

Universal Recycling Ordinance Phase 2 Committee
Update on URO P2 Stakeholder process to amend Administrative Rules

November 14, 2013 6:30 p.m. - 8:30 p.m.
Austin City Hall (Rm 1029); 301 W. 1st St.; Austin, TX 78701
Committee Members: Cathy Gattuso (Chair); Dave Sullivan; Rick Cofer



The following list provides emerging trends identified through the stakeholder meeting process. The items listed below should not be considered a complete list of items discussed nor is it a complete list of items that will be addressed in the Administrative Rules amendment process.

Administrative Rules Section		Stakeholder Input	Option A	Option B	Comment
8.2 ►	Applicability	Stakeholders across industry types have indicated issues with the property owner being identified as the responsible party.	Update Rules and Ordinance to reflect stakeholder input on the Responsible Party issue. Option is to define responsible party to include: property owner or their designee(s), business facilitator, contracting party, tenant or manager.		Additional research with legal will be required to fully understand enforcement if language or responsible party is expanded.
8.3 ►	General Principals	Clarification on the requirement of businesses to ensure access to recycling and composting is provided to customers and patrons.	Clarify the inconsistency between the Administrative Rules and the Ordinance. a) Ordinance refers to employees and tenants only. b) Rules refer to employees, tenants, and customers.	Introduce a phased implementation schedule to require access to recycling and composting for customers and patrons.	Stakeholders mentioned an increase in contamination rates when access is provided to customers and patrons.
8.7 ►	Substitute and Alternate Materials	Stakeholders are creatively diverting materials from the landfill through reduction and reuse methods (on-going and periodic basis).	Staff will develop mechanisms on the recycle plan form to allow reporting of reduction and reuse of material.	Offer "credits" or "points" to incentivize reduction and reuse (not identified in ordinance)	
8.16 ►	Composting Requirements (new section)	The section in the Rules related to compostable materials needs to be broad and flexible. Prioritize the hierarchy of beneficial use of scrap food as stated in the URO.	This section of the Administrative Rules should be called: a) Organics Waste Diversion or b) Food Waste (or Food Scraps) Diversion, or c) Compostable Materials Diversion.		Considerations: - Landscape debris is currently not required to be diverted. - Federal regulations around biological material as related to Healthcare industry.
8.16 ►	Composting Requirements (new section)	Phase-in organics diversion requirements. Provides time to ramp-up diversion of more complex, organic materials.	Phase in composting requirements, for example: dry food scraps by 2016, wet food scraps by 2018, and plate scraping by 2020.	Offer "credits" or "points" to incentivize hierarchy of beneficial use (identified in ordinance)	
8.16	Composting Requirements (new section)	Promote Hierarchy of Beneficial Use (e.g. food donation over composting).	At a minimum, ensure diversion credit is given for implementing the Hierarchy of Beneficial Use.		

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8.8	Exterior Collection Areas and Containers	Cost burden to business owners to expand diversion container collection pads and screening.	Provide a one time rebate program to help reduce implementation burden.		
8.2	Applicability	Currently staff utilizes TCAD to identify property owners. Stakeholders have indicated other data sources would more effectively identify the party responsible for waste diversion.	Utilize the utility bill account holder data to identify the party responsible for waste diversion. (staff will need to further research this with legal.)	Amend the Rules to clarify that the property owner is responsible for identifying who, on-site, manages waste diversion.	
8.4	General Requirements	Haulers have indicated concern that section 8.4.4 of the Administrative Rule would allow proprietary information to be susceptible to public record.	Stakeholders have recommended removing Section 8.4.4 from the Administrative Rules		8.4.4: The City reserves the right to review, at Ordinance premises, invoices for trash, composting, or recycling service contracts [...] to verify compliance with these Rules.
8.5	Recycling Plans	Develop a tracking and reporting mechanism for material that is baled and sold.	Staff will develop mechanisms on the recycle plan form to allow for reporting of baled material by weight.		Stakeholders have indicated that baled materials (to be sold) are many times tracked by weight.
8.5	Recycling Plans	Develop a tracking and reporting mechanism for material that is backhauled to a central distribution center, often located in another city.	Staff will develop mechanisms on the recycle plan form to allow for reporting of backhauled material		- Stakeholders identified that in some cases backhauled materials stay on premises only temporarily, therefore are not considered a part of their waste stream.
8.5	Recycling Plans	Companies or businesses with multiple sites/locations have indicated they would prefer to be able to provide one recycle plan versus multiple forms for each individual site.	Allow for companies or businesses with multiple sites/locations to report aggregate data on one plan form. Individual sites would not be tracked.	Allow for companies or businesses with multiple sites/locations to report itemized data on one plan form. Individual sites would be tracked.	
8.7	Substitute and Alternate Materials	Determine if farms and ranches should be considered a city licensed service provider. (re: 8.7.5)	Extend permissibility of compost hauling to include ranchers, farmers, and urban community farms.		a) Section 8.7.5 compostable materials must be hauled by an authorized, City-licensed service provider b) further research will be required by staff to determine potential conflicts with Hauler Ordinance

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8.8	Exterior Collection Areas and Containers	Space restrictions for exterior diversion containers.	Staff is currently working with PDRD and Watershed Protection to create allowances for increased pervious cover and reduced parking requirements to accommodate additional diversion containers.		
8.7	Interior Collection and Containers in Common Areas	Cost burden to business owners to implement diversion program and develop interior collection points.	Provide a one time rebate program to help reduce implementation burden.		
8.9	Interior Collection and Containers in Common Areas	Clarification on minimum standard requirements for interior collection points and signage; define common collection area.	Create minimum standards (sub-section of 8.9) and define common collection areas.		
8.10	Signs, Labels, and Container Identification	Clarification with exterior and interior signage requirements.	Revise sections 8.9 and 8.10 to clearly delineate collection areas, signs, labels, and identification on the interior (8.9) and the exterior (8.10)		Stakeholders indicated the need for clarification of section 8.10 in terms of requirements for exterior and interior containers.
8.15	Compliance and Enforcement	Ensure timely, consistent, and effective enforcement of ordinance.	Staff is currently working cooperatively with Code Compliance to ensure ordinance enforcement.		
8.16	Composting Requirements (new section)	Ensure robust hauler infrastructure is in place before affected food service establishments are required to divert organic materials.	Phased implementation of composting would allow for infrastructure growth.		

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