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## **SB 1383 ORGANICS AND/OR RECYCLING SERVICE WAIVER APPLICATION**

### **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). Businesses and multifamily properties are required to separate recyclable and organic materials out of their waste streams. As required by the State, these regulations were codified in the Escondido Municipal Code to allow for local enforcement. Certain businesses 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 email.

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 or Recyclable Materials (*i.e.*, “De Minimis Waiver”)**
  - Businesses that generate a limited amount of organic waste or recyclable materials 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 or recyclable materials 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 or recyclable materials of less than 10 gallons per week.
2. **Space Constraint Waiver**
  - Businesses lacking space for recyclable 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.

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**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 [afernandez@escondido.org](mailto:afernandez@escondido.org)**



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

## SB 1383 ORGANICS AND/OR RECYCLING SERVICE WAIVER APPLICATION

APPLICANT INFORMATION			
BUSINESS NAME		BUSINESS LICENSE NUMBER	
BUSINESS PHYSICAL ADDRESS		DATE SUBMITTED	
BUSINESS OFFICE MAILING ADDRESS	CITY	STATE	ZIP
<b>CONTACT INFORMATION</b> <i>(for designated business representative who should receive waiver related notices from the City)</i>			
Contact Name/Title	Phone Number	E-mail	
<b>WAIVER TYPE</b> 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.			
Is this waiver for Organics Service <input type="checkbox"/>		Recycling Service <input type="checkbox"/>	
Both Organics AND Recycling Services <input type="checkbox"/>			
<input type="checkbox"/> <b>WAIVER FOR BUSINESSES WITH MINIMAL ORGANIC WASTE AND/OR RECYCLABLE MATERIALS</b> ( <i>i.e.</i> , “ <b>De Minimis Waiver</b> ”)			
<i>Please provide the following information to request a “De Minimis” Waiver:</i>			
Average amount of <b>organic waste</b> collected per week:		Average amount of <b>recyclable materials</b> collected per week:	
<input type="checkbox"/> ≥ 2 cubic yards of waste and < 20 gallons of organics		<input type="checkbox"/> ≥ 2 cubic yards of waste and < 20 gallons of recyclable materials	
<input type="checkbox"/> < 2 cubic yards of waste and < 10 gallons of organics		<input type="checkbox"/> < 2 cubic yards of waste and < 10 gallons of recyclable materials	
<input type="checkbox"/> <b>SPACE CONSTRAINT WAIVER</b>			
<i>Please provide the following information to request a Space Constraint Waiver:</i>			
<ul style="list-style-type: none"> <li>I have documentation that space constraints preclude placement of recycling containers at my business. _____ (<i>Please attach documentation</i>)</li> <li>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. _____</li> </ul>			

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

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 Date