

SAMPLE NOTICE TO COMPLY FOR MINOR VIOLATIONS
(Public Resources Code Section 45003)

Date of Notice To Comply:		Date of Inspection:	
Enforcement Agency:			
Issued To (name and title):			<input type="checkbox"/> Owner <input type="checkbox"/> Operator
Facility Name:			
Facility No.:			
Minor Violation(s) (attach additional sheets if necessary)			
Statute and/or regulation section number, description of violation(s), how it may be brought into compliance, and required compliance date:			
1.			
			Compliance Date:
2.			
			Compliance Date:
3.			
			Compliance Date:

This Section to be Completed by the recipient of the Notice To Comply		
Certification Of Correction		
Following violation(s) corrected by date required in this Notice To Comply:		
1.	Date Corrected:	
2.	Date Corrected:	
3.	Date Corrected:	
Recipient's Signature and Title:		
<i>I certify under penalty of perjury to the best of my knowledge and belief that all undisputed minor violation(s) cited in this Notice To Comply have been corrected.</i>		
⇒Sign and Return to the EA within 5 working days of the last corrected violation.⇐		
Recipient Owner/Operator <u>disagrees</u> with one or more, but not all, of the minor violation(s):		
Complete Certification Of Correction above for undisputed violations and return signed Notice To Comply certifying that all undisputed violations have been corrected and a written Notice Of Disagreement to the EA specifying the allegations with which you disagree within 5 working days of the last corrected violation, but no later than 30 days of the date of this Notice To Comply.		
Recipient Owner/Operator <u>disagrees</u> with all the minor violation(s):		
Submit a written Notice Of Disagreement to the EA specifying the allegations with which you disagree within 30 days of the date of this Notice To Comply.		

Use of this form is not required by statute or regulation; however, it does provide the information as required by PRC 45003.

Directions for Completing a Notice To Comply

Use of this form is not required by statute or regulation; however, it does provide the information as required by PRC 45003.

A Notice To Comply (NTC) is issued in accordance with Public Resources Code (PRC) Section 45003 to address "minor violations". A "minor violation" means the failure of a person to comply with a requirement or condition of an applicable law, regulation, permit, information request, order, variance, or other requirement that an Enforcement Agency (EA) or California Integrated Waste Management Board (CIWMB) is authorized to implement or enforce, but does not include any of the following (PRC 40150.2):

1. A violation that results in injury to persons or property or that presents a significant threat to human health or the environment;
2. A knowing, willful or intentional violation;
3. A violation that is a chronic violation or that is committed by a recalcitrant violator;
4. A violation that results in an emergency response from a public safety agency; or
5. A violation that enables the violator to benefit economically from the noncompliance, either by reduced costs or competitive advantage.

Enforcement Agency

Complete the upper half of the NTC.

The "Date of Notice To Comply" is the date the NTC is served on the recipient. In the "Issued To" box, provide the name and title of the person to whom the NTC is issued and identify them as either the owner or operator (check one box). Include the name of the facility and facility number as stated on the solid waste facilities permit or EA Notification. Be as specific as possible when describing the violation(s), how the violation(s) may be brought into compliance and the required compliance date (which is not more than 30 days from the date of the NTC). Attach additional sheets if necessary.

Forward a copy of the NTC to the CIWMB after it has been served to the owner or operator.

Owner or Operator

Complete the lower half of the NTC.

If you agree with the NTC and correct the violation(s), include the date the violation(s) was corrected and sign the NTC in the space provided certifying that the violation(s) was corrected by the required compliance date. Return the signed NTC to the EA within five working days of the last corrected violation, but not more than 30 days from the date of the NTC. Failure to correct the violation(s) and return a signed copy of the NTC within five working days of the last of the violation(s) being corrected may result in the notation of a violation on an inspection report and as appropriate, the commencement of enforcement including the issuance of a Notice and Order.

If you disagree with one or more of the alleged violation(s) in the NTC, sign and return the NTC to the EA certifying that all undisputed violations have been corrected with a written Notice of Disagreement (NOD) specifying the allegations with which you disagree within five working days of the last corrected violation, but no later than 30 days from the date of the NTC.

If you disagree with all of the alleged violation(s) in the NTC, submit a written NOD to the EA specifying the allegations with which you disagree within 30 days of the date from the NTC.

A copy of PRC 45003 is available at www.ciwmb.ca.gov/Statutes.