

**CITY OF SAN DIEGO  
ENVIRONMENTAL SERVICES REGULATION**

SUBJECT	DR NUMBER	EFFECTIVE DATE
CERTIFICATION OF MIXED CONSTRUCTION & DEMOLITION PROCESSING FACILITIES FOR CONSTRUCTION AND DEMOLITION DEBRIS DIVERSION DEPOSIT PROGRAM	ESD-050	April 30, 2008, <i>Revised Mar 26, 2015</i>

Authority:

Pursuant to the City's Construction and Demolition Debris Diversion Deposit Program, codified at San Diego Municipal Code [SDMC] §§ 66.0601 – 66.0610, certain applicants for building permits and demolition/removal permits must submit a refundable deposit, documentation describing the C&D debris expected to be generated from the project, and documentation demonstrating the level of diversion achieved for the project. The purpose of requiring a deposit is to encourage diversion of C&D debris. Refunds are calculated based on the level of diversion achieved on the project. One acceptable way to demonstrate the level of diversion achieved on the project is by proof that the C&D debris was accepted at a certified recycling facility, as defined in SDMC § 66.0603.

Definitions:

The definitions in SDMC §66.0603 shall apply to these rules and regulations. In addition, the following definitions shall apply to these rules and regulations:

“ADC” refers to Alternate Daily Cover and has the same meaning as that set forth in Title 27 California Code of Regulations (“CCR”) Section 20690.

“Beneficial Reuse” has the same meaning as that set forth in Title 27 CCR Section 20686.

“Inert Materials” has the same meaning as that set forth in Title 14 CCR Section 18720.

“Mass Balance” shall mean a description and quantification of all mixed C&D waste entering, leaving, and remaining at the Mixed C&D Processing Facility.

“Mixed C&D Processing Facility” shall mean a recycling, composting, materials recovery or reuse facility which accepts mixed C&D debris for the purpose of separating it into various recyclable components through mechanical, manual or other means and lawfully diverting it from landfill disposal.

Policy:

The purpose of these rules and regulations is to set forth the minimum criteria and the procedures for certifying a Mixed Construction and Demolition [C&D] Processing Facility for purposes of the Construction and Demolition Debris Diversion Deposit Program [C&D Program], codified at San Diego Municipal Code [SDMC] §§ 66.0601 – 66.0610. The criteria include, but are not limited to, criteria for determining the diversion rate achieved by the facility and for verifying

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that the facility has obtained all applicable permits and licenses. These rules and regulations also set forth reporting requirements for a certified Mixed C&D Processing Facility.

The minimum criteria and procedures described below are designed to provide maximum assurance to both the City and customers of the certified Mixed C&D Processing Facility that documented diversion is taking place, that the mixed processing diversion rate is solely based upon the processing of mixed C&D debris, and that the mixed processing diversion rate does not include the acceptance or processing of any source-separated recyclables or inert materials.

Regulations for Facility Certification:

To receive certification, a Mixed C&D Processing Facility operator must file an application for Certification of a Mixed C&D Processing Facility, provide all the requested documentation, make the facility available for inspection by City staff, and meet the minimum requirements for facility certification, all as described in more detail below. The City will complete its evaluation of the application within 90 days of receipt of all of the required documents and completion of a site visit and preliminary on-site facility audit, as well as payment of a Certification Application Fee, if a fee is established in the future by resolution of the City Council. The Director shall grant certification only if all of the Minimum Requirements are satisfied; the Procedures listed below have been completed, reviewed, and approved; and the facility owner or operator has demonstrated to the Director's satisfaction that the diversion rate from mixed C&D materials has been achieved and can be reported and monitored during the period of certification. The certification will be effective for a period of two years from the date it is issued, unless earlier revoked, abandoned or otherwise terminated.

If the Director declines to certify a facility or revokes or otherwise terminates a certification, the facility owner/operator may file another application for certification at any time. However, the facility owner/operator may be required to pay an additional Certification Application Fee to cover the City's cost of performing the additional certification review.

The facility need not accept all types of mixed C&D debris in order to be eligible for certification.

The certification is not exclusive and applications for certification may be submitted by Mixed C&D Processing Facilities within and outside of the City limits.

The City will publish a current list of Certified Mixed C&D Processing Facilities and each facility's diversion rate. This list shall be updated quarterly. A Mixed C&D Processing Facility shall update its diversion rate either quarterly or every six months. Additionally, the list shall be updated any time a new Mixed C&D Processing Facility comes on line, is decertified, or produces a new sort study or for any other reason determined by the Director. This list shall be provided to each person upon payment of a C&D Debris Diversion Deposit at permit issuance.

