



San Francisco Zero Waste Strategy

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Zero Waste Goal and Metrics

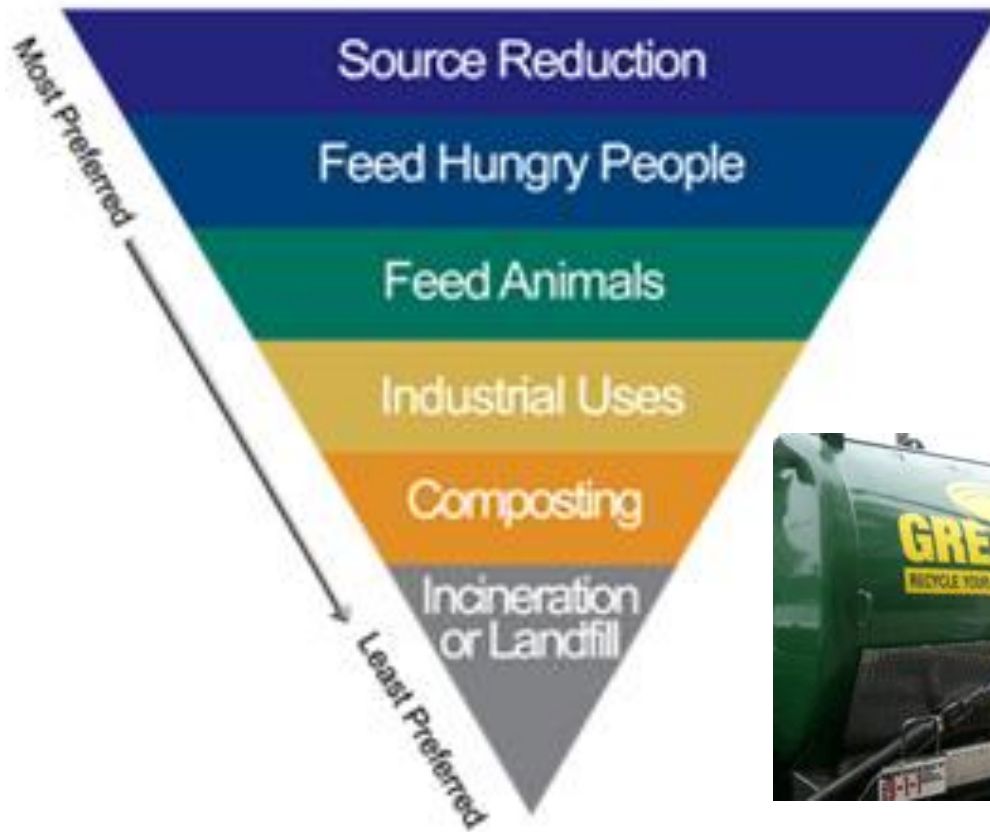


- 75% diversion by 2010 and Zero Waste to landfill or incineration by 2020
- Highest and Best Use: Redesign, Reduce, Reuse, Recycle, and Rot (compost/anaerobic digestion)
- Producer and Consumer Responsibility
- 80% diversion in 2010
- Landfilling halved in 10 years to least on record



Highest and Best Use Food Example

Food Recovery Hierarchy



Zero Waste Strategy



- Implement convenient source separation programs
- Conduct extensive public outreach
- Provide generator & service provider incentives
- Adopt consumer and producer responsibility policies and enforce
- Develop advanced processing and new markets

Mandatory Recycling and Composting



- Property owners must pay for adequate refuse service
- Property, food vendor and event managers must provide color-coded, labeled bins and education
- Everyone must separate recyclables, compostables and trash

Source Separated Recyclables and Compostables Collection For Highest and Best Diversion



Glass and Plastic
Aluminum and Steel
5%

Recyclable
Paper
25%



Food Scraps
20%



Plant Trimmings
5%

Compostable Paper
& Fiber 10%

Construction and
Demolition Waste
25%



Other 10%

All % numbers by weight or tons



3 Stream Collection by Recology





Recycling

可回收

RECYCLABLES

RECYCLABLES





Composting

可自然化解 **COMPOSTABLES** RESIDUOS DE COMIDA Y DEL JARDIN









What's Left for Landfill

廢物 **WASTE** BASURA



Split Trucks



Dedicated Trucks



Residential Food Scraps Collection Options



Food Scrap Collection is Easy.



"Compostable" Bag
自然化解的膠袋
Balsa "Compostable"



QUESTIONS?
[RecologySF.com/compost](https://www.recology.com/compost)



Kitchen Pails Provided –BPI Certified & Labeled Compostable Bags Allowed



Large Generators





Diversion Incentives

Generator Incentive: “Pay As You Throw”

- Pay for Collection Service... like a Utility... electricity, water or gas...
- Residents pay for trash to landfill
- Business pay for 3 streams that are discounted by diversion volume %, e.g., one black, one blue, one green = 67% discount



Service Provider Gets Diversion and Disposal Incentive



Targeted Outreach



City Department & Commercial Assistance



Presentations



Waste audits



Multi-lingual training



Monitoring



Containers, Signs and Stickers



Web Resources



- **RecycleWhere**

www.sfenvironment.org/recyclewhere

Search how to recycle and compost every day items – from lightbulbs, plastic bags, dog food, to TVs, and mattresses. Results are based on your zip code.

- **Signmaker**

www.sfenvironment.org/signmaker

Create your own compost, recycle, and landfill signs with items you discard in your office or home.



