

**State of California
Office of Administrative Law**

In re:
**Department of Resources Recycling and
Recovery**

Regulatory Action:

Title 14, California Code of Regulations

**Adopt sections: 18815.1, 18815.2, 18815.3,
18815.4, 18815.5, 18815.6,
18815.7, 18815.8, 18815.9,
18815.10, 18815.11,
18815.12, 18815.13**

**Amend sections: 17365, 17370.2, 17379.0,
17383.3, 17383.4, 17383.5,
17383.6, 17383.7, 17383.8,
17388.4, 17388.5, 17389,
17414, 17869, 17896.45,
18794.0, 18794.1, 18794.2,
18800**

Title 27, California Code of Regulations

Amend sections: 20510, 20686, 20690

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2019-0118-01

OAL Matter Type: Regular (S)

This action implements the Recycling and Disposal Reporting System, pursuant to which waste, recycling, and compost facilities, as well as exporters, brokers, and transporters of recyclables or compost are required to submit information regarding the types, quantities, and destinations of materials that are disposed of, sold, or transferred within or out of the state to the Department.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 3/5/2019.

Date: March 5, 2019


Eric Partington
Senior Attorney

For: Debra M. Cornez
Director

Original: Scott Smithline, Director
Copy: Kate Nitta

REGULAR

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2018-0112-03	2019-0118-015	

For use by Office of Administrative Law (OAL) only

RECEIVED DATE	PUBLICATION DATE	2019 JAN 18 A 10:22
JAN 12 '18	JAN 26 '18	OFFICE OF ADMINISTRATIVE LAW
Office of Administrative Law		
NOTICE	REGULATIONS	

ENDORSED - FILED

in the office of the Secretary of State of the State of California

MAR 05 2019

1:49 PM

AGENCY WITH RULEMAKING AUTHORITY

Department of Resources Recycling and Recovery

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Recycling and Disposal Reporting System	TITLE(S) 14, 27	FIRST SECTION AFFECTED 17365, 20510	2. REQUESTED PUBLICATION DATE 01/26/2018
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Kate Nitta	TELEPHONE NUMBER (916) 341-6067	FAX NUMBER (Optional) (916) 319-7781
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER 2018 04-2	PUBLICATION DATE 1/26/2018

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Recycling and Disposal Reporting System	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT See attached sheet.
TITLE(S) 14, 27	AMEND See attached sheet.
REPEAL	

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code, §11347.1)

5/16/18 - 5/31/18 ; 10/1/18 - 10/16/18 ; 10/31/18 - 11/15/18

per agency request

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input checked="" type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input type="checkbox"/> Effective other (Specify) _____
-----------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------	-----------------------------------------------------------------	----------------------------------------------------------

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
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7. CONTACT PERSON

Kathleen Nitta

TELEPHONE NUMBER
916-341-6067

FAX NUMBER (Optional)
916-391-7781

E-MAIL ADDRESS (Optional)
kathleen.nitta@calrecycle.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

Elliot Block

DATE

1/18/19

TYPED NAME AND TITLE OF SIGNATORY

Elliot Block, Chief Counsel

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

MAR 05 2019

Office of Administrative Law

Form 400 Attachment – Section B2 – Sections Affected in CCR

Adopt:

Title 14, Division 7, Chapter 9, Article 9.25

Sections 18815.1, 18815.2, 18815.3, 18815.4, 18815.5, 18815.6, 18815.7, 18815.8, 18815.9, 18815.10, 18815.11, 18815.12, 18815.13

Amend:

Title 14

Sections 17365, 17370.2, 17379.0, 17383.3, 17383.4, 17383.5, 17383.6, 17383.7, 17383.8, 17388.4, 17388.5, 17389, 17414, 17869, 17896.45, 18794.0, 18794.1, 18794.2, 18800

Title 27

Sections 20510, 20686, 20690

TITLE 14

DIVISION 7

CHAPTER 3.

ARTICLE 5.6.

NATURAL RESOURCES

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL

NONHAZARDOUS PETROLEUM CONTAMINATED SOIL OPERATIONS AND FACILITIES
REGULATORY REQUIREMENTS

Section 17365. General Record Keeping Requirements.

All contaminated soil/transfer operations and disposal facilities shall meet the following requirements:

(a) All records required by this Article shall be kept by the operator in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the ~~board~~ Department, enforcement agency, local health entity, and other duly authorized regulatory and enforcement agencies during normal working hours.

(b) The operator shall maintain a log of special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences may include: fires, injury and property damage accidents, explosions, discharge of hazardous or other wastes not permitted, flooding and other unusual occurrences.

(c) The operator shall record any written public complaints received by the operator, including:

(1) the nature of the complaint,

(2) the date the complaint was received,

(3) if available, the name, address, and telephone number of the person or persons making the complaint, and

(4) any actions taken to respond to the complaint.

(d) The operator shall record, as specified by the RWQCB, the types and concentrations of constituents, the date, and quantity of contaminated soil accepted at the operation or facility; and for treatment, transfer, or storage operations, the types and concentrations of constituents, the date, and quantity of contaminated soil and noncontaminated soil leaving the operations. Where no requirements have been specified by the appropriate RWQCB, the operator shall record the same information as provided by generator source. The operator shall also record the name of all transfer, storage, and/or treatment operations where the contaminated soil was located prior to the receipt by the operator and the dates the contaminated soil was received at each of these operations and removed.

(e) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 43020 and 43021, Public Resources Code.

TITLE 14

DIVISION 7

CHAPTER 3.

ARTICLE 5.7.

NATURAL RESOURCES

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL

HAZARDOUS WASTE DISPOSAL FACILITIES DISPOSING NONHAZARDOUS,
NONPUTRESCIBLE, INDUSTRIAL SOLID WASTE REGULATORY REQUIREMENTS

Section 17370.2. Record Keeping Requirements.

Each operator of a hazardous waste disposal facility shall meet the following requirements with respect to nonhazardous, nonputrescible, industrial solid waste disposed at the facility:

(a) All records required by this Article shall be kept in one location and accessible for three years and shall be available for inspection by authorized representatives of the EA, the ~~Board~~ Department, and other duly authorized regulatory and enforcement agencies during normal working hours. If necessary, then copies of these records may be maintained at an alternative site, as long as that site is easily accessible to the EA.

(b) The operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment, as it relates to the acceptance and disposal of nonhazardous, nonputrescible, industrial solid wastes (as defined in section 17368 of this Article).

(c) The operator shall maintain records of the tonnage of nonhazardous, nonputrescible, industrial solid waste that is codisposed in each waste management unit at the facility on a daily basis. The operator shall also maintain records of the tonnage of hazardous waste codisposed in each waste management unit at the facility on a monthly basis. These records shall be provided to the EA or the ~~Board~~ Department upon request.

(d) By March 1 of each year, the operator shall annually report to the EA and the ~~Board~~ Department the total amount of nonhazardous, nonputrescible, industrial solid waste and hazardous waste codisposed the previous year.

(e) The operator shall maintain a copy of the demonstration required pursuant to Title 14, California Code of Regulations section 18225 (f) in the operating record.

(f) The operator shall provide the EA with written notice of intent (Notice) to close a waste management unit at least 60 days prior to beginning unit closure, and maintain a copy of the Notice in the operating record.

(g) All such facilities shall maintain records as required by Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section ~~18810-18815.1~~ et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020, 43021 and 43051, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

CHAPTER 3.

MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL

ARTICLE 5.8.

NONHAZARDOUS ASH REGULATORY TIER REQUIREMENTS

Section 17379.0. General Record Keeping Requirements.

Each operator of a nonhazardous ash transfer/processing operation or disposal/monofill facility shall meet the following requirements:

(a) All records required by this Article shall be kept by the operator in one location and be accessible for five (5) years and shall be made available for inspection by authorized representatives of the CIWMB Department, enforcement agency, and other duly authorized regulatory and enforcement agencies during normal working hours. The operator shall submit copies of records to the enforcement agency upon request. An alternative schedule of record submittal may be approved by the enforcement agency.

(b) The operator shall maintain a daily log or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences may include fires, injury and property damage, accidents, explosions, discharge of hazardous or other wastes not permitted, flooding and other unusual occurrences.

(c) The operator shall record any written public complaints received by the operator, including:

(1) the nature of the complaint,

(2) the date the complaint was received,

(3) if available, the name, address, and telephone number of the person or persons making the complaint, and

(4) any actions taken to respond to the complaint.

(d) The operator shall record the date, generator source, and quantity of nonhazardous ash accepted.

(e) The operator shall maintain records of weights or volumes handled in a manner and form approved by the enforcement agency so as to be sufficiently accurate for overall planning and control purposes.

(f) Transfer/processing facility operators shall record the quantity of nonhazardous ash leaving the operations.

(g) The disposal/monofill facility operator shall also record the name of all transfer/processing operations where the nonhazardous ash was located prior to receipt by the operator and the dates the nonhazardous ash was received at each of these operations and removed.

(h) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

CHAPTER 3.

MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL

ARTICLE 5.9.

CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING
REGULATORY REQUIREMENTS

Section 17383.3. C&D Wood Debris Chipping And Grinding Operations And Facilities.

(a) C&D wood debris chipping and grinding operations and facilities conduct chipping and grinding activities to produce C&D mulch. Authorized chipping and grinding activities do not produce active compost, but mechanically reduce the size of lumber and other wood material to produce C&D mulch. The C&D wood debris chipping and grinding operation or facility shall satisfy the appropriate tier requirements.

(1) A small volume C&D wood debris chipping and grinding operation shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq. and shall be inspected by the EA at least once every three (3) months unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]*

(2) A medium volume C&D wood debris chipping and grinding operation shall comply with the Registration Permit tier requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq.

(3) A large volume C&D wood debris chipping and grinding facility shall comply with the Full Permit tier requirements set forth in CCR, Title 27, Division 2, Subdivision 1, Chapter 4, commencing with section 21563.

(4) To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(5) Except as otherwise specified in this section, small volume C&D wood debris chipping and grinding activities shall comply with all requirements applicable to small volume CDI debris processing operations, medium volume C&D wood debris chipping and grinding facilities shall comply with all requirements applicable to medium volume CDI processing facilities, and large volume C&D wood debris chipping and grinding facilities shall comply with all requirements applicable to large volume CDI debris processing facilities.

(b) All of the following requirements for the storage and stockpiling of C&D mulch feedstock, material being processed, and finished C&D mulch apply:

(1) Unprocessed feedstock may be stored on site prior to processing up to 30 days. Unprocessed feedstock stored for more than 30 days shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(2) C&D mulch shall be removed from the site within 90 days from processing. C&D mulch stored for more than 90 days shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(3) If the temperature of the unprocessed feedstock or C&D mulch reaches 50 degrees Celsius (122 degrees Fahrenheit), then the site shall be regulated as a compostable material handling operation or facility, as set forth in Chapter 3.1 commencing with Article 1, section 17850. The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(4) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(c) All the following requirements for the inspection of C&D mulch feedstock apply:

(1) The feedstock shall undergo load checking to ensure that physical contaminants in the feedstock are reduced to no greater than 1% of total feedstock, by weight. Load checking shall include both visual observation of incoming loads of feedstock and load sorting to quantify the percentage of contaminating materials.

(2) A minimum of 1% of daily incoming feedstock volume or at least one truckload per day, whichever is greater, shall be inspected visually. If a visual load check indicates a contamination level is potentially greater than 1%, a representative sample shall be taken, physical contaminants shall be collected and weighed, and the percentage of physical contaminants determined. The load shall be rejected if physical contaminants are greater than 1% of total weight.

(3) Upon request of the EA, the operator shall take a representative sample of feedstock, shall collect and weigh physical contaminants, and shall calculate the percentage of physical contaminants in the sample.

(4) The operator shall take adequate measures through signage, training, load checking, detection systems, and/or chemical analysis to avoid incorporating any chromated copper arsenate (CCA) pressure treated wood and lead based painted materials into C&D mulch. Such contaminated feedstock shall be stored in a designated area for handling and disposition.

(5) The operator's employees shall be adequately trained to perform the activities specified in this section.

(d) Operations and facilities producing C&D mulch shall maintain all records demonstrating compliance with this section.

(e) All C&D wood debris chipping and grinding activities shall minimize odor impacts.

(f) The operator shall provide fire prevention, protection and control measures, including, but not limited to, temperature monitoring of windrows and piles, adequate water supply for fire suppression, and the isolation of potential ignition sources from combustible materials. Fire lanes shall be provided to allow fire control equipment access to all operation areas. These requirements are in addition to the requirement for a Fire Prevention, Control and Mitigation Plan described in sections 17386(a)(19), 18223(a)(19) and 18223.5(a)(20).

