE FOR LOCAL GOVERNMENT COMMERCIAL RECYCLING ORDINANCE WEBINAR**

**KEN PRUE**

**DECEMBER 16, 2010**





# TODAY'S PRESENTATION

- IMPLEMENTATION/ENFORCEMENT PRACTICES
- HOW HAS IT BEEN TO IMPLEMENT?
- LESSONS LEARNED AND ADVICE ON ENFORCEMENT AND COMPLIANCE OPTIONS



# RESPONSIBILITIES

- **OWNER/MANAGER/LANDLORD**
  - **ON SITE RECYCLING SERVICES**
  - **EDUCATIONAL MATERIALS ANNUALLY & TO NEW TENANTS**
  - **INFORM TENANTS IF ANY CHANGES IN RECYCLING SERVICES**
- **OCCUPANTS**
  - **PARTICIPATE IN PROGRAM**
  - **SEPARATE RECYCLABLES FROM TRASH**



# REPORTING

- **REPORTS**
  - **HAULER REPORTS DUE AUGUST 15TH FOR PREVIOUS FISCAL YEAR**
  - **DATA USED FOR OUTREACH STRATEGY**
    - **STARTED WITH LOWEST HANGING FRUIT – HIGHEST TRASH SERVICE LEVELS AND NO RECYCLING**
    - **CURRENTLY FOCUSING ON LOWER END OF SPECTRUM**
- **CERTIFIED RECYCLABLE MATERIALS COLLECTORS**
  - **VOLUNTARY**
  - **LISTED ON ESD WEBSITE & OUTREACH MATERIALS**
  - **\$130 APPLICATION FEE (COST RECOVERY)**
  - **RENEWAL EVERY 2 YEARS**



# **ENFORCEMENT**

- **ENFORCEMENT GUIDELINES - BASED ON ESTABLISHED PROTOCOLS**
- **FOCUS ON ACHIEVING COMPLIANCE THROUGH EDUCATION AND TECHNICAL ASSISTANCE**
- **FINES ASSESSED IN CASES WHERE EDUCATION / ASSISTANCE HAVE BEEN OFFERED AND VIOLATOR CONTINUES TO FAIL TO MEET REQUIREMENTS**
- **FINES: \$100, \$250, \$500, \$750 OR \$1,000 DEPENDING ON CIRCUMSTANCES**



# MINIMUM RECYCLING GUIDELINES

Type of Facility	Minimum required ratio of recycling to trash containers
Multi-Family & Mixed Use Facilities with majority sq. ft. being residential	
≥ 50 units	40% recycling to 60% trash
< 50 units	30% recycling to 70% trash
Commercial & Mixed Use Facilities with majority sq. ft being commercial	
≥ 10,000 sq. ft.	40% recycling to 60% trash
< 10,000 sq. ft.	30% recycling to 70% trash
Single Family Residence/Residential Facility serviced by private waste hauler	Minimum of one recycling container of equal capacity to each refuse container

*Exceptions approved on a case by case basis by the Environmental Services Director or designee.*





# EDUCATION/OUTREACH

## DOWNLOADABLE FROM ESD WEBSITE

- POSTER/FLYER
- DUMPSTER SIGNAGE
- WRITTEN NOTICE TO TENANT
- BLURBS FOR NEWSLETTER
- FLYERS FOR BULLETIN BOARDS/ MAILERS

## ALSO AVAILABLE

- PRESENTATIONS TO STAFF AND RESIDENTS

## RESOURCES

SD COUNTY APARTMENT ASSOC.  
CITY RECYCLING SPECIALISTS  
HAULERS/RECYCLERS  
CITY'S WEBSITE  
LINKS IN WEBSITE  
LIST OF RECYCLERS/HAULERS  
RECYCLING DIRECTORIES  
ASSOCIATIONS  
ENVIRONMENTALLY FRIENDLY PRODUCTS  
LIST OF CONTAINERS  
VENDORS/MANUFACTURERS



City of San Diego



# RECOGNITION OF HIGH-PERFORMERS

## ANNUAL WASTE REDUCTION & RECYCLING AWARDS



&



## RECYCLER OF THE MONTH AWARDS



# HOW HAS IT BEEN TO IMPLEMENT?

- **LOW-STRESS!**
- **EASILY INCORPORATED INTO EXISTING PROGRAMS AND EFFORTS**
- **~2/3 BUSINESSES AND MULTI-FAMILY COMPLEXES SUBJECTED TO CRO HAVE RECYCLING PROGRAMS**
- **OVERALL COMMERCIAL RECYCLING VOLUME CAPACITY INCREASED BY 76% AND TRASH DECREASED BY 10% FROM 2008 TO 2010**
- **PEOPLE HAVE BEEN VERY ACCEPTING W/ VERY LITTLE PUSH-BACK**
- **HAULERS HAVE STEPPED UP**