Back-of-the-House 3 Stream Color-coded Sorting



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Burger Kings' Custom Front-of-the-House Signage



Hospital Cafeteria Sorting Station – Easier If Food Ware Compostable



Office Building Restroom Paper Towel & Tenant Area Composting Collection



Event Collection – Signage, Monitoring, Sorting





On-going Outreach Campaigns

We compost in the Richmond because we want to be better than the Sunset.*



*Toss in the leftover broccoli. Healthy competition can be good for the planet.

USE THE GREEN BIN.



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When you're through with that apple, we'd love the core.



By putting food scraps in your green cart, you help San Francisco reach its goal of zero waste and fight global warming.



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Where you toss food scraps makes a world of difference.

SFEnvironment.org

Facing the aftermath

A great recycling moment



...also knows how to throw a party. She's discovered... from paper plates to plastic containers, see go... a cart, making cleanup easy. Find out exactly what...
recyclingmatters.org

Recycling changes everything.



Use the blue cart for:
• Plastic cups & containers
• Cans

Use the green cart for:
• Paper plates & leftovers

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COMPOST



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Recology
Smart Solutions
Global Goals
www.rec.com

Start composting today.



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Recycling Infrastructure



700 tons per day of Recyclables Sorted



Manual and Automated Process Prepares Materials for Shipment to Markets



Organics Cycle



Recology's Jepsen Prairie Organics



Receive, Shred, Screen and Sort



Plastic Is Primary Contaminant



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Forced Aeration Composting with Biofilter (90+% VOC Reduction)



Food Scraps Make Nutrient Rich Compost



Custom Blending For Organic Markets



Compost For Landscaping & Golf Courses



Compost On Organic Farms And Vineyards To Build Healthy Soils



Organic Produce Sent to City





Food Service Waste Reduction



- Bans polystyrene foam for food prepared and served in San Francisco
- Disposable foodware must be compostable or recyclable



San Francisco Food Service Ware Ordinance



Since June 2007, food vendors and restaurants in San Francisco have been required to use compostable or recyclable to-go containers. No Styrofoam.

Who does this apply to?

Restaurants, delis, fast food establishments, vendors at fairs, food trucks, and all City facilities and contractors must comply with this law.

How is this enforced?

Anyone can report non-compliance via an on-line anonymous form at www.sfenvironment.org/foodservice, or by calling (415) 355-3700. Restaurants and food service establishments may be issued fines of up to \$500 for refusal to comply.



What products are acceptable?



Compostable products include:

- Paper or other plant fiber, ie: from sugarcane. Polyethylene film coating on paper is accepted.
- Plant-based bio-plastics such as "PLA" must be labeled "Compostable", meet compostability standards (ASTM D6400), and have a green band or green sticker to allow easy identification by the collector and the public.

Not acceptable:

- Products labeled "Biodegradable" are not compliant.



Recyclable products include:

- Aluminum foil or trays and plastic containers and lids.

Not acceptable:

- Plastic wrap, Styrofoam™, foam products are not compliant

For a list of acceptable products:

Visit SFEnvironment.org/foodservice or call (415) 355-3700.

Criteria for Accepted Compostable or Recyclable Food Service Ware in San Francisco



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 Our home. Our city. Our planet.
 A Department of the City and County of San Francisco



Accepted for Compostables Collection	
MATERIAL	PRODUCTS
Paper (brown, white, off-white)	bowls, boxes, cups, plates, napkins, paper straws
Plant fiber ie: sugarcane or rice (brown, white, offwhite)	hinged containers, trays, cup holders
Wood	stirrers, cutlery
Compostable plastic (offwhite, clear, and green)	cold cups, hinged & lidded containers, cutlery, bags
<p><i>NOTE: Compostable plastic products must be clearly labeled "Compostable" (sticker or printing) in a green color or within a green band in order to distinguish the product from conventional plastic. Cutlery must be embossed with the word "Compostable" on each piece. Compostable plastics must meet ASTM D6400 standards for compostable plastics. The Biodegradable Products Institute maintains a list of certified compostable products that meet the ASTM standard: BPIworld.org</i></p>	

Accepted for Recyclables Collection	
MATERIAL	PRODUCT
Aluminum foil	wraps
Aluminum (excluding paper with foil backing)	trays, lidded containers
Plastic: #1 (PET), #2 (HDPE), #4 (LDPE), #5 (PP) , or #6 plastics. No foam or Styrofoam™.	cups & lids, cutlery, hinged containers, lids, plates

Refer to the list of *Vendors of Compostable or Recyclable Food Service Ware and Bags* on our website to purchase accepted food service ware: SFEnvironment.org/FoodService



Checkout Bags

BRING YOUR
BAG.



- Covers all stores 10/12, restaurants 10/13
- Bans single-use plastic bags
- Bags must be reusable, recyclable or compostable
- Stores charge 10¢ per bag provided

Food Scraps Anaerobic Digestion





Food Scraps Digestion Strategy

- Green bin food scraps dedicated digestion then organic compost
- Black bin recovered organics digestion then land application
- Fuel collection fleet and power processing with biogas.

Key Challenges to Zero Waste



- Consumer and producer responsibility to get discards reduced, reused, recycled, or digested/composted
- Maximizing source separation
- Recovering material from mixed trash stream
- Financing the zero waste infrastructure
- Highest and best use of resources

Future Zero Waste Facility



Challenges of Compostable Plastics



- Collection and Composting Infrastructure
- Compostability Standards and Certification
- Labeling and Identification
- Legislation and Enforcement
- User Education
- National Organic Program Standards
- Anaerobic Digestion

Compostable Plastics Must Meet ASTM



- 42359.6. (a) (1) A person shall not sell a food or beverage container in this state that is labeled with the term "**compostable**" or "marine degradable," unless, at the time of sale, the food or beverage container **meets the applicable ASTM standard specification**, as specified in subdivision (b) of Section 42359.5. (2) Compliance with only a section or a portion of a section of an applicable ASTM standard specification does not constitute compliance with paragraph (1). (b) Except as provided in subdivision (a), a person shall not sell a food or beverage container in this state that is labeled with the term "biodegradable," "degradable," or "decomposable," or any form of those terms, or in any way imply that the food or beverage container will break down, fragment, biodegrade, or decompose in a landfill or other environment.

