

Sample Cover Letter to Businesses and Apartment Owners-Managers Receiving Commercial Recycling Flyer

How to Use This Sample Letter

Local agencies may use this sample cover letter as a companion to the sample commercial recycling flyer prepared by the Institute for Local Government. The purpose of the flyer and letter is to help local agencies educate businesses about state requirements to recycle, and about any local requirements that may apply. The sample cover letter includes suggested language and options that can be tailored to the individual community. It also includes commentary for local officials about key options or issues to consider as they adapt the letter for their individual agencies. Finally, the sample cover letter includes endnotes to provide more information for local officials they use it to prepare their own letter.

This sample letter contains updates to the May 2011 sample letter to reflect changes in California law.

The sample letter reflects state law that requires certain businesses, public agencies, and apartment complexes (often referred to as multi-family communities by the California Apartment Association) to recycle. The requirement is the result of enactment of AB 341 (Chesbro), which requires certain businesses and apartments to recycle beginning July 2012. (The commercial recycling requirements in state law may be found at Public Resources Code §42649 and following.) CalRecycle's regulations provide clarification about what the law requires of businesses, apartment complexes, and cities and counties. Information about the regulations is available at:
www.calrecycle.ca.gov/climate/Recycling/.

Who Should Receive the Letter and Recycling Flyer?

The sample cover letter and sample flyer are designed to give to local businesses and apartment owners/managers. Separate sample flyer templates are available for businesses and for apartment owners. The apartment flyer also provides information for tenants. The sample template flyers are available in both English and Spanish.

Local agencies may wish to use one cover letter for both businesses and apartment owners/managers, or prepare separate letters for each.

Where to Find the Sample Commercial Recycling Flyer Template

The sample commercial recycling flyer templates are available in English and Spanish on the Institute for Local Government's website www.ca-ilg.org/CommercialRecyclingFlyer. They are available in PDF and In-Design formats and can be modified by the local agency to fit local conditions. Instructions on how to access and modify the flyer templates are available at www.ca-ilg.org/CommercialRecyclingFlyer.

Options for Distributing the Flyer and Cover Letter

Finding the best way to reach the right individuals in the business and multi-family communities may vary depending upon the local agency. Agencies may want to use multiple approaches to distributing the flyer and educating businesses. Options to consider include the following.

- Work with your local solid waste and recycling service provider(s) to distribute the letter and flyer.
- Include the letter and flyer in monthly utility bills or with business license applications or renewals. Be aware, though, that this approach may not always be the best way to reach the right business managers who have the authority to establish recycling programs or sign up for recycling services.
- Work with local apartment associations to identify the best way to distribute the information to apartment owners and managers directly. Local agencies may want phase in contacting multi-family communities, starting with those that have on-site managers (generally any multi-family community with 16 or more units).
- Work with local chambers of commerce or downtown business associations to distribute the letters and flyers, post information on their websites, or give presentations at meetings or events.
- Work with ethnic business associations to distribute the letter and flyer.
- Provide cover letters and flyers at local agency facilities.
- Place the cover letter and flyers on the agency's and hauler's website that informs businesses about local and state recycling requirements.

Small or rural agencies may have unique circumstances that limit their options to reach businesses. In these situations, local officials may wish to consider the following as ways to educate businesses about recycling requirements, in addition to those suggested above.

- Include the business recycling flyer and cover letter in the agency's annual business license renewal communication.
- Work with local solid waste and recycling service providers to give the flyer and cover letter to businesses they serve.

Acknowledgements

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This paper is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties.

For more information and to access the Institute's resources on sustainability, go to www.ca-ilg.org/sustainability

Sample cover letter text begins on next page.

Local Agency Letterhead

Proposed Text for Sample Cover Letter

To: Businesses Operating in *insert name of city/county*

From: *Insert name of agency contact (plus phone number-email if appropriate)*

Re: State Recycling Requirements¹ for Businesses and Multi-Family Communities²

The attached flyer is provided to help you, your employees and tenants understand new state requirements related to recycling by businesses.³ Additional copies of the flyer are available upon request or on the *city/county* website at URL.