(g) If C&D debris other than C&D wood debris is accepted at the site, then the site shall be regulated as a CDI processing operation or facility under this Article or under the Transfer/Processing Regulatory requirements (commencing at section 17400), as appropriate.

(h) Should the EA have reason to believe that a C&D wood debris chipping and grinding material handler is engaging in other activities that constitute or are deemed to be disposal, the burden of proof shall be on the owner and operator of the site to demonstrate otherwise.

(i) Each operator of a small volume C&D wood debris chipping and grinding operation shall file with the

EA, together with its application for an EA Notification, an Operation Plan (as more fully described in section 17386 of this Article). Each operator of a medium volume C&D wood debris chipping and grinding facility shall file with the EA, together with its application for a Registration Permit, a Facility Plan (as more fully described in Article 3.2, section 18223 of this Chapter). Each operator of a large volume C&D wood debris chipping and grinding facility shall file with the EA, together with its application for a Full Permit, a Facility Report (as more fully described in Article 3.2, section 18223.5 of this Chapter). The information contained in the Plan or Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(j) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(k) Each operator shall determine the weight of all material received at the operation or facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the operation or facility or off-site.

(l) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS

Section 17383.4. Small Volume Construction And Demolition/Inert Debris Processing Operations.

All small volume CDI debris processing operations shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100. These operations shall be inspected by the EA at least once every three (3) months to verify compliance with minimum standards unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]* To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals. The operator shall specify the operation's boundary area in the operating record.

(a) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed and therefore subject to enforcement action, including the use of a Notice and Order as provided in section 18304.

(b) CDI debris that has been processed and sorted for resale or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) Each operator of a Small Volume CDI Processing Operation shall file with the EA, together with its application for an EA Notification, a Small Volume CDI Processing Operation Plan (as more fully described in Article 3.2, section 17386 of this Article). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(g) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(h) C&D Mulch that is not compostable material produced at a small volume CDI processing operation must meet all requirements of a small volume C&D wood debris chipping and grinding operation, including the storage limits.

(i) Each operator shall determine the weight of all material received at the operation for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall

be determined by the use of scales which may be located at the operation or off-site.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9.	CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS

Section 17383.5. Medium Volume Construction And Demolition/Inert Debris Processing Facilities.

All medium volume CDI debris processing facilities subject to this Article shall comply with the Registration Permit tier requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq.

(a) The amount of residual in the C&D debris and type A inert debris shall be less than 40% of the amount of such material by weight. The residual amount is calculated on a monthly basis. Facilities which do not meet the 40% residual requirement of this subsection shall obtain a Full Permit and shall comply with the requirements applicable to a Large Volume CDI Debris Processing Facility. If the EA determines that a Medium Volume CDI Debris Processing Facility has exhibited a pattern and practice of failing to comply with the provisions of this subsection, the EA shall take appropriate enforcement action.

(b) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) CDI debris that has been processed and sorted for resale or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(d) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(e) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(f) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(g) Each operator of a medium volume CDI processing facility shall file with the EA, together with its application for a Registration Permit, a CDI Processing Facility Plan (as more fully described in Article 3.2, section 18223 of this Chapter). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5. Article 3.0, section 18101.

(h) Medium volume CDI debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(i) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(j) C&D Mulch that is not compostable material produced at a medium volume CDI processing operation must meet all requirements of a medium volume chipping and grinding operation, including the storage limits.

(k) If a medium volume CDI processing facility exceeds any combination of the following limitations, which are more fully described in this Section 17383.5, three (3) or more times within any two (2) year period which the EA determines constitutes a violation of this Article, then the facility no longer qualifies for a Registration Permit under this section. Upon the third such violation, the EA shall notify the operator in writing that the facility no longer qualifies for a Registration Permit, and the operator must within 30 days apply for a Full Permit as if it were a large volume CDI processing facility pursuant to Section 17383.6. In addition, the EA shall issue a cease and desist order pursuant to Section 18304 directing, among other things, that the operator immediately cease accepting material at the site until the operator has demonstrated to the EA that it has corrected the violation and eliminated the cause of the violation. The limitations to which this subdivision applies are:

(1) Maximum amount of residual specified in Subsection 17383.5(a).

(2) Maximum tonnage received per day as specified in Subsection 17381(t).

(3) Maximum amount of material on site as specified 17383.5(d).

(l) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(m) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING
REGULATORY REQUIREMENTS

Section 17383.6. Large Volume Construction And Demolition/Inert Debris Processing Facilities.

All large volume CDI debris processing facilities subject to this Article shall comply with the Full Permit tier requirements set forth in Title 27, CCR, Division 2, Subdivision 1, Chapter 4, commencing with section 21450.

(a) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) CDI debris that has been processed and sorted for resale, or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) Each operator of a large volume CDI processing facility shall file with the EA, together with its application for a Full Permit, a Large Volume CDI Processing Facility Report (as more fully described in Article 3.2, section 18223.5 of this Chapter). The information contained in the Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(g) Large volume CDI debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(h) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect public health and safety.

(i) C&D Mulch that is not compostable material produced at a large volume CDI processing operation must meet all requirements of a large volume C&D wood debris chipping and grinding operation, including the storage limits.

(j) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(k) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site

or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS

Section 17383.7. Inert Debris Type A Processing Operations.

All inert debris Type A processing operations subject to this Article shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0 and commencing with section 18100.

(a) Inert debris stored for more than 6 months that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) Inert debris that has been processed and sorted for resale or reuse, but remains stored on site for more than 18 months, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlements), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) These operations shall be inspected by the EA at least once every three (3) months to verify compliance with minimum standards unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]* To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(g) The operator shall specify the operation's boundary area in the operating record.

(h) Each operator of an inert debris Type A processing operation shall file with the EA, together with its application for an EA Notification, an Inert Debris Type A Processing Operation Plan (as more fully described in Article 3.2, section 17386 of this Article). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(i) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(j) Each operator shall determine the weight of all material received at the operation for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the operation or off-site.

(k) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS

Section 17383.8. Inert Debris Type A And Type B Processing Facilities.

All inert debris Type A and Type B processing facilities subject to this Article shall comply with the Full Permit tier requirements set forth in Title 27, CCR, Division 2, Subdivision 1, Chapter 4, commencing with section 21450.

(a) Inert debris stored for more than 6 months that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) Inert debris that has been processed and sorted for resale or reuse, but remains stored on site for more than 18 months, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlements), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) Each operator of an Inert Debris Type A and Type B Processing Facility shall file with the EA, together with its application for a Full Permit, an Inert Debris Type A and Type B Processing Facility Report (as more fully described in Article 3.2, Section 18223.5 of this Chapter). The information contained in the Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(g) Inert debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(h) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect public health and safety.

(i) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14. NATURAL RESOURCES

DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.95. CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL REGULATORY REQUIREMENTS

Section 17388.4. Inert Debris Type A Disposal Facilities

Inert debris Type A disposal facilities shall obtain Registration Permits and shall comply with the Registration Permit requirements as set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0 (commencing at Section 18100), with the following requirements set out in CCR, Title 27, Division 2, Chapter 4, Subchapter 3, Article 2 (commencing at Section 21570) in the same manner as if they were municipal solid waste landfills, CCR, Title 14, Division 7, Chapter 9, and with all RWQCB waste discharge requirements.

- (a) Each operator of an inert debris Type A disposal facility shall submit a copy of its waste discharge requirements or a letter of exemption from the applicable RWQCB to the EA together with its application for a Registration Permit.
- (b) Inert debris Type A disposal facilities shall be inspected monthly by the EA in accordance with Public Resources Code Section 43218.
- (c) Each operator shall file with the EA, together with its application for a solid waste facilities permit, a Disposal Facility Plan (as more fully described in CCR, Title 14, Division 7, Chapter 5, Article 3.2, Section 18223.6).
- (d) Each operator must comply with the closure and postclosure maintenance requirements of Title 27, CCR, Division 2, Subchapter 5, Article 2 (commencing with Section 21099).
- (e) Each operator must comply with the financial assurance requirements for closure and postclosure maintenance, operating liability and corrective action set forth in Title 27 CCR, Division 2, Chapter 6 (commencing at Section 22200).
- (f) The EA shall comply with the Enforcement Agency Requirements of Title 27 CCR, Division 2, Chapter 4, Subchapter 3, Article 3, commencing with Section 21650.
- (g) Inert debris Type A disposal facilities shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency. ~~disposal reporting records and comply with the requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System), commencing at Section 18800.~~
- (h) Inert debris Type A disposal facilities shall comply with the State Minimum Standards set forth in Title 27 CCR, Division 2, Chapter 3.0, Subchapter 4, Articles 1 (Operating Criteria), Article 3 (Handling, Equipment and Maintenance), and Article 4 controls) (except Sections 20880 and 20890).
- (i) Each operator shall determine the weight of all material received at the facility for disposal and shall maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material shall be determined by a conversion factor authorized by the EA for each waste type received.

After that date, weight shall be determined by the use of scales, which may be located at the operation or off-site. Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code Sections 40183 and 40184, and operations that will cease activities within three years from February 24, 2004, as reflected in their Operation Plan may determine the weight of materials received by use of conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of the accuracy of the conversion factors shall be provided to the EA annually.

(j) If an inert debris Type A disposal facility accepts for disposal any waste not authorized by, or pursuant to, Subsection 17388(k)(1) three (3) or more times within any two (2) year period which the EA determines constitutes a violation of this Article, the facility no longer qualifies for a Registration Permit under this Section. Upon the third such violation, the EA shall notify the operator in writing that the facility no longer qualifies for a Registration Permit, and the operator must within 30 days apply for a Full Solid Waste Facilities Permit as if it were a CDI Waste Disposal Facility pursuant to Section 17388.5. In addition, the EA shall issue a cease and desist order pursuant to Section 18304 directing, among other things, that the operator immediately cease accepting material at the site until the operator has demonstrated to the EA that it has corrected the violation and eliminated the cause of the violation. Notwithstanding, the EA may at any time take any additional enforcement action the EA deems appropriate.

Note:

Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code.

Reference: Sections 40053, 43020, 43021 and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.95. CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL
REGULATORY REQUIREMENTS

Section 17388.5. CDI Waste Disposal Facilities.

CDI waste disposal facilities shall obtain full solid waste facilities permits and shall comply with all requirements promulgated by the ~~board~~ Department as set forth in CCR, Title 27, Division 2 in the same manner as if they were municipal solid waste landfill units.

(a) CDI waste disposal facilities shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency. ~~disposal reporting records and shall comply with the requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System), commencing at section 18800.~~

(b) Each operator shall determine the weight of all material received at the facility for disposal and shall maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material shall be determined by a conversion factor authorized by the EA for each waste type received. After that date, weight shall be determined by the use of scales, which may be located at the operation or off-site. Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code Sections 40183 and 40184, and operations that will cease activities within three years from February 24, 2004, as reflected in their Operations Plan may determine the weight of materials received by use of conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of the accuracy of the conversion factors shall be provided to the EA annually.

Note:

Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code.

Reference: Sections 40053, 43020, 43021 and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

CHAPTER 3.

MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL

ARTICLE 5.95.

CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL
REGULATORY REQUIREMENTS

Section 17389. Record Keeping Requirements For Operations.

All operations shall meet the following requirements:

(a) All records required by this Article shall be maintained in a single accessible location for at least three (3) years and shall be available for inspection by authorized representatives of the ~~board~~ Department, EA, local health agency, and other duly authorized regulatory and enforcement agencies during normal working hours.

(b) The operator shall maintain a daily log book or file describing special occurrences and methods used to resolve problems arising from these events, including details of all incidents requiring the implementation of emergency procedures. Special occurrences shall include, but are not limited to: receipt or rejection of prohibited wastes, fires, accidents, injury and property damage, flooding, earthquake damage and other unusual occurrences. The operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment.

(c) The operator shall document any written and oral complaints received from the public, including the nature of the complaint, the date the complaint was received, the name, address, and telephone number of the person or persons making the complaint (if available), and any actions taken to respond to the complaint.

(d) The operator shall maintain an operating record which shall include, among other things, records of incoming weights or volumes and outgoing salvage or residual weights or volumes shall be kept in a form or manner approved by the EA. Such records shall be adequate for overall planning and control purposes, and be as current and accurate as practicable. These records shall be provided to the EA or the ~~board~~ Department upon request.

(e) The operator shall record the number of load checks performed and loads rejected.

(f) The operator shall maintain a copy of the written notice to the EA and local health agency specifying the names, addresses, and telephone numbers of the operator or other persons responsible for the operation.

(g) The operator shall maintain records of employee training.

(h) If gas monitoring is conducted at the operation, the operator shall maintain records of all gas monitoring as available and as required.

