

MANAGING WASTE SUSTAINABLY



A Regulatory Compliance Guide For Businesses



Wherever your business is located, staying ahead of new and updated regulations is key to maintaining legal compliance and avoiding costly fines.

Solid waste-related regulations are designed to reduce waste generation and improve environmental performance. As such, legal compliance can lead to benefits, including decreased disposal costs and a reduced carbon footprint. It can also help achieve certification and other CSR (Corporate Social Responsibility) and ESG (Environmental, Social and Governance) goals.

Regulations consider everything from clear labels, signage, and the color of waste collection bags to the proper handling, disposal, tracking, and reporting of waste materials.

Legal compliance is not simply a business necessity--it is a valuable tool that guides your business towards greater efficiency and recognition as a leader in sustainability.

OVERVIEW: LOCAL, STATE, AND FEDERAL LAWS

Under the Resource Conservation and Recycling Act, the U.S. Environmental Protection Agency (EPA) oversees federal solid waste laws. Beyond that, state and local governments set their own waste regulations. Businesses must track regulations (and be mindful of the corresponding fines) enacted at all three levels. Not in compliance? This is what can happen:

- In New York City, ballooning fines for “persistent violators” have been issued. One hotel was fined \$750 for each strawberry top inspectors found discarded in the designated trash rather than the organics bin.
- California issued a \$7.4 million fine in 2018 to the national retailer Target for disposing 2,038 hazardous e-waste items into the trash. In 2015/16, the state fined AT&T and Comcast nearly \$52 million and \$26 million respectively for similar violations.
- In 2019, the EPA levied fines totaling \$170,000 against three companies—Dura Coat Products, International Aerospace Coatings, and Goodwest Rubber Linings—for hazardous waste violations.



1) Track the unique combination of laws and regulations that pertain to your business

Check your local solid waste authority and state department of environment websites for updated requirements at least once per year, and follow the local news for announcements of new rules that affect area businesses.

Since regulations differ across jurisdictions, business chains and companies with multiple locations must comply with several sets of rules.

Using recycling as an example, while there are no federal mandates, over 20 states require some form of recycling. Even within states, recycling requirements often vary at the local level. This means businesses with multiple locations in a single state may be required to adhere to different rules.

For example, complying with recycling regulations in the Washington, D.C. metro area can be particularly tricky because many businesses operate across three areas--D.C., Maryland, and Virginia--and must also account for the various county requirements. Generally speaking, the closer the business is located to a population center, the more stringent the commercial recycling rules become.

2) Make a plan to comply

Take note of the date that new and updated rules go into effect, and the date at which enforcement starts. Give yourself enough time to prepare for compliance.

Conduct a compliance assessment to see what you are missing, and where you are failing to meet requirements.

Coordinate with building management and your company's sustainability lead. This should include a waste stream audit to understand how much waste you are generating and which materials you are sending to the landfill (including items that can and must be diverted to maintain compliance under local regulations).

Waste audits are especially crucial in San Francisco (where it is mandated for the largest waste generators). Fines and surcharges are imposed using visual observations recorded by cameras mounted on waste hauler trucks, and periodic, random audits undertaken by the single-franchise hauler. The presence of hazardous waste and/or electronic waste in any waste stream is an automatic failed audit.

Arranging for a comprehensive, third party audit and verifying waste data reporting can mean the difference between achieving a mandated contamination threshold percentage and being subject to penalties.

3) Implement your plan

Based on the results of your waste audit and compliance assessment, develop a plan to bring your business into compliance, and take action.

Comprehensive waste audits of the kind undertaken by Great Forest are captured in reports that contain recommendations for improvement and best practices. Recommendations for improvement can include education and training for janitorial crews and tenants on what-goes-where and proper handling of materials to reduce contamination.

Best practices ensure that materials are in a condition to be successfully recycled. Audit results can identify the need for special collections of materials such as e-waste, textiles, and household hazardous waste. Audit results provide baselines for tracking improvement and is a reality check on the status of current waste management practices.

4) Inform staff and tenants

Success requires buy-in and full cooperation from staff and tenants. Ensure they are aware of and understand their responsibility to comply with any new rules and related operational changes. In fact, many jurisdictions require staff and tenants to be notified of waste-related policies and procedures on a yearly or regular basis. Arrange educational sessions and training to support awareness and cooperation.

5) Monitor

Plan regular walkthroughs and internal inspections to verify that necessary changes are being implemented. Monitor your program for both efficiency and legal compliance, as they often go hand-in-hand. Make adjustments and improvements where necessary.

6) Plan for the long term

Follow waste industry trends so you can be ready for future compliance requirements and avoid costly transitions down the line. Taking the lead in waste reduction before you are legally mandated is beneficial for long-term planning.

For example, taking action to reduce food waste, especially if your business is food-focused, is good business whether or not it's mandated by your city or state. On average, businesses save \$7 for every \$1 invested in food waste reduction.

Growing public pressure to address the proliferation of plastic in our waterways have led some businesses to show leadership by phasing out single-use plastic straws, exploring material alternatives, and by implementing a 'straw-on-request policy' before they were mandated to do so by a ban. This type of action allows your business to take control and make smart purchasing decisions that are beneficial for the long term.

One of the most notable trends we are seeing is cities and other locales across the country increasingly adopting Zero Waste goals, which have vast implications for commercial recycling and organics requirements. The increased movement towards Zero Waste means enhanced stringency on recycling and other waste-reduction policies.

When San Francisco set a Zero Waste by 2020 goal in 2003, the city halved the amount of waste it sent to the landfill between 2000 to 2012, achieving an impressive 80 percent diversion rate by 2013. While the city did not achieve its ambitious goal, San Francisco is still the leading city on the planet for diverting waste. A new interim goal has been set, aiming to reduce waste generation by 15 percent and cut landfill use by 50 percent. This will require the full participation of all businesses, especially the largest generators.

Other cities are following suit. New York City and Fort Collins, Colorado, have pledged to go Zero Waste by 2030; Washington, D.C. introduced a bill to go Zero Waste by 2032; while Austin, TX, aims to be zero waste by 2040. Importantly, these pledges emphasize the necessity of reducing waste for the long-term sustainability of cities, but also businesses.

Need Help? Questions?

[Ask our TRUE Zero Waste-certified experts.](#)

Learn how to maintain compliance, reduce waste, and support sustainable practices.

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