

**City of Cambridge
Department of Public Works**

REVISED COMMERCIAL RECYCLING REGULATIONS
Regulation No. 03-01

In accordance with the requirements of Section 8.24.070 of the Cambridge Municipal Code, the Commissioner of the Department of Public Works hereby adopts the following rules establishing recycling requirements for commercial establishments.

- A. **Purpose and Declaration of Policy:** In March 1991, the Cambridge City Council passed an ordinance requiring residents and commercial establishments in the City of Cambridge to recycle certain materials rather than dispose of these materials as refuse. Under the ordinance, the Commissioner of the Department of Public Works may promulgate regulations regarding recycling practices of commercial establishments operating in Cambridge. These regulations written pursuant to the ordinance are designed to give businesses further guidance regarding recycling requirements.

B. **Contact Information**

For further information regarding the Mandatory Recycling Ordinance, Section 8.24.070 or Commercial Recycling Rules and Regulations, please visit the City of Cambridge Recycling website at www.cambridgema.gov/theworks. Click on Divisions and then Recycling. The Recycling office number is (617)349.4879 and mailing address is: Department of Public Works, Recycling Division, 147 Hampshire Street, Cambridge, MA 02139

C. **Definitions:** The following definitions shall apply in these regulations:

1. **Aluminum** – Aluminum cans, aluminum foil, and aluminum containers or trays used in packaging, preparation, or cooking of food.
2. **Commercial Establishment** – Any non-residential building, including, but not limited to, those used for retail, wholesale, industrial, manufacturing, dining, offices, professional services, automobile services, hotels and motels, restaurants, or shipping and receiving areas.
3. **Contracting agent** - The entity that contracts for the private collection and disposal of refuse for a commercial establishment. This may either be the owner of the property (who either passes along collection/disposal costs as part of the rent or as a separate charge), his/her agent, or the tenant/lessor. The circumstances will vary depending on the property agreement.
4. **Corrugated cardboard** - Paper in which a portion has been made to have a wavy surface (alternating ridges and grooves) and is placed between two flat surfaces for the sake of strength, and which is commonly used to form cartons. Does not include linerboard or paperboard such as cereal boxes or clothing liners.
5. **Drop-Off Center** – A City operated recycling center located at 147 Hampshire Street open to residents, and Cambridge businesses/non-profit organizations with 50 employees or less.
6. **Drop-Off Center accepted materials** – During open hours, the Recycling Drop-Off Center accepts mixed paper, white paper, books, cardboard, glass, metal, and plastic containers, Styrofoam, plastic bags, unmarked plastic containers, non-alkaline batteries, clothing, fluorescent bulbs, CDs, VHS tapes, and Mercury containing devices.
7. **Glass containers** – Bottles and jars, made of silica, sand, soda ash, and limestone, being transparent or translucent, and used for packing or bottling of various materials. This does not include plastics or glass products such as laboratory glass, window glass, blue glass, flat glass, mirrors, plate glass, light bulbs, dishes or ceramics.
8. **Landlord** – Owner, manager, and/or lessee.
9. **Leaves** – Deciduous and coniferous seasonal disposition from trees.
10. **Magazines** – Publications printed on glossy, clay-coated paper.
11. **Newspaper** – Newsprint-grade paper, the common, inexpensive machine-finished paper made chiefly from wood pulp, which is printed and distributed, and includes all newspaper advertisement, comics, and enclosures. This does not include newspapers soiled by food, paint, petroleum products, oil or oil solvents, or other solid wastes that are not recyclable.
12. **Office Paper** – Printed or unprinted sheets, shavings, and cuttings of white sulphite or sulphate ledger, bond, writing, and other papers which have a similar fiber and filler content, and which are free treated, coated, padded, and heavily printed paper, carbon paper, and non-paper materials. Includes computer and laser printout.
13. **Person** – Any firm, institution, partnership, association or corporation, public or private, organized or existing under the laws of the state or other states including federal corporations.

14. **Plastic containers** – Clear and colored bottles and jugs for food, beverage, and laundry materials made from high density polyethylene (HDPE) and polyethylene terephthalate (PET) plastics, excluding containers for use in chemical, laboratory, or automotive applications, and excluding caps and lids.
15. **Recyclable Materials** – Any type of refuse designated by the Cambridge Commissioner of Public Works through rules and regulations issued under this section to be separated for recycling.
16. **Recycling Plan** – A plan submitted to the City that includes information on which recyclable materials comprise 5% or more by weight of the waste stream, how the commercial establishment will handle those recyclable materials and a description of other materials that are being recycled.
17. **Refuse** – Rubbish and recyclable materials.
18. **Rubbish** – All perishable and non-perishable refuse generated by commercial establishments excluding items designated as recyclable.
19. **Scrap metal** – Used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys thereof, including, but not limited to large appliances such as refrigerators and stoves.
20. **Steel** – All containers composed in whole of iron or steel (so-called tin cans) used as containers for the packaging or storage of various food and non-food items, except containers of paint or petroleum based solvents, and any pressurized aerosol cans.
21. **Storage battery** – Batteries used in motor vehicles, airplanes, boats, recreational vehicles, tractors, and the like application, or other lead-acid batteries.
22. **Waste Audit** – Compiled information submitted to the City that includes the type and weight of individual recyclable materials generated and total tonnages of other waste generated.
23. **Waste oil** – Crankcase oil that has been used in internal combustion engines.
24. **Wood waste** – Wood pallets, logs, large branches, boards, stumps, and other wood not defined under yard waste.
25. **Yard waste** – Grass clippings, weeds, hedge clippings, garden waste, and twigs and brush not longer than two feet in length and one half inch in diameter.