# **ENFORCEMENT DETAILS**

## **NUMBERS THRU OCTOBER 2010:**

### **RECYCLING SPECIALISTS:**

- 721 TECHNICAL ASSISTANCE WORK ORDERS**

### **CODE COMPLIANCE OFFICERS:**

- 642 FIRST NOTICES OF VIOLATIONS**
- 55 ADMINISTRATIVE WARNINGS**
- 1 ADMINISTRATIVE CITATION OF \$100**
- 2 ADMINISTRATIVE CITATION OF \$250**



# LESSONS LEARNED

- **MANDATORY REPORTING FROM HAULERS IS KEY**
- **COVERED RECYCLABLE MATERIALS – DISCRETION OF DEPARTMENT DIRECTOR**
- **ON-SITE TECHNICAL ASSISTANCE PROVED TO BE EXTREMELY EFFECTIVE**
- **WORK CLOSELY WITH STAKEHOLDERS – BUILD PARTNERSHIPS**
- **WORK WITH PROPERTY MANAGEMENT COMPANIES**
- **USE FRANCHISE AGREEMENT TO COMPLEMENT ORDINANCE**
- **INCLUDE RECYCLING ORDINANCE REQUIREMENTS IN ALL LEASE AGREEMENTS AND HOA'S RULES**



City of San Diego

**THANKS!**



**KEN PRUE**

**RECYCLING PROGRAM MANAGER**

**858-573-1275**



*Patty Garbarino, President  
Marin Sanitary Service*

CONSERVATION:

*Our EARTH.*

*Our MISSION.*

*Our JOB.*

*Marin Sanitary Service*

# History of Dedication

- ◆ MSS has been committed to recycling **commercial, construction** and **demolition** waste since 1987.



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# Remember Your History

- ◆ **You are a professional recycler!** It's important to remember our history as scavengers when developing your enhanced commercial recycling plan and in **shifting your customer's thinking** from, "there's the garbage man" to "there's my recycler."





# Know Your Waste Stream

- ◆ In 2007, MSS commissioned a waste characterization study, which was the basis for the Marin County Zero Waste Plan.
- ◆ **Enhancing Commercial Recycling** was recognized as the #1 priority for achieving zero waste.

## **Audit of Residential/Light Commercial Disposed Waste**

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**Prepared for**  
**Marin Sanitary Service**

565 Jacoby Street  
San Rafael, California 94901

**Prepared by**  
**CalRecovery, Inc.**

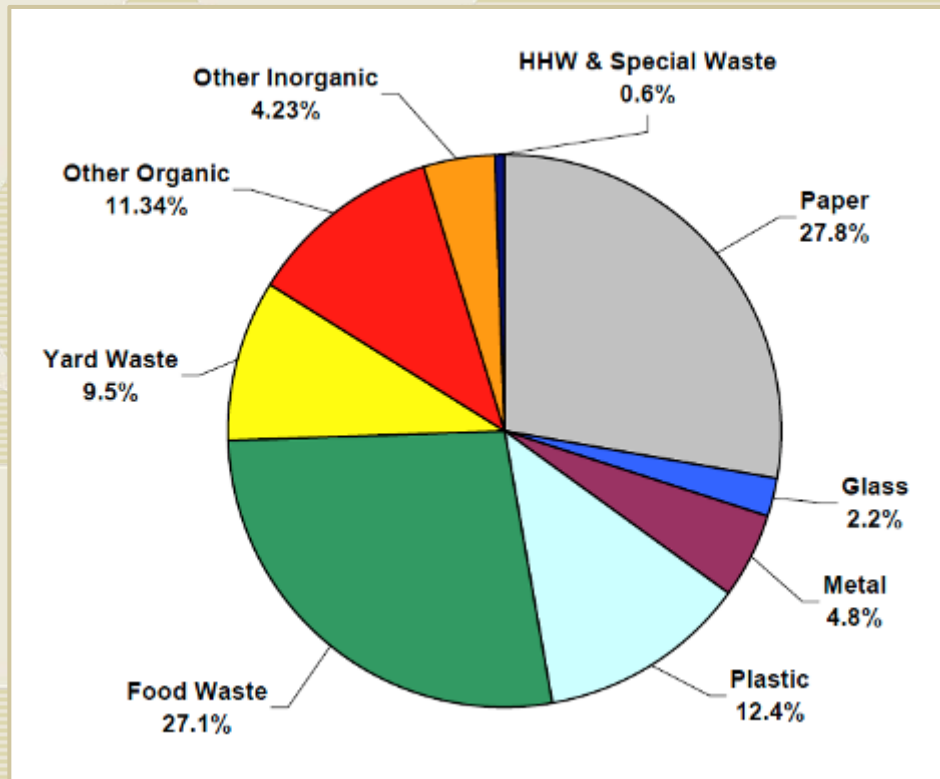
2454 Stanwell Drive  
Concord, California 94520