Compostable Bags Must Be BPI Certified



- 42357.5. (b) (1) Labeled with a **certification logo** indicating the bag meets the ASTM D6400 standard specification if the bag has been certified as meeting that standard by a recognized third-party independent verification. (2) Labeled in accordance with one of the following: (A) The bag is made of a uniform **color of green** and labeled with the word "compostable" on one side of the bag, and the label shall be at least one inch in height. (B) Labeled with the word "compostable" on both sides of the bag and the label shall be one of the following: (i) Green color lettering at least one inch in height. (ii) Within a contrasting green color band of at least one inch in height on both sides of the bag with color contrasting lettering of at least one-half inch in height. ... (d) A compostable plastic bag sold or distributed in the state shall not display a chasing arrow resin identification code or recycling type of symbol in any form.

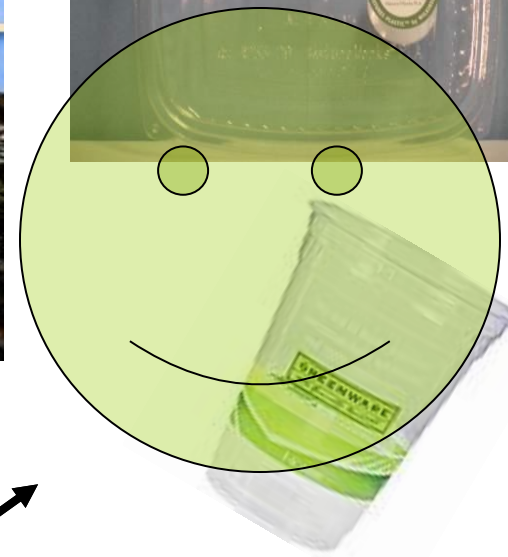
Food Ware Accepted as Compostable



- Paper or Plant Pulp/Fiber, prefer compostable coated, PE coated accepted currently accepted, but planning to move away from PE coated.
- Compostable Plastics must meet ASTM D6400 and be labeled **compostable**, preferably with green print.



Labeling Compostable Plastics



← **Bad Labeling**
Good Labeling →



Green Band/Strip Better Than Just Text



Thicker Green Bands Easier to Identify



US Composting Council Labeling Guidelines



- Each product should be labeled with the word “compostable” along with the qualifying language listed below that is as readily visible and readable by the average person as technically possible and not cost prohibitive. Each product should display the labeling language via printing, embossing, or compostable adhesive stickers and using, when possible, the color green or brown that contrasts with background product color for easy identification. Graphic elements are encouraged to increase legibility of the word “compostable” and overall product distinction that may include text boxes, stripes, bands, or a green or brown tint of the product. The product shall be labeled with one of the following statements in order of descending preference as technically and economically possible:
 - I. “Compostable where accepted in a commercial facility, check in your area,” with a 3rd party certification logo for meeting ASTM D6400 or 6868;
 - II. “Compostable where accepted in a commercial facility” with a 3rd party certification logo for meeting ASTM D6400 or 6868;
 - III. “Commercially Compostable where accepted” with 3rd party certification logo for meeting ASTM D6400 or 6868 (“compostable” and logo highest priority for cutlery); or
 - IV. Cutlery or very small products should be labeled at a minimum with: “Compostable” along with 3rd party certification logo (embossing or cutout enhances visibility).

National Organic Program Synthetic Prohibition



- Compostable plastics and other synthetically produced products not allowed as feedstock in compost for organic growers.
- NOSB can approve exclusions to synthetics.
- Composting facilities must separate compostable plastics for non-organic compost products.

A high-angle, wide shot of the Golden Gate Bridge in San Francisco. The bridge's iconic red-orange towers and suspension cables are prominent against a clear blue sky. The bridge spans across the greenish-blue waters of the Golden Gate Strait, with the city of San Francisco visible in the background on the left. The bridge deck is filled with cars, and several boats are visible in the water below.

Jack Macy
SFEnvironment

Questions?

www.SFEnvironment.org
jack.macy@sfgov.org
415-355-3751

CHAPTER 16: FOOD SERVICE WASTE REDUCTION ORDINANCE

Sec. 1601.	Title.
Sec. 1602.	Definitions.
Sec. 1603.	Prohibited Disposable Food Service Ware.
Sec. 1604.	Required Biodegradable/Compostable or Recyclable Disposable Food Service Ware.
Sec. 1605.	Implementation; City Contracts and Leases.
Sec. 1606.	Enforcement and Penalties.
Sec. 1607.	Report to the Board of Supervisors.
Sec. 1608.	Operative Date.
Sec. 1609.	Severability.
Sec. 1610.	No conflict With Federal or State Law.
Sec. 1611.	Undertaking for the General Welfare.

SEC. 1601. TITLE.

This Ordinance shall be known as the Food Service Waste Reduction Ordinance.

(Ord. 29506, File No. 060944, App. 11/29/2006)

SEC. 1602. DEFINITIONS.

(a) "Affordable" means purchasable for not more than 15 percent more than the purchase cost of the non-Biodegradable non-Compostable or non-recyclable alternative(s).

