



## CONSTRUCTION & DEMOLITION DEBRIS RECYCLING INFORMATION SHEET

Like an increasing number of cities throughout California, the City of Napa has adopted a construction and demolition (C&D) debris recycling ordinance in an effort to redirect C&D materials away from the landfills. The ordinance requires that 100% of identified materials be source-separated onsite and recycled. In addition, for projects projected to exceed \$100,000 or 5,000 square feet ('covered projects'), the project must achieve an overall salvage or recycle rate of 50% of all C&D debris generated, and a Waste Reduction and Recycling Plan (WRRP) must be submitted **before** a building or demolition permit can be issued.

This information will help you proactively manage your job-site C&D debris and comply with city recycling requirements. Early planning can save you time and money, and prevent permitting delays. The following are questions to consider:

### **Are you required to participate?**

Yes, participation is mandatory for all new, remodel and demolition projects with designated recyclable materials. For 'covered projects' (those that exceed the \$100,000 or 5,000 square feet threshold), there are additional requirements.

### **What materials must be recycled or reused?**

All projects are required to divert 100% of project-related C&D debris for the following designated recyclable materials:

- Masonry building materials including all products generally used in construction including, but not limited to asphalt, concrete, rock, stone, and brick.
- Wood materials including any and all dimensional lumber, fencing, or construction wood that is not chemically treated, creosoted, CCA pressure treated, contaminated, or painted.
- Vegetable and organic materials suitable for composting including trees, tree parts, shrubs, small stumps, logs, brush, or any other type of plants that are cleared from a site for construction or other use.
- Metals including all metal scrap such as, but not limited to, pipes, siding, window frames, door frames, and fences.
- Salvageable materials and structures that are in good working order and can be reused, including, but not limited to wallboard, doors, windows, fixtures, toilets, sinks, bath tubs, and appliances.
- Any other construction or demolition debris that is non-hazardous and available for recycling or reuse.

### **What is a Waste Reduction and Recycling Plan (WRRP)?**

The WRRP is a required form provided by the City of Napa to building or demolition permit applicants for covered projects (those exceeding the \$100,000 or 5,000 square foot threshold). It specifies to city staff how the project will meet the diversion requirements. An applicant or contractor must estimate on the form the amount of material to be generated (by weight) and provide a plan for meeting the diversion requirements. Upon completion of the project, the applicant or contractor must submit weight tickets to verify how and where the material from the project were recycled or reused.

## Is there an Administrative Fee?

A non-refundable \$300 administrative fee applies if your project meets or exceeds the \$100,000 or 5,000 square foot threshold identified for covered projects. This fee is for the review and processing of a Waste Reduction and Recycling Plan (WRRP), and must be paid prior to receiving a building or demolition permit.

## Are there any guidelines for estimating how much C&D debris will be generated?

Estimating the quantity of C&D debris that will be generated from your project is required to complete the WRRP, and weight and/or volume estimates must be provided on the WRRP form. The City has a worksheet that uses standard volume-to-weight conversions for individual materials to assist you. Your volume estimates will also assist you with determining how many recycling containers you may need to manage the C&D debris generated by the project.

## What if you will also be using subcontractors?

It is your responsibility to inform your subcontractors about the recycling requirements and to ensure that your entire project is in compliance with the C&D ordinance. As the applicant, you are responsible for any materials that subcontractors take away from the jobsite. In order to comply with recycling requirements, your subcontractors must take materials to a recognized recycling facility and provide you with recycling receipts.

## Can the C&D debris be separated by material type or mixed together?

You must source-separate materials onsite to demonstrate 100% recycling. For your convenience, the City's current authorized contractor—Napa Recycling & Waste Services, LLC (NRWS)—offers split bins (20-yard bin with a divider in middle) along with individual debris bins for capturing separated materials. Other companies may also offer bins for separated materials as well.

## What are my options for dealing with materials generated?

If you're self-hauling, see the list of local facilities below. Please call for additional details and pricing. The Napa Recycling & Composting Facility accepts the widest range of materials in Napa County at low rates.

<b>FACILITIES TAKING THESE SEPARATED RECYCLABLE ITEMS</b>          	Reusable items	Carpet & padding	Sheetrock	Clean dirt	Concrete, asphalt	Wood, lumber, pallets	Yardwaste	Scrap metal, metal pipe	Appliances	Tires
	<b>Napa Recycling &amp; Composting Facility</b> 820 Levitin Way, American Cyn 707-255-5200; Daily 8am–4pm <i>LOW FEES AND EVERYTHING GETS RECYCLED!</i>		X	X		X NO ROCKS OR GRAVEL	X NO PAINTED WOOD, FURNITURE, RAILROAD TIES OR TELEPHONE POLES	X	X	X
<b>Devlin Road Reuse &amp; Recycle Center</b> 889B Devlin Road, American Cyn 707-258-9018; Daily 8:30am–3:30pm X ITEMS IN GOOD CONDITION								X	X	
<b>Devlin Road Recycling &amp; Transfer Station</b> 889 Devlin Rd, American Cyn 707-258-9005; Daily 8am–4pm				X					X	X
<b>Clover Flat Landfill</b> 4380 Silverado Trail, Calistoga 707-963-7988; Tues-Sat 9am–3:45pm, Sun 9am–2:45pm				X	X	X	X	X	X	X
<b>Harold Smith Contractors</b> 800 North Crane Ave, St. Helena 707-963-7977 ext 110; M–F 7am–4:30pm, Sat 8am–2pm				X	X			X		X
<b>Steel Mill Supply of Napa</b> 659 Napa Junction Road, American Cyn 707-226-3950; M–F 8am–4pm, Sat 8am–11:30am								X	X	

