Natural Resources Agency
Edmund G. Brown, Jr., Governor

CalRecycle

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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September 15, 2016

The Honorable Cherylee Wegman
Mayor
City of Wasco
746 8th Street
Wasco, CA 93280

Confirmation Number 7014 3490 0001 7726 6232

Paul Paris, City Manager
City of Wasco
746 8th Street
Wasco, CA 93280

Confirmation Number 7014 3490 0001 7726 6317

Subject: 30-Day Notice of Intent to Issue the City of Wasco a Compliance Order for Failure to Adequately Implement its Source Reduction and Recycling Element

Dear Mayor Wegman and Mr. Paris:

The purpose of this letter is to formally notify the City of Wasco (City) that the Department of Resources Recycling and Recovery (CalRecycle) will be considering issuing the City a Compliance Order at a public hearing on October 18, 2016. This action is based on CalRecycle staff's review of the City's progress in implementing diversion programs to meet the requirements of Public Resources Code (PRC) Section 41780. Failure to meet the requirements of the Compliance Order may result in civil penalties of up to $10,000.00 per day.

CalRecycle staff has conducted a 2007-2011 Jurisdiction Review of the City's Source Reduction and Recycling Element (SRRE) program implementation and diversion rate achieved to date. CalRecycle staff also reviewed the City's implementation of California's Recycling of Commercial Solid Waste, referred to as the Mandatory Commercial Recycling (MCR) law (PRC section 42649, et seq.), which became effective on July 1, 2012. Based on this review, CalRecycle staff is bringing forward its 2007-2011 Jurisdiction Review findings that the City is not adequately implementing its SRRE and failing to fully comply with the requirements of the MCR law. The programs have significant weaknesses that prevent the City from achieving diversion requirement of PRC Section 41780.

Based on CalRecycle staff's review and analysis, it is being recommended that CalRecycle consider issuing the City a Compliance Order. As part of the Compliance Order, the City would be directed to develop a Local Implementation Plan (LIP). The LIP will identify a strategy for program enhancements and local actions necessary to enable the City to achieve the diversion requirements of PRC section 41780 and meet the requirements of the MCR law, PRC section 42649, et seq.

CalRecycle staff strongly recommends that you or your City's representative attend the CalRecycle meeting at which a Compliance Order will be considered. At this meeting, the City's representative will have an opportunity to present the City's program implementation efforts, diversion rate achievement, and/or any other special circumstances the City would like CalRecycle to consider. The representative should also be prepared to answer any questions from CalRecycle. The public hearing details are as follows:

Department of Resources Recycling and Recovery Monthly Public Meeting

Date:	October 18, 2016
Time:	10:00 a.m.
Location:	Joe Serna Jr., Cal/EPA Building Byron Sher Auditorium 1001 I Street, 2nd Floor Sacramento, CA 95814

The full Public Hearing packet outlining the Compliance Order will be available on our website at calrecycle.ca.gov/PublicMeeting ten days before the Public Hearing.

Should you have any questions about this letter or the upcoming meeting, please contact Kathleen Marsh at (916) 341-6475 or Kathy.Marsh@calrecycle.ca.gov.

Respectfully,

T O'Shaughnessy

Trevor O'Shaughnessy, Manager
Jurisdiction and Product Enforcement Section

cc: Bob Wren, Public Works Director, City of Wasco
Kathleen Marsh, CalRecycle
Andrew Parrish, CalRecycle
Program File