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# Know Your Waste Stream

- ◆ In Marin County **Paper and Food Scraps** were found to be the top two types of waste still going to the landfill.





# *Develop Your Plan*

- ◆ **Apply knowledge of your waste stream to help you identify problem areas and develop priorities.**
- ◆ **Get feedback from your staff** to help understand your company's capacities, strengths and weaknesses.
- ◆ **Get input from your customers and the business sector** to guide your plan toward smooth implementation.

At least  
**70%**  
of waste  
from a  
typical  
business is  
paper that  
could be  
recycled.



# Educate & Communicate

- ◆ Education and communication are keys to success!
- ◆ Develop materials and venues to communicate your new commercial recycling program and it's **benefits** to your customers and their businesses.
  - Dedicated WebPages
  - Brochures and pamphlets
  - Social media
  - Advertizing

An advertisement for Marin Sanitary Service. It features the company name in green cursive, a mission statement, a recycling logo, and promotional text about commercial recycling services. A small tree is shown growing out of a stack of paper.

*Marin Sanitary Service*  
CONSERVATION—  
OUR EARTH,  
OUR MISSION,  
OUR JOB

**Commercial Recycling**

Save time,  
Save money,  
Save the environment!

Free services available  
to help you achieve your  
green business goals.

Become a Green  
certified business today.

*Marin Sanitary Service*



# Educate & Communicate

## Get Recognized

Become Certified Green – With our help over 100 business have become certified Green as part of the Marin Green Business program.



Achieve LEED – We'll evaluate your recycling goals and customize a job site recycling strategy to meet those goals and provide the necessary documentation for LEED certification.

## Get Rewarded

If your business shows substantial gains in recycling, as a result of this program, we will provide a complimentary media campaign to get the word out.

## STRICTLY BUSINESS

*Complimentary services to help you save.*

### GUIDANCE

**Free Waste Audit**  
*In-depth analyses of your business' refuse can maximize recycling and help save you money by targeting what you waste.*



### ADVICE

**Free Commercial Recycling Consulting**  
*Our hands-on experts make the transition to recycling fast and easy by customizing recycling strategies to fit your business.*



## The Convenient Truth

*We provide you with...*

**Recycling pick up service** for paper, newsprint, cardboard, cans and bottles

Up to 6 times a week depending on your need.

**Different size recycling containers** to fit your space.

### Debris Box Rental

All boxes are assessed for recyclables, available in multiple sizes for any job.

### Confidential Paper Shredding

Bonded and insured, recycling 100% of your sensitive materials on your site or ours.



Take the first step – call our Commercial Recycling Department today – 415.485.1702 or visit our website and click on Commercial Recycling – [www.MarinSanitary.com](http://www.MarinSanitary.com)

Printed on 100% Recycled Paper

# Marin Sanitary Service



# *Educate & Communicate*

- ◆ Other MSS commercial recycling materials include:
  - ◆ Commercial Recycling Brochure
  - ◆ LEED Construction Debris Boxes Pamphlet
  - ◆ Document Shredding Pamphlet
  - ◆ Waste Not Pamphlet
  - ◆ Multi-family Dwelling Recycling Brochure
  - ◆ Wide range of informative labels
  - ◆ Newsletters



# Get the Word Out

- ◆ Actively promote your program to customers.
- ◆ Send mailers
- ◆ Make phone phones
- ◆ Site visits
- ◆ Advertisements
- ◆ Start an email campaign



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# *Get the Word Out*

- ◆ MSS actively promotes it's commercial recycling program through:
  - ◆ Calls and site visits to customers
  - ◆ Chamber of Commerce/Business Improvement Districts
  - ◆ Outreach to the Marin Property Association
  - ◆ Attending meetings of local business organizations
  - ◆ The use of the newly revised MSS website



# *Offer Waste Audits*

- ◆ Waste audits provide an in depth analysis of a customer's waste stream and can help maximize recycling by targeting what is thrown away.