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**I. MINIMUM REQUIREMENTS TO OBTAIN AND MAINTAIN CERTIFICATION AS**  
**A MIXED C&D PROCESSING FACILITY**

**A. Requirements**

The requirements listed below are the minimum requirements a Mixed C&D Processing Facility must meet in order to obtain and maintain certification as a Mixed C&D Processing Facility for purposes of the City's Construction and Demolition Debris Diversion Deposit Program, codified at San Diego Municipal Code [SDMC] §§ 66.0601 – 66.0610.

1. The facility has obtained all applicable Federal, State, and local permits, licenses, registrations, and certifications and those permits, licenses, registrations, and certifications are valid, not revoked, and not suspended.
2. The facility has obtained and maintains an operating, certified scale, approved, tested and sealed as required by law, at the facility (belt scales alone are not sufficient).
3. The facility provides each customer as a receipt, for mixed C&D debris accepted at the facility from the customer, a weighmaster certificate issued by a California state licensed weighmaster.
4. The facility has a clearly defined physical area and separate operational, storage, and tonnage reporting systems, regardless of whether it is a stand-alone facility or located within another, larger solid waste facility (e.g. landfill or multi-purpose transfer station).
5. The facility owner/operator submits to the Department documentation regarding the historic operation of the facility, in a format approved by the City, which demonstrates to the Director's satisfaction the facility's ability to process mixed C&D debris for recycling. This includes filling out a detailed Preliminary Application Form (See Attachment I).
6. The facility owner/operator submits to the Department documentation demonstrating to the Director's satisfaction that the facility has an adequate system in place to track all of the incoming tonnages of mixed C&D debris, the on-site use of processed mixed C&D debris, and the out-going processed mixed C&D debris.
7. All incoming mixed C&D debris destined for the mixed C&D sorting area must be weighed upon arrival at the facility. Scalehouse tickets and customer receipts must include a separate code that identifies the material as mixed C&D destined for the mixed processing area, together with the jurisdiction of origin, the project address, the jurisdiction project identification (if one is assigned), and the net weight of the mixed C&D debris load;
8. If source-separated C&D recyclables and Inert Materials, and/or solid waste enter the same facility, they must also be coded separately from the mixed C&D debris, using a different code for each type of material. This requirement is both for the purpose of documenting

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recycling of source separated material and ensuring that this material is not combined with mixed C&D sorted at the facility for the purpose of increasing mixed C&D diversion rates and to also ensure that residue from mixed C&D processing is not removed from the C&D processing location and combined with other solid waste to artificially increase the diversion rate.

9. The facility must weigh outgoing loads and identify these loads with scalehouse tickets containing separate codes for each type of outgoing material. Where outgoing materials are destined for ADC or other landfill beneficial reuse, the type of beneficial reuse should be identified and tracked in a way approved by the Director.

10. The facility must have an operating software and reporting system capable of identifying and tracking mixed C&D debris, source separated C&D, and Inert Materials, and solid waste transactions and producing reports documenting incoming and outgoing mixed C&D tonnages.

11. The software and reporting system described above must be one that is verified and approved by the Director. For mixed C&D processing, it must document both the overall mixed C&D diversion rate as well as the components, by material type and use, of each recyclable material separated and marketed through the mixed C&D recycling process and include material designated for ADC and Beneficial Reuse. Any source-separated recyclables or Inert Materials accepted at the same facility must be coded in a way that ensures their tonnage calculations can be removed from outbound tonnage calculations when calculating mixed C&D processing diversion rates.

12. The facility must have a system approved by the Director or designee for documenting and tracking stockpiled materials awaiting mixed C&D processing or marketing of recycled materials. The system must be reconciled on a monthly basis.

13. The facility owner/operator must provide three months of reports to the City, in a City-approved format, detailing the mixed C&D diversion activities for the 3 months immediately prior to submittal of the application for certification and/or recertification. In the event a facility has not been operational for three months prior to submittal of an application, the facility owner/operator shall include in its application for certification reports for those months the facility has been operational, if any, and the planned/expected facility diversion rate together with documentation which substantiates the diversion rate. Documentation shall include, but is not limited to, a description of the exact processing system/equipment in use at the facility, staffing levels and tasks to be performed, material flow diagram(s) for equipment with reasonable planned/expected diversion rate, an example of an operational facility which uses the exact same equipment as the facility for which the application is submitted and that operational facility's diversion rate (adjusting for all differences in staffing levels, practices, and/or material composition by describing how that would impact the planned/expected diversion rate), and any/all test results of the operations of the facility for which the application is submitted. Based upon this information and the onsite inspection of the equipment and process, the City may grant a provisional certification diversion rate for that facility effective for up to three consecutive months from the date of certification, after which time the facility owner/operator must provide

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three months worth of mixed C&D diversion activities reports in order for the City to consider continued certification of the facility.