Who Must Recycle

State [*and local*] law require[s] the following businesses to arrange for recycling services:

- Any business that generates 4 cubic yards or more of waste per week⁴ [*modify to include local agency requirements if different*]; and
- Multi-family communities with five or more units⁵. [*modify to include local agency requirements if different*]

How to Arrange for Recycling Services

[Option A: For cities/counties with exclusive franchise or agency provided recycling services]

- Businesses that meet the threshold must place source-separated recyclable materials in the bins or containers provided by *city's/county's* exclusive waste and recycling service provider.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.⁶

[Option B: For cities/counties with open competition]

- Businesses that meet the threshold must arrange for recycling services by one of the companies authorized to provide such service in *insert name of city or county*.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.⁷

*[Option C: For cities/counties served by mixed-waste material recovery facilities]*⁸

- Waste and recyclable materials collected in city/county name are processed at a mixed waste materials recovery facility.
- Insert optional language regarding any source separation requirements for specified materials.
- Business may also donate, sell and/or make other arrangements for pick up and recycling of the materials. This includes self-hauling the materials to recycling facilities.

Opportunities to Save Money by Recycling⁹

In city/county name, you can save money by recycling more and disposing less. This is because recycling fees are less than waste disposal fees.¹⁰

Opportunities to Save Resources and Help the Environment

Recycling conserves resources and reduces greenhouse gas emissions. It extends the life of our landfills and helps create a healthy environment for our community and future generations.

Be Sure to Educate Your Employees

Employees are key to a successful business recycling program. Please make sure your employees know which materials can be recycled and where to place the recyclable materials for temporary storage and ultimate collection. Copies of the attached flyer may be useful to help educate and inform employees about proper recycling procedures.¹¹

Enforcement and Compliance Requirements¹²

Insert information about local enforcement and compliance elements

What *Not* to Place in Recycling Bins

Some hazardous waste can be recycled if handled properly. Other types of hazardous waste must be sent to a special facility. Of course, no hazardous waste should be placed in trash containers.

- Hazardous waste such as batteries, paint, antifreeze, chemicals and cleaning products should not be mixed in with your recyclable materials set out for collection. Instead, these hazardous wastes should be recycled or disposed of properly. For more information about proper handling, please visit insert URL or other information.¹³
- Electronic devices such as old computers, monitors, TVs, and cell phones are recyclable but also contain hazardous materials. They should not be placed in recycling bins or in trash bins either. For more information about how to manage these items, visit insert URL or other information for e-waste collection opportunities.

- Got old tires? Make sure they end up in the right place by visiting *insert URL or other information.*

Where to Go for More Information¹⁴

- Information about California's business recycling requirements is available from the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov/climate/Recycling/default.htm.
- Information about business recycling is available from the California Department of Resources Recycling and Recovery (CalRecycle) at www.calrecycle.ca.gov/Business/.
- *Information about local business recycling requirements is available at _____.*¹⁵
- *Insert information about how to learn about local community recycling service provider(s)*

Technical and Financial Assistance¹⁶

Information about how to request a waste assessment at your business is available at [insert local agency URL or other information]

Information for Apartment Owners-Managers¹⁷

It is important that both apartment managers and tenants understand the requirements to recycle, which materials can be recycled and where to place them for collection.

- State law requires multi-family communities with 5 or more units to recycle.
- State law requires apartment owners to offer recycling services and residents to recycle. Apartment owners may require tenants to recycle.¹⁸
- *Insert information about any local recycling requirements for multi-family communities.*
- The attached flyer can be used to educate tenants about proper procedures for recycling. Copies of the flyer may be duplicated; they are available at *insert agency URL* for printing and distribution to tenants.
- Consider placing the flyers in areas such as laundry rooms or at garbage collection locations.
- Consider giving the flyer to new tenants when the lease is signed and annually to all other tenants.
- Consider including recycling requirements in tenant leases.
- Information about multi-family recycling is also available from the California Apartment Association at www.caanet.org/MultifamilyRecycling.

