

Organic Waste Disposal Reduction Ordinance Guidelines

Per Los Angeles County Code, Section [20.91.140 - Authority](#), Los Angeles County Public Works shall establish guidelines and requirements that are consistent with [Chapter 20.91 - Mandatory Organic Waste Disposal Reduction Ordinance](#). Per the Ordinance, these guidelines and requirements shall become effective at such time they are submitted to the Executive Office of the Board of Supervisors. These guidelines may be updated by Public Works as necessary. Visit www.CleanLA.com/OrganicWaste to view the latest version.

The purpose of the Ordinance is to ensure everyone does their part in diverting organic waste and edible food from landfills to reduce emissions of methane and the impacts on climate change. The Ordinance is also required per State Senate Bill 1383 regulations. The Ordinance requires all businesses and residents in the County unincorporated communities to either subscribe to organic waste collection services from their waste hauler or to self-manage their organic waste. It is the responsibility of the property owner to ensure their tenants are aware of and comply with the requirements. Thus, the term organic waste generator shall be used to describe the business or residential property owner that is responsible for the organic waste generated at the property.

For those that wish to not utilize the organic waste collection service from their waste hauler, organic waste generators are required to comply with the following requirements when applicable:

1. Requirements for Self-Hauling and Management of Organic Waste On-Site

In accordance with Section 20.91.040, Self-Haulers is defined in Section 20.91.030 of the Ordinance as organic waste generators that self-haul or manage some or all their organic waste on-site and are required to register with Public Works and submit a Self-Management Plan to ensure proper handling and processing of organic waste.

The Self-Management Plan must demonstrate compliance with Los Angeles County Code Sections [20.91.050 – Requirements for Self-Hauling Organic Waste](#) and/or [20.91.060 Requirements for Management of Organic Waste On-Site](#).

- A. Public Works is in the process of developing an online registration platform. Until that platform is available, organic waste generators who self-haul or self-manage organic waste on-site are required to e-mail their Self-Management Plan, including the information in Part D or E as applicable below to CommercialFranchise@pw.lacounty.gov. Any persons who do not have access to e-mail may mail their information to:

Environmental Programs Division
Commercial Franchise Section
900 South Fremont Avenue, Alhambra, CA 91803
Phone: (800) CLEAN-LA

- B. Self-haulers and persons that manage organic waste on-site shall complete their initial registrations and provide Public Works with their Self-Management Plan by August 1, 2022.
- C. Self-haulers and persons that manage organic waste on-site shall ensure that the information reported in their Self-Management Plan is up to date. At minimum, the Self-Management Plan must be either confirmed or revised annually, by July 1 of each year, beginning in 2023.
- D. **Self-Management Plans** must include the following:
1. Contact information of the registrant (either property owner or person generating waste) including name, phone number, e-mail address (if available); name, contact information, and mailing address of the commercial business or owner of the residential property; the address where the waste is generated (i.e., where the waste is produced); as well as disclose if the property is rented/leased or owned by registrant.
 2. The organic waste generator shall specify the method that they will use to manage their organic waste – i.e., self-hauling it to an off-site facility, managing it on-site, or a combination of both.
 3. The anticipated type of organic waste generated such as food waste, green waste, napkins, paper, cardboard, etc.
- E. **Specific Requirements for Self-Haulers.** A Self-Management Plan submitted by a self-hauler must contain the following:
1. The names and addresses of the organic waste processing facility(ies) to which the self-hauler plans to take their organic waste. A list of acceptable organic waste processing facilities can be found at www.CleanLA.com/OrganicWaste. If an organic waste processing facility you would like to utilize is not listed, please notify us at CommercialFranchise@pw.lacounty.com, so we may consider adding the facility.
 2. The estimated quantity of organic waste self-hauled per week in cubic yards or tons. If the self-hauler uses an organic waste processing facility that does not have weight scales, or cannot provide a weight ticket or receipt, then the self-hauler is not required to record the weight of the material but instead report the facilities to which it takes its organic waste and include the dates the material is taken and an estimate of the type and amount of organic waste in pounds.
 3. Commercial businesses that self-haul shall retain their records for 3 years and provide them to the County within 3 days of any written request.

4. Self-haulers shall identify the number of containers that they are utilizing, in accordance with the source separation systems set forth below (i.e., placing all material in a single container; utilizing two containers; or utilizing three containers). The container systems and their contents listed below are provided as a starter guide, actual container contents may vary. Check with your organic waste processing facility to determine acceptable organic waste.