14. After submitting all required documentation, the facility owner/operator must make the facility available to City staff during regular business hours for purposes of conducting a one-day on-site audit of mixed C&D diversion rates. This type of on-site audit may be conducted on an annual basis, in addition to required quarterly and annual reports.

15. In addition, the facility owner/operator must make the facility available for inspection by City staff during regular business hours as deemed necessary by City staff to verify information in the application and in subsequent reports.

16. The facility owner/operator must demonstrate that the facility achieves, and must maintain throughout the certification period, a minimum diversion rate of 50% calculated as set forth herein. The certified diversion rate for the mixed C&D sorting area must be based on the average diversion rate for all mixed materials sorted, not just materials from the City of San Diego. The diversion rate for purposes of certification shall be the Total Diversion Rate, as defined below and expressed as a percentage, minus the percentage of outgoing, processed mixed C&D debris destined for ADC/On-Landfill Beneficial Reuse in excess of the limits set forth in Section I.B below, for each month.

Total Diversion Rate means the sum, measured in tons, of outgoing, processed mixed C&D debris destined for recycling, reuse, and ADC/On-Landfill Beneficial Reuse divided by the sum, measured in tons, of outgoing, processed mixed C&D debris destined for recycling, reuse, ADC/On-Landfill Beneficial Reuse, and landfill disposal.

The Director may grant a waiver of the minimum diversion rate requirement for a limited time to a certified Mixed C&D Processing Facility to the extent it is accepting and processing disaster debris waste generated in the County of San Diego. The request for a waiver must be in writing and accompanied by proof of the circumstances justifying the waiver. In order to be effective, the waiver must be issued by the Director in writing.

17. The facility must provide mixed C&D customers, upon request, a receipt that provides the City with sufficient information to track materials flow and diversion. The form of the receipt used by the facility must be acceptable to the City. Specifically, for each load generated within San Diego, the receipt must provide:

- 1) the facility's receipt number
- 2) the Permit Number (provided by the truck driver)
- 3) the type of material in the load
- 4) the weight, if available, or volume of the load
- 5) the name of the hauling company (if applicable)
- 6) other data as desired by processor, or as requested by City

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18. Upon certification, each certified Mixed C&D Processing Facility must post and maintain a notice at the gate or scalehouse, legible from a distance of 50 feet, stating substantially the following;

- (1) the facility is a City of San Diego Certified Mixed C&D Processing Facility;
- (2) that certain information about loads generated in the City of San Diego will be required of the mixed C&D debris generator so that the Certified Mixed C&D Processing Facility can provide accurate data for the City;
- (3) the facility's City certified diversion rate; and
- (4) the minimum diversion rate a project applicant subject to the C&D program must achieve in order to be eligible for a full refund of the deposit.

Each facility also must state its certified diversion rate on the weigh ticket receipt provided to the customer.

Note: The minimum diversion rate for projects subject to the C&D Program will increase to 75% as and when set forth in SDMC § 66.0606(d), at which time project applicants who are eligible for a refund of their deposit will be required to achieve a minimum 75% diversion rate, as set forth in SDMC § 66.0606, in order to receive a full refund of their deposit. At that time, each certified Mixed C&D Processing Facility is required to modify the notice described in this section 18 to reflect the new 75% diversion rate.

19. The facility must conduct all of its activities and operations in compliance with all applicable federal, state, and local laws, regulations, ordinances, and requirements.

20. In the event a certified Mixed C&D Processing Facility would like to include a transfer station as a staging collection point under its facility certification, the transfer station facility shall abide by the following conditions:

- A. The transfer station shall deliver mixed C&D loads only to the certified Mixed C&D Processing Facility(s) under whose certification umbrella(s) the transfer station operates. The certified diversion rate for the certified Mixed C&D Processing Facility shall include the mixed C&D loads delivered from the transfer station.
- B. The certified diversion rate to be posted at the transfer station and on customer receipts shall be the certified diversion rate of the certified Mixed C&D Processing Facility under whose certification umbrella the transfer station operates. In the event the transfer station operates under the certification umbrella of more than one certified Mixed C&D Processing Facility (i.e. delivers mixed C&D loads to more than one certified Mixed C&D Processing Facility), the certified facility diversion rate posted at the facility and used for all receipts for loads of mixed C&D received at the transfer station shall be calculated on a quarterly basis using a weighted average of the tonnage delivered from the transfer station to each certified Mixed C&D Processing Facility and the certified diversion rate for each certified Mixed C&D

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Processing Facility. The following is an example of how the weighted average rate would be calculated.

