



**Universal Recycling Ordinance Phase 2  
Administrative Rules Development Process**

**Stakeholder Group Meeting #12**

**December 11, 2013**





# Meeting goal

Review key trends in Stakeholder Input collected to date

- What are the impacts to implementation?
- Are proposed solutions moving in the right direction?



# Background

The content for today's discussion is pulled directly from stakeholder input. To date staff has conducted:

- 11 Stakeholder meetings
- 4 URO Phase 2 Committee meetings



# Key Finding

Addressing stakeholder input (concerns and issues) will require:

- Amendments to the Administrative Rules
- Amendments to the Universal Recycling Ordinance



# Responsible party

Stakeholder feedback: Concerns with the property owner being the responsible party

Current language:

1) 8.2 Applicability (Administrative Rules)

8.2.3 "...Property Owner means the owner of property subject to the Universal Recycling Ordinance, or the owner's designee for the procurement of solid waste management services."

2) URO "owner of premises" or "owner of affected premises"



# Responsible party

## Proposed Solution:

### 1) Amendments:

a. To include “property owner or designee(s)”

b. Define designee(s)

- should definition remain broad?

- or include a list of potential designee(s)?,

those suggested include:

- business facilitator
- contracting party
- tenant
- manager

### 2) Amend URO to reflect changes to responsible party

- What is expected of the property owner?



## Extent of access provided

Stakeholder feedback: Original intent behind URO was to require access be provided to customers and patrons

Current language:

- 1) 8.3 General Principles (Administrative Rules)  
8.3.2 “The URO requires that property owners provide reasonable and consistent access to recycling for residents, tenants, customers, and employees.”
- 2) URO states “tenants and employees”



# Extent of access provided

## Proposed Solutions:

- 1) Amend Rules for consistency with URO (“tenants and employees”)?
- 2) Amend URO for consistency with Rules (“residents, tenants, customers, and employees”)?
- 3) Consider phasing in requiring access to “residents, tenants, customers, and employees”?





## Reduction and Reuse (recyclable materials)

Stakeholder feedback: Diversion from landfill is being accomplished through Reduction and Re-use; credit should be given for these methods

Current language:

1) Currently the URO and Rules do not incentivize reduction and reuse



## Reduction and Reuse (recyclable materials)

### Proposed Solutions:

- 1) Provide an “extra credit” that would incentivize reduction and reuse (reporting through Recycle Plan Form)
- 2) Include the Waste Management Hierarchy in the URO and the Administrative Rules (using Hierarchy of Beneficial Use of Scrap Foods as an example)



# Baled and backhauled materials

Stakeholder feedback: Material that is baled and sold or backhauled should count towards diversion and URO compliance.

Current language:

1) Currently the URO and Rules do not provide credit for baled or backhauled materials



# Baled and backhauled materials

## Proposed Solution:

- 1) Amend Rules (8.5 Recycling Plans) to state that any property that bales or backhauls should report on the Recycle Plan Form.



# Recycle plans – multiple locations

Stakeholder feedback: Companies or businesses with multiple sites/locations have indicated they need to provide one recycle plan form versus multiple forms for each individual site.

Current language:

1)8.5. Recycle Plans (Administrative Rules)

8.5.3 “Multiple locations - Where a business covers multiple service locations, or where a multi-family property company manages multiple properties, the affected property owner shall submit a Recycling Plan form for each property that has a unique street address.”



# Recycle plans – multiple locations

## Proposed Solutions:

- 1) Amend Rules (8.5.3) to state that properties with unique addresses can be reported on an itemized plan form or a plan form that reflects aggregate data for a business with multiple locations within Austin City Limits.



# Exterior containers

Stakeholder feedback: spatial constraints related to exterior diversion containers.

Current language:

1) 8.8 Exterior Collection Areas and Containers  
8.8.2 "Convenient Access - Recycling dumpsters, carts, chutes, or other collection points shall be located within 25 feet of landfill trash collection points to provide convenient access by tenants and facility maintenance personnel."



# Exterior containers

## Proposed Solutions:

- 1) Staff is currently working with PDRD to create allowances for increased impervious cover and/or reduced parking requirements to accommodate locating exterior diversion containers.





# Interior collection and containers

Stakeholder feedback: clarification is needed on minimum standards for interior collection points and signage.

Current language:

1) 8.9 Interior Collection and Containers in Common Areas

8.9.1 "Affected property owners shall establish indoor common-area collection or storage areas in accordance with appropriate City of Austin ordinances, permits, and building codes including all applicable fire, health, and safety requirements."



# Interior collection and containers

## Proposed Solutions:

- 1) Amend Rules to clarify businesses should not have to create a new common area for the purposes of collection
- 2) Define interior collection points



# Data source to identify Responsible Party

Stakeholder feedback: Multiple means to identify responsible party will be needed.

Current practice:

1) Staff currently utilizes TCAD (Travis Central Appraisal District) data



# Data source to identify Responsible Party

## Proposed Solution\*:

1) Supplement TCAD data with Utility bill data and other relevant data sources.

*\*Final determination on responsible party issue may influence the proposed solution.*



# Organics Diversion

## *8.8 Organics Diversion Materials*

Stakeholder feedback: leave organics diversion broad for flexibility.

8.8.1 The Organics Diversion Materials requirements are intentionally left broad to provide maximum flexibility for adherence to the hierarchy of beneficial use of scrap foods and evolving organics diversion technologies.

This section is intentionally left broad, is it too broad?



# Organics Diversion

## *8.8 Organics Diversion Materials*

Stakeholder feedback: do not specify required organic materials like recycled materials (minimum materials are specified in URO)

8.8.2 Food permit holders shall separate all non-recyclable organics, food scraps and food soiled paper from recyclable and landfill waste and set out for diversion.

What is a reasonable minimum standard?



# Organics Diversion

What is a reasonable minimum standard?

Extracted from Administrative Rules

## 8.13 Weekly Service Capacity

8.13.3.5 "For commercial properties, starting October 1, 2014 the minimum capacity requirements for recycling expands to 50% of the total materials collected or a 1:1 ratio of recycling weekly capacity to trash weekly capacity."



# Organics Diversion

## *8.8 Organics Diversion Materials*

Stakeholder feedback: prioritize the hierarchy of beneficial use of scrap food

8.8.3 In accordance with the requirements of the Good Faith Donor Act set forth in Chapter 76 of the Texas Civil Practice and Remedies Code, the Director, through these rules, encourages the hierarchy of beneficial use of scrap food, beginning with the most beneficial,

8.8.3.1. Feeding hungry people

8.8.3.2. Feeding animals

8.8.3.3. Providing for industrial uses; and

8.8.3.4. Composting





# Organics Diversion

## Hierarchy of Beneficial Use of Food Scraps

- Are we on the right track with the Hierarchy of Beneficial Use of Food Scraps?
- What sections of the Health Code are important to reference?
- What about reporting and measuring?



## Contact us

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