D. Applicability of Regulations

These regulations apply to any person who generates refuse in Cambridge.

E. Designated Recyclable Materials

The following materials shall be designated as recyclable materials:

Office Paper	Aluminum (cans, foil, trays, and containers)	Waste oil
Newspaper	Glass containers (clear, green, and brown)	Storage batteries
Magazines	Plastic containers	Scrap metal
Corrugated cardboard	Leaves and yard waste	Wood Waste
Ferrous cans (steel or tin)		

All materials subject to Massachusetts Waste Bans are considered designated recyclables in addition to the above list. The City reserves the right to add or remove recyclable materials as defined in these regulations at any time.

F. Recycling Options

1. **Recycling Drop-Off Center:** Free option available to Cambridge businesses and non-profit organizations with 50 employees or less.
2. **City-sponsored Curbside Contractor:** Businesses and non-profit organizations are eligible to set up subsidized curbside collection service. Please contact the Recycling Division for more information.
3. **Private Hauler:** For a partial listing of area haulers, contact the Recycling Division.

G. Responsibility of Generators of Recyclable Materials

1. **Recycling Requirement:** All commercial establishments shall be required to separate designated recyclable materials generated on the premises, which represent greater than five percent by weight of the establishment's total refuse and shall arrange for the collection for recycling of these materials. These materials must be source separated and kept in a condition to meet minimum market standards.

In instances where space for storage of the recyclables is limited, the City would allow for an exception to source separation on site, provided that all other options have been exhausted and it is documented in writing to the City

prior to the change. Tenants in a commercial building must recycle any designated mandatory recyclable material that represents greater than or equal to 5% by weight of their trash, even if that material is less than 5% of the building's total trash. Landlords with gross lease arrangements with any or all tenants must either total all tenants' waste audit figures or do a building-wide waste audit to submit one building plan. Landlords offering gross lease arrangements must provide centralized storage containers and recycling service for any designated recyclable material generated in quantities of 5% or more by weight of the refuse of any one tenant. Landlords offering exclusively net lease arrangements must submit the information indicated on the Recycling Plan form and a list of all tenants.

2. Program Responsibility: Program development, implementation and operation shall be the responsibility of each commercial establishment. Each landlord must also submit a Recycling Plan for the building. In cases where the landlord is the contracting agent for refuse disposal in a building, the landlord shares joint responsibility for developing, implementing, and operating the recycling program in conjunction with commercial tenants.
3. Recycling Plan: Each commercial establishment and each landlord of a building housing a commercial establishment must submit a Recycling Plan to the Commissioner of Public Works using hard copy or online forms provided by the City. All establishments must submit an updated plan when requested by the City or within 60 days of any changes to the currently filed plan. These plans, unless otherwise noted, must include:
 - A waste audit
 - A description of the process by which recyclable materials are to be segregated from the waste, including what materials are to be separated
 - Identification of how the recyclables will be collected and transported to market.
 - Information on the process used to notify and educate tenants/employees of the recycling requirements

Recycling haulers and drop-off centers used must have a certificate on file with the City of Cambridge Recycling Division that certifies that they are a bona fide recycler.

4. Update to Recycling Plan: In the event that there are any changes to the currently filed Recycling Plan, the commercial establishment and/or landlord must inform the Commissioner of Public Works in writing with 60 days of the change. This includes, but is not limited to, changes in tenants, management companies, elected recycling option, or percentage of recyclable materials by weight in the waste stream.

The plan shall be submitted by the commercial establishments and its landlord.

5. Storage of Designated Recyclable Materials: It shall be the responsibility of the commercial establishment and/or landlord to provide and keep, at its own cost, a sufficient number of containers to hold all designated recyclable materials which may accumulate during the intervals between collection of such recyclable materials. Any such containers, or any designated storage locations, shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways, or entrances and exits of public or private buildings shall be in compliance with all applicable laws, including Fire and Health laws. Containers shall be of sufficient quality and design so as to maintain the marketability of the recyclable materials.
6. Education Program: It shall be the responsibility of all commercial establishments to adequately inform all employees and/or resident users and patrons of the requirements of the recycling program. The required educational program, at a minimum, shall include written instructions to all parties identifying the materials to be recycled, how the materials are to be prepared, how to use the collection system, and updates detailing any changes in the program.
7. Penalties: Commercial establishments failing to adhere to any of these requirements will be subject to administrative penalties outlined in Section 8.24.070(J) of the Cambridge Municipal Code.

H. Severability

The provision of these rules shall be severable and if any phrase, clause, sentence, paragraph, subsection, or section of these rules, or the applicability thereof to any person or circumstance, shall be held invalid, the remainder of these rules and the application thereof shall not be affected thereby.

Effective: October 15, 2003



Lisa Peterson, Commissioner, Department of Public Works