(b) "ASTM Standard" means meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400 or D6868 for biodegradable and compostable plastics, as those standards may be amended.

(c) "Compostable" means all the materials in the product or package will break down into, or otherwise become part of, usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner in San Francisco's Composting Program. **Compostable Disposable Food Service Ware must meet ASTM-Standards for compostability and any bio-plastic or plastic like product must be clearly labeled, preferably with a color symbol, to allow proper identification such that San Francisco's compost collector and processor can easily distinguish the ASTM Standard Compostable plastic from non-ASTM Standard Compostable plastic. For the purposes of this ordinance the term biodegradable shall have the same meaning as compostable.** This ordinance uses the terms biodegradable and compostable interchangeably and in all cases whether the terms are used separately, in the disjunctive or in the conjunctive they shall always be interpreted and applied consistent with this definition of the term "compostable".

(d) "City Administrator" means the City Administrator appointed under Section 3.104 of the Charter or his or her designee.

(e) "City contractors and lessees" means any person or entity that has a contract with the City for public works or improvements to be performed, for a franchise, concession or lease of property, for grant monies or goods and services or supplies to be purchased at the expense of the City and County, or to be paid out of monies deposited in the Treasury or out of trust monies under the control or collected by the City and County.

(f) "City Facility" means any building, structure or vehicle owned or operated by the City of San Francisco.

(g) "City Facility Food Provider" means an entity that provides, but does not sell, Prepared Food in City Facilities, including without limitation, San Francisco General Hospital, Laguna Honda Hospital, San Francisco County Jail and the San Bruno Jail Complex.

(h) "Disposable Food Service Ware" means all containers, bowls, plates, trays, carton, cups, lids, straws,

forks, spoons, knives, napkins and other items that are designed for one-time use for Prepared Foods, including without limitation, service ware for takeout foods and/or leftovers from partially consumed meals prepared by Food Vendors. The term "Disposable Food Service Ware" does not include items composed entirely of aluminum or polystyrene foam coolers and ice chests that are intended for reuse.

(i) "Food Vendor" means any Restaurant or Retail Food Vendor located or operating within the City and County of San Francisco.

(j) "Person" means an individual, trust, firm, joint stock company, corporation including a government corporation, partnership, or association.

(k) "Polystyrene Foam" means blown polystyrene and expanded and extruded foams (sometimes called Styrofoam™) which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blown molding (extruded foam polystyrene). Polystyrene foam is generally used to make cups, bowls, plates, trays, clamshell containers, meat trays and egg cartons.

(l) "Prepared Food" means food or beverages, which are serviced, packaged, cooked, chopped, sliced, mixed, brewed, frozen, squeezed or otherwise prepared (collectively "prepared") within the City and County of San Francisco for individual customers or consumers. For the purpose of this Chapter, Prepared Food includes take-out food, but does not include raw, butchered meats, fish and/or poultry sold from a butcher case or similar retail appliance.

(m) "Recyclable" means material that can be sorted, cleansed, and reconstituted using San Francisco's available recycling collection programs for the purpose of using the altered form in the manufacture of a new product. Recycling does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

(n) "Restaurant" means any establishment located within the City and County of San Francisco that sells Prepared Food for consumption on, near, or off its premises. For purposes of this Chapter, the term includes a Restaurant operating from a temporary facility, cart, vehicle or mobile unit.

(o) "Retail Food Vendor" means any store, shop, sales outlet, or other establishment, including a grocery store or a delicatessen, other than a Restaurant, located within the City and County of San Francisco that sells Prepared Food.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1603. PROHIBITED DISPOSABLE FOOD SERVICE WARE.

(a) Food Vendors may not sell Prepared Food in Disposable Food Service Ware that contains Polystyrene Foam.

(b) City Facility Food Providers may not provide Prepared Food in Disposable Food Service Ware that contains Polystyrene Foam.

(c) City Departments may not purchase, acquire or use Disposable Food Service Ware that contains Polystyrene Foam.

(d) City contractors and lessees may not use Disposable Food Service Ware that contains Polystyrene Foam in City Facilities and while performing under a City contract or lease.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1604. REQUIRED BIODEGRADABLE/COMPOSTABLE OR RECYCLABLE DISPOSABLE FOOD SERVICE WARE.

(a) All Food Vendors using any Disposable Food Service Ware shall use a suitable Affordable alternative Biodegradable/Compostable or Recyclable product, unless there is no suitable Affordable Biodegradable/Compostable or Recyclable product available as determined by the City Administrator in accordance with this subsection. Not later than 30 days before the operative date of this Chapter, and after a public hearing, the City Administrator shall adopt a list of available suitable Affordable Biodegradable/Compostable or Recyclable alternatives for each product type. The City Administrator shall regularly update the list.

(b) All City Facility Food Providers and City departments using any Disposable Food Service Ware shall use Biodegradable/Compostable or Recyclable Disposable Food Service Ware unless there is no Affordable Biodegradable or Compostable product available as determined by the City Administrator in accordance with

Subsection 1604(a).

(c) City contractors and lessees using any Disposable Food Service Ware shall use suitable Biodegradable/Compostable or Recyclable Disposable Food Service Ware in City Facilities and while performing under a City contract or lease unless there is no suitable Affordable Biodegradable/Compostable or recyclable product available as determined by the City Administrator in accordance with Subsection 1604(a).

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1605. IMPLEMENTATION; CITY CONTRACTS AND LEASES.

(a) The City Administrator is authorized to promulgate regulations, guidelines and forms and to take any and all other actions reasonable and necessary to implement and enforce this Chapter.