Endnotes

¹ California law requires certain businesses and apartments to recycle, beginning in July 2012. *See* Public Resources Code §§42649 and following. Implementing regulations provide clarification about what the law requires of businesses, multi-family units, and cities and counties. Information about implementing regulations is available at www.calrecycle.ca.gov/climate/Recycling/.

² Agencies may wish to combine the letters to businesses and apartment owners/managers or prepare separate versions for each. The sample letter can be modified to accommodate either approach.

³ The sample letter may be modified to include references to any local commercial recycling requirements as well. Similar language is included in the sample flyer template, which may also be modified to reflect local recycling requirements.

⁴ *See* Public Resources Code § 42649.2(a).

⁵ *See* Public Resources Code § 42649.2(a). The sample letter generally uses the term “multi-family community” at the recommendation of the California Apartment Association. A local agency may use another term to describe apartments or multi-family complexes.

⁶ It is important to include this option in the letter to be consistent with existing law. (*See Waste Management v. Palm Springs Recycling Center, Inc., Cal. 4th 478 (1994).*) For questions regarding legal issues, local agencies should consult with their legal counsel.

⁷ It is important to include this option in the letter to be consistent with existing law. (*See Waste Management v. Palm Springs Recycling Center, Inc., Cal. 4th 478 (1994).*) For questions regarding legal issues, local agencies should consult with their legal counsel.

⁸ State commercial recycling requirements specify that local agencies served by mixed waste material recovery facilities still must educate businesses about the need to recycle (*See* Public Resources Code § 42649.1(3).) In addition, in some cities or counties served by mixed waste material recovery facilities, businesses are encouraged or required to source separate some recyclable materials (such as cardboard or paper) in order to avoid contamination. Finally, the ability of a business to donate, sell and/or make other arrangements for pick up and recycling of materials, including self-hauling, still applies, regardless if the community is served by a mixed waste material recovery facility.

⁹ This section may be modified to reflect the recycling and disposal fee structure in the city or county. While in most cases recycling services cost less than disposal services, in those situations where they do not, it may be best to omit this section.

¹⁰ Consider inserting more detailed information about money-saving opportunities, such as (if applicable) “recycling is free” or “recycling is half the cost of waste disposal.” Other options include examples of how specific businesses have reduced their costs by increasing recycling or quotes from business owners or apartment managers who reduced their disposal bills by recycling.

¹¹ Information about how to obtain additional copies of the flyer may be inserted here, in the “Where to Go for More Information” section, or in both places.

¹² State law does not require that cities or counties implement an enforcement or compliance system. Some locally adopted commercial recycling programs include enforcement and compliance requirements. If a local enforcement and compliance system exists, it can be described in this section. For more information about options for local agency recycling ordinances, including enforcement and compliance options, see the Institute for Local Government’s Sample Commercial Recycling Ordinance at: www.ca-ilg.org/samplecomrecycord.

¹³ This section may be expanded to provide information about local hazardous waste recycling options for business that generate a small amount of hazardous waste. Some small businesses may be eligible to dispose of their hazardous waste through local household hazardous waste collection programs or events.

¹⁴ This section may be modified to include agency-specific information, such as website or telephone information, information about service providers (especially important if the agency is served by an exclusive franchise with one company), or other agency-specific information.

¹⁵ Include only if local business recycling requirements apply.

¹⁶ This option is available for agencies that offer waste assessments themselves or in conjunction with local service providers. Similarly, if financial assistance is available, such as grants or free bins/containers, this information can be included here.

¹⁷ This section may be included in the general cover letter, or in a letter prepared separately for apartment owners and managers.

¹⁸ See Public Resources Code §§ 42649.2(a) and (c) and the Mandatory Commercial Recycling Regulations, §17837(b) (at www.calrecycle.ca.gov/climate/Recycling/).