

Business Environmental Coalition Walk-through Challenge

California SB-1383 was signed into law in September 2016.
The law went into effect January 1, 2022.

As a business owner, you are encouraged to be aware of 2 things:

1. **Mandatory Inspections** - Jurisdictions are required by law to inspect every business in their jurisdiction "annually" or face significant fines of their own
2. **Mandatory Fines** - (AB-949, AB-1826, AB-341) allowed for "Good Faith Effort," SB-1383 makes all fines "Impactful and Mandatory"

Employee Training:

Every employee in your organization must be instructed in how to throw away trash ANNUALLY

Number of employees (including management) who have not been instructed on how to throw away trash in compliance with California SB-1383

Recycle & Compost bin Number:

Every trash can in your facility must have a compost bin and a recycle bin "next to" it. This means if you have a trash can under your desk, you must have a recycle bin next to the trash can. You must have a compost bin next to the trash can as well.

Number of Trash cans in your facility that do not have a Compost Bin next to them

Number of Trash cans in your facility that do not have a Recycle Bin next to them

Note: You may have recycle and compost bins separate from a trash can but every trash can must be accompanied by both a compost and a recycle bin. Make sure you check under desks, in break rooms, lobby, closets, restrooms, hallways, conference rooms, etc.

Proper Labeling of Trash, Recycle and Compost bins:

All Trash, Compost and Recycle Bins must be either the correct color or have proper labels indicating Trash, Recycle or Compost

Number of **Trash cans** that are not Black or Gray or **properly labeled**

Number of **Recycling bins** that are not Blue or **properly labeled**

Number of **Compost bins** that are not Green or **properly labeled**

Note: While regulations suggest proper color bins are adequate, another section suggests there must be labeling in most instances. The BEC recommends labeling every container to avoid confusion and subsequent mandatory fines for this infraction.

Signage & Posted Instructions:

You are required to have Instructions on how to throw away waste in your facility posted at every entrance, every community waste collection point (i.e. break room), employee bulletin board and anywhere else you post notifications in your business.

Entrances with no signage "How to throw away trash"

Employee bulletin boards with no signage "How to throw away trash"

Community trash collection points with no signage "how to throw away trash"

Infractions Total - Total all the items above

(next page)

Multiply total by \$50. This is the minimum fine you will pay at auditor's discretion

Min Fine

Multiply Total by \$500. This is the maximum fine you will pay at auditor's discretion

Max Fine

Training Documentation:

Under California SB-1383, not only must you instruct your employees on how to throw away waste, you must document that instruction and the documentation must be up to date.

Example 1: An employee annual training expired 1 week ago. That employee is out of compliance, SB-1383 requires you to be fined

Example 2: An employee was trained last week but your documentation has not been updated to reflect this training. SB-1383 requires a fine of \$2500 for inaccurate documentation of training.

\$2,500

Add: If you have incomplete or have not created employee training documentation

Dumpster Bin Compliance:

Like trash cans, you are required to have proper labeling of dumpster bins. You will need to check with your hauler to see what your responsibility would be.

Waste Cross Contamination:

When an auditor enters your facility, they will also look for "Cross Contamination" (wrong stuff in the wrong bin). Avoiding cross contamination is one of the points covered in the BEC employee training.

Mandatory Audits:

Jurisdictions are required to audit your business every year. If you turn them away, they are expected to fine you \$2500 per day until they return.

Note: "Every Year" your jurisdiction is expected to audit you or face huge fines.

They are required to fine you for every infraction. We call it "**The \$500 potato chip!**" If an auditor finds a potato chip in your trash and doesn't fine you and California finds out, they will be fined \$10,000 per day retroactive until they do fine you.

Business Environmental Coalition Membership:

Training - BEC membership includes a training module. Enter employee names and tracking numbers. The employee signs in, watches a short video and we document training for that employee is complete.

A month before the employee training is due to expire, you will get a notice regarding that employee, then weekly notices, then daily notices until the employee is in compliance.

Documentation - When employees do their online training, it is automatically documented and an accurate report can be printed at any time.

BEC Membership also includes additional guidelines and information to help you meet compliance in your facility.

Compliance Questions - If you have a question about how the SB-1383 regulations apply to your situation, we can get clarification from CalRecycle.

Lobby & Influence - Over reaching environmental regulations affect all businesses. Your membership in the BEC adds to our ability to influence changes to SB-1383 and other regulations that affect your business.

Assessment & Consulting - We have technicians and consultants available who can perform an assessment of your facility and integrate necessary changes to meet SB-1383 compliance

Cost - Membership is based primarily on number of employees in your business. Contact us to find a solution that works for you (www.BECMembers.org/SLCP)