(b) Any person may seek a waiver from the requirements of Section 1604 of this Chapter by filing a request on a form specified by the City Administrator. The City Administrator, consistent with this Chapter, may waive any specific requirement of this Chapter for a period of up to one year if the person seeking the waiver has demonstrated that strict application of the specific requirement would create an undue hardship or practical difficulty not generally applicable to other persons in similar circumstances. The City Administrator's decision to grant or deny a waiver shall be in writing and shall be final.

(c) All City contracts and leases, including without limitation, contracts with City Facility Food Providers, shall contain the following minimum language: "Contractor agrees to comply fully with and be bound by all of the provisions of the Food Service Waste Reduction Ordinance, as set forth in San Francisco Environment Code Chapter 16, including the remedies provided, and implementing guidelines and rules. The provisions of Chapter 16 are incorporated herein by reference and made a part of this agreement as though fully set forth. This provision is a material term of this agreement. By entering into this agreement, contractor agrees that if it breaches this provision, City will suffer actual damages that will be impractical or extremely difficult to determine; further, Contractor agrees that the sum of one hundred dollars (\$100.00) liquidated damages for the first breach, two hundred dollars (\$200.00) liquidated damages for the second breach in the same year, and five hundred dollars (\$500.00) liquidated damages for subsequent breaches in the same year is a reasonable estimate of the damage that City will incur based on the violation, established in light of the circumstances existing at the time this agreement was made. Such amounts shall not be considered a penalty, but rather agreed monetary damages sustained by City because of contractor's failure to comply with this provision."

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1606. ENFORCEMENT AND PENALTIES.

(a) The City Administrator shall issue a written warning to any person he or she determines is violating Sections 1603(a) or 1604(a) of this Chapter. If after issuing a written warning of violation from the City Administrator, the City Administrator finds that person continues to violate the provisions of Sections 1603(a) or 1604(a), the City Administrator may apply for or impose the various sanctions provided in this Section.

(b) Any person who violates the provisions of Sections 1603(a) or 1604(a) of this Chapter shall be guilty of an infraction. If charged as an infraction, upon conviction thereof, said person shall be punished for the first offense by a fine of not more than \$100.00 for a first violation; not more than \$200.00 for a second violation in the same year and not more than \$250.00 for each subsequent violation in the same year.

(c) The City Administrator may issue an administrative civil liability citation to such person in an amount not exceeding \$100.00 for the first violation, an amount not exceeding \$200.00 for the second violation in the same year, and an amount not exceeding \$500.00 for each subsequent violation in the same year. In determining administrative civil penalties, the City Administrator shall consider the extent of harm caused by the violation, the nature and persistence of the violation, the length of time over which the violation occurs, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.

Any person to whom the City Administrator issues a written warning of violation or an administrative civil liability citation may request an administrative hearing to appeal such warning or determination of liability. Not later than 30 days before the operative date of this Chapter, and after a public hearing, the City Administrator shall promulgate rules and procedures for requesting and conducting an administrative hearing under this Chapter. In any administrative hearing under this Article, all parties involved shall have the right

to offer testimonial, documentary, and tangible evidence bearing on the issues, to see and copy all documents and other information the City relies on in the proceeding, and to confront and cross-examine any witnesses against them. A decision by the hearing officer shall be final. Any person assessed a penalty under this subsection may contest such decision to the Superior Court within 20 days after service of the City's decision.

(d) The City Attorney may seek legal, injunctive, or other equitable relief to enforce this Chapter, including without limitation, civil penalties in an amount not exceeding \$100.00 for the first violation, \$200.00 for the second violation, and \$250.00 for each subsequent violation in any given year.

(e) The City may not recover both administrative and civil penalties pursuant to Subsections (c) and (d) of this Section for the same violation. Penalties collected under Subsections (c) and (d) of this Section, which may include recovery of enforcement costs, shall be used to fund implementation and enforcement of this Chapter.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1607. REPORT TO THE BOARD OF SUPERVISORS.

No later than June 1, 2008, the Director of the Department of the Environment, in consultation with the City Administrator and with input from members of the public, shall submit to the Board of Supervisors a report recommending changes, if any, to this Chapter, including whether the ban imposed by this Chapter should be extended to other products, as supported by the report. If the Director recommends banning additional products, the report must include an estimate of the costs and benefits of compliance with a ban on additional products, including the increased costs to the City as well as to the City's food service industry.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1608. OPERATIVE DATE.

This ordinance shall become operative on June 1, 2007.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1609. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Chapter. The Board of Supervisors hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

(Ord. 295-06, File No. 060944, App. 11/29/ 2006)

SEC. 1610. NO CONFLICT WITH FEDERAL OR STATE LAW.

Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power or duty in conflict with any federal or state law.

(Ord. 295-06, File No. 060944, App. 11/29/2006)

SEC. 1611. UNDERTAKING FOR THE GENERAL WELFARE.

In undertaking the implementation of this Chapter, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(Ord. 295-06, File No. 060944, App. 11/29/ 2006)

CHAPTER 19:

MANDATORY RECYCLING AND COMPOSTING

Sec. 1901.	Title.
Sec. 1902.	Definitions.
Sec. 1903.	Source Separation of Refuse Required.
Sec. 1904.	Requirements for Owners or Managers of Multifamily and Commercial Properties.
Sec. 1905.	Requirements for Owners or Managers of Food Vendors and Events.
Sec. 1906.	Requirements for Refuse Collectors, Transfer Stations, and Processing Facilities.
Sec. 1907.	Requirement to Subscribe to Refuse Collection Service.
Sec. 1908.	Enforcement.
Sec. 1909.	Forms, Regulations and Guidelines.
Sec. 1910.	Exceptions
Sec. 1911.	Disclaimer of Liability.
Sec. 1912.	Duties are Discretionary.

