



Midway City Sanitary District
Proudly Serving the Community of Westminster and Midway City Since 1939

SB 1383 ORGANICS RECYCLING REGULATIONS WAIVER APPLICATION

INSTRUCTIONS:

Effective January 1, 2022, all commercial businesses, including multi-family residential dwellings with five or more units, must comply with all State of California-mandated (SB 1383) Organic Waste recycling provisions. As required by State law, the SB 1383 requirements are codified in the Midway City Sanitary District (MCSD) Solid Waste Regulations adopted pursuant to Ordinance No. 71. Pursuant to these provisions, commercial businesses are required to maintain separate containers for and arrange for recycling services for Organic Waste (i.e. food waste and green waste) through MCSD's Franchisee (CR&R). Certain commercial businesses may qualify for waivers from some or all SB 1383 Organic Waste recycling requirements. If a waiver is not approved by MCSD, however, your business will be required to comply with all Organic Waste recycling requirements and subscribe to mandated service.

To apply for a waiver, please complete the accompanying 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

- Commercial Businesses that have Green Waste and/or Organics Waste recycling provided by a gardener, landscaper or other authorized third-party recycler in compliance with applicable law may apply for a waiver from the obligation to subscribe to service for such Green Waste or Organic Waste through MCSD's Franchisee.
- Third-party recyclers must maintain disposal/recycling records and divert Organic Waste from landfills as required by state law.
- The business / property owner must agree to submit information to MCSD periodically to verify continued third-party organics recycling (e.g., copy of the agreement with service provider, disposal receipts, etc.).

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

- Commercial businesses that generate a limited amount of Organic Waste may apply for a low-generator "de minimis" waiver if they either:
 - A) Have total total solid waste collection service of two cubic yards or more per week, and Organic Waste subject to collection in a separate container comprises of less than 20 gallons per week per applicable container; or
 - B) Have total solid waste collection service of less than two cubic yards per week, and Organic Waste subject to collection in a separate container comprises less than 10 gallons per week per applicable container.

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 MCSD and CR&R to consider solutions to space constraints.
- State regulations allow MCSD to waive compliance only if MCSD's own staff, a licensed architect, or a licensed engineer confirms the lack of adequate container space.

NOTE: Businesses granted any of the above referenced waivers will be exempted for a five (5) year period from SB 1383 requirements. To remain exempt, state law requires you to submit written verification of eligibility to MCSD at least every five (5) years. During each five-year exemption period, state law also requires that you notify MCSD any time the waste generated at your property exceeds the qualifying waste-generation amount for any waiver granted or of any other relevant changes.

To apply for a waiver, please complete the SB 1383 Waiver Application form (include any supporting documentation) and submit to the CR&R recycling coordinator.

E-mail waiver requests to: mcsd-recycles@crrmail.com

Questions: Call (714)260-3406



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SB 1383 Waiver Application

Type of Application:	New Application	Renewal	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 <i>(for designated business representative who should receive waiver related notices from MCSD)</i>			
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):* _____ *Estimated lbs per week:* _____
 - *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
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PHYSICAL SPACE CONSTRAINT WAIVER
Please provide the following information and supporting documentation: CR&R 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:

<i>Green waste recycling only</i>	<i>Food waste recycling only</i>	<i>Green waste & food waste</i>
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Customer Attestation	<input type="checkbox"/> I certify that all the information presented in this application is correct and assume responsibility to notify MCSD and my hauler of any changes. I understand that this waiver expires five years 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: _____
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FOR CR&R AND MCSD OFFICE USE ONLY:

CR&R Contact: _____	Inspection Date: _____	Inspected by: _____
Photos Supporting Documentation	Missing Documentation	Unable to conduct inspection
Notes: _____		

MCSD Date Application Received: _____	Inspection Date: _____	Inspected by: _____
* Photos Supporting Documentation	Missing Documentation	Unable to conduct inspection
Notes: _____		

EXEMPTION STATUS Approved Denied/Reason: _____

Approved by MCSD General Manager: _____ Date: _____