

APPLICATION FOR EXEMPTION TO MANDATORY COMMERCIAL RECYCLING (MCR) AND MANDATORY COMMERCIAL ORGANICS RECYCLING (MOR) REQUIREMENTS



What's Required?

Businesses, commercial complexes and multi-family properties must have recycling and organics collection service. These requirements are contained in State Laws AB 341, AB 1826, SB 1383, as well as the Pomona Municipal Code (Sec. 62-786).

Exemptions will only be approved upon site visit verification by Athens Services Hauler representative and approval by City staff.

Under what situations are exemptions granted?

- 1) Lack of sufficient space
- 2) Current self-haul efforts result in a significant reduction in waste
- 3) Business generates minimal amounts of organic waste per week (*de minimis*)
- 4) Extraordinary and unforeseen events (limited term exemption)

How is the application processed?

Complete and submit this form to obtain a waiver from compliance requirements. Athens Services staff will review the application and conduct a site visit to determine if an exemption is applicable. The application will be submitted to City staff for final review and approval or denial. Waivers must be recertified in writing every five (5) years.

The City will not review incomplete applications. To expedite the application review, photographic evidence will be submitted for:

- *De Minimis* situations: photos should be submitted of all contents in the containers on site.
- Physical space waivers: photos to include both interior and exterior images of all waste enclosure/areas on the property. Please also submit the documentation done by City staff, your hauler, a licensed architect or engineer.

Waivers are subject to change, inspection, and investigation at random by the City pursuant to Sec. 62-794 of the Pomona Municipal Code, and must be submitted every five (5) years.

Applications must be submitted with supporting documentation on-line to:

OrganicsEast@athensservices.com

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Name of Business or Complex Name:

(Enter the name of the business or the commercial/multi-family complex):

City of Pomona Business Address/Zip Code:

(Include a suite or unit number if applicable)

(Do not use a PO Box number)

Business Billing Address/Zip Code:

Business Type (check one only, for mixed-use check other):

- Business
- Commercial Complex
- Government
- Multi-Family Property of 4 units or less
- Multi-Family Property of 5 units or more
- Non-Profit
- Other

If reporting for a real estate complex or as a commercial property manager, provide a list of businesses at the complex (i.e., tenants).

Contact Information

(Person responsible for garbage and recycling service account property)

Name	
Title	
Email Address	
Phone Number	
Business Type (Ex. restaurant, hair salon, office, retail, automotive repair, etc.)	

Enter the number of employees or units, (as applicable):

Businesses (number of employees):	
Commercial Real Estate (number of units):	
Multi-Family Complexes (number of residential units):	

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Waiver of Recycling or Organics Collection Requirements:

All or some obligations for Business and/or Multi-Family Dwellings may be waived subject to City approval (Pomona Municipal Code Sec. 62-787) for the following:

Method of Alternative Compliance or Service Verification	Recycling	Organics
Self-haul service (Includes Back-Hauling) * Business hauls organic waste or recyclables directly and maintains documentation. Materials self-hauled/back hauled to: _____		
Alternative Haulers** Service provided by non-franchised hauler (such as a landscaper, or recycler that buys material). Provide name of hauler/landscaper: _____ Confirmation that material is not landfilled (e.g., landscaping contract, or statement from landscaping company) must be attached to this exception.		
De minimis Service level 2 cy or more: generates less than 20 gallons per week Service level 2 cy or less: generates less than 10 gallons per week		
De minimis (due to temporary closure) Generates less materials due to extraordinary and unforeseen events (limited term).		
Physical Space Inadequate space for recycling/organics bins. A hauler, licensed architect, or licensed engineer determined there is not adequate space for separate organic waste containers. Documentation and pictures must be submitted with waiver request.		
Shared bin or cart use Services are shared with a neighboring business. Name of other business: _____		

***Self-haul/Back-Haul of organic waste and/or commercial recyclables from this location, at no cost.** Please provide a description of the material, the amount generated each week (weight in pounds), and the name of receiving company or facility. As part of the self-haul alternative compliance, business is required to keep records and report tonnages to the City's franchise hauler annually, or upon request.

****Alternative Haulers** (3rd Party Recyclers) that haul recyclable materials must receive approval from the City. Please provide their contact information below.

Material type	Pounds per week	Name of Hauler or Receiving Company/Facility, Address, Contact Name, and Phone #	Activity conducted with material (e.g. Composted)

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SIGN AND ACKNOWLEDGMENT

By submitting this form, I acknowledge that:

I understand that if inadequate details are provided when the application is submitted (such as photographs or explanations) that the application may be deemed incomplete by the City.

Signing this waiver application does not constitute a guaranteed or automatic waiver, and even if a waiver is granted the City may revoke such waiver at any time. I understand that I must notify the City if circumstances change such that organic waste exceeds the threshold required for waiver, or other changes occur that result in loss of waiver eligibility, in which case waiver will be rescinded.

I, the owner/property manager/designee, have read the foregoing document and that the facts I have stated herein are true to the best of my knowledge. I understand that by submitting this form, there is no guarantee that the waiver will be granted and that information will be confirmed independently by the City of Pomona at any time, even after waiver is granted.

I waive all liabilities on the City of Pomona for any discrepancies caused by approval or denial of a waiver.

X

**PLEASE SEND VIA EMAIL TO:
OrganicsEast@athensservices.com**

For City Use Only	
Reviewed by:	
Date:	
Requires additional documentation:	
Requires Site inspection:	
Approved:	
Denied: Reason	