



City of Whittier
Construction and Demolition Materials
Recycling Program
Information Sheet
(See WMC 15.04.010(9)(a))

California Waste Management Act of 1989

Under California law as embodied in the California Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq.), the city of Whittier is required to prepare, adopt, and implement source reduction and recycling plans to reach landfill diversion goals, and is required to make substantial reductions in the volume of waste materials going to landfills or face fines of up to ten thousand dollars per day. In order to meet these goals, it is necessary that the city promote the reduction of solid waste, and reduce the stream of solid waste going to landfills. Waste from construction, demolition, and renovation of buildings represents a significant portion of the volume of waste currently generated in the City of Whittier, and much of this waste is particularly suitable for recycling and reuse. The City's commitment to the reduction of waste requires the establishment of programs for recycling and salvaging of construction and demolition waste.

Construction and Demolition Recycling Code

In 2013, in an effort to comply with the California Waste Management Act of 1989, the City of Whittier adopted the 2013 California Green Building Standards Code with no amendments. In 2016 the California Green Building Standards Code was updated. Essentially, any construction or demolition of residential projects up to three units on residentially zoned property or commercially zoned property over two thousand five hundred square feet (2,500 sq. ft.) is subject to a 65% recycling requirement and the completion of a Waste Management Plan.

Waste Management Plan

A Waste Management Plan is required to be submitted to the City identifying the estimated level of construction and demolition debris that a project will generate, and the amount that will be recycled.

The Waste Management Plan must be completed on approved City forms. The completed Waste Management Plan must indicate the following:

1. The estimated volume or weight of project construction and demolition debris, by material type, to be generated;

2. The maximum volume or weight of such materials that can be feasibly diverted via reuse or recycling;
3. The vendor or facility that the applicant proposes to use to collect or receive the material;
4. The estimated volume or weight of construction and demolition material that will be landfilled; and
5. Any special or specific activities that the applicant will use to comply with the provisions.

In estimating the volume or weight of the materials identified in the Waste Management Plan, the applicant must use the Standardized Conversion Rate approved by the City. Applicants for building and demolition permits involving the removal of all or part of an existing structure shall consider deconstruction, to the maximum extent feasible, and must make the materials generated thereby available for salvage prior to landfilling.

No building or demolition permit requiring a Waste Management Plan will be issued until a designated C&D Compliance Official has approved the plan.

Be sure to inform your sub-contractors about your recycling requirements. You are responsible for any materials they take away from the job-site. In order for you to comply with recycling requirements, your sub-contractors must take materials to a recognized recycling facility and provide you with the recycling receipts.

No later than sixty (60) days following the completion of the project, the applicant must submit to the designated C&D Compliance Official documentation that they have met the diversion requirement for the project. Again, the diversion requirement must be that the applicant has diverted at least 65% of the total construction and demolition debris generated by the project via reuse or recycling, unless the applicant has been granted an exemption from the requirement by the C&D Compliance Official, in which case the diversion requirement shall be the maximum feasible diversion rate established by the C&D Compliance Official for the project. **This documentation must include all of the following:**

1. Receipts from the vendor or facility which collected or received each material showing the actual weight or volume of that material;
2. A copy of the previously approved Waste Management Plan for the project adding the actual volume or weight of each material diverted and landfilled; and
3. Any additional information the applicant believes is relevant to determining its efforts to comply in good faith with the ordinance.

The designated C&D Compliance Official shall review the information submitted and determine whether the application has complied with the diversion requirement, as follows:

Full Compliance – If the designated C&D Compliance Official determines the applicant has fully complied with the diversion requirements applicable to the project, the building permit will be finalized.

Good Faith Effort to Comply – If the designated C&D Compliance Official determines that the diversion requirement has not been achieved, a determination will be made on whether the applicant has made a good faith effort to comply. In making this determination, the designated C&D Compliance Officer shall consider the availability of markets for construction and demolition debris landfilled, the size of the project, and the documented efforts of the applicant to divert construction and demolition debris. If the designated C&D Compliance Official determines that the applicant has made a good faith effort to comply, the building permit will be finalized.

Noncompliance – If the designated C&D Compliance Official determines that the applicant has not made a good faith effort to comply, or if the applicant fails to submit the documentation required project then the building permit will not be finalized.

If an applicant experiences unique circumstances that the applicant believes make it unfeasible to comply with the diversion requirement, the applicant may apply for an exemption at the time that the Waste Management Plan is required. The applicant must indicate on the Waste Management Plan the maximum rate of diversion believed feasible for each material and the specific circumstances that make it unfeasible to comply with the diversion requirement.

The C&D Compliance Official will review the information supplied by the applicant and may meet with the applicant to discuss possible ways of meeting the diversion requirement. The designated C&D Compliance Official will require the applicant to contact the Los Angeles County Sanitation District (562) 908-4288, Ext. 2455, and provide a written statement from the agency stating their position. Based on information supplied by the applicant and the Los Angeles County Sanitation District, the C&D Compliance Official will determine whether it is possible for the applicant to meet the diversion requirement.

If the C&D Compliance Official determines that it is unfeasible for the applicant to meet the diversion requirement due to unique circumstances, the maximum feasible diversion rate for each material will be indicated on the Waste Management Plan submitted by the applicant. The C&D Compliance Official will return the “Approved Exemption” Waste Management Plan to the applicant.

If the C&D Compliance Official determines that it is possible for the applicant to meet the diversion requirement, the applicant will be informed in writing. The applicant will have thirty (30) days to re-submit a Waste Management Plan showing full compliance. If the applicant fails to re-submit the Waste Management Plan or if the re-submitted Waste Management Plan does not comply with the program, it will be denied.

Applicants for construction, demolition, or renovation projects within the City whose projects are less than three units on residentially zoned property or commercially zoned property are less than two thousand five hundred square feet (2,500 sq. ft.) shall be encouraged to divert at least 65% of all project-related construction and demolition debris, but are not required to submit a Waste Management Plan.

The City of Whittier has and will continue to take an aggressive approach towards eliminating the amount of waste disposed at landfills.

“I have read, asked questions if needed, and understand the Construction and Demolition Materials Recycling Program information as presented above.”

Property Owner/Contractor Name: _____

Phone Number: _____ Email Address: _____

Project Address: _____

Contact Person: _____ Phone Number: _____

Applicant's Signature: _____ Date: _____