Regardless of the facility you choose, you must insist that they provide you with a recycling receipt. You should call ahead to confirm that they will be able to provide you with the necessary documentation to meet the guidelines in the Waste Reduction and Recycling Plan (WRRP).

If you need materials collected, you may contact NRWS for additional details and fees. NRWS rates for source-separated recyclable materials are substantially lower than garbage fees. Other companies may also provide C&D collection services in Napa.

### **What do I need to do to demonstrate compliance with the City of Napa's recycling requirements?**

Applicants for covered projects must submit all recycling and disposal receipts to the C&D Compliance Official. The recycling receipts should clearly state the city building permit number or jobsite address, the date, the weight or volume, the material type, and confirmation that the materials were actually recycled. Failure to submit completed items A through D listed below can delay your final inspection and/or result in a fine. The applicant shall provide all the necessary documentation to substantiate their efforts to meet the diversion requirement:

- A. Receipts from the vendor or facility which collected or received each material showing the actual weight or volume of that material.
- B. Weight slips/count or count estimate of material salvaged or reused in the current project.
- C. A copy of the revised WRRP for the project, calculating the weights of each material diverted and landfilled.
- D. Any additional information the applicant believes is relevant to determining its efforts to comply in good faith.

### **Is it possible to get an exemption?**

If an applicant identifies unique circumstances that make it infeasible to comply with the diversion requirement, the applicant may apply for an infeasibility exemption at the time that he or she submits the WRRP. The applicant shall indicate on the WRRP the maximum rate of diversion he or she believes is feasible for each material and the specific circumstances that he or she believes make it infeasible to comply with the diversion requirement. If the exemption is granted, the applicant must still pay the administrative fee. The following projects shall be considered exempt:

1. A project for which an applicant has written verification from a Public Safety Officer or Code Compliance Officer of the City stating that immediate or emergency demolition is required to protect the public health, safety or welfare.
2. A project for which an exemption, conditional use permit or design review approval has been obtained from the City prior to the effective date of the ordinance going into effect.
3. A project of city public works or city public construction for which the notice inviting bids has been published prior to the effective date of the ordinance. (January 1<sup>st</sup>, 2011).
4. A project contaminated by hazardous substances or waste as defined by state or federal law and verified by City staff in writing.

## **What are the consequences for non-compliance?**

Any applicant who violates any provision of this chapter, including but not limited to noncompliance with WRRP requirements, shall be punishable by a fine of up to 5% of the project valuation, depending on the level of non-performance as determined by the Compliance Official. Projects that do not achieve diversion requirements established in an approved WRRP are subject to a fine commensurate with the actual diversion achieved:

1. 40-49% diversion = subject to 1% fine.
2. 30-39% diversion = subject to 2% fine.
3. 20-29% diversion = subject to 3% fine.
4. 10-19% diversion = subject to 4% fine.
5. 0-9% diversion = subject to 5% fine.

If an applicant has not received a determination of "substantial compliance" by the Compliance Official prior to issuance of a temporary certificate of occupancy, the Compliance Official may require (as a condition of issuance of a temporary certificate of occupancy) that the applicant post the fine (based on the calculation set forth in Section 15.32.120) and that the applicant obtain full or substantial compliance with this Chapter within a specified time.

## **Can a City decision be appealed?**

Any appeal must be in writing, accompanied by any required fees or charges, and submitted to the City Clerk. Any such appeal must be received by the City Clerk within ten (10) calendar days of the issuance of the administrative determination being appealed. The City Manager may postpone the obligation to pay required fees or charges, pending the conclusion of the appeal, if the appellant establishes to the satisfaction of the City Manager that the appellant is unable to pay the required fees or charges.

The letter of appeal must state:

- (1) the specific administrative determination or action objected to (including an identification of the date on which the administrative determination was issued);
- (2) the action appellant requests the City to take;
- (3) all factual and legal grounds which the appellant wishes the City to consider as reasons for the appeal (such grounds to be identified by the appellant shall include, without limitation, any and all constitutional or statutory claims); and
- (4) the name, address and telephone number of appellant and any authorized representatives of the appellant.

The decision made by the C&D Compliance Official or his or her designee on the appeal shall be in writing, stating the factual basis for the decision. The decision of the C&D Compliance Official or his or her designee shall be final and conclusive.