SEC. 1901. TITLE.

This Chapter shall be entitled "Mandatory Recycling and Composting".

(Added by Ord. 10009, File No. 081404, App. 6/23/2009)

SEC. 1902. DEFINITIONS.

For the purposes of this Chapter, the following words have the following meanings:

- (a) "Adequate Refuse Collection Service" means that a dwelling or commercial property is serviced by a Collector for recyclables, compostables, and trash, and that the level of service is sufficient to contain the refuse generated at that dwelling or commercial property.
- (b) "City" means the City and County of San Francisco.
- (c) "Collection" means taking physical possession of and removing discarded material from the place of generation for subsequent off-site management of that material.
- (d) "Collection Container" means the receptacle that is provided, designated and serviced by the collector for the collection of recyclables, compostables or trash.
- (e) "Collector" means a person, firm or corporation licensed and permitted to collect refuse by the Director of Public Health pursuant to the provisions of the Refuse Collection and Disposal Ordinance adopted November 8, 1932, as amended, and any other collectors of discarded material not excluded under that ordinance.
- (f) "Commercial Property" means a parcel or any portion of real property where refuse is generated that is not a dwelling, including schools, institutions, and City properties.
- (g) "Compostable" means any material that can be broken down into, or otherwise become part of, usable compost (e.g., soil-conditioning material) in a safe and timely manner as accepted in San Francisco's compostables collection program, such as food scraps, soiled paper and plant trimmings. **Compostable materials can also include disposable plastic food service ware and bags if labeled "Compostable", in accordance with the Food Service Waste Reduction Ordinance (No. 295-06) and Department of the Environment regulations for easy identification, meeting the ASTM Standard Specification (D6400) for compostable plastics, and consistent with State labeling law (California Public Resources Code Section 42359) that any plastic bag or food container labeled "Compostable" must meet the ASTM Standard Specification for compostable plastics.**
- (h) "Construction and Demolition Debris" means building materials generated from construction and demolition activities including, but not limited to, fully-cured asphalt, concrete, brick, rock, soil, lumber, gypsum wallboard, cardboard and other associated packaging, roofing material, ceramic tile, carpeting,

fixtures, plastic pipe, metals, tree stumps, and other vegetative matter resulting from land clearing and landscaping for construction, deconstruction, demolition or land developments. Hazardous waste, as defined in California Health and Safety Code Sections 25100 et seq., is not construction and demolition debris for purposes of this Chapter.

(i) "Customer" means any person being served food from a food vendor or event.

(j) "Department" means the San Francisco Department of the Environment.

(k) "Designated" means clearly labeled and color-coded for a material type, such as labeled blue receptacles for recyclables, green for compostables and black for trash.

(l) "Director" means the Director of the Department of the Environment or his or her designee.

(m) "Disposable Food Service Ware" means all containers, bowls, plates, trays, carton, cups, lids, straws, forks, spoons, knives, napkins and other items that are designed for one-time use for serving food.

(n) "Dwelling" means a residence, flat, apartment, or other facility, used for housing one or more persons.

(o) "Event" means any function that serves food and is permitted through any agency, including, but not limited to, the Department of Parking and Traffic, the Recreation and Park Department, the Port of San Francisco or, to the extent permitted by law, the National Park Service.

(p) "Food Vendor" means any and all sales outlets, stores, shops, vehicles or other places of business located or operating in the city that operate primarily to sell or convey foods or beverages to consumers, and stores that sell food or beverages in combination with a gasoline station.

(q) "Janitor" means the person who is hired by owners and managers of commercial properties and their contractors to process refuse on-site before it leaves the premises.

(r) "Manager" means the authorized agent for the owner of a building, structure or property, who is responsible for the day-to-day operation of said building, structure or property.

(s) "Multifamily Property" means a property that includes multiple residential households and has a single account with collector(s) for recyclables, compostables and trash.

(t) "Person" means a natural person (including a resident, employee, or visitor), a firm, business concern, association, partnership, corporation or governmental entity, including the City and County of San Francisco and its departments, boards and commissions, and successors or assigns.

(u) "Public Trash Container" means any receptacle installed by a public agency at a sidewalk, park or other public area and that is not under the control, unless otherwise required by this Chapter, of a multifamily or commercial property, food vendor or event manager.

(v) "Recyclable" means any material that can be sorted and reconstituted, for the purpose of using the altered form in the manufacture of a new product, as accepted in San Francisco's recycling collection program, such as paper, bottles and cans. Recycling does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

(w) "Refuse" has the meaning set forth in the Refuse Collection and Disposal Ordinance adopted November 8, 1932, as amended, and includes recyclables, compostables, and trash, but not construction and demolition debris or hazardous waste, all as defined in this Chapter.

(x) "Source Separate" means to divide refuse at the place of discard generation, prior to collection, into separate containers that are designated for recyclables, compostables or trash.

(y) "Transfer Station" means a facility that is permitted under Health Code Section 294 to receive discarded materials and transport them to a landfill for disposal.

(z) "Trash" means material that is designated for landfill disposal by the collector and does not include either recyclable or compostable materials. The term "trash" does not include hazardous waste, as defined in California Health and Safety Code Sections 25100 et seq., or construction and demolition debris as defined in this Chapter.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1903. SOURCE SEPARATION OF REFUSE REQUIRED.

All persons in San Francisco must source separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse. No person may mix recyclables, compostables or trash, or deposit refuse of one type in a collection container designated for another type of refuse, except as otherwise provided in this Chapter.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1904. REQUIREMENTS FOR OWNERS OR MANAGERS OF MULTIFAMILY AND COMMERCIAL PROPERTIES.