# Offer Waste Audits

- ◆ Waste audits help you to:
  - ◆ Provide focused advice and guidance.
  - ◆ Track progress through future audits.

**Analysis**

Type of Waste	Weight	Percent
Paper	10.00	50%
Other	2.00	10%
Accepted Plastics	1.00	5%
Accepted Metal	1.00	5%

**Waste Audit Form**

**Customer Service Information**

Business Name	
Address	
City	
State	
Zip	
Phone	
Business Hours	
Business Type	
Business Description	
Business Address	
Business City	
Business State	
Business Zip	
Business Phone	
Business Fax	
Business Email	
Business Website	

**Analysis**

Type of Waste	Weight	Percent
Paper		
Other		
Accepted Plastics		
Accepted Metal		

**NON-RECYCLABLE**

**FOOD WASTE/ ORGANICS** 25%

**PAPER/ FIBER** 80%

**BOTTLES/ CANS/METALS** 5%

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 P.O. Box 20000, San Antonio, Texas 78280-0000, Fax (214) 343-4400  
 www.environment.com



# Engage the Customer

- ◆ **Get feedback!** After performing and analyzing a waste audit its critically important to take the next step of engaging the customer and developing a recycling plan.





# *Be Flexible, Have Options*

- ◆ Suggest services and materials to make the transition to recycling fast and easy:
- ◆ Work with the customer to separate dry and wet load collection.
- ◆ Increase the number of recycling containers on site.
- ◆ Offer various container size options.
- ◆ Suggest improving accessibility to recycling bins.
- ◆ Offer signage and education materials.
- ◆ Increase or decrease frequency of pick-up.
- ◆ Engage janitorial staff and services.



# Take Swift Action

- ◆ **Respond to the agreed upon plan**, needed service changes and material requests **efficiently and effectively**. Allow internal staffing, shift and route changes to be made easily.



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# *Keep in Contact*

- ◆ **Develop a follow-up strategy** to ensure that a customer's recycling plan is working to reach the desired goal.



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# Keep in Contact

- ◆ Tips for flawless follow-up:
  - ◆ During initial outreach acquire contact information and ask their preferred mode of communication: email, phone call or letter.
  - ◆ Designate staff to maintain a commercial recycling database.
  - ◆ Make follow-up contacts to offer another waste audit within a reasonable time to observe improvement.
  - ◆ Continually follow-up at logical intervals to help maintain a relationship with the customer.





# Reward and Encourage

- ◆ Give them something to strive for!
- ◆ Besides being good stewards of our earth, reducing greenhouse emissions, and following state mandates - commendable efforts to increase commercial recycling should be rewarded.

## Get Recognized

Become Certified Green – With our help over 100 business have become certified Green as part of the Marin Green Business program.



Achieve LEED – We'll evaluate your recycling goals and customize a job site recycling strategy to meet those goals and provide the necessary documentation for LEED certification.

# Plan for the Future

- ◆ Marin Sanitary is working with the Central Marin Sanitation Agency and the City of San Rafael to begin converting commercial food waste to energy (F2E).





# Plan for the Future

- ◆ Food waste is the **second largest** category of municipal solid waste currently sent to landfills.
- ◆ The goals of F2E are the **diversion of organic commercial waste from the landfill and energy and compost production.**



*Marin Sanitary Service*



*Marin's Own Commercial Recycler!*

# *Marin Sanitary Service*

President Patty Garbarino

[Patty.Garbarino@marinsanitary.com](mailto:Patty.Garbarino@marinsanitary.com)

415-485-5648

*Marin Sanitary Service*

# Questions for All?



# Institute for Local Government Commercial Recycling Resources

- **Sample Commercial Recycling Ordinance**
- **Educational and other resource materials**
- **Follow-up resources from this webinar**
- **Information about future webinars**

[www.ca-ilg.org/commercialrecycling](http://www.ca-ilg.org/commercialrecycling)



# Speaker Contact Information



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Please check your email for a follow-up survey and links to resources mentioned during the webinar.

Your feedback will aid the planning of future webinars.

Thank you for attending the webinar!

# Thank You for Your Participation

**Please be sure to complete the webinar evaluation when it arrives.**