



SF Environment

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A Department of the City and County of San Francisco

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Attention Property Owners and Managers

January 15, 2019

OFFICIAL NOTICE: NEW LAW TAKES EFFECT – JULY 1, 2019 (Refuse Separation Ordinance, No.180646)

The City and County of San Francisco passed a new law to increase compliance with San Francisco's mandatory recycling and composting ordinance (Environment Code Chapter 19). The new law requires that Large Refuse Generators have their refuse audited at least every 3 years to assess compliance with mandatory recycling and composting. If a property fails an audit and is found to have contamination above set limits in any of their three streams of refuse (recyclables, compost, and trash), the new **Refuse Separation Ordinance** requires them to engage the services of a Zero Waste Facilitator.

For more resources, visit: SFEnvironment.org/zerowastefacilitator.

Por favor, llame a SF Environment al (415) 355-3700 para obtener más información sobre este tema.

請致電三藩市環境局 (415) 355-3700 獲取本主題相關資訊。

FREQUENTLY ASKED QUESTIONS (FAQ)

Who is covered by the new law?

Large Refuse Generators (LRGs) are defined as properties that have either a roll-off compactor or at least 40 cubic yards or more of uncompacted refuse service per week. Refuse service includes all hauler serviced collection bins containing recyclables, compostables and trash. Where a non-roll-off compactor is used, the volume of compacted refuse shall be multiplied times three to account for its compaction. Those properties being mailed this notice have been identified as LRGs.

Why did the City adopt this new law?

This new law will help San Francisco make progress towards its goal of Zero Waste. Approximately 20 percent of the refuse (tons) that Recology picks up in San Francisco originate from LRGs. Audits will help the City determine which LRGs need assistance in separating their refuse into the proper streams.

What are the audit requirements?

The City (Department of the Environment) or Recology must audit (inspect) the contents of refuse collected from Large Refuse Generators (LRGs) at least every 3 years. If the refuse contents are found to exceed contamination (unacceptable materials found in a designated bin) levels set by the City, then the LRG will be deemed out of compliance. Contamination levels are set based on the ability to process and market materials and progress toward zero waste goals. They may be adjusted no more than once per year.

How is an audit conducted?

A property's collected refuse will be visually inspected by the City or Recology to determine the percent contamination in a designated recycling, composting or trash stream. Auditors will photograph and document identified contamination and determine if the refuse quantity of contamination has exceeded acceptable levels.

How can a property assess its' compliance before a required audit?

A property can do a self-assessment through visual inspections before materials are placed in final collection bins. This can be done by intercepting material being brought from different locations within a property, such as in tenant locations, before being placed in Recology's collection bins. For resources on what is acceptable in each bin, visit:

SFRecycles.org, and how to conduct a self-assessment, visit: recology.com/recology-san-francisco/refuseseparation

What is required if a property fails an audit?

If an LRG fails an audit conducted by the City or Recology, then the City must issue a report on the findings of the audit, which includes photos of contamination along with a Notice of Noncompliance and Compliance Order. The Compliance Order will require remedial actions that the property must take, including within 60 days of the Order *engaging the services of a Zero Waste Facilitator for at least 24 consecutive months at a sufficient capacity*. A property must present a compliance plan and documentation of hiring a Zero Waste Facilitator within 60 days of the City Order.

What is a Zero Waste Facilitator?

A Zero Waste Facilitator is a qualified person(s) who serves exclusively in helping a property comply with adequate refuse separation. This service may include sorting refuse before final collection by the hauler and providing separation compliance feedback or education to property managers and tenants. The City will list on their website facilitators who have attended a City conducted training.

What if a Zero Waste Facilitator is not available within 60 days of a City Order?

The City may allow a property an additional 60 days for a total of 120 days to engage a Zero Waste Facilitator if the property can demonstrate a lack of availability for a Zero Waste Facilitator.

What are the requirements for follow-up audits?

A follow-up compliance audit will be conducted after a Zero Waste Facilitator has been engaged for 24 months. A property that has complied for 12 consecutive months with an Order can request a follow-up audit sooner than 24 months at the property's expense and with evidence of remediation efforts. If the property passes this audit, the City will notify the property that it has met its compliance obligations. If the property fails the audit, the City will issue another Order requiring the property to take additional remediation actions that may include increasing the capacity of the Zero Waste Facilitator. A property is not entitled to more than 3 audits within a year.

How do properties benefit from this law?

Over 80 properties in San Francisco currently utilize Zero Waste Facilitators. Facilitators are able to reduce trash and/or increase recycling or composting resulting in an increased recovery (diversion) rate and discount on their Recology refuse bill. They also help properties avoid refuse bill contamination charges. In many cases, Zero Waste Facilitators have been shown to provide a net savings to a property.

What are potential fines for noncompliance?

The City may assess fines up to a \$1000 a day for properties that do not comply.

How are Affordable Housing Providers, Nonprofit Food Providers, Nonprofit Wholesale Food Vendors, Fresh Flower Vendors and refuse placed in Public Trash Containers handled differently?

A different timeline and protocols for compliance are described at SFEnvironment.org/zerowastefacilitator