(a) Owners or managers of multifamily or commercial properties must provide Adequate Refuse Collection Service to the tenants, employees, contractors, and customers of the properties.

(b) Owners or managers of multifamily or commercial properties must supply appropriate containers, placed in an appropriate location, to make source separation of refuse convenient for the tenants, employees, contractors, and customers of the properties. The containers must:

(1) Be of appropriate number and size in light of the recyclable, compostable, and trash quantities reasonably anticipated to be generated at the location;

(2) Bear appropriate signage and be color coded to identify the type of refuse to be contained—blue for recyclables, green for compostables, and black for trash—and meet any additional design criteria established by the Department by regulation; and,

(3) Be placed as close together as possible, to provide equally convenient access to users.

(c) Owners or managers of multifamily or commercial properties must provide information and/or training for new tenants, employees and contractors, including janitors on how to source separate recyclables, compostables and trash, and must re-educate existing tenants, employees and contractors at least once a year.

(d) Owners and managers of commercial properties or their contractors will work with on-site janitors to create effective source separation programs as a means of achieving compliance, meeting citywide diversion goals, and achieving the diversion or disposal rate reported annually to the State of California.

(e) New construction or expansion of multifamily or commercial properties may be subject to Department of Building Inspection requirements, such as Administrative Bulletin 088 and Building Code Chapter 13, Section 1304C, to provide adequate space for recyclables and compostables, which includes requiring any chute systems to keep compostables, recyclables and trash separate.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1905. REQUIREMENTS FOR OWNERS OR MANAGERS OF FOOD VENDORS AND EVENTS.

(a) Owners or managers of food vendors and events must provide Adequate Refuse Collection Service to their employees, contractors and customers.

(b) Owners or managers of food vendors and events must supply appropriate containers, placed in appropriate locations, to make source separation of recyclables, compostables, and trash convenient for the employees, contractors, and customers of the food vendors and events. The containers must:

(1) Be of appropriate number and size in light of the recyclable, compostable, and trash quantities reasonably anticipated to be generated at the location;

(2) Bear appropriate signage and be color coded to identify the type of refuse to be deposited—blue for recyclables, green for compostables, and black for trash—and meet any additional design criteria established by the Department by regulation; and,

(3) Be placed as close together as possible to provide equally convenient access to users.

(c) Owners or managers of food vendors and events must provide information and/or training for new tenants, employees, and contractors, including janitors on how to source separate recyclables, compostables, and trash, and must re-educate existing tenants, employees, and contractors at least once a year.

(d) Food vendors that provide disposable food ware must have at least one container each for recyclables, compostables and trash for use by customers and visitors, placed inside near a main exit, unless that food vendor does not use disposable food ware for on-site consumption and serves minimal to go orders per day, but not including any to go orders delivered to residents by a delivery service. Food vendors meeting the requirements of this Section are exempt from the requirement of Public Works Code Section 173 to place "a litter receptacle outside each exit." Multiple food vendors that provide disposable food service ware and share a common eating area may share an appropriate number, size, and placement of containers for recyclables, compostables and trash for convenient use by customers or visitors.

(e) Food vendors and events must not put any fats, oils or grease in trash collection containers.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1906. REQUIREMENTS FOR REFUSE COLLECTORS,

TRANSFER STATIONS, AND PROCESSING FACILITIES.

(a) All collectors must appropriately designate the collection containers they provide to customers for source separation of recyclables, compostables and trash. The containers must:

(1) Bear appropriate signage that allows users to clearly and easily identify which containers to use for recyclables, compostables or trash;

(2) Be color-coded—blue for recyclables, green for compostables and black for trash; and,

(3) Bear the name of the collector to whom the container belongs.

(b) (1) If a collector finds materials that are not the correct type as designated for that container, such as recyclables or compostables in a trash container, or trash in a compostables or recyclables container, the collector then must leave a tag on the container identifying the incorrect materials.

(2) If the collector continues to find incorrect materials in a collection container after the collector has left a previous tag for that customer and that type of container, the collector must leave another tag on the container identifying the incorrect materials and send a written notice to the person who subscribes for that collection service.

(3) If the collector continues to find incorrect materials in a collection container after the collector has already left two or more tags for that customer and that type of container, the collector may refuse to empty the container, subject to California Code of Regulations Title 14, Section 17331, or as determined by the Director of Public Health or his or her designee. If the container is not emptied, the collector must leave a tag and send a written notice to the person who subscribes for the collection service, identifying the incorrect materials and describing what action must be taken for the materials to be collected; provided, however, that a collector may not refuse on this basis to empty containers from multifamily or commercial properties with multiple tenants and joint account collection service.

(4) The collector shall, upon request, provide to the Director a list of the names and addresses of those persons who have received tags or notices or whose containers have not been emptied due to non-compliance with this Chapter, or copies of the tags or notices issued by the collector. The collector shall also provide to the Director, upon request, a list of the names, addresses, and service levels of the collector's customers and any additional information required by the Director.

(c) Within 90 days of the end of each calendar year, each collector must submit to the Department, on a form specified by the Director, an annual report of all tons collected by material type and to whom the material was sent.

(d) No person may deliver recyclables or compostables, including those mixed with trash, to a landfill or transfer station for the purpose of having those materials landfilled, except as follows:

(1) A collector may drop off recyclables or compostables at the San Francisco transfer station for landfill if the transfer station has agreed to provide to the Director, upon request, audits of collection vehicles for a specified period going forward in time. The transfer station's audit shall report the quantity of recyclables or compostables, stated as estimated tons per load or as a percentage of the loads, deposited at the transfer station by collection vehicles specifically identified in the request over a reasonable period of time occurring after the request.

