



ENVIRONMENTAL REGULATIONS & RESOURCES FOR BERKELEY FOOD BUSINESSES

COMPLIANCE WITH ENVIRONMENTAL REGULATIONS

State of California, Alameda County and City of Berkeley environmental laws and regulations impact Berkeley food & beverage businesses. Know the rules!



FOODWARE & CARRYOUT BAG REQUIREMENTS

Dine-in: All foodware utilized for on-premises dining must be reusable. [[Berkeley Municipal Code, Chapter 11.64 - Single Use Foodware and Litter Reduction Ordinance \(SUDS\)](#)]

Take-out: Disposable foodware must be [BPI-Certified Compostable](#). No single-use plastic or Styrofoam allowed. Accessory disposable foodware items (e.g. utensils, straws, napkins, etc.) may only be provided upon customer request or at self-service stations. Businesses must charge \$0.25 for each disposable cup provided to customers. ([Berkeley Municipal Code, Chapter 11.64 - Single Use Foodware and Litter Reduction Ordinance and 11.60 - Polystyrene Ban](#))

Restaurants may provide recycled-content paper bags for free. Reusable bags may be distributed with a charge of at least 10 cents (itemized on the receipt) if they comply with the [Alameda County Waste Management Authority Reusable Bag Ordinance](#).



FOOD DONATIONS

State law protects food businesses and grocery stores from civil and criminal liability when donating food in good faith.

Effective 2022, some businesses will be required by state law to [donate surplus edible food](#).



WASTE DIVERSION & DISPOSAL

Businesses are required to recycle and compost ([State of CA; Alameda County Waste Management Authority Mandatory Recycling Ordinance](#)).

Recyclables include clean, dry fiber (cardboard, paper) and containers (glass bottles and jars, metal cans, and plastic bottles). The City of Berkeley has a dual-stream recycling program. Cardboard and paper must be kept in separate receptacles from bottles, cans, and plastic. ([City of Berkeley Commercial Recycling Services](#))

Compostables include food scraps, plant debris, and all paper or foodware marked as such. ([City of Berkeley Food Waste & Organics](#))

Businesses must make recycling and compost bins available for customers and provide clearly labeled front-of-house waste stations for recycling (blue), compost (green), and landfill (gray/black) for customers to dispose of products purchased and consumed on the premises. ([State of CA; Berkeley Municipal Code, Chapter 11.64 - SUDS](#))

Businesses with aggregate quantities of hazardous materials above 55 gallons or 200 cubic feet must complete a Hazardous Materials Business Plan. This includes propane tanks and beverage carbonation (CO2) systems. ([City of Berkeley Hazardous Materials Reporting per California Health and Safety Code](#))

Hazardous and universal waste must be disposed through a licensed facility. Small Quantity Generators (SQGs) must retain proof of proper hazardous waste disposal receipt at the business office for inspection. ([Stopwaste Business Hazardous Waste website](#))



WASTE & STORMWATER

All restaurants and food facilities must be evaluated to ensure that fats, oils and grease (FOG) are properly removed from the wastewater stream prior to disposal into the sewer system. This may be achieved by use of a grease interceptor (or other City-approved grease-removal device). Large quantities of FOG should be recycled through a licensed grease recycler. ([East Bay Municipal Utility District](#))

City of Berkeley businesses must follow general stormwater Best Management Practices (BMPs) for food businesses and the handling of pollutants of concern to the storm drains. ([City of Berkeley Environmental Health Division; Alameda Clean Water Program](#))



ENERGY

City of Berkeley businesses are automatically enrolled with Alameda County's local electricity supplier, [East Bay Community Energy \(EBCE\)](#), on the Bright Choice basic plan, which offers greener electricity at comparable or lower rates than PG&E. Customers may choose to "opt-out" and purchase electricity from PG&E or "opt-up" and purchase EBCE's 100% renewable California solar and wind power.

The City of Berkeley is committed to becoming a Fossil Fuel Free city and encourages the use of renewable electricity, rather than natural gas, for space and water heating, and cooking, due to its superior safety, indoor air quality, and climate impacts.

