



OFFICIAL NOTIFICATION

Mandatory Recycling and Plant Debris Disposal Ban Ordinances

BUSINESS NAME

00 STREET ADDRESS
CITY, CA ZIP CODE

Date: April 11, 2018

Re: First Notice – Compliance with Mandatory Recycling Ordinance and Plant Debris Disposal Ban at
Property Address: 00 STREET ADDRESS, CITY CA ZIP CODE

Dear Sir or Madam,

The Alameda County Waste Management Authority (Authority/ACWMA) adopted ordinances 2012-01 and 2008-01 to reduce the amount of recyclable and compostable materials thrown away and deposited in landfills.

This is an OFFICIAL NOTIFICATION of your obligation to conform to the requirements of ACWMA Ord. 2012-01 and 2008-01.

A fine is not being assessed at this time. However, failure to correct the violation(s) identified below and/or any subsequent violation of the Ordinances could result in enforcement action and fines. Your business or multi-family property will be in compliance after the current violation(s) are corrected, and when future violations are prevented from occurring.

On 4/11/2018, our inspection found the following violation(s):

Violation	Violation(s) Observed	Section
	Disposal of Covered Materials ¹ – Plant Debris	2008-01.4(a)
X	Disposal of Covered Materials ¹ – Recyclables	2012-01.4(a)
X	Disposal of Covered Materials ¹ – Organics	2012-01.4(a)
	Garbage in Recyclables containers	2012-01.4(b)
	Garbage in Organics container	2012-01.4(b)
X	Failure to provide containers and/or collection service ² for Recyclables	2012-01.5(a)
	Failure to provide containers and/or collection service ² for Organics	2012-01.5(a)
	Insufficient number and/or size of containers for Covered Materials – Recyclables	2012-01.5(a)(1)
	Insufficient number and/or size of containers for Covered Materials – Organics	2012-01.5(a)(1)

¹ Covered Materials which **must** be recycled include cardboard, newspaper, white paper, mixed recyclable paper, recyclable glass, metal (aluminum and steel) food and beverage containers, PET (#1) and HDPE (#2) plastic bottles, discarded food and compostable paper, and plant debris.

² Failure to provide containers and/or collection service for Covered Materials was determined on the day of inspection and by a review of the service records available. This determination may be in error due to recent or unreported changes in service by yourself or the service provider; please see reverse for instructions.

Please Note: If the violation(s) “*Failure to provide containers and/or collection service for Recyclables (or Organics)*” is the indicated violation, it is possible this Official Notification is issued in error due to recent or unreported changes in service by yourself or the service provider. We apologize if this is the case. This is your opportunity to update our records by submitting correct recycling service level information. Submit a copy of your invoice showing recycling service via the online Submit Documentation form at www.RecyclingRulesAC.org/submit-documentation or fax to (510) 893-2308 or mail to: ACWMA, Attention: Enforcement Officer, 1537 Webster Street, Oakland, CA 94612.

Reliance on informal or unlicensed scavengers to collect discarded Covered Materials does not meet the requirements for collection service under the Ordinance. Only formal agreements between the generator of Covered Materials and collectors who are in compliance with all local franchise, ordinances and licensing requirements will be considered compliant with ACWMA Ord. 2012-01.

Violation(s) of ACWMA Ord. 2012-01 and 2008-01 is punishable by fine: up to \$100 for the first, \$200 for a second, and \$500 for each subsequent violation. Each Ordinance requirement violated shall constitute a separate violation for each day on which a violation of the requirement occurs. The Authority may recover costs and attorneys’ fees incurred in connection with successful enforcement of this Ordinance. A separate citation and fine may be imposed for each requirement of the Ordinance violated for each day on which a violation occurs. Routine inspections are conducted to coincide with the regular garbage collection service. Re-inspection of your account could occur within 7-120 days of the date of this notice.

To be fully compliant with the law, property owners/managers, businesses, and institutions **must**:

1. Provide recycling containers and service of sufficient number, size and frequency to accommodate all Recyclable Covered Materials generated at that location.
2. Provide compost (organics) containers and service of sufficient number, size and frequency to accommodate all Compostable Covered Materials if significant quantities³ are generated at that location.
3. Place all Recyclable Covered Materials in recycling containers and keep Covered Materials out of the garbage.
4. Place all Compostable Covered Materials in organics containers and keep separate from garbage. This requirement applies to businesses and institutions such as restaurants and grocery stores that generate significant quantities of organics.
5. Keep garbage out of the recycling and organics containers. Only recyclable materials may be placed in recycling containers and only compostable materials may be placed in organics containers.
6. Provide information at least annually to employees, tenants, and contractors describing how to properly use the recycling, garbage, and compost containers. This information must also be provided to tenants during unit turnover no later than 14 days after move-in and no less than 14 days prior to move-out.

Waivers for unavailable service, financial hardship, space limitations and de minimus amounts of Covered Materials generated at the service location may be available. Waivers are granted under certain specific circumstances if it can be demonstrated all reasonable efforts to comply have been taken and compliance is unachievable. Visit www.RecyclingRulesAC.org/waivers for more information.

For more information, please visit www.RecyclingRulesAC.org or leave a message at the Mandatory Recycling Ordinance Help Line, (510) 891-6575. Please see the enclosed flyer for a listing of free resources available to help businesses recycle and compost.

Rachel Balsley

Rachel Balsley
Senior Program Manager - Enforcement Official

³ Quantities of organics are considered “significant” when 10 or more gallons of organics are disposed of in a garbage cart or 20 or more gallons of organics are disposed of in a garbage bin.