



SB 1383 SOLID WASTE & RECYCLING REGULATIONS

Effective January 1, 2022, all commercial businesses in the City of Irvine, including multi-family residential dwellings, must comply with all State of California-mandated (SB 1383) recycling and organic waste recycling provisions. Certain commercial businesses may qualify for waivers from these mandatory program requirements; however, only businesses that have requested and received a waiver from the City can avoid mandated participation in recycling and organic waste recycling programs through a franchise-hauler program. If a waiver is not approved by the City, your business will be required to subscribe to mandated services immediately.

If your business wishes to file for an exemption from SB 1383 requirements, the SB 1383 Waiver Request must be completed in its entirety. All requested information must be filled in for the City to consider your waiver request. Ultimately, the City must follow statutory waiver requirements; therefore, approval of your exemption claim is subject to State of California review.

Businesses granted specified categorical waivers will be exempted for a five-year period from those state requirements related to the type of exemption(s) requested. Waivers must be requested for each type of exemption you believe applies to your business. To remain exempt, state law requires your business provide written verification of eligibility to the City every five years. In addition, during each of your five-year exemption periods, state law requires you notify the City any time the volume of waste generated at your business increases beyond the qualifying waste-generation threshold for any waiver granted, or any other relevant circumstances change.

On the SB 1383 Waiver Request form, businesses applying for an exemption must indicate the type of waiver they are claiming by selecting the appropriate waiver type and providing requested information. There are three types of waiver requests as follows:

1. DE MINIMIS WAIVER

Commercial businesses that generate a limited amount of organic waste may apply for a "de minimis" waiver, if they either:

A. have total solid waste collection service of two cubic yards or more per week, and of which organic waste subject to collection in a blue container (recycling) or green container (organic waste recycling) comprises less than 20 gallons per week per container of the business's total waste, or;

B. have total solid waste collection service of less than two cubic yards per week and organic waste subject to collection in a blue container or green container comprises less than 10 gallons per week per applicable container of the business's total waste.

2. SPACE CONSTRAINT WAIVER

If your site genuinely lacks adequate space to place separate organics recycling containers, you may apply for a space constraint waiver.

To qualify, businesses and property owners must demonstrate space constraints that cannot be addressed through downsizing containers, using split containers, or other solutions. Businesses or property owners must first confer with the City to consider all feasible solutions to the space constraint.

State regulations allow the City to waive compliance with some or all of the recyclable materials and/or organic waste collection service requirements only if the City has confirmed through evidence from its own staff, a hauler, licensed architect, or licensed engineer that the premises lacks adequate space for the containers otherwise required.

3. THIRD-PARTY RECYCLER WAIVER

Your commercial business may opt out of solid waste collection services provided by the City's franchise hauler and their associated billing charges *only* if it provides sufficient information to the City demonstrating your internal recycling program(s) and/or a program provided by another service provider complies with state recycling laws.

By signing and submitting this application, your business attests that it agrees to submit information on a quarterly or annual basis (as determined by City) to verify ongoing programs (e.g., service provider, material type, quantity recycled, and receiving facility.) Otherwise, the City's hauler is required to provide all mandated programs to your location as a condition of their City franchise. State law requires the City monitor its commercial businesses to ensure 100% compliance with state requirements.

If you are eligible and wish to proceed in applying for one or more of these waivers, please proceed to complete the required SB1383 Waiver Request. You may also download this form and email your completed request to waiverrequest@cityofirvine.org.



SB 1383 WAIVER REQUEST

APPLICANT INFORMATION			PROPERTY OWNER		
BUSINESS or MULTI-FAMILY COMPLEX PHYSICAL ADDRESS			PROPERTY OWNER OR LEASE HOLDER		
BUSINESS or MULTI-FAMILY COMPLEX NAME			PHONE*		
BUSINESS LICENSE NO.			EMAIL*		
BUSINESS OFFICE MAILING ADDRESS			OWNER ADDRESS*		
CITY	STATE	ZIP	CITY	STATE	ZIP

CONTACT INFORMATION		
Provide the designated business representative where waiver approval or rejection notice is to be delivered.		
NAME/TITLE	PHONE*	EMAIL*

WAIVER TYPES																	
Check the appropriate box(es) and provide answers to ALL questions for the requested waiver type(s).																	
<input type="checkbox"/> DE MINIMIS WAIVER																	
1. Average number of employees onsite: _____																	
2. Average number of employees that eat meals/snacks onsite: _____																	
3. Does your business have a cafeteria providing meals to employees? <input type="checkbox"/> YES <input type="checkbox"/> NO																	
4. Contracted solid waste collection service provider name: _____																	
5. Contracted landscape service provider name: _____																	
6. Contracted landscape service provider contact/representative: _____																	
7. Weekly trash and recycling collection service levels:																	
<table border="1"><thead><tr><th>BIN TYPES</th><th>QUANTITY</th><th>COLLECTIONS (Per week)</th></tr></thead><tbody><tr><td rowspan="2">TRASH</td><td>DUMPSTERS</td><td>_____</td></tr><tr><td>CARTS</td><td>_____</td></tr></tbody></table>	BIN TYPES	QUANTITY	COLLECTIONS (Per week)	TRASH	DUMPSTERS	_____	CARTS	_____	<table border="1"><thead><tr><th>BIN TYPES</th><th>QUANTITY</th><th>COLLECTIONS (Per week)</th></tr></thead><tbody><tr><td rowspan="2">RECYCLING</td><td>DUMPSTERS</td><td>_____</td></tr><tr><td>CARTS</td><td>_____</td></tr></tbody></table>	BIN TYPES	QUANTITY	COLLECTIONS (Per week)	RECYCLING	DUMPSTERS	_____	CARTS	_____
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