(i) If water monitoring is conducted at the operation, the operator shall maintain records of all water monitoring as available and as required.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

[Note: Record-keeping requirements for facilities subject to this Article are found at Title 27, Division 2,

Chapter 3, Article 1, section 20510.]

Note:

Authority cited: Sections 40502, 43020, 43021 and 48007.5, Public Resources Code.

Reference: Sections 40053, 43020, 43021 and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7
CHAPTER 3.

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL ARTICLE 6.3.
RECORD KEEPING REQUIREMENTS.

Section 17414. Record Keeping Requirements.

Each operator shall meet the following requirements:

- (a) each operator shall maintain records of incoming weights or volumes and outgoing salvage or residual weights or volumes in a form and manner approved by the EA. Such records shall be: submitted to the EA or ~~CIWMB Department~~ upon request; be adequate for overall planning and control purposes; and, be as current and accurate as practicable;
- (b) all records required by this Article shall be kept by the operator in one location and accessible for three (3) years and shall be available for inspection by the EA and other duly authorized regulatory agencies during normal working hours;
- (c) the operator shall submit copies of specified records to the EA upon request or at a frequency approved by the EA;
- (d) the operator shall maintain a daily log book or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences shall include but are not limited to: fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel pursuant to section 17410.2, flooding, earthquake damage and other unusual occurrences. In addition, the operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment;
- (e) the operator shall record any written public complaints received by the operator, including:
 - (1) the nature of the complaint,
 - (2) the date the complaint was received,
 - (3) if available, the name, address, and telephone number of the person or persons making the complaint, and
 - (4) any actions taken to respond to the complaint.
- (f) the operator shall maintain a copy of the written notification to the EA and local health agency of the name, address and telephone number of the operator or other person(s) responsible for the operations as required by section 17410.2;
- (g) the operator shall maintain records of employee training as required by section 17410.3; and
- (h) ~~all transfer/processing operations and facilities shall maintain records as required by section 18809 et seq.~~ Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.1.	COMPOSTING OPERATIONS REGULATORY REQUIREMENTS
ARTICLE 8.	COMPOSTING OPERATION AND FACILITY RECORDS

Section 17869. General Record Keeping Requirements.

Except as provided in subsection (d), all compostable materials handling operations and facilities shall meet the following requirements:

- (a) All records required by this Chapter shall be kept in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the Department, EA, local health entity, and other duly authorized regulatory and EAs during normal working hours.
- (b) The operator shall record any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.
- (c) The operator shall record any public complaints received by the operator, including:
 - (1) the nature of the complaint,
 - (2) the date the complaint was received,
 - (3) if available, the name, address, and telephone number of the person or persons making the complaint, and
 - (4) any actions taken to respond to the complaint.
- (d) The operator shall record the quantity and type of feedstock received and quantity of compost and chipped and ground material produced. Agricultural compostable materials handling operations shall maintain records only for compostable material accepted from off-site.
- (e) The operator shall record the number of load checks performed and loads rejected.
- (f) The operator shall record all test results generated by compliance with Article 7 of this Chapter, including but not limited to, metal concentrations, physical contamination limits, fecal coliform and Salmonella sp. densities, temperature measurements, and dates of windrow turnings; chipping and grinding operations and facilities must record the determinations of the percentage of physical contaminants required by section 17862.1(d).
- (1) The operator shall retain records detailing pathogen reduction methods.
- (g) The operator shall record and retain records of any serious injury to the public occurring on-site and any complaint of adverse health effects to the public attributed to operations. Serious injury means any injury that requires inpatient hospitalization for a period in excess of 24 hours or in which a member of the public suffers a loss of any member of the body or suffers any degree of permanent disfigurement.
- (h) The operator shall retain a record of training and instruction completed in accordance with section 17867.5.
- (i) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site

or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY CHAPTER 3.2. IN-VESSEL
DIGESTION OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS

ARTICLE 4. RECORD KEEPING REQUIREMENTS.

Section 17896.45. Record Keeping Requirements.

Each operator shall meet the following requirements:

- (a) Each operator shall maintain records of incoming weights or volumes and outgoing salvage or residual weights or volumes in a form and manner approved by the EA. Such records shall be: submitted to the EA or the Department upon request; be adequate for overall planning and control purposes; and, be as current and accurate as practicable;
- (b) All records required by this Chapter shall be kept by the operator in one location and accessible for five (5) years and shall be available for inspection by the EA and other duly authorized regulatory agencies during normal working hours.
- (c) The operator shall submit copies of specified records to the EA upon request or at a frequency approved by the EA;
- (d) The operator shall maintain a daily log book or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences shall include but are not limited to: fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel pursuant to section 17896.42, flooding, earthquake damage and other unusual occurrences. In addition, the operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment;
- (e) The operator shall record any written public complaints received by the operator, including:
 - (1) the nature of the complaint,
 - (2) the date the complaint was received,
 - (3) if available, the name, address, and telephone number of the person or persons making the complaint, and
 - (4) any actions taken to respond to the complaint.
- (f) The operator shall maintain a copy of the written notification to the EA and local health agency of the name, address and telephone number of the operator or other person(s) responsible for the operations as required by section 17896.42;
- (g) The operator shall maintain records of employee training as required by section 17896.43;
- (h) all in-vessel digestion operations and facilities shall maintain records as required by section 18809 et seq.
- (i) The operator shall record all test results generated by compliance with Article 6 of this Chapter, including but not limited to, metal concentrations, physical contamination limits, fecal coliform and Salmonella sp. densities, temperature measurements, and dates of windrow turnings.
 - (1) The operator shall retain records detailing pathogen reduction methods.
- (j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations,

Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020 and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9. ANNUAL REPORT REGULATIONS

Section 18794.0. General Requirements And Due Dates.

(a) Each jurisdiction shall submit an annual report that discusses the progress achieved in implementing the programs and/or facilities described in a jurisdiction's Planning Documents. Planning Documents include the Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), Nondisposal Facility Element (NDFE), Siting Element (SE), Summary Plan, or Petition for Reduction.

(b) The annual report shall also discuss the progress a jurisdiction has made in achieving the disposal reduction goals required by Public Resources Code (PRC) section 41780.

(c) A jurisdiction includes a City, County, City and County, or Regional Agency, as defined in Section ~~18801~~ 40415 of the Public Resources Code.

(d) The annual report will serve as a basis for determining if any of the Planning Documents need to be revised to reflect new or changed local and regional solid waste management programs, facilities, and other conditions, as well as to determine compliance with the mandated disposal reduction goals.

(e) Jurisdictions shall submit the annual report as follows:

(1) Jurisdictions with Planning Documents approved or conditionally approved prior to January 1, 1996, shall submit their first annual report on these approved documents by August 1, 1996.

(2) Jurisdictions that did not have any Planning Documents approved or conditionally approved prior to January 1, 1996 shall submit their first annual report by August 1 of the year following ~~Board~~ Department approval or conditional approval of a Planning Document.

(3) Jurisdictions shall submit subsequent annual reports every August 1 thereafter, that address all of a jurisdiction's Planning Documents that have been approved or conditionally approved by the ~~Board~~ Department either during, or prior to, the previous calendar year.

~~(f) Jurisdictions shall submit three copies of the annual report.~~

~~(g)~~ If a jurisdiction includes information on disaster wastes in its annual report, "disaster" shall mean a natural catastrophe such as an earthquake, fire, flood, landslide, or volcanic eruption, or regardless of cause, any explosion, fire, or flood. In order to be considered a disaster, a local emergency or a state of emergency shall have been duly proclaimed.

~~(h)~~(1) For the purposes of this Article, "district" means a community service district that provides solid waste handling services or implements source reduction and recycling programs. Commencing on July 1, 2001, a "district" also includes a sanitary district that provides solid waste handling services or implements source reduction and recycling programs.

(2) Each district shall provide the city, county, or regional agency in which it is located, information on the programs implemented by the district and the amount of waste disposed and diverted within the district.

(3) This information shall be supplied to the city, county, or regional agency so that it may be incorporated into the annual report.

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 40050, 40051, 40052, 40901, 41000, 41300, 41500, 41510, 41700, 41730, 41731, 41750, 41750.1, 41751, 41780, 41801.5, 41821, 41821.2 and 41850, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7
CHAPTER 9.

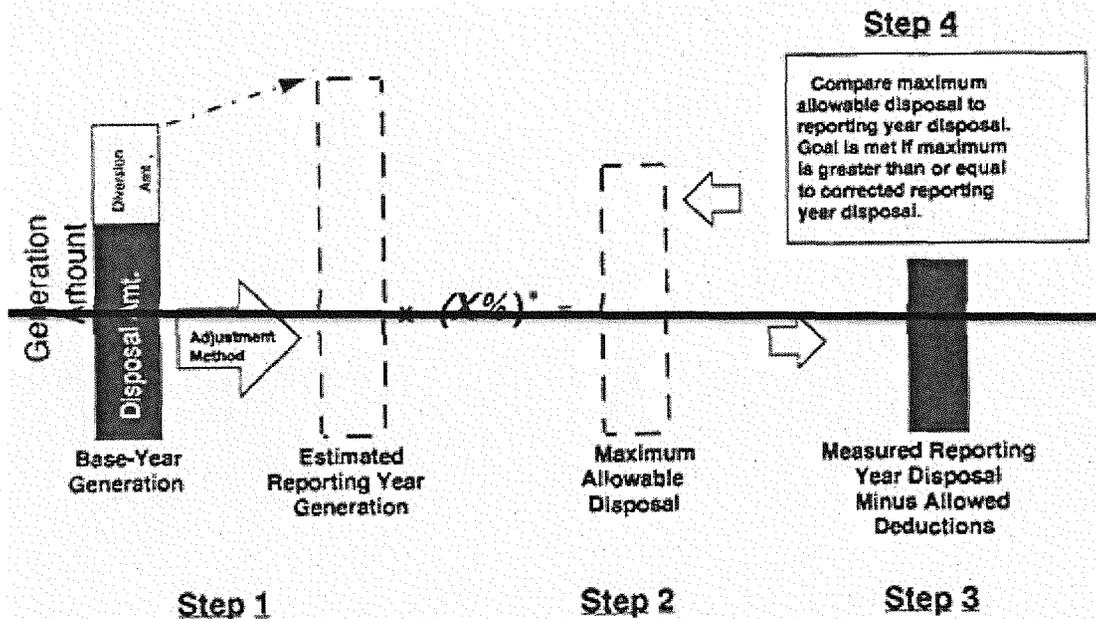
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT PLANS
ANNUAL REPORT REGULATIONS

ARTICLE 9.

Section 18794.1. Goal Achievement Calculations.

(a) A jurisdiction's annual report shall include the calculations described in this Section 41780.05 of the Public Resources Code to measure achievement of the disposal reduction requirements of PRC section 41780. The diagram below shows the sequence of the calculations.

Measuring Goal Achievement



(b) Step 1. A jurisdiction shall first adjust its Board approved base-year generation amount, as required in Section 18797.3. This adjustment yields the estimated reporting year generation amount.

(c) Step 2. A jurisdiction shall next calculate its maximum allowable disposal tonnage, as follows:

(1) A jurisdiction without a Board approved petition for reduction in the goal shall multiply its estimated reporting year generation amount by 0.75 (75%) for the years 1995 through 1999, and by 0.50 (50%) for the year 2000 and beyond.

(2) A jurisdiction with a Board approved petition for reduction in the goal, except for a jurisdiction that is a region as described in (3) below, shall multiply its estimated reporting year generation amount by the difference between 100% and the reduced goal. For example, if the reduced goal for 1995 is 15%, then the estimated reporting year generation amount would be multiplied by 85% (100% - 15% = 85%).

(3) A region that has at least one member agency that has a Board approved petition for reduction in the goal, but does not have a reduced goal for the region as a whole, shall calculate its maximum allowable disposal as specified in PRC Section 41787.2.

(d) Step 3. A jurisdiction shall next deduct any tonnages from the reporting year disposal tonnage calculated pursuant to Section 18813 which it is authorized to subtract because:

(1) it meets the criteria in PRC section 41782 for claiming a reduction in its disposal tonnage because of a regional diversion facility, or regional medical waste treatment facility; and/or

(2) it has disposed of additional amounts of solid waste as a result of a disaster. These deductions yield the corrected reporting year disposal tonnages.

(e) Step 4. A jurisdiction shall then compare its maximum allowable disposal tonnage (from Step 2) to its corrected reporting year disposal tonnage (from Step 3). The goal has been met if the maximum allowable tonnage is greater than or equal to the corrected reporting year disposal tonnage.

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41780, 41780.1, 41780.2, 41781, 41782, 41787.2, 41821, 41821.5 and 41850, Public Resources Code.

