

**Ulster County**

**WAIVER  
FOR SEPARATION OF FOOD SCRAPS BY LARGE  
GENERATOR**

Chapter 304-51, Section F of the Ulster County Code

**Use this form to apply for a waiver from the Food Waste Prevention and Recovery Act regulations**

Submit completed Waiver form and supporting documentation by February 1, 2023 to:  
[foodwastelaw@co.ulster.ny.us](mailto:foodwastelaw@co.ulster.ny.us).

Ulster County may waive the requirements of Section 304-51, paragraph B of the Food Waste Prevention and Recovery Act if the County determines that compliance with the requirements of paragraph B would result in extraordinary financial hardship to the large food scraps generator or that other unique circumstances justify a waiver. Any waiver granted hereunder shall be for a maximum period of one year.

**1. Request for Waiver**

Pursuant to Chapter 304-51, Section F of the Ulster County Code, a Waiver from the Food Waste Prevention and Recovery Act regulations is hereby requested. A request for Waiver shall be reviewed on a case-by-case basis, and may be granted in whole or in part, with or without conditions, for a maximum period of one year.

**I am applying for a Waiver for the following circumstances (check one):**

- Compliance with the requirements would result in extraordinary financial hardship.

Attach:

- Annual income tax filing for the most recent tax year demonstrating a gross income of under \$300,000, AND
- Waste hauling contracts and/or bills demonstrating current waste management costs, as well as quotations or other supporting documentation demonstrating the total cost of solid waste management including organics recycling is at least 10 percent greater

- Facility is not reasonably able to separate food scraps without contamination or other unique circumstances.

Attach:

- Detailed explanation and relevant supporting documentation

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Waiver form

The County has thirty (30) days from receipt of the completed Waiver form and supporting documentation to render a decision. The County reserves the right to revoke approval if the information contained in the request is found to be inaccurate or incomplete.

**2. Instructions**

**INSTRUCTIONS:** Fill in all fields in the Waiver form; attach all supporting documentation and email to [foodwastelaw@co.ulster.ny.us](mailto:foodwastelaw@co.ulster.ny.us) or mail to the address below. Completion of all fields and submission of all supporting documentation is required prior to granting a Waiver.

**Ulster County**  
**ATTN: Department of the Environment**  
**17 Pearl Street**  
**P.O. Box 1800**  
**Kingston, NY 12402**

**LARGE FOOD SCRAPS GENERATOR INFORMATION:**

Name of Business: \_\_\_\_\_

Business Owner Name: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Business Email: \_\_\_\_\_

County Department of Health Food Service Permit # (if applicable): \_\_\_\_\_

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**PRIMARY CONTACT INFORMATION:**

Primary Contact Name: \_\_\_\_\_

Primary Contact Phone: \_\_\_\_\_

Primary Contact Email: \_\_\_\_\_

**3. Attestation**

I certify (or declare) under penalty of perjury under the laws of the State of New York that the information provided on this form is true and correct. I understand and agree that I have a continuing obligation to advise Ulster County if there is a change in circumstances. I am the owner, chief executive, or a manager of this business /property, and I am sufficiently knowledgeable as to the nature, scope, and operations of the business to make this declaration. I agree to maintain adequate records to support all of the information submitted as part of this application and to provide this information to representatives of the County on demand. I further understand that if I fail to produce the requested documents, my Waiver may be void and I may be liable for penalties for violations under Chapter 304-55 of the Ulster County Code, which include possible fines for each day of each violation.

<i>Signature</i>	<i>Date</i>
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<i>Notary</i>	<i>Date</i>
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**For County Use Only**

\_\_\_\_\_ **Approval of Waiver:** *Valid through* \_\_\_\_\_

\_\_\_\_\_ **Denial of Waiver:** *Reason for denial* \_\_\_\_\_

<i>Signature</i>	<i>Date</i>
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**A large food scraps generator wishing to renew their Waiver must submit a new Waiver form at least 90 days prior to the expiration date of the current Waiver.**

**The determination by Ulster County is final and is not subject to appeal.**

**The County retains the discretion to revoke any Waiver upon notice to the large food scraps generator.**