**Example of Diversion Rate for Transfer Station Delivering Mixed C&D Loads to More Than one Certified Mixed C&D Processing Facility**

Facility Receiving Transferred Mixed C&D Debris	(A) tons of mixed C&D received + transferred	(B) % of mixed C&D tons transferred	(C) diversion rate for Mixed C&D Facility	Weighted diversion rate (B) x (C)
Certified Mixed C&D Processing Facility A	500	20%	75%	15%
Certified Mixed C&D Processing Facility B	2,000	80%	60%	48%
Total	2,500	100%		63%

- C. The transfer station shall separately track the following tonnages, which shall be described as a separate line item in the certified Mixed C&D Processing Facility's reports to the City:
  - i. In-coming mixed C&D debris received for transfer to the certified Mixed C&D Processing Facility.
  - ii. Out-going mixed C&D debris shipped to the certified Mixed C&D Processing Facility(s) by facility receiving the transferred mixed C&D debris.
- D. The mixed C&D debris to be accepted for transfer to the certified Mixed C&D Processing Facility shall be stored separately from any/all other types of waste received at the transfer station and in a clearly identified location.

**B. Limits on ADC and On-Landfill Beneficial Reuse For Diversion Rate Calculation Purposes**

The City desires to preserve valuable landfill capacity, to maximize highest and best use of all C&D recyclable material, and to minimize the use of these materials as Alternative Daily Cover (ADC) or Beneficial Reuse at area landfills. As a result, the use of processed mixed C&D as ADC or on-landfill Beneficial Reuse will be limited as set forth below for purposes of calculating a facility's diversion rate.

The timelines referenced below refer to the period of time from the date the Ordinance is in effect (not the period of time the facility has been in operation or certified by the City) and refer to the Facility diversion rate as certified by the City. This information is also represented in the table included below.

07/01/08 – 06/30/09 – Regardless of the amount of ADC and/or on-landfill Beneficial Reuse material produced by the facility from processing of mixed C&D debris, ADC and

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on-landfill Beneficial Reuse material shall count for no more than 25% towards the minimum diversion rate a facility must achieve to qualify for certification.

07/01/09 – 06/30/10 – Regardless of the amount of ADC and/or on-landfill Beneficial Reuse material produced by the facility from processing of mixed C&D debris, ADC and on-landfill Beneficial Reuse material shall count for no more than 15% towards the minimum diversion rate a facility must achieve to qualify for certification.

07/01/10 – 06/30/11 – Regardless of the amount of ADC and/or on-landfill Beneficial Reuse material produced by the facility from processing of mixed C&D debris, ADC and on-landfill Beneficial Reuse material shall count for no more than 10% towards the minimum diversion rate a facility must achieve to qualify for certification.

07/01/11 – 06/30/12 – Regardless of the amount of ADC and/or on-landfill Beneficial Reuse material produced by the facility from processing of mixed C&D debris, ADC and on-landfill Beneficial Reuse material shall count for no more than 5% towards the minimum diversion rate a facility must achieve to qualify for certification.

07/01/12 – Beginning 7/01/12, regardless of the amount of ADC and/or on-landfill Beneficial Reuse material produced by the facility from processing of mixed C&D debris, none of the ADC and on-landfill Beneficial Reuse material shall count towards the minimum diversion rate a facility must achieve to qualify for certification, except as provided below:

The Director may, on a case by case basis and for the duration of a two year certification period, grant an exception to a Mixed C&D Processing Facility from this requirement if the following exists:

1. the markets for mixed C&D fines (i.e., undersized fraction from sorting process) is limited, i.e., markets can no longer accept the product, markets become unavailable, and/or it is economically infeasible to utilize the markets;
2. the fines are not pre-ground;
3. the size of the fines is 3/8" minus; and
4. the Department determines that all materials are processed by the Mixed C&D Processing Facility in a manner that maintains material quality.