Commercial businesses that self-haul shall label each container to indicate the types of materials that may be placed in the container or the types of materials that are prohibited from being placed in the container, in accordance with the source separation systems set forth below:

- a. **A three-container system** comprised of the separation of waste into three containers and taken to appropriate facilities that can process its contents as follows:
 1. Organic waste only container – used to collect organic waste only such as food waste, green waste, and food-soiled paper, and taken to an organic waste processing facility.
 2. Recyclable's container – used to collect recyclables, such as bottles and cans, and may also be used to collect paper products, printing and writing paper, wood, dry lumber, and textiles. The container shall be taken to a facility that maximizes efforts to properly recover the materials placed in the container.
 3. Container for other waste – used to collect waste that is not organic or recyclable, such as non-recyclable food wrappers, pet waste, diapers etc., and take the container to a permitted disposal site (i.e., landfill).
- b. **A two-container system** comprised of the separation of waste into two containers and taken to appropriate facilities that can process its contents as follows:
 1. Recyclable's container – used to collect recyclables such as bottles and cans and may also be used to collect organic materials, such as paper products, printing or writing paper, wood, dry lumber, and textiles. The container must be taken to a facility that can both recycle non-organic recyclables and recover organic waste.
 2. Container for other waste – used to collect all other waste including organic materials that cannot be placed in the recyclable's container, such as food scraps and green waste, the contents must be taken to a high diversion organic waste processing facility.
- c. **A two-container system** comprised of the separation of waste into two containers and taken to appropriate facilities that can process its contents as follows:
 1. Organic waste only container – used to collect organic waste that is accepted and processed at an organic waste processing facility.

2. Container for other waste – used to collect all other waste including organic material that cannot be placed in the organic waste container because it is not accepted by the organic waste processing facility that you take your container to. The contents must be taken to a high diversion organic waste processing facility.
- d. **Mixed-use system (single container).** All types of waste: organic, recyclables, and trash, are collected in the same container. The container contents must be taken to a high diversion organic waste processing facility.
- F. Self-haulers shall utilize a County contracted hauler for the collection of all other waste it generates that it does not manage self-haul or self-manage on site, in accordance with the Ordinance and these guidelines.
- G. **Specific Requirements for Persons Who Manage Organic Waste On-Site.** Provide a Self-Management Plan that includes the following, consistent with Section 20.91.060 of the Ordinance. The Self-Management Plan shall include:
1. Self-hauler's contact information.
 2. Description of how organic waste that is managed on-site will be processed, and if self-hauling any portion of their organic waste include the name and address of the facilities to which the Self-Hauler will take Organic Waste, Recyclables, and Trash.
 3. Estimate how much organic waste will be generated, how much organic waste will be managed on-site, and how the organic waste that is not managed on-site will be managed.
 4. A person that manages organic waste on-site shall ensure the following.
 - a. Have all necessary permits, such as a Solid Waste Permit from the Department of Public Health, if applicable. Permitting requirements do not apply to small composting activities or community composting e.g., operations that do not exceed 100 cubic yards and 750 square feet as defined by the California Code of Regulations Section 18983.1(b).

County of Los Angeles Public Health
 Environmental Health
[Solid Waste Permitting & Surveillance Program](#)
 Phone: (626) 430-5540
 E-mail: Swmp@ph.lacounty.gov

- b. Comply with all regulations including and not limited to the Ordinance and the California Code of Regulations Section 18983.1.
 - c. Manage organic waste in a manner that does not create a nuisance.
 - d. Utilize an authorized hauler, or self-haul in accordance with the Ordinance and these guidelines, for the collection of all other waste it generates that it does not manage on-site.
5. Persons that manage waste on-site shall allow the County (or designee) to inspect any operation where waste is managed on-site.

