
**SB 1383 ORGANICS RECYCLING REGULATIONS
WAIVER REQUEST FORM**

INSTRUCTIONS:

Beginning January 1, 2022, California Senate Bill (SB) 1383 requires all businesses and multifamily properties to arrange for organic waste recycling services (*i.e.*, food waste and green waste). As required by the State, these regulations were codified in the Escondido Municipal Code to allow for local enforcement. Certain businesses and multifamily complexes of five units or more may qualify for waivers from these mandatory programs; however, only those who have requested and received a waiver from the City can avoid mandated participation. If a waiver is not approved by the City, your business or property will be required to participate in mandated services. You will receive notification of your waiver status by mail.

To apply for exemption, complete the accompanying SB 1383 Waiver Request Form and provide the required information. Waivers may be requested for each type of exemption you believe applies to your business. There are two types of waiver requests:

1. 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 collection of two cubic yards or more per week (*i.e.*, equal to at least 12 large or 24 regular trash bags, or about two-thirds of a standard dumpster), and organic waste of less than 20 gallons per week (*i.e.*, about 2 tall kitchen bags); or
 - B) total solid waste collection of less than two cubic yards per week and collected organic waste of less than 10 gallons per week.

2. 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 containers, using split containers, or other solutions. You must first work with the City to consider solutions to space constraints.
- State regulations allow the City to waive compliance only if the City’s own staff, a licensed architect, or a licensed engineer confirms the lack of adequate container space.

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

**To apply for a waiver, please complete and submit the SB 1383 Waiver Request Form and any supportive documentation to the City of Escondido Recycling & Waste Reduction Division
475 N. Spruce Street, Escondido, CA 92025
Or email to lhurst@escondido.org**



City of Escondido
 Recycling & Waste Reduction
 475 N. Spruce Street
 Escondido, CA 92025

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APPLICANT INFORMATION			
BUSINESS OR MUTLIFAMILY COMPLEX NAME		BUSINESS LICENSE NUMBER	
BUSINESS OR MULTIFAMILY PHYSICAL ADDRESS		DATE SUBMITTED	
BUSINESS OFFICE MAILING ADDRESS	CITY	STATE	ZIP
CONTACT INFORMATION <i>(for designated business representative who should receive waiver related notices from the City)</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 and answers to <u>all</u> questions requested for each waiver choice.			
<input type="checkbox"/> WAIVER FOR BUSINESSES WITH MINIMAL ORGANIC WASTE (i.e., "De Minimis Waiver") <i>Please provide the following information to request a "De Minimis" Waiver:</i> <ul style="list-style-type: none"> • Average amount of organic waste collected per week: <ul style="list-style-type: none"> <input type="checkbox"/> ≥ 2 cubic yards of waste and < 20 gallons of organics <input type="checkbox"/> < 2 cubic yards of waste and < 10 gallons of organics 			
<input type="checkbox"/> SPACE CONSTRAINT WAIVER <i>Please provide the following information to request a Space Constraint Waiver:</i> <ul style="list-style-type: none"> • I have documentation that space constraints preclude placement of green waste and/or food waste recycling containers at my business. _____ <i>(Please attach documentation)</i> • I have worked with the City to determine that we cannot adjust container sizes or make other such changes to resolve the space constraint issue. _____ • Please indicate the specific program(s) you are requesting a waiver for: Green waste recycling only <input type="checkbox"/> Food waste recycling only <input type="checkbox"/> Green waste & food waste <input type="checkbox"/> 			

By signing this form, you are attesting that you have a full understanding of your business' obligations to provide information, report to, and otherwise fully cooperate with the City, as detailed in the instructions herein which accompany this form.

 Printed Name, Title and Signature of Authorized Business Representative

 Date