TITLE 14 NATURAL RESOURCES

DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9.	PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9.	ANNUAL REPORT REGULATIONS

Section 18794.2. Reporting Requirements For Calculations.

(a) Jurisdictions who were incorporated prior to January 1, 1995 and who submit their first annual report in 1997 or later, shall include their disposal reduction calculations for 1995, in addition to their disposal reduction calculations for the current reporting year.

~~(b) The information used for calculating the adjustment in Section 18794.1(b) above, shall be included in a jurisdiction's annual report to the Board.~~

~~(e)~~ If a jurisdiction is a member of a Regional Agency, then a single combined report of the information shall be made for all the members of the Regional Agency.

(c) The Department shall calculate jurisdiction disposal using information provided by the Recycling and Disposal Reporting System specified in sections 18815.1-18815.13 of this chapter by determining the tons of solid waste disposed from January 1 to December 31 in each year. This amount shall be the sum of solid waste from the jurisdiction, including:

(1) the tons disposed at each permitted landfill,

(2) the tons disposed at each engineered municipal solid waste conversion facility as defined in section 40131.2 of the Public Resources Code,

(3) the tons that underwent transformation at a permitted solid waste facility in excess of 10% of a jurisdiction's adjusted base-year generation, and pursuant to section 41783 of the Public Resources Code,

(4) the tons of green material alternative daily cover used at permitted landfills pursuant to section 41781.3(a)(2)(A) of the Public Resources Code as of January 1, 2020,

(5) potential alternative daily cover, alternative intermediate cover, and other beneficial reuse material which is not used in accordance with the conditions set forth in sections 20686, 20690, 20700, and 20695 of Title 27 of the California Code of Regulations, unless it is otherwise diverted, and

(6) the tons of solid waste and green material potential beneficial reuse exported from California, minus any portion of the waste that the jurisdiction proves was diverted.

~~(d) The annual report shall include the information listed below for the calculated adjustment:~~

~~(1) Name of all jurisdictions included in the report~~

~~(2) For the jurisdiction's base year:~~

~~(A) base year~~

~~(B) population factor number and data source used~~

~~(C) employment factor number and data source used~~

~~(D) uncorrected taxable sales factor number and data source used~~

~~(E) consumer price index number and data source used~~

~~(F) residential generation tonnage amount~~

~~(G) non-residential generation tonnage amount.~~

~~(3) For the jurisdiction's reporting year:~~

~~(A) reporting year~~

~~(B) population factor number and data source used~~

~~(C) employment factor number and data source used~~

~~(D) uncorrected taxable sales factor number and data source used~~

~~(E) consumer price index factor number and data source used~~

~~(F) a copy of all interim calculations used to reach the adjusted base-year tonnage amount~~

~~(G) estimated reporting year generation as calculated using the equations in Section 18797.3.~~

~~(ed) In addition to the information required by this Section, a jurisdiction may also submit in its annual report any other information it wishes the Board/Department to consider relating to the base-year waste generation tonnage amounts, adjustment factors, or calculations. The additional information may include a discussion of why the adjustment method/disposal rate calculation as described in Section 18797.3 may not fully represent a jurisdiction's local conditions, and what additional adjustments would be needed.~~

~~(fe) If a jurisdiction made an adjustment in its reporting year disposal tonnages because of a regional medical waste treatment facility or regional diversion facility located within its borders, it shall provide the Board/Department with documentation demonstrating it meets the criteria specified in PRC section 41782 for making such an adjustment.~~

~~(gf) If a jurisdiction made an adjustment in its reporting year disposal tonnages because of a disaster, it shall provide the Board/Department with documentation demonstrating that:~~

~~(1) the tonnages subtracted resulted from the disaster;~~

~~(2) the jurisdiction implemented to the extent feasible, diversion programs to maximize diversion through reuse, recycling, or composting of disaster-related solid waste; and,~~

~~(3) the tonnages subtracted are consistent with the additional tonnages reported by the facilities where the solid waste was disposed.~~

~~(hg) A jurisdiction may also provide additional information related to the tons of waste disposed in California including "host assigned" waste assigned to them as described in pursuant to section 18815.9(b)(2)(B) Sections 18809, 18810, and 18811, or. A jurisdiction may also provide additional information related to the tons of solid waste or green material potential beneficial reuse exported from California that was reported in the Recycling and Disposal Reporting System, and was later diverted. The jurisdiction shall describe how this additional information was obtained.~~

~~(ih) If a jurisdiction's calculations as described in Section 18794.1 above, show its disposal reduction goal has not been met, then a jurisdiction shall discuss in its annual report what possible problems may have prevented it from reaching its goal. Problems may include, but are not limited to:~~

~~(1) base-year inaccuracies; calculations of the equivalent per capita disposal rate;~~

~~(2) disposal reporting problems;~~

~~(3) changes in a jurisdiction's waste stream beyond the jurisdiction's control; or~~

~~(4) changes in the overall waste management system that may hinder achievement of the disposal reduction goals.~~

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41780, 41780.1, 41782, 41813, 41821, 41821.5 and 41850, Public Resources Code.

Title 14. Natural Resources

DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9.2. DISPOSAL REPORTING SYSTEM

Section 18800. Scope and Purpose.

(a) This Article implements sections 41821.5 and 41821.2 of the Public Resources Code.
(b) Each jurisdiction in California must adopt a Source Reduction and Recycling Element showing how it will meet the diversion goals in section 41780 of the Public Resources Code. Diversion goal achievement is one of the factors that the Board will consider in its biennial review of Source Reduction and Recycling Element implementation pursuant to section 41825 of the Public Resources Code. To determine if it has met the goals, a jurisdiction will need to calculate how much solid waste it has disposed. The Disposal Reporting System in this Article shall be used to estimate the amount of disposal from each jurisdiction. The amount of disposal shall be compared to the maximum disposal tonnages calculated in section 18794.1 of Article 9.0.

(c) Nothing in this Article shall prevent an agency, district, or a jurisdiction from requiring haulers or operators to supply additional disposal information based upon their own authority to impose requirements on haulers or operators.

(d) Sections 18802, 18803, 18805, 18806, and 18807 of this Article are repealed. The content of the repealed sections has been modified and reorganized to provide information by type of entity in individual sections as follows:

(1) Hauler: Section 18808.

(A) Section 18808.4: Hauler Records: Retention, Access, and Investigations
(B) Section 18808.5: Identifying Jurisdiction of Origin
(C) Section 18808.6: Frequency of Origin Surveys
(D) Section 18808.8: Applicability of Alternative Reporting Systems
(E) Section 18808.10: Export Reporting Due Dates for a Public Contract Hauler
(2) Station: Section 18809.

(A) Section 18809.4: Station Records: Retention, Access, and Investigations
(B) Section 18809.5: Identifying Jurisdiction of Origin
(C) Section 18809.6: Frequency of Origin Surveys
(D) Section 18809.8: Applicability of Alternative Reporting Systems
(E) Section 18809.10: Disposal Reporting Due Dates for a Station
(3) Landfill: Section 18810.

(A) Section 18810.4: Landfill Records: Retention, Access, and Investigations
(B) Section 18810.5: Identifying Jurisdiction of Origin
(C) Section 18810.6: Frequency of Origin Surveys
(D) Section 18810.8: Applicability of Alternative Reporting Systems
(E) Section 18810.10: Disposal Reporting Due Dates for a Landfill
(4) Transformation Facility: Section 18811.

(A) Section 18811.4: Transformation Facility Records: Retention, Access, and Investigations
(B) Section 18811.5: Identifying Jurisdiction of Origin

- (C) Section 18811.6: Frequency of Origin Surveys
- (D) Section 18811.8: Applicability of Alternative Reporting Systems
- (E) Section 18811.10: Disposal Reporting Due Dates for a Transformation Facility
- (5) Agency: Section 18812.
 - (A) Section 18812.4: Agency Records: Retention, Access, and Investigations
 - (B) Section 18812.5: Identifying Jurisdiction of Origin
 - (C) Section 18812.6: Frequency of Origin Surveys
 - (D) Section 18812.8: Applicability of Alternative Reporting Systems
 - (E) Section 18812.10: Disposal Reporting Due Dates for an Agency
- (6) Jurisdiction: Section 18813.
 - (A) Section 18813.4: Jurisdiction Records: Retention, Access, and Investigations
 - (B) Section 18813.5: Identifying Jurisdiction of Origin
 - (C) Section 18813.6: Frequency of Origin Surveys
 - (D) Section 18813.8: Applicability of Alternative Reporting Systems
 - (E) Section 18813.10: Disposal Reporting Due Date Information
- (7) District: Section 18814.
 - (A) Section 18814.4: District Records: Retention, Access, and Investigations
 - (B) Section 18814.5: Identifying Jurisdiction of Origin
 - (C) Section 18814.6: Frequency of Origin Surveys
 - (D) Section 18814.8: Applicability of Alternative Reporting Systems
 - (E) Section 18814.10: Disposal Reporting Due Dates for a District
- (e) Sections 18809.2(b), 18809.6(b), 18810.2(b), 18810.6(b), and 18811.6(b) of this Article contain provisions for facilities located in rural cities and counties. Rural cities and counties are defined in sections 40183 and 40184 of the Public Resources Code.
- (f) This article shall become inoperative on October 15, 2019. Material handled after June 30, 2019, shall be reported pursuant to Article 9.25, commencing with section 18815.1.

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41821.2 and 41821.5, Public Resources Code.

Title 14. Natural Resources

DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING, REVISING, AND
AMENDING COUNTYWIDE OR REGIONAL INTEGRATED WASTE MANAGEMENT
PLANS
ARTICLE 9.25. RECYCLING AND DISPOSAL REPORTING SYSTEM

Section 18815.1. Scope and Purpose.

- (a) This article implements the reporting system set forth in sections 41821.5 through 41821.8 of the Public Resources Code.
- (b) Nothing in this article shall prevent a government entity from requiring a reporting entity to supply additional information on activities related to disposal, diversion, composting or recycling based upon its own separate authority granted by section 41821.5(g) of the Public Resources Code, or based upon local ordinances, franchise terms or other agreements.
- (c) The Department shall maintain the confidentiality of information in reports submitted to the Department as required by section 18815.12 of this article, the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code], section 40062 of the Public Resources Code, and Title 14 of California Code of Regulations [Division 7, Chapter 1, Article 4 (commencing with section 17041)].
- (d) In order to protect data quality, ensure timely reporting, and expedite the reporting process, especially when material is flowing between several reporting entities, the Department will serve as a central repository of information that is required to be reported by reporting entities. If a person is required to report based on the criteria in section 18815.3 of this article, then the person shall report using the methods outlined in section 18815.9 of this article and comply with the applicable requirements for:
 - (1) Haulers in section 18815.4 of this article,
 - (2) Transfer/processors in section 18815.5 of this article,
 - (3) Disposal facilities in section 18815.6 of this article,
 - (4) Recycling and composting facilities and operations in section 18815.7 of this article, or
 - (5) Brokers and transporters in section 18815.8 of this article.
- (e) This article does not prescribe operational practices unrelated to reporting, permitting requirements for facilities, or an activity's status in relation to recycling goals or diversion mandates.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.2. Definitions.

- (a) For the purposes of this article, the following terms have the meanings given below.
 - (1) "Alternative daily cover" or "ADC" has the same meaning as in section 20690 of Title 27 of the California Code of Regulations.
 - (2) "Alternative intermediate cover" or "AIC" has the same meaning as in section 20700 of Title 27 of the California Code of Regulations.
 - (3) "Automobile dismantler" has the same meaning as in section 17402.5(c)(1) of this division. This does not include automobile shredders, as defined in section 17402.5(c)(2) of this division.