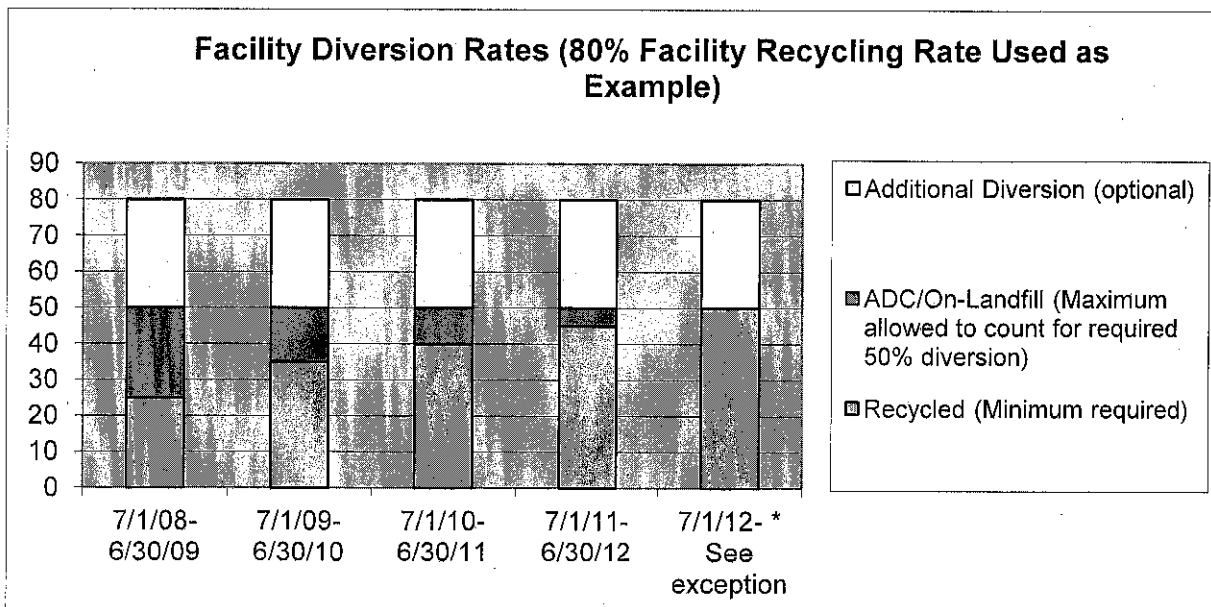
If the Director grants an exception, the Mixed C&D Processing Facility may:

1. count fines for up to 20% of the City's published minimum diversion rate to qualify for certification, for up to three quarters per each two year certification period; and
2. for all remaining quarters per each two year certification period, count fines for up to 10% of the City's published minimum diversion rate to qualify for certification.



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These restrictions will only affect a facility's ability to utilize ADC and on-landfill beneficial reuse markets for the purpose of meeting the City's minimum diversion rate for Certified Mixed Processing Facilities. To the extent that a facility can document to the City's satisfaction diversion rates exceeding 50% or 75%, ADC and on-landfill beneficial reuse can be used as markets for the portion of the diversion rate that exceeds City minimum requirements.



**II. MIXED C&D PROCESSING FACILITY CERTIFICATION PROCESS**

The following describes the Mixed C&D Processing Facility certification process:

**1. Application for Certification**

Mixed C&D Processing Facility owners/operators must:

- a) complete and submit to the Department a Preliminary Application Form (Attachment I).
- b) submit a written description of the facility C&D processing operation(s) including, but not limited to, the following:
  - 1) designation of incoming loads
  - 2) tipping areas
  - 3) processing, by sort line
  - 4) materials types recovered
  - 5) designation of outgoing loads
- c) submit to the Department materials flow diagrams showing:
  - 1) total incoming tonnages with overall type of material to be processed

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- 2) processing steps and tonnages (by material type) from each step
  - 3) tonnages and destination of material (by type) from the processing line
- d) submit to the Department all of the documentation required under the Minimum Requirements for Certification as a Mixed C&D Processing Facility listed in I. above.

**2. Permits**

The facility owner/operator shall submit to the Department copies of all applicable Federal, State, and local permits and licenses with the Preliminary Application Form.

**3. Other Information**

There are five basic steps in facility operations of specific interest to the City. These include: 1) how materials are recorded at the gate; 2) the storage of materials awaiting processing; 3) details of the materials processing; 4) materials stockpiles awaiting use on-site and shipment off-site; and 5) records of shipments. Thus the facility owner/operator must provide the following information as part of its application:

**A. Gate records:**

1. A list of all categories of material types recorded at the gate, and where on the facility the driver is directed to take each material.
2. Identify which of the received material types are processed as part of the Mixed C&D Recycling program.
3. Explain the process followed if the staff at the unloading area does not accept a load that is recorded as part of the Mixed C&D Recycling program.

**B. Storage of materials awaiting processing:**

1. Identify by category materials that will be stored prior to processing.
2. Explain how the facility will track use of materials from each stockpile to determine if total tons have increased or decreased during the reporting period.

**C. Materials processing:**

1. Identify the tons processed and the tons of residual landfilled for each material type received, based on gate records.

**D. Material stockpiles awaiting use on-site and shipment off-site**

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1. The facility must identify all materials that will be stored after processing.

**E. Records of shipments:**

1. The facility must identify by type all materials that have been shipped during the reporting period.

**4. Application Review**

The City staff, or City's Consultant, shall:

- a) independently verify the accuracy of the permit information.
- b) schedule a date with the facility owner/operator to review the materials flow records with the facility owner/operator.
- c) review the following records to be made available by the facility owner/operator at the facility during regular business hours:
  - 1) weight tags & load records
  - 2) number of loads for each category of materials received
  - 3) records of material movement on site (cover and ADC)
  - 4) records of materials moved off site ('product' sold)
  - 5) disposition of residue from processing

**5. Site Visit**

City staff, or the City's Consultant, will conduct a one-day on-site audit of mixed C&D diversion rates. This type of on-site audit may be conducted on an annual basis, in addition to required quarterly and annual reports. In addition, the facility owner/operator must make the facility available for inspection by City staff during regular business hours as deemed necessary by City staff to verify information in the application and in subsequent reports.

