

A close-up photograph of two hands gently cupping a small, vibrant green seedling with several leaves, growing out of a mound of dark, rich soil. The background is a soft, out-of-focus light blue. A semi-transparent white curved banner is overlaid across the top of the image, serving as a background for the title text.

California Integrated Waste Management Plan (CIWMP) Enforcement Policy

July 21, 2015



CIWMP Enforcement Policy Part II

- ▶ Foundation for CalRecycle's Jurisdiction Reviews
 - ▶ Last revised in 2010 due to SB 1016
- ▶ Part II – how CalRecycle determines whether J's programs are adequately implemented
 - Criteria for analysis
 - Mechanisms CalRecycle uses to determine a J's compliance
 - Structure of penalties that may be imposed for failing to implement
- ▶ This revision incorporates MCR, MORE, 1594



SB 1016 Refresher

- ▶ Per-capita disposal target and rate
- ▶ Per capita disposal rate not determinative of compliance
- ▶ Focus on program implementation
- ▶ Annual site visits
- ▶ 2-year and 4-year cycles



4 Scenarios

1. Implementing all or most programs and meeting diversion requirements
2. Implementing some/all programs but not meeting diversion requirements
3. Implementing small number of programs and meeting diversion requirements
4. Not implementing programs and not meeting diversion requirements



Incorporation of MORE Requirements

- ▶ MORE is harder than MCR because fewer jurisdictions have programs for commercial foodwaste
- ▶ What constitutes program and what is adequate is key
- ▶ Criteria for review analysis detailed in Enforcement Policy
 - ▶ Not prescriptive, not checklist - guidelines for understanding and analyzing
- ▶ In review cycle -- annual site visits and verifying programs, annual reports, hauler data, website information, etc.
- ▶ Jurisdictions also required to provide info about barriers and plans to address
- ▶ Recognize programs aren't in place everywhere, will take time to implement



Major Changes in 1st Draft

- ▶ Describes questions and criteria for each scenario
- ▶ Evaluation of MCR and MORE focuses on programs – i.e., regardless of per capita disposal rate
- ▶ Rural exemptions allowed under MORE
- ▶ Due dates for reporting information in annual reports
- ▶ Steps for issuing Compliance Order for failure to adequately implement MCR and/or MORE requirements
- ▶ Penalties for not meeting MCR, MORE, 1594



Responses to Workshop Comments

- ▶ Clarified requirements on businesses -- applies to those > threshold in place at that time
- ▶ Did not change outreach, education, monitoring -- required annually
- ▶ Reiterated requirement to recycle 100% -- business requirement
- ▶ Clarified enforcement by jurisdictions – discretionary
- ▶ Also clarified/modified FAQs