2. Commercial Edible Food Generator Requirements

Per Section [20.91.080 – Commercial Edible Food Generator Requirements](#) of the Ordinance, Tier 1 commercial edible food generators (supermarkets, large grocery stores (> 10,000 sq.ft.), food service providers, food distributors, and wholesale food vendors) must comply with the following requirements by January 1, 2022:

- a. Complete the County's [Commercial Edible Food Generator Survey](#) by May 1, 2022, to determine the maximum amount feasible of edible food that each commercial edible food generator shall recover.
- b. Arrange for food recovery services through an agreement with a food recovery organization/service and ensure:
 1. Transport of the edible food to a food recovery organization/service; or,
 2. Arrange for a food recovery organization/service to collect the edible food; or,
 3. Implement any other reasonable means to make the edible food available to a food recovery organization for distribution to members of the public.
- c. Commercial edible food generators shall not intentionally cause or allow food to spoil.
- d. Commercial edible food generators shall maintain records for at least 3 years of the edible food that they recovered and provided to a food recovery organization and/or food recovery service. Records shall include:
 1. The name, address, and point of contact of each food recovery organization or food recovery service used to recover and/or transport the edible food.
 2. Copies of all contracts, agreements, and written communications used to comply with edible food recovery requirements.
 3. The types, frequency of donations, and quantity (in pounds) of edible food recovered by each food recovery organization and/or food recovery service each month.
 4. The types and amounts of edible food (in pounds) that edible food generators made available to but were not accepted by a food recovery organization/service, and the reason the edible food was not collected.
- e. Edible food generators shall submit initial records to FoodDROPLA@pw.lacounty.gov quarterly, commencing July 1, 2022, and shall submit records as requested by Public Works. Records shall be retained for at least 3 years.

If any edible food made available by a commercial edible food generator is rejected by a food recovery organization/service, the commercial edible food generator must provide the information required by subsection d(iv) with its quarterly report.

Tier 2 commercial edible food generators must comply with the same requirements by January 1, 2024. Tier 2 generators are: restaurants with 200 or more seats or a facility equal to or larger than 5,000 square feet; hotels with food facilities on-site and

100 beds or more; large venues or events that permit food facilities to sell food; and local education agencies with food facilities on-site.

3. Food Recovery Organization/Service Requirements

Per section [20.91.090 – Requirements Applicable to Food Recovery Organizations/Services](#), food recovery organizations/services shall:

- a. Complete the County's [Edible Food Recovery Survey](#) before March 31, 2022.
- b. Submit records annually on or before March 31 of each subsequent year, or within 3 days of any written request (upon good cause, an extension to submit records may be granted). Current record submissions shall be e-mailed to FoodDROPLA@pw.lacounty.gov.
- c. Food recovery organizations/services shall maintain 3 years' worth of the following records and report the records of the previous calendar year by March 31 of each year:
 1. The name, address, and contact information for each commercial edible food generator from which it collects edible food.
 2. The quantity and types of edible food collected from each commercial edible food generator measured in pounds per month.
 3. The name, address, and contact information of each food recovery organization to which it transports edible food.
 4. The name, address, and contact information of any other food recovery organization or service from, which it receives edible or to which it provides edible food to, and the type and quantity of edible food received or provided.
- d. Food recovery organizations/services shall provide information, in writing, to commercial edible food generators from which they collect or receive edible food about California and Federal Good Samaritan Food Donation Act protections.

WAIVER GUIDELINES

Under certain limited circumstances and per Section [20.91.110 - Waivers](#) of the Ordinance, organic waste generators may be able to obtain a waiver of some of the requirements of the Ordinance. Provided below is an overview of the waivers, the application process, and terms for compliance.

1. De Minimis Waiver – Only for Commercial Properties (Businesses and multi-family with five units or more)

How to Qualify for a De Minimis Waiver:

A commercial property that subscribes to a waste collection service may be eligible to a waiver of its collection service's requirement that it source separate organic waste and place it in an organic waste collection container, if it generates only a minimal amount of organic waste that is not self-hauled or managed on-site. This

waiver cannot be applied to multi-family complexes that consists of four units or fewer.

To qualify, the commercial property must meet the requirements of either Option 1 or Option 2.

Option 1 – A commercial property may qualify if **all** the following apply.

- It subscribes to a 3-bin waste collection system:
 - Blue container only for non-organic recyclables, may include paper products, printing and writing paper, wood and dry lumbar, and textiles.
 - Green container for organic waste collection only; and
 - Grey container for solid waste.
- It generates MORE than 2 cubic yards of solid waste per week; and
- It generates LESS than 20 gallons of organic waste (green container) that is not self-hauled or managed on-site.

Option 2 – A commercial property may also qualify if **all** the following apply.