**6. Records Review**

If necessary, City staff, or the City's Consultant, may conduct a quantitative review of the facility's records relating to the recovery of C&D materials and the facility owner/operator shall make such records available during normal business hours upon request by City.

**7. Confidentiality**

Confidential or proprietary information submitted by a facility owner/operator, which is clearly marked as confidential or proprietary, will be protected and treated with confidentiality to the extent permitted by law. Otherwise, the information shall be considered a public record. If such

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information becomes the subject of a public records request, the City will make every effort to notify the Applicant of the request in a timely manner. It will be the Applicant's obligation to defend at its expense any legal challenges seeking to obtain such information.

**8. Evaluation of Application**

- (a) Application Review. In reviewing each application, the Director shall take into consideration all components of the application, the documentation furnished, the results of the site visits, and information including, but not limited to:
  - (1) the diversion rate achieved by the facility and the facility's ability to maintain the minimum required diversion rate during the period of certification;
  - (2) any history of criminal or civil violations that may compromise the public's interest; and
  - (3) the completeness, accuracy, and validity of the application.
- (b) Application Determination. Within 90 days after ESD has received the completed application and all required documentation, the Director shall grant or deny the application. If the Director fails to grant an application after ninety (90) days from the receipt of a complete application, including accompanying documentation, the applicant may at the applicant's option deem the application denied. If the Director denies an application, the Director shall notify the applicant in writing of the reasons for the denial.

**II. FACILITY OPERATIONS AND RECORDS REQUIREMENTS**

There are five basic steps in facility operations with which the City is concerned. These include: 1) how materials are recorded at the gate; 2) the storage of materials awaiting processing; 3) details of the materials processing; 4) materials stockpiles awaiting use on-site and shipment off-site; and 5) records of shipments.

**A. Gate records:**

- 1. The facility must provide the City a list of all categories of material types recorded at the gate, and where on the facility the driver is directed to take each material.
- 2. The facility must identify which of the received material types are processed as part of the Mixed C&D Recycling program.
- 3. The facility must identify the process followed if the staff at the unloading area does not accept a load that is recorded as part of the Mixed C&D Recycling program.

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**B. Storage of materials awaiting processing:**

1. The facility must identify by category materials that will be stored prior to processing.
2. The facility must identify how it will track use of materials from each stockpile to determine if total tons have increased or decreased during the reporting period.

**C. Materials processing:**

1. The facility must identify the tons processed and the tons of residual landfilled for each material type received, based on gate records.

**D. Material stockpiles awaiting use on-site and shipment off-site**

1. The facility must identify all materials that will be stored after processing.

**E. Records of shipments:**

1. The facility must identify by type all materials that have been shipped during the reporting period.

**III. REPORTING REQUIREMENTS**

All Certified Mixed C&D Processing Facilities shall provide the following reports to the Department as set forth below, using a template report format approved by the Director. The reports must be filed quarterly, within 30 working days of the end of the last month covered by the report in the format prescribed by the Director. A summary report, using the same template, also must be filed on an annual basis. The City may, at its discretion, also request some narrative information to be included with the annual report.

The reports are intended to assist City staff in monitoring the facility activities and confirming that facilities continue to meet the minimum criteria for certification as a Certified Mixed C&D Processing Facility.

In particular, the quarterly reports will document, at minimum:

- A. quantity of incoming mixed C&D debris identified for processing
- B. quantities and types of materials sorted for recycling from the processed mixed debris

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- C. amounts of materials marketed for recycling, identified both by material type and by whether the market is for ADC or on-landfill Beneficial Reuse or traditional recycling markets
- D. quantity of material stockpiled for future processing or marketing.

To the extent that the facility also accepts source-separated C&D recyclables or Inert Materials, the report will demonstrate a mixed C&D diversion rate "mass balance" that excludes incoming source-separated materials from the diversion rate.

A memo providing information about any major change in the operation must be filed with the first quarterly report following the change. A change is considered to be major when:

- A. new processing equipment is installed
- B. a change occurs in material types recycled
- C. a change in operations occurs that affects material flow or methods of documentation of diversion rates
- D. the diversion rate drops below 50% or below the facility's City certified diversion rate
- E. a new software system, coding system, or gate receipt is utilized to document material types or material flows
- F. the amount of recycled material marketed as ADC or On-landfill Beneficial Reuse exceeds the applicable limits set forth in Section I.B.