(2) A processing facility that sorts and reconstitutes recyclables for the purpose of using the altered form in the manufacture of a new product or turns compostables into usable and marketable compost (e.g., soil-conditioning) material may send to a landfill a minor portion of those materials that constitutes unmarketable processing residuals, if the processing facility provides to the Director, upon request, audits of specific collection vehicles for a specific period going forward in time, of the quantities of recyclables or compostables sent to the landfill from the processing facility.

(e) No person may deliver trash from the city, including trash mixed with recyclables or compostables, to a processing facility, unless the processing facility has agreed to provide to the Director, upon request, audits of collection vehicles for a specified period going forward in time. The processing facility's audit shall report the quantity of trash, stated as estimated tons per load or as a percentage of the loads, deposited at the processing facility by collection vehicles specifically identified in the request over a reasonable period of time occurring after the request.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1907. REQUIREMENT TO SUBSCRIBE TO REFUSE

COLLECTION SERVICE.

Owners of residential, multifamily or commercial properties, events or other facilities that generate refuse must subscribe to and pay for Adequate Refuse Collection Service, and provide an accessible location for sufficient levels of service with collector(s) for source separated recyclables, compostables and trash, except as otherwise provided in this Chapter. Owners of such properties are responsible for any failure to subscribe to or pay for sufficient levels of refuse collection service. The Director of Public Health, pursuant to Health Code Article 6, as amended, shall enforce requirements for adequate and continuous refuse collections services.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1908. ENFORCEMENT.

- (a) The Director and his or her designee may administer all provisions of this Chapter and enforce those provisions by any lawful means available for such purpose, except as otherwise provided in this Chapter.
- (b) To the extent permitted by law, the Director may inspect any collection container, collection vehicle load, or receiving facility for collected trash, recyclables or compostables.
- (c) Except as otherwise provided in this Chapter, the Director of the Department of Public Health or his or her designee may impose administrative fines for violations of those provisions of this Chapter, or of rules and regulations adopted pursuant to this Chapter, that pertain to the jurisdiction of the Department of Public Health.
- (d) Except as otherwise provided in this Chapter, the Director of Public Works or his or her designee may impose administrative fines for violations of those provisions of this Chapter, or of any rule or regulation adopted pursuant to this Chapter, that pertain to the jurisdiction of the Department of Public Works.
- (e) San Francisco Administrative Code Chapter 100, "Procedures Governing the Imposition of Administrative Fines," as amended, is hereby incorporated in its entirety and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this Chapter and any rule or regulation adopted pursuant to this Chapter; provided, however, that:
 - (1) The Director of Public Works or the Director of Public Health may adopt regulations providing for lesser penalty amounts than those provided in Administrative Code Section 100.5;
 - (2) The fine for any violation at a dwelling or commercial property that generates less than one cubic yard of refuse per week may not initially exceed \$100; and,
 - (3) No person who is the owner, tenant, manager, employee, contractor, or visitor of a multifamily or of a multi-tenant commercial property shall be subject to fines or penalties for violation of Section 1903 (but will remain subject to such enforcement for violations of section 1904 and other sections of the Ordinance), unless and until the Director of the Department of the Environment has adopted specific regulations setting out the liability of such persons. The Director shall not adopt such regulations prior to July 1, 2011.
- (f) The City shall use administrative penalties collected under this Chapter, including recovery of enforcement costs, to fund implementation and enforcement of this Chapter. Remedies under this Chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1909. FORMS, REGULATIONS AND GUIDELINES.

- (a) After public notice and a public hearing, the Director may adopt necessary forms, regulations, and guidelines to implement this Chapter.
- (b) The Department shall provide assistance regarding compliance with this Chapter.
- (c) The Department shall provide information on its website regarding what materials are accepted as recyclables, compostables, and trash under this Chapter.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1910. EXCEPTIONS

- (a) A property owner or manager may seek a waiver from the Director of all or portions of this Chapter, if the applicant submits documentation, using a form specified by the Director and including a signed affidavit under penalty of perjury, that shows that the property does not have adequate storage space for containers for recyclables, compostables or trash. In cases where after on-site verification space limitations are determined to exist, the Director shall evaluate the feasibility of sharing containers for recyclables, compostables or trash

with contiguous properties, and, where feasible, requiring container sharing in lieu of providing a waiver.

(b) Except as otherwise required by the Director, a collector may drop-off compostables or recyclables at the San Francisco transfer station that have been collected from public trash containers. The Director may require public trash containers to have a recyclables receptacle attached.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1911. DISCLAIMER OF LIABILITY.

The degree of protection required by this Chapter is considered to be reasonable for regulatory purposes. The standards set forth in this Chapter are minimal standards and do not imply that compliance will ensure safe handling of recyclables, compostables or trash. This Chapter shall not create liability on the part of the City, or any of its officers or employees for any damages that result from reliance on this Chapter or any administrative decision lawfully made in accordance with this Chapter. All persons handling discarded materials within the City should be and are advised to conduct their own inquiry as to the handling of such materials. In undertaking the implementation of this Chapter, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officer and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)

SEC. 1912. DUTIES ARE DISCRETIONARY.

Subject to the limitations of due process and applicable requirements of State or Federal laws, and notwithstanding any other provisions of this Code, whenever the words "shall" or "must" are used in establishing a responsibility or duty of the City, its elected or appointed officers, employees or agents, it is the legislative intent that such words establish a discretionary responsibility or duty requiring the exercise of judgment and discretion.

(Added by Ord. 100-09, File No. 081404, App. 6/23/2009)