



SB 1383 Waiver Requirements

The Millbrae Municipal Code (MMC) Chapter 6.45 (adopted November 2021) requires that all single-family waste generators and commercial businesses (including multi-family dwellings) (each a “Customer Account”) subscribe to an organics and recycling collection service, unless the Customer Account has an approved waiver, as described below, or utilizes an approved alternative service (such as back-haul, self-haul, shared service, or third-party service provider) as set forth in Chapter 6.45. A Customer Account with an approved waiver will not be required to subscribe to compost and recycling service for a 3-year period, however the City may require supporting or additional information during the term of the waiver to ensure the Customer Account continues to meet the requirements of the waiver. At any point the applicant ceases to meet the requirement of this waiver, City has right to revoke or rescind the waiver. Therefore, the applicant will become subject to Chapter 6.45 of MCC and will be required to subscribe to City's 3-container collection service and comply with all other applicable requirements within 30 days.

The City of Millbrae offers two (2) types of waivers which are specifically for Commercial businesses (including multi-family dwellings). All waivers are granted in the City's sole discretion and require supporting documentation.

For Commercial Customer Accounts (including multi-family dwellings)

1. **Minimal Generation Waiver (De Minimis Waiver):** for Commercial Customer Accounts that generate minimal amounts of compostable organics (yard trimmings, food scraps, food-soiled paper, and wax-coated paper) depending on the amount:

Amount of total waste generated	Maximum threshold to qualify for a Minimal Generation Waiver
2 cubic yards* or more per week	Generate less than 20 gallons of organics recycling waste per week
Less than 2 cubic yards* per week	Generate less than 10 gallons of organics recycling waste per week

* There are 200 gallons in a cubic yard. If you have rolling carts for service, divide the total gallons of your carts by 200 to convert to yards. Example: A 96 gallon garbage cart = 0.48 cubic yards of garbage.

Supporting documentation for a Minimal General Waiver shall include:

- Explanation of why account may qualify, including types of waste generated and/or why premises does not produce a significant quantity of organics (yard trimmings, food scraps, food-soiled paper, and wax-coated paper).
 - Photo(s) of contents of the garbage container, with bags opened and contents displayed.
2. **Physical Space Waiver:** for Commercial Customer Accounts that demonstrate that the premises lacks adequate space for the collection containers required for compliance with the City's organic waste collection requirements.

Supporting documentation for a Physical Space Waiver shall include:

- Documentation that the premises lacks adequate space for blue containers and/or green containers including documentation from your current hauler, a licensed architect, or licensed engineer.
- Photos of the space or enclosure showing the limitations that prevent the site from adding the requires service.
- Information or correspondence from South San Francisco Scavenger and/or City staff regarding the lack of adequate space to add organics collection.
- Explanation of why decreasing the size of garbage and/or recycling containers to accommodate the smallest organics collection cart is not a viable option.

Enforcement

Accounts that do not have recycling and organics collection service through South San Francisco Scavenger or demonstrated self-haul service, and do not have an approved waiver, are subject to enforcement action(s) and fine(s), effective January 1, 2024.

If you have any questions about waivers, please contact us: apappajohn@ci.millbrae.ca.us or (650) 259-2444.

A waiver request form follows this page

Organics Collection Waiver Request Form

Site information:

Organization Name* _____

Site Street Address* _____

Category that best describes affiliation*

- ☐ Business, Institution or Non-profit
- ☐ Government or Public Agency
- ☐ Hauling or Recycling Company
- ☐ Multifamily Property

Number of Employees* _____

Does the location have any of the following on site? (check all that apply)

- ☐ Employee eating area/break room
- ☐ Food service
- ☐ Kitchen
- ☐ Landscaping/plant debris that is not removed by a landscaping company

How much garbage is generated at the site each week (example: 2 cubic yard bin collected 2x/week = 4 cubic yards), if known? _____

Does your site share garbage service with other businesses/tenants?

- ☐ Yes
- ☐ No

Site Contact/ Submitter Information:

Full Name* _____

E-mail address* _____

Phone Number* _____

Waiver information:

Type of waiver requested*

☐ Minimal generation Waiver (De Minimis)☐ Physical Space Waiver

Briefly explain reason a waiver is requested

Please attach supporting documentation relevant to your waiver request. Supporting documentation shall include:

Minimal generation waiver (De Minimis):

- Explanation of why account may qualify, including types of waste generated and/or why premises does not produce a significant quantity of organics (yard trimmings, food scraps, food-soiled paper, and wax-coated paper).
- Photo(s) of contents of the garbage container, with bags opened and contents displayed.

Physical Space waiver:

- Documentation that the premises lacks adequate space for blue containers and/or green containers including documentation from your current hauler, a licensed architect, or licensed engineer.
- Photos of the space or enclosure showing the limitations that prevent the site from adding the requires service.
- Information or correspondence from the South San Francisco Scavenger and/or City staff about the lack of adequate space to add organics collection.
- Explanation of why decreasing the size of garbage and/or recycling containers to accommodate the smallest organics collection cart is not a viable option.

Signature:

I certify under the laws of the State of California that the information provided on this form is true and correct to the best of my knowledge. I understand this information may be verified by an on-site visit or other investigation and is up for review at least once every 3 years. I hereby authorize the City of Millbrae or their designee to inspect the Service Address listed or otherwise investigate the above for the purpose of determining compliance with Millbrae Municipal Code 6.45 Regulating Mandatory Organic Waste Disposal Reduction.

Signature and Date* _____

Please email to apappajohn@ci.millbrae.ca.us or mail/drop off to Andrea Pappajohn, Environmental Program Manager, City of Millbrae, 621 Magnolia Avenue, Millbrae CA 94030