Facilities and reports are subject to audit by the City to verify the accuracy of the data submitted.

#### **IV. REVOCATION OF CERTIFICATION**

The Director may revoke the certification if the Director determines, after providing notice and an opportunity for a hearing, that a Certified Mixed C&D Processing Facility is out of compliance with any of the Minimum Requirements to Obtain and Maintain Certification as a Mixed C&D Processing Facility set forth in section I. above, has violated any applicable law, or has failed to submit Quarterly or Annual Reports satisfactory to the Director showing that under current facility operations the processor is actually recycling the mixed C&D debris in the manner and at the diversion rate required to meet certification requirements. If the Director revokes a certificate, the Director shall notify the facility owner/operator in writing of the reasons for the revocation.

ENVIRONMENTAL SERVICES REGULATION ESD-050 April 30, 2008 (Rev Mar 26, 2015)  
CERTIFICATION OF MIXED CONSTRUCTION & DEMOLITION PROCESSING  
FACILITIES FOR CONSTRUCTION AND DEMOLITION DEBRIS DIVERSION DEPOSIT  
PROGRAM

**V. APPEAL OF DENIAL OF APPLICATION OR REVOCATION OF CERTIFICATION**

Within thirty days after the issuance of a written notice of the denial of an application or the revocation of a certificate, the facility owner/operator may request in writing to the Director that the City Manager review the Director's decision. Within thirty days of the Department's receipt of such a request, a meeting with the City Manager or designee shall be scheduled to review the items cited in the written notice. At that meeting, the facility owner/operator may provide any additional information in support of their position. Within thirty days of such a meeting, the City Manager will issue a written decision on the application or revocation, which shall include the reasons for the decision. The City Manager's decision shall be final. A copy of the City Manager's written decision shall be provided to the facility owner/operator and the Director.

**VI. RECERTIFICATION**

A Certified Mixed C&D Processing Facility would need to be recertified for one of the following reasons:

1. Every two years (i.e. renewal of certification)
2. It has been decertified for any reason

In either case, the applicant would need to complete the same application process as when they were initially certified. In the event, a facility in good standing is renewing their existing certification, the request for recertification must be submitted at least 90 days prior to the expiration of the existing certification.

Authorized:

  
\_\_\_\_\_  
ENVIRONMENTAL SERVICES DIRECTOR      DATE  
MARIO X. SIERRA      3/25/15

**ATTACHMENT I - City of San Diego**

**Mixed C&D Processing Facility Certification Preliminary Application Form**

<i>Name of Facility</i>	<i>Name of Owner or Operator</i>	<i>Name of Applicant/Contact</i>
<i>Address of Facility</i>	<i>Contact Email</i>	<i>Contact Phone</i>
<b><i>Applicable Permits (attach copies of all applicable permits)</i></b> ___ SWFP [CIWMB] # _____ ___ SDAPCD # _____ ___ NPDES # _____ ___ SDRWQCB # _____ ___ Land use: CUP # _____ ___ Environmental Health ___ Fire Department ___ Other _____ ___ Other _____	<b><i>Material Types Accepted &amp; Processing Lines</i></b> ___ Mixed Municipal Solid Waste ___ Mixed C&D ___ Mixed Inerts ___ Segregated C&D Materials ___ Reusable Building Materials	<b><i>Materials to be Recovered</i></b> ___ Metals ___ Wood ___ Concrete ___ Asphalt ___ Gypsum ___ Corrugated ___ Carpet ___ Foam ___ Textiles ___ Building Materials for Reuse ___ Other _____
<b><i>Facility Type</i></b> ___ Reuse Operation ___ Single Material Processor ___ Multi-Materials Processor ___ Landfill	<b><i>Diversion Rate Calculation</i></b> _____ Tons received _____ Tons of residue _____ Tons diverted off-site _____ Tons to ADC _____ % diversion	<b><i>Other Facility Information:</i></b>
Facility Certification # _____		

**Certification**

By my signature below, I certify under penalty of perjury under the laws of the State of California that the information provided in this **Mixed C&D Processing Facility Certification Preliminary Application Form**, in response to the attached Supplementary Questions, and in the documentation furnished to the Department in connection with this application is true and true and correct to the best of my knowledge.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_