Contact Us

The City of Berkeley Office of Economic Development (OED) is here to assist Berkeley businesses working hard to comply with these earth-friendly regulations. For support please email or call:



oedmailbox@cityofberkeley.info



510-981-7530



COVID-19 SITE-SPECIFIC PROTECTION PLAN

Throughout the pandemic, all businesses are required to have a **COVID-19 Site-Specific Protection Plan (SPP)** with clear guidance for reopening in a manner that provides a safe, clean environment for employees and customers.

RESOURCES

Want assistance with compliance? The following resources are available to support businesses with implementation.



FUNDING/EQUIPMENT

Bay Area Regional Energy Network (BayREN) offers microloans to small and micro businesses who need assistance with co-payments for energy efficiency projects and financial resources to help businesses achieve energy savings.

East Bay Community Energy (EBCE) offers support for businesses, including installation of such as solar and battery storage and compensation for participation in a battery energy storage demand response pilot program. In addition EBCE also offers periodic grant and rebate opportunities, including grants for kitchen electrification with induction cooking.

PG&E resources available to EBCE's customers:

- **PG&E's Business Rebate Catalog**—rebates for food service and HVAC
- **PG&E's On-Bill Financing**—zero-interest loans of up to \$4 million for qualifying energy efficiency improvements, paid back on your energy bill.

EBMUD offers many rebates and services to help businesses save water, lower costs, and optimize landscape maintenance efficiency. (Call 510-287-1900 to inquire about any of the below.)

- **Lawn and landscape conversion** (up to \$15,000)
- **Irrigation equipment**
- **Commercial clothes washer rebates**
- **Pre-rinse spray nozzles**
- **Water-saving hardware, equipment and systems**
- **On-Bill financing**

CA Green Business Network reimburses expenditures made (up to \$500) for **green business certification** (while funding lasts).

StopWaste/Alameda County Waste Management Authority provide **free indoor food scrap bins** (valued up to \$500) upon request to support separation of food scraps/organics.

The State of California's Small Business Energy Efficiency Financing program, helps business owners undertake a wide array of energy upgrades, including the purchase of Energy Star appliances and decarbonization measures. Learn more at GoGreenFinancing.com.



TECHNICAL ASSISTANCE

BayREN offers **Small and Medium Commercial Business Performance Advisory** to help you reduce energy and maintenance costs.

Food Service Technology Center in San Ramon provides **demonstrations and hands-on training** for food service energy and water efficiency, and kitchen electrification with induction cooking. Trainings and other resources are available through the **California Foodservice Resource Centers** and **PG&E Energy Centers**.

EBMUD offers free **surveys/audits** for all businesses in its service area to improve water efficiency and reduce utility costs.

Rethink Disposable offers **resources** and free technical assistance to help businesses convert from disposable to reusable foodware.

StopWaste offers **free assistance** with waste reduction, recycling and organics collection set-up, and multilingual staff trainings.

Re:Source can help businesses find local **reuse, recycling, and disposal options** for many items, including hazardous materials.

Alameda Green Business Program offers **guidelines, technical assistance and market recognition** to achieve sustainable business practices.



SIGNAGE

City of Berkeley offers **free recycle, compost and refuse posters** and hard copies may be requested by contacting customerservice@cityofberkeley.info or calling 510-981-7270.

Stopwaste offers create-your-own **customizable** signage.



FOOD DONATION

Guide for food donations
Tax credits for food donations



Photo courtesy of Rethink Disposable

BE AN ENVIRONMENTAL HERO!

Want to be even greener? Your business can do even more to support the health of our environment!

Opt up to the **East Bay Community Energy's Renewable 100** electricity service, which is 100% solar and wind power and helps the City of Berkeley meet its Fossil Fuel Free goals.

Get certified as a **California Green Business**. Benefits include:

- Cost savings in energy, water, and garbage bills
- Employee wellness and productivity
- A marketing edge over the competition
- Contributing to the battle against climate change
- Recognition as an environmental leader