- It subscribes to a 3-bin waste collection system:
 - Blue container only for non-organic recyclables, may include paper products, printing and writing paper, wood and dry lumber, and textiles.
 - Green container just for organic waste collection only; and
 - Grey container for solid waste.
- It generates LESS than two cubic yards of solid waste per week; and
- Generates LESS than 10 gallons of organic waste (green container) per week that is not self-hauled or managed on site.

How to apply for a De Minimis Waiver:

Commercial property owners may e-mail CommercialFranchise@pw.lacounty.gov or contact their waste hauler to request an application for a De Minimis Waiver under Option 1 or 2. Waste haulers may also inform Public Works of a potentially eligible commercial business. Applicants shall submit proof that the organic waste that they generate and that they do not self-haul or manage on site does not exceed the threshold amounts under either Option 1 2 (including type and quantities of organic waste generated and not self-hauled or managed on site) along with photos and receipts or invoices from the waste hauler or waste processing facility. In evaluating whether to grant a De Minimis waiver to a commercial property, Public Works or its representative may conduct a site visit. Additional proof not listed may also be requested.

Additional De Minimis Waiver Conditions:

- If Public Works grants a waiver, the waiver shall specify the specific requirements that are waived, and the commercial property shall be required to comply with all other requirements of the Ordinance, the collection service to which the business subscribes and these guidelines.
- A commercial property that receives a De Minimis waiver may be subject to annual and possibly random inspections by Public Works (or a designated contractor).
- The County reserves the right to revoke the waiver at any time, if the commercial business exceeds the waste generation thresholds as applicable under Option 1 or 2, or if generators fail to properly sort their waste.
- Waivers may be valid for up to 5 years unless revoked by the County.
- A commercial property may only submit a De Minimis waiver application once per year. Commercial businesses denied a waiver may reapply for a waiver 1 year after the denial date (or the date the waiver was revoked) of its last De Minimis waiver application.

2. Physical Space Waiver

Organic waste generators (including commercial and residential property owners) may request a temporary waiver of certain requirements to the extent that their property lacks adequate space to fully comply with the requirements of the Ordinance, and the requirements of the organic waste collection service that they use. For example, if a commercial business or residential generator subscribes to an organic waste collection service that uses a three-container system and the commercial business or residence does not have space for three containers, it may be entitled to a physical space waiver.

You must exhaust all feasible options for complying with the applicable waste container requirements before submitting a waiver application, including relocating or rearranging your containers, expanding your container storage area, working with the waste hauler to reach an accommodation, etc.

How to Apply for a Physical Space Waiver:

To apply for a physical space waiver, complete the following:

- Fill out a waiver application available at www.CleanLA.com/organicwaste and provide documentation demonstrating that there is insufficient space anywhere on-site to keep a separate organic waste container. Additional documentation may be requested by the County at any time.

- If Public Works (or its designee) determines that the application is incomplete, the commercial business/residential property owner will be given 30 days to complete the application. If the application is not completed within this timeframe the application may be denied.
- Properties shall be subject to inspection by Public Works (or designee) to verify the lack of space and accuracy of documentation submitted with the waiver.
- Waivers will be reviewed and approved on a case-by-case basis.
- Waivers are temporary solutions while a commercial business or residential property owner makes arrangements to make additional space available to accommodate the required number of containers. When applying for a waiver a commercial business/residential property owner shall submit details on how they intend to comply with the requirements of the applicable organic waste collection service, and/or self-hauling requirements once the waiver expires.
- Waivers may be granted for up to 5 years but may be for a shorter period, depending on the individual circumstances and the compliance plan. Waivers may be revoked by Public Works at any time. The commercial business/residential property owner shall provide proof of progress at minimum once per year, or more frequently if requested by Public Works.

Additional Physical Space Waiver Conditions:

- Commercial businesses/residential property owners granted a Physical Space waiver may be subject to inspections of their properties by Public Works (or designee). A commercial business or property owner that submits a waiver application and accepts a waiver granted by Public Works shall consent to allow Public Works (or its designee) inspect its property. Inspections shall be limited to the areas of the property necessary to evaluate whether a physical space waiver is appropriate. A notice shall be provided ahead of the inspection.
- Physical Space waivers may only be submitted no more than once per year. Commercial businesses/residential property owners denied a waiver may reapply for a waiver one year after the denial date of the last Physical Space waiver application.

For more information, please visit CleanLA.com/OrganicWaste or call (800) CLEAN-LA.