**City of San Diego**

**Mixed C&D Processing Facility Certification Preliminary Application Form  
Supplementary Questions**

1. Is the facility located within a larger permitted solid waste facility? \_\_\_Yes\_\_\_No
2. Does the facility have a specified, separate tipping area for "mixed C&D debris" that is intended to be sorted to remove recyclables? \_\_\_Yes\_\_\_No
3. Does the facility have a specified, separate area for sorting the mixed C&D debris (versus other incoming types of materials)? \_\_\_Yes\_\_\_No
4. Are incoming materials identified separately by code and weight as mixed C&D debris destined for the sorting area? \_\_\_Yes\_\_\_No
5. Are tonnage and diversion records and reports for the mixed C&D sorting area of the facility kept in a manner that allows separate reporting for the mixed C&D area only? \_\_\_Yes\_\_\_No. If Yes, describe how this is done.
6. What additional source-separated C&D recyclables or inerts are also accepted by the facility? Describe how they are tracked by material type and tonnage and how you ensure that those tonnages are not reflected in any diversion rate calculations for mixed C&D processing.
7. What are the average tons per day currently accepted by the facility for mixed C&D processing?
8. What is the facility's tons/hour processing capacity for mixed C&D?
9. What is the permitted capacity of the mixed C&D facility?
10. How many shifts and during what time periods does sorting occur?
11. How many sorters are used during each shift to manually sort recyclables from mixed C&D?
12. In addition to the facility's sort line labor, describe the number and type of other staff at the mixed C&D debris processing facility (e.g. equipment operators, supervisors, etc.). Describe the sorting process, including, but not limited to, the answers to the following questions:
13. List the recyclable materials extracted from mixed C&D debris. Note which materials are destined for ADC or on-landfill Beneficial Reuse versus those marketed to non-landfill recycling markets.

14. Describe the manual and mechanical systems used to sort mixed C&D. Identify the types of equipment utilized, such as conveyor belts, trommels, magnets, screens, air systems, flotation tanks, etc.
15. Describe how sorted material is moved from the sorting area to areas where materials are stored prior to delivery to markets.
16. Identify and describe equipment utilized to further prepare materials for market, such as grinding and baling equipment. Does the facility have an operating, State certified scale that weighs all incoming mixed (and source-separated) C&D loads? \_\_\_ Yes \_\_\_ No If yes, when was the scale last certified (date)?
17. Does the facility also use a belt scale for weighing some sorted materials? \_\_\_ Yes \_\_\_ No
18. Do the receipts provided to incoming vehicles at the facility include the following information required by the City of San Diego as part of the certification process:
  - Net tons
  - Code indicating type of incoming material
  - City of origin
  - Project Address for City of San Diego projects and City project ID
  - Hauler
19. What code(s) indicate that incoming mixed C&D will be sorted for recycling?
20. What other codes are utilized to describe incoming C&D materials destined for disposal, or incoming source separated C&D loads such as wood, wallboard, or metal?

\*Please attach sample receipts or a printout from the facility scalehouse system with the appropriate codes for all inbound materials, including mixed C&D debris, source separated recyclables and Inert Materials, and materials identified for disposal without processing.

21. How does the facility track materials sorted for recycling from mixed C&D debris, by weight and material type, and residual material left after sorting of recyclables from mixed C&D? Please describe the tracking process, including procedures used for identifying and weighing materials prior to placing them in designated areas for subsequent marketing.
22. Provide information on how the facility weighs and codes outgoing loads of recyclable materials and residuals destined for markets or disposal. If the mixed processing facility is part of a larger solid waste disposal facility, describe how the facility keeps weight and material type information separate from other facility data.

Note: It is not our intent to require that areas designated for materials to be marketed keep recyclables from mixed C&D debris separate from incoming source-separated materials. Rather, we want to be sure that incoming source separated material tonnages can be deducted from total outgoing loads and thereby allow another way to verify diversion rates for mixed C&D processing areas. Incoming and outgoing material categories and tonnages must be coded and quantified in a way that demonstrates a "mass balance" of mixed materials processed for recycling (tons in versus tons out).

23. Attach a printout of codes used to identify outgoing materials and their destinations/uses.
24. Provide information on how the facility tracks stockpiled materials (awaiting processing and awaiting marketing or disposal).
25. Provide monthly data on quantities stockpiled for processing for the last 3 months.
26. What software system does the facility use to track incoming and outgoing tonnages at the mixed C&D processing facility? Attach a sample report for one month's activity, showing individual transactions, with all applicable codes and tonnage information, and summarizing incoming and outgoing loads and stockpiled materials.
27. Does the facility currently prepare a regular average recycling rate for mixed C&D processed at the mixed C&D sorting area? If so, is it compiled monthly? What process is utilized to ensure that any incoming source separated materials recyclables are not included in the diversion rate?
28. Describe the process used to document diversion and compile diversion reports.
29. What is the current average mixed C&D diversion rate at the facility?
30. Provide tonnage and diversion rate information for the last three months. Include detailed breakouts of individual materials separated sorted for recycling and disposed residual. Note the amounts of materials marketed for ADC and on-landfill Beneficial Reuse versus materials destined for traditional recycling markets.