- (4) "Automobile shredder" or "Metal shredder" has the same meaning as in section 17402.5(c)(2) of this division. This does not include automobile dismantlers, which has the same meaning as in section 17402.5(c)(1) of this division.
- (5) "Beneficial reuse" has the same meaning as in section 20686 of Title 27 of the California Code of Regulations and occurs at disposal facilities. Beneficial reuse does not include the use of clean or contaminated soil . For the purposes of this section, beneficial reuse includes waste-derived materials used for:
- (A) ADC
 - (B) AIC
 - (C) Construction, for example, final cover, foundation layer, liner operations layer, leachate and landfill gas collection systems, fill, road base, wet weather operations pads, and access roads.
 - (D) Landscaping and erosion control, for example, soil amendments for erosion control, dust suppression, landscaping, and stormwater protection.
- (6) "Biosolids" means sewage sludge that has been treated to meet the land application standards for heavy metal concentrations, and pathogen and vector control as specified in Subparts B and D of Part 503 of Title 40 of the Code of Federal Regulations.
- (7) "Broker" means a person who takes control of material from a reporting entity in California and determines the destination of the material. When used in this article, material "sent to" or "received by" a broker does not require physical possession or legal ownership of the material, but, rather, means that the broker gains control of the material as described above. Brokers are not haulers, disposal facilities, transfer/processors, recyclers, or composters. A person that arranges or facilitates the sale or transfer of materials, but does not determine the destination of the material, is not a broker.
- (8) "Business-to-business post-industrial recycling" means a recycling activity that:
- (A) Meets all of the following conditions:
 - (i) A commercial generator generates materials as a by-product of an industrial or manufacturing process,
 - (ii) The commercial generator separates the material at the source of generation,
 - (iii) The commercial generator sells or transfers the material directly to a recycler in a business-to-business relationship, and
 - (iv) The recycler produces an intermediate product equivalent to a specification grade raw material for use by end users; and
 - (B) Does not include materials from the following sources:
 - (i) Residential generators,
 - (ii) Curbside collection of recyclables,
 - (iii) Collection implemented pursuant to mandatory commercial recycling requirements established in section 42649 et seq. of the Public Resources Code,
 - (iv) Scavengers or collectors who did not generate the materials,
 - (v) Collection of post-consumer materials,
 - (vi) Commercial generators that do not directly generate the material as a result of an industrial or manufacturing process but whose recycling or reuse activities result in the accumulation of the material, or

- (vii) Contract haulers, operations or facilities that are required to have an RDRS registration number.
- (9) "Carpet" has the same meaning as in section 42971(d) of the Public Resources Code.
- (10) "Chipping and grinding facility or operation" means a facility or operation that meets the requirements in section 17862.1 of this division, section 17383.3 of this division for construction and demolition wood debris-related operations, or section 17852(a)(12) of this division.
- (11) "Commercial sector" means businesses, industries, institutions, public organizations, school districts and universities, and multifamily residences of five or more units.
- (12) "Compost" has the same meaning as in section 17896.2(a)(4) of this division. For the purposes of these regulations, compost is considered an intermediate product after it has achieved acceptable metal concentrations, pathogen reduction, and physical contamination levels as required by sections 17868.2, 17868.3, and 17868.3.1 of this division.
- (13) "Composting operation" or "composting facility" has the same meaning as "compostable material handling operation" or "composting facility" as defined in section 17852(a)(12) of this division, and includes in-vessel digestion as regulated in section 17896 of this division. A person operating a "composting operation" or "composting facility" is referred to as a "composter" in these regulations.
- (14) "Construction and demolition/inert debris" or "CDI" means any combination of construction and demolition debris as defined in section 17381(e) of this division and inert debris as defined in section 17381(k) of this division.
- (15) "Contact information" means name, mailing address, physical address, phone number, and e-mail address.
- (16) "Contract Hauler" means any person, whether through a franchise or private contract, paid to collect and move material from a generator to a reporting entity, end user, or a destination outside of the state. Any material delivered by a contract hauler is referred to as "contract-hauled" in these regulations.
- (17) "Conveyance system" means a method designed to move material from one facility or operation to another facility or operation on the same site. Examples of a conveyance system include, but are not limited to, conveyor belts, pipes, tubes, and heavy equipment, such as a front-end loader.
- (18) "Department" means the California Department of Resources Recycling and Recovery.
- (19) "Designated waste" has the same meaning as in section 13173 of the California Water Code.
- (20) "Disaster debris" has the same meaning as in section 17210.1(d) of this division.
- (21) "Direct-hauled" means material sent directly to a transfer/processor or disposal facility from either a generator or another reporting entity that is not a transfer/processor.
- (22) "Disposal" has the same meaning as section 40192 of the Public Resources Code, but does not include lawful land application that complies with section 17852(a)(24.5) of this division, or EMSW conversion of tires or biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.
- (23) "Disposal facility" means a facility where the disposal of solid waste occurs, including, but not limited to:
- (A) Landfills,
 - (B) Engineered municipal solid waste conversion facilities,
 - (C) Transformation facilities, and

- (D) Inert debris and CDI disposal facilities as specified in sections 17388.4 and 17388.5 of this division.
- (24) "End user" means a person who uses a material, as defined in this section, within the following categories:
- (A) "Manufacturing and Packaging." This includes, but is not limited to, a person who uses the material to produce consumer products, industrial products, pet or animal feed, or packaging. It also includes a person who takes finished compost from a reporting entity and blends, packages, bags or distributes it to consumers. Manufacturers who produce consumer or industrial products with recycled content and do not transfer or sell intermediate products to other entities are "end users," not reporting entities.
- (B) "Fuel consumer." This includes, but is not limited to, a person who takes or uses material, including, but not limited to, biomass or tires for use as fuel . Biomass conversion is a "fuel consumer end use." EMSW conversion of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility is a "fuel consumer end use." A "transformation facility" as defined in subsection (a)(61) that is not considered an "EMSW facility" as defined in section 40131.2(b) of the Public Resources Code is not a "fuel consumer."
- (C) "Material consumer." This includes, but is not limited to, a person who takes an intermediate product derived from organics or recyclables from a reporting entity for general consumer distribution or retail, such as compost or wood chips.
- (D) "Construction end user." This includes, but is not limited to, a person who takes a material and uses it in construction.
- (E) "Land application." This includes, but is not limited to, a person who takes an organic intermediate product and uses it for land application.
- (F) "Inert debris fill." This includes, but is not limited to, a person who takes inert debris and uses it for engineered fill.
- (25) "Engineered municipal solid waste conversion" or "EMSW conversion" has the same meaning as in section 40131.2 of the Public Resources Code. For the purposes of this article, EMSW conversion of solid waste shall be reported pursuant to section 18815.6(a) of this article, with the exception of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.
- (26) "Food waste" is organic solid waste and has the same meaning as "food material" in section 17852(a)(20) of this division. "Food waste" excludes "agricultural material" and "agricultural by-product material" as defined in sections 17852(a)(4.5) and 17852(a)(5) of this division. "Food waste" does not include food redirected to edible food recovery organizations, food banks, direct animal feeding, or other applications that meet the definition of "reuse" as defined in subsection (a)(52).
- (27) "Food waste self-hauler" means a person who generates and hauls, utilizing their own employees and equipment, an average of one cubic yard or more per week, or 6,500 pounds or more per quarter of their own food waste to a location or facility that is not owned and operated by that person. A person who self-hauls food waste but does not meet the criteria to be considered a "food waste self-hauler" is a "self-hauler," and not a "food waste self-hauler."
- (28) "Furniture" means large, bulky objects used to enhance a residence, business, or other space for living or working. This includes, but is not limited to, couches, chairs, dressers, tables, desks, and bed frames. Furniture does not include mattresses, as defined by section 42986(g) of the Public Resources Code.

- (29) "Generator" means a person whose activities result in the initial creation of material.
- (30) "Glass" means a hard, brittle, usually transparent nonhazardous substance commonly made from sand heated with chemicals. This includes, but is not limited to, whole or crushed materials derived from clear or colored containers with or without California Redemption Value, flat glass, and automotive glass.
- (31) "Government entity" means an entity identified in section 40145 of the Public Resources Code or an entity formed pursuant to section 40976 of the Public Resources Code.
- (32) "Hauler" means a person who collects material from a generator and delivers it to a reporting entity, end user, or a destination outside of the state. "Hauler" includes public contract haulers, private contract haulers, food waste self-haulers, and self-haulers. A person who transports material from a reporting entity to another person is a transporter, not a hauler.
- (33) "Intermediate product" means a material or feedstock derived from organics or recyclables that:
- (A) Either replaces or substitutes for a virgin material in a manufacturing, construction, or agricultural process, including, but not limited to, plastic pellets, plastic flake, paper pulp, crushed/baled/shredded metal, and glass cullet, or
 - (B) Replaces or substitutes for a virgin material in the production of energy, including, but not limited to, tires that have been separated from other solid waste prior to EMSW conversion, biomass that has been separated from other solid waste prior to EMSW conversion, and biomass at a biomass conversion facility, or
 - (C) Is wood chips that meet applicable industry standards for use in playgrounds, landscaping, erosion control, and by biomass conversion facilities, or
 - (D) Is compost, or
 - (E) Is a suitable homogeneous mixture used for direct land application or fill, such as aggregate or crushed miscellaneous base, or organics, including biosolids and biochar.
- (34) "Jurisdiction of origin" means the place where a material is initially generated. For places located within California, this means a city, county, city and county, or regional agency with responsibility for waste management, formed pursuant to sections 40970 through 40975 of the Public Resources Code. For places located in states or territories of the United States other than the State of California, jurisdiction of origin means the state, territory, or tribal lands in which a material was generated. For places located in a country other than the United States of America, jurisdiction of origin means the country or tribal lands in which a material was generated.
- (35) "Land application" has the same meaning as in section 17852(a)(24.5) of this division, and includes biosolids applied under the purview of the United States Environmental Protection Agency, the statewide waste discharge requirements, also known as a general order, or individual waste discharge requirements issued by a Regional Water Quality Control Board. A person who applies "compost" as defined in subsection (a)(12) is a "material consumer" end user as defined in subsection (a)(24)(C).
- (36) "Maintenance District Yard" means a transfer/processor that has been issued a Solid Waste Identification System (SWIS) number by the Department, and is directly operated by a municipality, sanitation district, county, state, or federal public works or sanitation agency, including the United States Forest Service. A "maintenance district yard" also means an unpermitted facility or operation whose primary purpose is to receive waste collected from

- road maintenance activities, such as sweeping public thoroughfares, litter abatement, and maintaining street trees.
- (37) “Material(s)” means solid waste, recyclables, and organics, as well as intermediate products derived from these materials. “Mixed materials” means a combination of different material types.
- (38) “Metal” means iron, steel, tin, aluminum, copper, and their alloys, including scrap metal and products made of these metals, like containers, building materials, and plumbing materials.
- (39) “Organics” means material originated from living organisms and their metabolic waste products. This includes, but is not limited to, food, “agricultural material” as defined in section 17852(a)(5) of this subdivision, “agricultural by-product material” as defined in section 17852(a)(4.5) of this subdivision, green material, landscape and pruning waste, nonhazardous lumber and dimensional wood, manure, compostable paper, digestate, biosolids, and biogenic sludges; and any product manufactured or refined from these materials, including compost and wood chips.
- (40) “Paper” means all types of paper products including pulp, corrugated cardboard, newspaper, office paper, magazines, catalogs and directories, and other composite paper products such as food and beverage cartons and containers.
- (41) “Person” has the same meaning as in section 40170 of the Public Resources Code.
- (42) “Plastic” means a material made from a wide range of polymers, which can be used to make rigid and flexible plastic products. This includes, but is not limited to, packaging, such as bags, bottles, caps, clamshells, containers, cups, films, and lids; household and bulky rigid items, such as buckets, crates, toys, and tubs; agricultural products, such as drip tape, film, and greenhouse covers; and other products, such as electronics housing, carpet fibers, automobile plastics, and bioplastics.
- (43) “Recycle” or “recycling” has the same meaning as defined in section 40180 of the Public Resources Code. A person who engages in recycling is referred to as a “recycler” in these regulations. Recycling does not include “reuse” as defined in subsection (a)(52). For the purposes of reporting under this article, persons who are not exempt as set forth in section 18815.3(c) of this article and engage in the following activities shall register and report those activities as recyclers, as set forth in sections 18815.3(b)(4) and 18815.7 of this article:
- (A) For materials such as paper, glass, metal, and plastics, recycling includes, but is not limited to, sorting, cleaning, baling, shredding, pulping, crushing, cullet making, flaking, and pelletizing.
- (B) For organics that are not composted, recycling includes, but is not limited to, wastewater treatment, producing mulch, or chipping and grinding.
- (C) For CDI, recycling includes, but is not limited to, sorting, crushing, grinding, shredding, sizing, or other processing.
- (D) For other products including furniture, carpet, white and brown goods and textiles, recycling includes, but is not limited to, sorting, baling, crushing, cutting, shearing, deconstructing, and removing components from products for recycling (not resale or reuse).
- (44) “Recycling and Disposal Reporting System” or “RDRS” means the Department’s electronic system for reporting pursuant to this article.

