

SOLID WASTE HAULER PERMIT / AB939 COMPLIANCE FEE

Frequently Asked Questions (FAQs)

FAQs FROM WASTE HAULERS OR CONTRACTORS

What is the Private Solid Waste Hauler AB939 Compliance Fee Program?

On July 3, 2002, the Los Angeles City Council adopted an ordinance requiring all private waste haulers collecting solid waste within the City, to obtain a waste hauling permit and pay an AB939 Compliance Fee of ten percent (10%) of gross receipts (billings or invoices). The fee will be used to establish recycling programs for multi-family residences (such as apartments, condominiums, townhouses) and commercial businesses, and manufactures.

Who needs to apply for a solid waste hauler permit?

All private solid waste haulers and recyclers doing business in the City of Los Angeles must possess a valid Solid Waste Hauling Permit in order to collect, haul, and transport solid waste in the City. The permits are non-exclusive, thereby preserving the competitive nature of the solid waste business and allowing waste companies to maintain relationships with existing customers. Contractors, such as construction and demolition companies, are also required to obtain a permit if they transport more than 1,000 tons per year of solid waste.

Are there exemptions to the permit?

Self-haulers or contractors that, in the course of performing their primary business function, incidentally transports solid waste of under 1,000 tons are not required to obtain a permit.

What do I get as proof of permit?

The City will be issuing vehicle decals to permitted solid waste haulers and contractors that must be affixed to vehicles that will be used for collection and transport of solid waste and recyclables.

When are the permits valid?

Permits issued are valid from the date of issuance until June 30th. Renewal applications must be received each year on or before April 1.

How much will the permit and the decals cost?

There is no cost to apply for the permit and to obtain the decals. However, for solid waste haulers and contractors that do not source-separate waste for recycling, gross receipts from solid waste collection services will be subject to AB939 Compliance Fees.

What is the AB939 Compliance Fee?

The AB939 Compliance Fee is a fee that permitted solid waste haulers must pay to the City of Los Angeles. The fee is equal to ten percent (10%) of gross receipts from fees and charges from the collection of solid waste within the City that is not source-separated for recycling.

Who is required to pay the AB939 Compliance Fee?

All permitted solid waste haulers and recyclers that collect and haul solid waste are required to pay the fee. Contractors that transport solid waste in excess of 1,000 tons per year using their own vehicles are also required to pay the fee.

What receipts will be subject to AB939 Compliance Fees?

Receipts from the collection of solid waste (refuse, garbage) in the City are subject to AB939 Compliance Fees. Receipts from the collection and sales of source-separated waste such as paper, glass, plastics, green waste, etc. are not subject to AB939 Compliance Fees.

Do solid waste haulers and contractors that take solid waste to a Materials Recovery Facilities (MRFs) or processor for recycling need to pay the AB939 Compliance Fees?

Yes, receipts from the collection of those solid waste and recyclables will be subject to AB939 Compliance Fees. However, the City will be instituting a Recycling Rebate program for those materials.

When are these permit and compliance fee requirements effective?

The solid waste permit and the compliance fee will become effective September 1, 2002.

Are there additional requirements from solid waste haulers for a permit?

Permitted solid waste haulers and contractors shall submit mandatory reports to the Bureau of Sanitation documenting all disposal and diversion amounts and programs. The forms will be available from the Bureau of Sanitation. Permittees shall also maintain adequate records to enable the City to verify proper payment of fees and to monitor waste collection activities. The City may modify the permit requirements from time to time, as it deems appropriate or due to changes in applicable law.

How can the City pass this ordinance without voter approval?

Section 41901 of the California Public Resources Code authorizes a city or county to "impose fees in amounts sufficient to pay the costs of preparing, adopting, and implementing an integrated waste management plan." Furthermore, Section 41902 adds that "a local agency may directly collect the fees authorized by this Chapter or may, by agreement, arrange for the fees to be collected by a solid waste hauler providing solid waste collection for the city or county."

Why did the City pass this ordinance now with economy as it is?

Additional recycling programs are needed now. Local landfill space is being reduced at an alarming rate and additional recycling programs are needed to preserve what space is left. The City has also established a goal of seventy percent (70%) solid waste diversion rate by 2020. Reaching this ambitious goal will require the implementation of extensive, innovative, and effective new programs.

What if I don't pay the fee?

Untimely and delinquent payment of fees will result in additional late fees and possible revocation of your waste permit. Private waste haulers and contractors doing business in the City without a valid permit is in violation of the Los Angeles Municipal Code and will be subject to monetary fine and/or jail time.

Where do I get the application form?

Application forms will be available after August 9, by calling the Bureau of Sanitation, Solid Resources Citywide Recycling Division at (213) 473-8228.

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FAQs FROM SOLID WASTE CUSTOMERS AND CLIENTS

What is this AB939 Compliance Fee on my trash bill?

On July 3, 2002, the Los Angeles City Council adopted an ordinance requiring all private waste haulers, collecting solid waste within the City, to obtain a waste hauling permit and pay an AB939 Compliance Fee of ten percent (10%) of gross receipts (billings or invoices). The fee will be used by the City to establish recycling programs for multi-family residences (such as apartments, condominiums, townhouses) and commercial businesses.

Who will be affected by this fee?

All businesses, apartment owners and tenants, condominium and townhouse owners and tenants in the City with a private solid waste/trash service will be affected.

Are there exemptions to the fee (non-profit organizations, schools, government agencies)?

The ordinance requires that all permitted private waste haulers pay the AB939 Compliance Fee. Therefore any business, organization, agency, building, etc., that utilizes private waste haulers will be affected by the fee.

When is the fee effective?

The AB939 Compliance Fee program will become effective September 1, 2002, which means trash service from this date, hereinafter, will be subject to the fee.

What if I don't pay the fee?

All private solid waste haulers operating in the City will be required to pay the fee or stand to lose their permit to operate. However, it will be up to the individual waste hauler on how they will collect the fee. It will be up to the customers to work with their hauler on fee collection arrangements.

What kind of benefits do I get from the fees?

The City will work with private waste haulers on instituting programs to benefit businesses, apartment owners and tenants, condominium and townhouse owners to increase recycling activities.

How can I reduce my trash bill?

Customers can reduce their trash bill now by reducing the amount of material that goes into the trash bins. With smaller quantities of trash, customers can either reduce the size of the bins or roll-off containers, or reduce the frequency of container pick-up, thereby reducing their trash bills. Customers may also ask their private waste haulers to provide separate bins for each waste material, for example separate bins for paper, for plastics and bottles, etc. Fees for services for source-separated materials are not subject to AB939 Compliance Fees.

What if I already recycle?

The fee does not apply to material or waste that is source-separated for recycling. This means that if a material, paper for example, is kept out of the trash and is stored and collected in a separate bin then the 10% fee is not charged to the cost of collecting that material. The fee is only applied to the collection of bin(s) that has non-source separated waste.

Where can I get more information about the AB939 Compliance Fee Program?

You can get more information from the Bureau of Sanitation, Solid Resources Citywide Recycling Division by calling (213) 473-8228.