

Legal Requirements Summary

The EcoBiz program requires firms to be in compliance with all legal regulations prior to certification. This sheet highlights the typical legal requirements most Landscape Firms have to comply with:

YARD SITE

- Is the local zoning appropriate for landscape firm / materials storage use?
- Are there outstanding development or public works permit issues?
- Are there onsite UICs (drywells, sumps or soakage trenches)?
 - Have they been registered with DEQ?
 - Have you controlled materials from being released into these systems?
- Are there old wells or waterholes onsite?
 - Have they been appropriately decommissioned?
 - Are they more than 500' from any UIC?
- Is the firm in good standing with local sewer and water utilities – i.e. no outstanding fines or penalties?

FIRM (from checklist)

- Do you have a current business license or exemption?
- If your business does design work for public properties (or creates technical specifications for another company or individual to follow), do you employ a Registered Landscape Architect?
- Are you a licensed landscape contractor (for firms doing install and maintenance)?
- Do you have public liability, personal injury and property damage insurance (for firms doing install and maintenance)?
- Does your company have a surety bond filed with the Landscape Contractor Board (for firms doing install and maintenance)?
- Do you provide safety training for staff?
- Have you determined your hazardous waste generator status (most are CEG or SQG)?
- Do you provide the following for hazardous waste? – see EcoBiz sheet for typical hazardous waste issues for landscape shops:
 - Keep records/manifests on products
 - Annual fire department notification
 - MSDS sheets for all hazardous chemicals being used
 - Employee training on hazardous chemicals
 - Store chemicals in:
 - Leak free containers
 - Properly labeled containers
 - In secondary containment

- Segregated by type – no oxidizers with flammables
 - In appropriate containers – plastic for oxidizers
- Do you provide adequate personal protective equipment (PPE)?
 - Routinely inspect safety shields
 - Annual electrical cord inspection (for installation / construction firms)
- Do you have a hearing protection program (for firms doing install and maintenance)?
- Do you comply with local recycling requirements?
- Do you appropriate dispose of materials?
 - CCA treated wood
 - Hazardous wastes
 - Recycle oils and other petroleum products
 - Recycle fluorescent lamps
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- Do you have licensed pesticide applicators (if using restricted use pesticides)?
- Does your wash pad go to appropriate disposal locations?
 - Sanitary Sewer – with local sewerage agency approval
 - Onsite infiltration system – with approval from DEQ
 - Subsurface infiltration – with permit from DEQ
 - To stormwater /drainage system with < 8 vehicles or pieces of equipment per week and no soaps.

PRACTICES (from checklist)

- Do you obtain the following permits for property work:
 - Plumbing
 - Building
 - Stormwater
 - Erosion Control
 - Zoning
- Do your site plans assure access and safety standards defined by the Americans with Disabilities Act (ADA) are met for publicly accessible spaces?
- Do you comply with local and state erosion control standards (for firms doing install and maintenance)?
 - Pre-construction site visits
 - Inspections
 - Limits on discharge
 - No track out
 - No visible sediment in discharge
 - Stockpile cover/control
 - Control of other materials like paints, fuels, etc.

- Plan preparation and submittal
 - Staff training
 - Removal of control measures when site work is complete
- Do you comply with legal requirements for pond installation:
 - Fencing for deeper ponds
 - Electrical codes for pumps
 - Plumbing codes for approved overflow, backflow & disposal/drainage facilities
- Do you comply with electrical and pipe material selection requirements for your local jurisdiction?
- Do you install required backflow prevention devices on irrigation systems?