- (45) “Recycling and disposal reporting system number” or “RDRS number” means the number assigned to a reporting entity upon registration with the Department’s electronic Recycling and Disposal Reporting System.
- (46) “Recycling facility or operation” or “Recycler” means any facility or operation that recycles material, as defined in this article. Recycling facilities or operations include entities that meet the definition of “Recycling Center” set forth in section 17402.5(d) of this division. This also includes chipping and grinding operations, and CDI recycling centers as described in section 17381.1 of this division.
- (47) “Report” means the quarterly report submitted to the Department by a reporting entity.
- (48) “Reporting entity” means a person who engages in reportable activities. A “reporting entity” is required to register and report pursuant to section 18815.3 of this article. A “reporting entity” is required to report on material handling activities pursuant to sections 18815.4 through 18815.8 of this article, as applicable, within the following reporting entity categories:
- (A) Haulers
 - (B) Transfer/processors
 - (C) Recycling and composting facilities and operations
 - (D) Disposal facilities
 - (E) Brokers and transporters
- (49) “Reporting period” or “Quarter” means the time period for which a report must be submitted to the Department. The four reporting periods or four quarters in each calendar year are:
- (A) Reporting Period 1 – January 1 to March 31
 - (B) Reporting Period 2 – April 1 to June 30
 - (C) Reporting Period 3 – July 1 to September 30
 - (D) Reporting Period 4 – October 1 to December 31
- (50) “Residential sector” means single-family residences and multifamily residences of less than 5 units.
- (51) “Residual” has the same meaning as in section 17402.5(b)(1) of this division.
- (52) “Resale for Reuse” means selling a used object or material again, to a person who will use it either for its original purpose or for a closely-related purpose, not as a raw material, but without significantly altering the physical form of the object or material. This does not include beneficial reuse.
- (53) “Reuse” means the utilization of an object or material again by a person for its original purpose or for a closely-related purpose, not as a raw or intermediate material, but without significantly altering the physical form of the object or material.
- (54) “Sent” means sold or transferred. “Sent” is further defined as the collection, transportation or delivery of material by a person to or from a generator, reporting entity, or an end user.
- (55) “Self-hauler” means a person who hauls material they have generated to another person. “Food waste self-haulers” are a type of self-hauler.
- (56) “Site” means one physical address or assessor parcel number, or multiple adjacent addresses or assessor parcel numbers, that contain(s) one or more facilities, operations, or activities.
- (57) “Solid waste” has the same meaning as in section 18720(a)(40) of this chapter.
- (58) “Source sector” means one of these three sources from which solid waste is generated:
- (A) Contract-hauled single-family residential (e.g., houses),
 - (B) Contract-hauled commercial/multi-family residential (e.g., businesses and apartments), or

- (C) Self-hauled (e.g., hauled by a generator). "Disaster debris" and "designated waste" disposal shall be assigned to the "self-hauled" source sector.
- (59) "Textiles" means items made of natural or synthetic thread, yarn, fabric, or cloth, including clothing, fabric trimmings, and draperies, but excluding carpet.
- (60) "Tire-derived rubber" means rubber from the processing of waste tires as defined in section 42807 of the Public Resources Code.
- (61) "Ton," also referred to as "short ton" or "net ton," means 2,000 pounds. Weight of material shall be reported as handled.
- (62) "Transfer/processor" has the same meaning as "Transfer/processing facilities" and "transfer/processing operations," as defined in sections 17402(a)(30-31) of this division, as well as CDI processing operations and facilities as defined in sections 17383.5 through 17383.8 of this division, which receive, temporarily store, convert, process, and transfer materials for recycling, composting, or disposal, but do not meet the requirements of a "Recycling Center" set forth in in section 17402.5(d) of this division.
- (63) "Transformation Facility" has the same meaning as in section 40201 of the Public Resources Code.
- (64) "Transporter" means a person who takes physical possession and control, and determines the destination, of materials or intermediate products from a reporting entity, and transports those materials to another person inside or outside the state . A person who collects and moves materials from a generator is not a transporter. A driver employed or contracted by a reporting entity to deliver materials to a destination specified by the contracting reporting entity is not a transporter.
- (65) "Wastewater treatment plant" has the same meaning as in section 3671 of Title 23 of the California Code of Regulations. For the purposes of these regulations, it is a recycling facility.
- (66) "White and brown goods" means discarded major appliances and small home appliances of any color, including, but not limited to, washing machines, clothes dryers, water heaters, stoves, refrigerators, microwaves, and toasters.
- (b) The material category and type definitions herein are meant to be illustrative, and not intended to be an exhaustive listing of all materials, grades, or specifications.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.3. Registration, Reporting and Exemptions.

- (a) A reporting entity meeting the criteria in subsection (b) shall register and report on the materials or mixtures or combinations thereof listed in subsection (a)(1). Entities are not required to register and report for the activities listed in subsection (c).
- (1) Reportable material categories:
- (A) Carpet
 - (B) Construction and demolition/inert debris
 - (C) Furniture, excluding mattresses
 - (D) Glass, excluding cathode ray tube glass
 - (E) Metal
 - (F) Organics

- (G) Paper
 - (H) Plastic
 - (I) Solid waste
 - (J) Textiles
 - (K) Tire-derived rubber or fuels
 - (L) White and brown goods
- (2) The materials listed in subsection (c)(9) shall not be reported or included in the tonnage thresholds for determining reporting status.
- (b) Entities required to register and report:
- (1) Permitted disposal facilities that dispose of or beneficially reuse any tonnage with a Registration, Standardized, or Full Permit, including, but not limited to:
 - (A) Solid waste landfills,
 - (B) Engineered municipal solid waste (EMSW) conversion facilities,
 - (C) Transformation facilities,
 - (D) Inert debris Type A/Type B disposal facilities,
 - (E) CDI waste disposal facilities,
 - (F) Industrial waste co-disposal facilities, and
 - (G) Waste tire disposal facilities.
 - (2) Haulers, including, but not limited to:
 - (A) Contract haulers who haul 100 or more tons of materials described in subsection (a)(1) out-of-state per quarter,
 - (B) Contract haulers who haul 50 or more tons of organics for direct land application per quarter in accordance with section 17852(a)(24.5) of this division, and
 - (C) Food waste self-haulers.
 - (3) Transfer/processing facilities and operations, including Enforcement Agency Notification, Registration, Standardized, and Full Permit, that exclusively transfer or process 2,500 or more tons of CDI per quarter, or transfer or process 100 or more tons of other materials described in subsection (a)(1) per quarter, including, but not limited to:
 - (A) Contaminated soil operations,
 - (B) Inert debris processing facilities Type A,
 - (C) Inert debris processing facilities Type B,
 - (D) Inert debris Type A processing operations,
 - (E) Nonhazardous ash transfer/processing operations,
 - (F) Small volume CDI debris processing operations,
 - (G) Medium volume CDI debris processing facilities,
 - (H) Large volume CDI debris processing facilities,
 - (I) Limited volume transfer/processing operations,
 - (J) Small volume transfer stations,
 - (K) Medium volume transfer/processing facilities,
 - (L) Large volume transfer/processing facilities,
 - (M) Secondary material processing facilities and operations,
 - (N) Glass container processing operations,
 - (O) Direct transfer facilities,
 - (P) Sealed container transfer operations, and
 - (Q) Mixed waste processing facilities, and material recovery facilities, that require a solid waste facilities permit.

- (4) Recycling facilities and operations that exclusively process CDI and sell or transfer 2,500 or more tons of CDI per quarter, or sell or transfer 100 or more tons of materials described in subsection (a)(1) per quarter, including, but not limited to:
- (A) A recycler that handles business-to-business post-industrial materials, but also handles materials that do not meet the criteria in section 18815.2(a)(8) of this article,
 - (B) Material recovery facilities that do not require a solid waste facilities permit,
 - (C) Recycling centers,
 - (D) Wastewater treatment plants,
 - (E) Paper pulpers,
 - (F) Textile fiber reclaimers,
 - (G) Plastic reclaimers, shredders, grinders, flakers, and pelletizers,
 - (H) Metal shredders, sorters, and processors,
 - (I) Glass cullet manufacturers/beneficiators,
 - (J) Beverage container recycling program recyclers or processors,
 - (K) Carpet collectors and recyclers,
 - (L) Construction, demolition & inert debris (CDI) recyclers,
 - (M) Construction and demolition recyclers,
 - (N) Inert debris recyclers,
 - (O) Chipping and grinding facilities or operations,
 - (P) Medium volume construction and demolition wood debris chipping and grinding facilities,
 - (Q) Construction and demolition wood debris chipping and grinding operations, and
 - (R) Automobile shredders.
- (5) Composting facilities and operations that sell or transfer 100 or more tons of materials described in subsection (a)(1) per quarter, and are not excluded by section 17855 of this subdivision for composting operations or by section 17896.6 of this subdivision for in-vessel digestion operations, including, but not limited to:
- (A) Compostable material handling facilities and operations,
 - (B) Composting research operations, and
 - (C) In-vessel digestion facilities and operations.
- (6) Brokers/transporters who sell or transfer, and control and determine the destination of, 100 or more tons of materials described in subsection (a)(1) per quarter.
- (c) Entities not required to register and report:
- (1) End users performing activities including, but not limited to:
- (A) Asphalt plants or concrete or Portland cement manufacturing facilities,
 - (B) Biomass conversion facilities,
 - (C) Glass bottle, container, fiberglass, or construction material producers other than those included in subsection (b),
 - (D) Inert debris engineered fill operations,
 - (E) Metal foundries,
 - (F) Metal smelters,
 - (G) Paper converting plants,
 - (H) Paper mills,
 - (I) Plastic injection molders, blow molders, and extruders,
 - (J) Rendering plants, and

- (K) EMSW conversion facilities that exclusively convert tires or biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.
- (2) A generator who is not a food waste self-hauler.
- (3) A recycler who only recycles materials they have generated.
- (4) A thrift store, automobile dismantler, building supply reclaimer or reuser, and any other person whose primary business is resale for reuse of an object or material and who meets one of the following criteria:
 - (A) Revenues associated with resale for reuse exceeds revenues associated with recycling or composting activities, or
 - (B) Tons associated with resale for reuse exceeds total tons associated with recycling or composting activities.
- (5) A wastewater treatment plant that:
 - (A) Only sends material to other wastewater treatment plants, or
 - (B) Does not sell or transfer organic feedstock or intermediate products off-site.
- (6) A Maintenance District Yard.
- (7) An Emergency Transfer/Processing Operation.
- (8) An Emergency CDI Processing Operation.
- (9) A person who exclusively handles:
 - (A) Household hazardous waste,
 - (B) Hazardous waste and universal waste,
 - (C) Electronic waste,
 - (D) Medication and sharps,
 - (E) Used oil,
 - (F) Paint,
 - (G) Mattresses,
 - (H) Business-to-business post-industrial materials. Business-to-business post-industrial recyclers shall self-certify that they are exempt from registration and reporting utilizing RDRS,
 - (I) Non-hazardous secondary materials excluded from solid waste pursuant to 40 Code of Federal Regulations part 241.4, and
 - (J) Materials that are reused as defined in section 18815.2(a)(53) of this article.
- (10) A broker or transporter who moves or facilitates transactions of material from a reporting entity, but does not determine the destination of the material.
- (11) A person who collects material from a generator and delivers the material directly to an end user inside the state, unless the person is a contract hauler hauling material to land application pursuant to section 18815.4(d)(1) of this article.
- (12) A contract hauler who hauls solid waste to a reporting entity inside the state. A contract hauler shall provide information to the reporting entity pursuant to section 18815.4 of this article.
- (13) A recycler who exclusively uses material for their own end use and does not sell or transfer reportable material.
- (d) For a site with multiple activities:
 - (1) Each disposal facility and transfer/processor located at the same site shall register for a separate RDRS number and file a separate report that provides information specific to that facility.
 - (2) All recycling and composting facilities or operations operated by the same person and located at the same site may register for a single RDRS number and file a single report that aggregates

information on materials sent from all recycling and composting activities pursuant to section 18815.9(h) of this article.

