

Information that must be submitted to DEC with the petition

The petition must include additional documentation/information outlined below (at a minimum), based on the chosen justification for the waiver:

Justification 1: Generator does not produce 2+ tons of food scraps per week (annual average).

1. If food scraps *are not* separated from other wastes at the point of generation:
 - a. Documentation (email, invoice, etc.) from the transporter or other verified source that indicates the amount of total waste removed from the generator for the previous year.
 - b. Documentation (statement from a Food Bank, etc.) that indicates the quantity of food donated for the previous year.
 - c. An estimate of the food scraps (including food-soiled paper) in the waste stream to the nearest 10% (waste is 60% food scraps, as an example).
 - d. Calculations showing the annual average weekly food scraps generation.
 - e. A description of any seasonal variation expected in the waste stream quantity and food scraps content, if applicable.
 - f. Other relevant information to justify the amount of food scraps generated.
2. If food scraps *are* separated from other wastes at the point of generation:
 - a. Documentation (email, invoice, etc.) from the transporter or other verified source that indicate the amount of food scraps removed from the generator for the previous year.
 - b. A description of any seasonal variation expected in the food scraps quantity produced, if applicable.
 - c. Calculations showing the annual average weekly food scraps generation.
 - d. Other relevant information to justify the amount of food scraps generated.

Justification 2: The total cost of organics recycling is at least 10% greater than the total cost of landfilling or combustion.

1. An analysis of the cost of disposal including documentation (email, invoice, etc.) from the transporter or other verified source that indicates the total cost for disposal of all solid waste removed from the generator for the previous year.
2. An analysis for the cost of recycling of food scraps including documentation (email, invoice, etc.) from all food scraps transporters available to the generator, indicating average monthly cost as measured over a calendar year, for recycling of food scraps and managing the remainder of the waste stream removed from the generator. The analysis must include:
 - a. An evaluation of the amount of waste reduced and cost savings through increased food donation.
 - b. An evaluation of the cost savings by reducing the frequency of waste collection and reduce the cost of waste disposal since food scraps are removed from the waste stream.
3. An analysis with supporting calculations showing the cost of food scraps recycling compared to the cost of disposing of the food scraps as solid waste for the generator.

Justification 3: There are no organics recycler(s) within 25 miles (as specified by DEC) with sufficient capacity.

1. Documentation (email, etc.) from any transporter and/or organics recycler contacted by the generator indicating why the organics recycler cannot accept the generator's food scraps at the present time and whether they will be able to do so during the coming calendar year when the waiver would be in effect.
2. Other relevant information.

Justification 4: A food scraps transporter is not available to service the generator.

1. Documentation (email, etc.) from the transporter currently used by the generator indicating that they do not provide food scraps transport.
2. Documentation (email, etc.) from each food scraps transporter available in the generator's area indicating that they cannot provide food scraps transport for the generator during the coming calendar year when the waiver would be in effect.
3. Other relevant information.

Justification 5: Unique circumstances that apply to the generator.

1. A detailed explanation of the unique circumstances, and why the generator is seeking a waiver from compliance.