

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 12/7/2020)

[Environment, Public Works Codes - Construction and Demolition Debris Recovery]

Ordinance amending the Environment Code and the Public Works Code to require transporters of construction and demolition debris to obtain a temporary or annual permit from the Department of Environment for each vehicle and debris box used for such transport and to comply with permit conditions; to require facilities that process such debris to register with the Department of Environment and comply with updated registration conditions; to require each person who conducts full demolition projects as permitted by the Department of Building Inspection to submit to the Director of the Department of Environment a material reduction and recovery plan providing for at least 75% recovery away from landfill, and to verify this recovery rate after completing the project; to authorize the Director to impose administrative penalties for violations; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Chapter 14 of the Environment Code requires both facilities that accept and process construction and demolition debris and transporters of such debris to register with the Department of Environment. It sets forth standards and registration criteria facilities and transporters must meet, and authorizes the Director of the Department of Environment to inspect registered facilities and transporters to the extent permitted by law, and to suspend registrations for failure to meet Chapter 14 requirements. In addition, Chapter 14 requires a person conducting full demolition of an existing structure to submit to the Director for the Director's approval a waste diversion plan, and related information, that provides for a minimum of 65% diversion from landfill. Chapter 14 also sets forth civil and criminal penalties for violations of its provisions. Section 725, *et seq.*, of the Public Works Code require registration with the Department of Public Works to place a debris box in any San Francisco street and authorizes the Director of Public Works to remove debris boxes placed in violation of these code provisions.

Amendments to Current Law

This ordinance would amend Chapter 14 of the Environment Code and Sections 725, *et seq.*, of the Public Works Code to require qualifying transporters of construction and demolition debris to obtain an annual or temporary transporter permit for vehicles and debris boxes, according to specified permit conditions and a permit fee schedule. It would require facilities accepting construction and demolition debris to register with the Department of Environment,

as before, but according to revised registration criteria. It would also require a person conducting full demolition of an existing structure to submit a refuse recovery plan to the Director for the Director's approval that provides for a minimum of 75% recovery of construction and demolition debris away from landfill.

The ordinance would authorize the Director of the Department of Environment, the Director of Public Works, Sheriff, and their respective designees to inspect the premises, equipment, and records of registered transporters and facilities to the extent permitted by law. It would also authorize the Director of the Department of Environment not only to suspend permits and registrations for failure to comply with provisions of Chapter 14, but also to pursue administrative enforcement and penalties.

Finally, the ordinance would lift the requirement to register or obtain a permit for a debris box placed in the public right of way with the Department of Public Works, but would maintain the Director of Public Works' authority to regulate placement of debris boxes in the public right of way and to remove them for failure to meet applicable requirements.

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