- (3) Each recycling and composting facility or operation not operated by the same person and located at the same site shall register for a separate RDRS number and file a separate report that provides information specific to that facility.
- (4) For determining registration status or reporting status for an individual reporting entity, a reporting entity shall account for all cumulative tons across all activities conducted at the site by the reporting entity, utilizing the lowest applicable tonnage threshold provided in subsection (b). If any single reportable material handling activity, or the cumulative tonnages of multiple aggregated activities, exceeds the lowest applicable tonnage threshold in subsection (b), the reporting entity shall report all reportable activities conducted by this reporting entity.
- (5) A recycling or composting facility or operation operated by the same person and located at the same site as a transfer/processing facility or operation may register and report under the RDRS registration number of the transfer/processing facility or operation. The reporting transfer/processor shall report pursuant to section 18815.9(h)(4) of this article.
- (6) A recycling or composting facility or operation operated by the same person and located at the same site as a disposal facility may register and report under the RDRS registration number of the disposal facility. The reporting disposal facility shall report pursuant to section 18815.9(h)(5) of this article.
- (e) A reporting entity operating on April 1, 2019, shall register by April 30, 2019.
- (f) A reporting entity who begins operation, or changes activities such that reporting is required, after April 1, 2019, shall register within 30 days of being subject to these reporting requirements, and begin reporting for the following quarter.
- (g) A reporting entity who becomes permanently inactive or closes shall notify the Department within 30 days and request that their RDRS registration status become permanently inactivated.
- (h) A reporting entity who has registered and has an RDRS number, but whose activities have permanently changed such that they no longer meet the reporting requirements outlined in this section, may request that the Department permanently inactivate their RDRS registration. In that request, the reporting entity shall demonstrate to the Department why they no longer should be registered. The burden of proof shall be on the reporting entity. The Department shall act on a request within 60 days. A reporting entity shall continue to report until and unless the Department permanently inactivates the RDRS registration. For example, a reporting entity whose activities have changed such that they now exclusively engage in the handling of materials described in subsection (c)(9), such as business-to-business post-industrial materials, may request that the Department permanently inactivate their RDRS registration status.
- (i) A reporting entity who is registered but has cumulative tonnages below reporting thresholds for a reporting period shall notify the Department that they have nothing to report for the reporting period.
- (j) A reporting entity shall comply with the applicable requirements specified in sections 18815.4 through 18815.8 of this article.
- (k) A reporting entity who transfers, sells or sends intermediate products to an end user shall report on the tons of material aggregated by end user category for each region as set forth in this subsection.
 - (1) Regions shall be reported as follows:

- (A) End users located within California shall be reported by county.
- (B) End users located in the United States, but outside California, shall be reported by state.
- (C) End users located outside the United States shall be reported by country or tribal lands.
- (2) Reporting entities shall report end user categories as defined in section 18815.2(a)(24) of this article.
- (3) A reporting entity may aggregate end users in small vehicles (automobiles, pickups, and small trailers) who pick up material from their facility or operation and assign them to the county in which the site is located.
- (l) If a reporting entity sends material to a person and cannot determine if the person is an end user inside or outside California, a reporting entity inside California, or a recycler or composter outside California, then the reporting entity shall:
 - (1) Report the individual tonnages and materials as if the receiver is a reporting entity, and
 - (2) Supply the Department with contact information for that person in their report.
- (m) Reporting entities shall commence filing reports using RDRS for the reporting period beginning July 1, 2019.
- (n) A registered reporting entity shall file a report for each reporting period using RDRS, and ensure that the information they submit, other than that which was provided by a third party, is accurate, complete, and entered electronically.
 - (1) A reporting entity shall use information available at the time the report is due. If the reporting entity has not received the required information from a person, either directly or through RDRS, then the reporting entity shall submit all available information in their report to the Department and identify the reporting entities who have not provided them with the required information.
 - (2) If a reporting entity identifies an error in a previously submitted report, then they shall correct the error and notify the Department within 10 business days, unless additional time is necessary to correct the error. In no case shall the corrections be delayed more than an additional 14 days, unless agreed to by the Department.
 - (3) Each report to the Department shall include:
 - (A) The contact information and RDRS number of the person submitting the report;
 - (B) The contact information and RDRS number, if applicable, of each person or reporting entity receiving materials from the reporting entity, with the exception of:
 - (i) Material that may be aggregated by category and region as specified in subsections (k) and (l).
 - (C) The information required by sections 18815.4-18815.9 of this article, as applicable.
 - (4) If the day of a reporting deadline is a weekend or holiday, a reporting entity shall submit the report on the next business day.
- (o) A reporting entity shall designate a person who has signature authority to submit the report.
- (p) If the Department has reason to believe that a person has not registered or reported as required by this article, then the burden of proof shall be on that person to demonstrate otherwise, through documentation such as business records, receipts, invoices, or similar records. At the time that the Department requires a person to provide evidence that they are not required to register or report, the Department shall provide a written description of the information that has caused the Department to believe that the person is required to register and report. Nothing in this subsection is intended to require the Department to disclose the name or other identifying information regarding any individual(s) who have provided information indicating that the person may be required to report. Nothing in this section precludes the Department from inspecting a business to

verify that it is conducted in a manner that meets the provisions of this subsection, or from taking any appropriate enforcement action pursuant to this article.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.4. Reporting Requirements for Haulers.

- (a) A self-hauler shall provide the jurisdiction of origin for all material delivered to each transfer/processor or disposal facility. A self-hauler does not have to report to the Department, unless they are a food waste self-hauler.
- (b) Food waste self-haulers shall report to the Department the tons of food waste sent as follows:
 - (1) To a reporting entity inside California, report the tons of each material type, pursuant to section 18815.9 of this article, and their contact information and RDRS number.
 - (2) To an end user inside or outside California, report the tons of each material type, pursuant to section 18815.9 of this article, sent to each end user category, by region, pursuant to section 18815.3(k) of this article.
 - (3) To a recycling or composting facility or operation outside California, report the tons of each material type, pursuant to section 18815.9 of this article, by region, pursuant to section 18815.3(l) of this article.
 - (4) To each transfer/processor or disposal facility outside California, report the tons of each material type, pursuant to section 18815.9 of this article, sent to each person, and their contact information.
- (c) A contract hauler shall provide the following information to a receiving reporting entity for all tons delivered, using the methods described in section 18815.9 of this article. A hauler shall provide the information at the time of delivery, unless both the hauler and receiving facility have previously agreed to periodic reports in lieu of providing information at the time of delivery. In all cases, the hauler shall provide the information to the receiving reporting entity within 30 days of the end of the reporting period.
 - (1) For solid waste hauled:
 - (A) A hauler shall provide the jurisdiction of origin for all material sent to each transfer/processor or disposal facility; and
 - (B) If requested by a transfer/processor or disposal facility, then a hauler shall provide the source sector for all material delivered to each broker or transporter, transfer/processor, or disposal facility, in tons or by percentage using the methods provided in section 18815.9 of this article.
- (d) A contract hauler who takes material directly from a generator and hauls it to land application or to a person outside the state shall report to the Department. In their report to the Department, a contract hauler shall provide the following information for tons hauled, using the methods described in section 18815.9 of this article:
 - (1) Directly from a generator to land application, the tons of each material type sent by region, pursuant to section 18815.3(k) of this article.
 - (2) Directly from a generator to a person outside the state:

- (A) For solid waste, the total tons by jurisdiction of origin for all material sent to a disposal facility or transfer/processor, their contact information, and an estimate of the overall source sector tons or percentages for waste sent.
 - (B) For green material sent to each transfer/processor or disposal facility for potential beneficial reuse, the tons by jurisdiction of origin, and the contact information of the receiving facility.
 - (C) For non-green material sent to each transfer/processor or disposal facility for potential beneficial reuse, the tons by material type, pursuant to section 18815.9, and the contact information of the receiving facility.
 - (D) For disaster debris and designated waste sent to each transfer/processor or disposal facility, the tons of each stream, and the contact information of the receiving facility.
 - (E) For material sent to recycling or composting facilities or operations, the tons of each material type sent by region.
 - (F) To end users, the tons of each material sent to each end user category by region, pursuant to section 18815.3(k) of this article.
- (3) A hauler shall submit their report to the Department by the following due dates for each reporting period:
- (A) Reporting period 1 due April 30,
 - (B) Reporting period 2 due July 31,
 - (C) Reporting period 3 due October 31, and
 - (D) Reporting period 4 due January 31.
- (e) For the purposes of RDRS reporting, the Department shall not require a hauler to submit information regarding specific collection locations or customers when providing jurisdiction of origin, material type or source sector information to other reporting entities or to the Department as part of a quarterly report.
- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may require a hauler to submit this information in lieu of an audit, or as part of an audit or administrative proceeding.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.5. Reporting Requirements for Transfer/Processors.

- (a) In their report to the Department, a transfer/processor shall provide the following information, using the methods in described in section 18815.9 of this article:
 - (1) For all tons accepted:
 - (A) From another transfer/processor, report the tons of each of the following streams: solid waste, disaster debris, designated waste, green material potential beneficial reuse, and all other potential beneficial reuse accepted from each facility. Report the sending facility's contact information and RDRS number, if applicable.
 - (B) For direct-hauled material, report the total aggregated tons of each of the following streams: solid waste, disaster debris, designated waste, green material potential beneficial

- reuse, and all other potential beneficial reuse. The tonnages for solid waste and green material potential beneficial reuse shall be further divided by jurisdiction of origin.
- (C) Include accepted residuals generated by a recycling or composting facility or operation that is reporting under the same RDRS number as a transfer/processing facility or operation, pursuant to section 18815.3(d)(4) of this article, in the total tons accepted as direct-hauled, pursuant to subsection (1)(B), assigning the tons to the jurisdiction within which the site is located.
- (2) For all tons sent to recyclers, composters, brokers, transporters, or end users pursuant to section 18815.9 of this article:
- (A) To a recycling or composting facility or operation with a different RDRS number inside California, report the tons by material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
- (B) To an end user, report the tons of each material type, pursuant to section 18815.9(a) of this article, sent to each end user category by region, pursuant to section 18815.3(k) of this article.
- (C) To a broker or transporter:
- (i) In cases where the final destination of the material is determined by the reporting transfer/processor, report pursuant to subsections (a)(2)(A), (a)(2)(B), and (a)(2)(E).
- (ii) In cases where the final destination of the material is not determined by the reporting transfer/processor, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
- (D) To a recycling or composting facility or operation with the same RDRS number, report pursuant to section 18815.9(h) of this article.
- (E) To a recycling or composting facility or operation outside California, report the tons of each material type by region.
- (3) For all tons sent to transfer/processors or disposal facilities inside or outside California of each of the following streams: recycling and composting, solid waste, disaster debris, designated waste, green material potential beneficial reuse, and all other potential beneficial reuse:
- (A) To each transfer/processor or disposal facility, report the tons of each stream, and their contact information and RDRS number, if applicable. Report the percentage of solid waste and green material potential beneficial reuse received from each transfer/processor, and the total percentage of materials that were direct-hauled, pursuant to subsection (a)(1)(B). The percentage that was direct-hauled shall be further divided into the jurisdictions of origin of solid waste and green material potential beneficial reuse.
- (B) For all tons of solid waste, the percentage that was direct-hauled, pursuant to subsection (a)(1)(B), shall be divided into source sectors, using methods described in section 18815.9(c) of this article. Source sector shall be reported to the department as a facility-wide estimate.
- (C) For all other material sent for potential beneficial reuse to a landfill or other transfer/processor inside or outside California, report the tons sent to each facility by material type, pursuant to section 18815.9(a)(3) of this article, and the facility's contact information and RDRS number, if applicable.
- (D) For material sent for recycling to each transfer/processor or disposal facility with a different RDRS number inside California, report the tons by material type, and the facility's contact information and RDRS number, if applicable.

- (E) For material sent for recycling to each transfer/processor or disposal facility outside California, report the tons by material type and region.
- (b) A transfer/processor shall report to the Department by the following due dates for each reporting period:
- (1) Reporting period 1 due May 31,
 - (2) Reporting period 2 due August 31,
 - (3) Reporting period 3 due November 30, and
 - (4) Reporting period 4 due February 28.
- (c) With the exception of reporting entities who fail to provide required information, for the purposes of RDRS reporting, the Department shall not require a transfer/processor to submit information regarding the identities of individual haulers when providing jurisdiction of origin, or source sector information to the Department as part of a quarterly report. The Department shall not require a transfer/processor to submit information regarding the identities of individual end users when providing material type or region to the Department as part of their report.
- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may require a transfer/processor to submit this information in lieu of an audit, or as part of an audit or administrative proceeding.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.6. Reporting Requirements for Disposal Facilities.

- (a) All permitted disposal facilities shall report each quarter to the Department. In their report to the Department, a disposal facility shall provide the following information for all tons disposed, with the exception of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility, using the methods in section 18815.9 of this article:
- (1) For all tons received for disposal from a transfer/processor, report the tons of each stream disposed, including solid waste, disaster debris, and designated waste from each transfer/processor, and their contact information and RDRS number, if applicable.
 - (2) For all direct-hauled material, report the total aggregated tons of each of the following streams: solid waste, disaster debris, and designated waste.
 - (A) Report the tons of solid waste disposed from each jurisdiction of origin.
 - (B) Report an estimate of the aggregated tons, or overall percentage, from each source sector, using methods described in section 18815.9(c) of this article.
 - (C) For direct-hauled disaster debris not commingled with other solid waste, report the tons disposed.
 - (D) For direct-hauled designated waste not commingled with other solid waste, report the tons disposed.
 - (E) Include accepted residuals generated by a recycling or composting facility or operation that is reporting under the same RDRS number as a disposal facility, pursuant to section 18815.3(d)(5) of this article, in the total tons accepted as direct-hauled, assigning the tons to the jurisdiction within which the site is located.

- (b) In their report to the Department, a disposal facility shall provide the following information for all tons sent off-site, using the methods in section 18815.9 of this article. If materials are created, separated, or recovered as a result of on-site activities, then they are considered as having been generated by the disposal facility.
- (1) For solid waste generated on-site and sent to a disposal facility or transfer/processor inside or outside California, report the tons sent for disposal or potential beneficial reuse to each facility by material type, pursuant to section 18815.9(a) of this article, and the facility's contact information and RDRS number, if applicable.
 - (2) For material generated by the disposal facility, report pursuant to section 18815.9 of this article for tons sent:
 - (A) To each recycling or composting facility or operation with a different RDRS number, or for recycling at each transfer/processor with a different RDRS number inside California, by material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
 - (B) To an end user, by each end user category by region, pursuant to section 18815.3(k) of this article, and by material type, pursuant to section 18815.9(a)(2) of this article.
 - (C) To a broker or transporter:
 - (i) In cases where the final destination of the material is determined by the reporting disposal facility, report pursuant to subsections (b)(2)(A) and (b)(2)(B).
 - (ii) In cases where the final destination of the material is not determined by the reporting disposal facility, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
 - (D) To a recycling or composting facility or operation with the same RDRS number, report pursuant to section 18815.9(h) of this article.
 - (E) To a recycling or composting facility or operation outside California, or for recycling at each transfer/processor with a different RDRS number outside California, report the tons of each material type by region.
 - (3) If a disposal facility receives material and directly transfers that material to a transfer/processor or another disposal facility inside or outside California, then that material is not considered as having been generated on-site. The sending disposal facility shall register and report on that material according to the requirements for transfer/processors in section 18815.5 of this article.
- (c) In their report to the Department, a disposal facility shall provide the following information for the total tons accepted for beneficial reuse, using the methods in section 18815.9 of this article:
- (1) For waste-derived material accepted for beneficial reuse from a transfer/processor, report the tons of each material accepted for use from each transfer/processor and their contact information and RDRS number, as follows:
 - (A) Report the tons of each material type accepted for use as ADC.
 - (B) Report the tons of each material type accepted for use as AIC.
 - (C) Report the tons of each material type accepted for use in construction.
 - (D) Report the tons of each material type accepted for use in landscaping and erosion control.
 - (2) For direct-hauled green material accepted for beneficial reuse:
 - (A) Report the tons by jurisdiction of origin accepted for use as ADC.
 - (B) Report the tons by jurisdiction of origin accepted for use as AIC.

- (C) Report the tons by jurisdiction of origin accepted for use in construction.
- (D) Report the tons by jurisdiction of origin accepted for use in landscaping and erosion control.
- (3) For direct-hauled waste-derived material, other than green material, accepted for beneficial reuse:
 - (A) Report the tons of each material type accepted for use as ADC.
 - (B) Report the tons of each material type accepted for use as AIC.
 - (C) Report the tons of each material type accepted for use in construction.
 - (D) Report the tons of each material type accepted for use in landscaping and erosion control.
- (d) A disposal facility shall report to the Department by the following due dates for each reporting period:
 - (1) Reporting period 1 due June 30,
 - (2) Reporting period 2 due September 30,
 - (3) Reporting period 3 due December 31, and
 - (4) Reporting period 4 due March 31.
- (e) With the exception of reporting entities who fail to provide required information, for the purposes of RDRS reporting, the Department shall not require a disposal facility to submit information regarding the identities of individual reporting entities when providing jurisdiction of origin, material type, or source sector information to the Department as part of a quarterly report. The Department shall not require a disposal facility to submit information regarding the identities of individual end users when providing material type or region to the Department as part of their report.
 - (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may require that a disposal facility submit this information in lieu of an audit, or as part of an audit or administrative proceeding.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.7. Reporting Requirements for Recycling and Composting Facilities and Operations.

- (a) In their report to the Department, a recycling or composting facility or operation shall provide the following information for all tons handled, using the methods described in section 18815.9 of this article:
 - (1) For materials sent for disposal or potential beneficial reuse to each transfer/processor or disposal facility with a different RDRS number inside or outside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
 - (2) For materials sent to each recycling or composting facility or operation with a different RDRS number, or for recycling at each transfer/processor with a different RDRS number inside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
 - (3) For materials sent to a recycling or composting facility or operation with the same RDRS number, report pursuant to section 18815.9(h) of this article.

- (4) For intermediate products sent to end users inside or outside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, sent to each end user category by region, pursuant to section 18815.3(k) of this article.
- (5) For materials sent to a broker or transporter:
 - (A) In cases where the final destination of the material is determined by the reporting recycling or composting facility or operation, report pursuant to subsections (a)(1), (a)(2), (a)(4), and (a)(6), as applicable.
 - (B) In cases where the final destination of the material is not determined by the reporting recycling or composting facility or operation, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
- (6) For materials sent to each recycling or composting facility or operation outside California, or for recycling at a transfer/processor outside California, report the tons of each material type by region.
- (b) A recycling or composting facility or operation is not required to report on material sold for reuse or transferred for reuse.
- (c) A recycler who handles business-to-business post-industrial materials, but also handles materials that do not meet the criteria in section 18815.2(a)(8) of this article, shall:
 - (1) Report as a recycler pursuant to this section for all materials that do not meet the criteria for business-to-business post-industrial recycling, and
 - (2) Not include information or tonnages associated with the business-to-business post-industrial materials recycled as defined in section 18815.2(a)(8) of this article.
- (d) A recycling or composting facility or operation shall report to the Department by the following due dates for each reporting period:
 - (1) Reporting period 1 due May 31,
 - (2) Reporting period 2 due August 31,
 - (3) Reporting period 3 due November 30, and
 - (4) Reporting period 4 due February 28.
- (e) With the exception of other reporting entities, for the purposes of RDRS reporting, the Department shall not require a recycling and composting facility or operation to submit information regarding the identities of individual end users, suppliers, or customers when providing material type information to the Department as part of a quarterly report.
 - (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may require that a recycler/composter submit this information in lieu of an audit, or as part of an audit or administrative proceeding.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.8. Reporting Requirements for Brokers and Transporters.

- (a) In their report to the Department, a broker or transporter shall provide the following information for all tons of material for which they determined the destination, using the methods described in section 18815.9 of this article:

- (1) For materials sent for disposal or potential beneficial reuse to each transfer/processor or disposal facility inside or outside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
 - (2) For materials sent to each recycling or composting facility or operation, or for recycling at each transfer/processor with a different RDRS number inside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, and their contact information and RDRS number, if applicable.
 - (3) For intermediate products sent to end users inside or outside California, report the tons of each material type, pursuant to section 18815.9(a) of this article, sent to each end user category by region, pursuant to section 18815.3(k) of this article.
 - (4) For materials sent to another broker or transporter:
 - (A) In cases where the final destination of the material is determined by the reporting broker or transporter, report pursuant to subsections (a)(1), (a)(2), and (a)(3), as applicable.
 - (B) In cases where the final destination of the material is not determined by the reporting broker or transporter, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each receiving broker or transporter and their contact information and RDRS number, if applicable.
 - (5) To each recycling or composting facility or operation outside California, or for recycling at each transfer/processor with a different RDRS number outside California, report the tons of each material type by region.
- (b) A broker or transporter shall report to the Department by the following due dates for each reporting period:
- (1) Reporting period 1 due May 31,
 - (2) Reporting period 2 due August 31,
 - (3) Reporting period 3 due November 30, and
 - (4) Reporting period 4 due February 28.
- (c) With the exception of other reporting entities, for the purposes of RDRS reporting, the Department shall not require a broker or transporter to submit information regarding the identities of customers or destinations when providing material type information to the Department as part of a quarterly report.
- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may require that a broker/transporter submit this information in lieu of an audit, or as part of an audit or administrative proceeding.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.9. Methods.

- (a) When required by this article, a reporting entity shall use the following methods to report material types:
- (1) With the exception of food waste self-haulers, recycling and composting facilities and operations, and entities reporting potential beneficial reuse material, a reporting entity shall

report all material, including residuals, sent to a disposal facility as solid waste and is not required to further sort or characterize this material.

(A) Food waste self-haulers shall report pursuant to section 18815.4(b) of this article.

(B) Recycling and composting facilities and operations shall report by material type pursuant to subsection (a)(2) for residuals and separated materials sent to a disposal facility.

(C) Entities reporting potential beneficial reuse material shall report pursuant to subsection (a)(3).

(2) A reporting entity shall report materials at the level of segregation at the time they were sold or transferred, as follows:

(A) A reporting entity shall report a homogeneous material or individual grade of material as that individual material type (e.g., HDPE, aluminum, concrete, or mulch).

(B) A reporting entity shall report combinations of various materials within a single material category based on applicable industry standards (e.g., ferrous metals, mixed glass, mixed paper, or rigid plastics). A reporting entity is not required to further sort or characterize this material.

(C) A reporting entity shall report mixed materials from several categories as mixed materials or commingled recyclables based on applicable industry standards. A reporting entity is not required to further sort or characterize this material.

(D) A reporting entity shall report solid waste mixed with other materials as solid waste. A reporting entity is not required to further sort or characterize this material.

(3) A reporting entity shall:

(A) Report all ADC and AIC by the following material types:

(i) Ash and cement kiln dust materials,

(ii) Construction and demolition wastes and materials,

(iii) Compost materials, which include residuals left over from the composting process,

(iv) Green material,

(v) Contaminated sediment, dredge spoils, foundry sands, energy resource exploration, and production wastes,

(vi) Processed construction and demolition wastes and materials,

(vii) Shredded tires,

(viii) Sludge and sludge-derived materials,

(ix) Treated automobile shredder waste, and

(x) Other material types approved for beneficial reuse by the enforcement agency, such as materials left over after the material recovery process. The reporting entity shall specify the approved material type in their report to the Department.

(B) Report all materials used for construction, landscaping, and erosion control on site by material type, pursuant to subsection (a)(2).

(C) Not include tons of clean or contaminated soil used as cover material or for other uses at a landfill.

(b) When required by this article, a reporting entity shall use the following methods to determine jurisdiction of origin for material sent to disposal or for green material beneficial reuse:

(1) A hauler shall provide the jurisdiction of origin information at the time of delivery, unless both the hauler and receiving facility have agreed to periodic reports in lieu of providing information at the time of delivery. The hauler shall provide the periodic report to the receiving reporting entity within 30 days of the end of the reporting period. The hauler shall use any of the following sources of information to estimate the percentage of solid waste from each jurisdiction:

- (A) Actual tons collected from each jurisdiction.
 - (B) Total volume of bins emptied from each jurisdiction.
 - (C) Billing records for customers in each jurisdiction.
 - (D) Company dispatcher records of hauling routes and generator locations.
- (2) A transfer/processor or disposal facility shall determine the jurisdiction of origin for each load of material accepted by asking each person bringing materials at the time of delivery, using periodic reports from the entities delivering materials, or using other methods to capture the information on each load as it arrives, unless it meets one of the following criteria:
- (A) A transfer/processor or disposal facility without a gatehouse attendant present during all business hours shall collect jurisdiction of origin information on each load for all hours in which an attendant is present. At minimum, a gatehouse attendant must be present during all business hours of one week per quarter. If this requirement is not met, then a facility shall additionally conduct an origin survey no less frequently than once per reporting period and for at least one week in duration. During the survey week(s), the facility shall survey every load of material received to determine the jurisdiction of origin. A facility shall apply the jurisdiction percentages obtained during the survey week(s) to tonnages that have not been assigned to a jurisdiction of origin in the reporting period.
 - (B) A transfer/processor or disposal facility without a gatehouse attendant present during any business hours that only accepts material from specified jurisdictions may assign the solid waste to those jurisdictions based on facility usage agreements and restrictions, property records, or other records that are representative of the jurisdictional breakdown of the material received.
 - (C) A transfer/processor or disposal facility without a gatehouse attendant present during any business hours that has no representative basis for determining jurisdiction of origin may assign the solid waste to the jurisdiction in which the facility is located.
- (3) A transfer/processor shall determine jurisdiction of origin for solid waste and green material potential beneficial reuse sent to a disposal facility or another transfer/processor based on allocations of inbound materials. A transfer/processor may adjust the allocations of inbound percentages from facilities or haulers based on facility-specific practices, such as:
- (A) Tracking and sorting individual loads,
 - (B) Segregating the flows from different jurisdictions, or
 - (C) Gathering other relevant information on the composition and recoverability of the materials from each facility or jurisdiction.
- (4) A recycler, composteur, broker, transporter, or disposal facility shall provide the jurisdiction of origin for all solid waste or green material potential beneficial reuse sent to each transfer/processor or disposal facility. The jurisdiction of origin of this material shall be the jurisdiction within which the recycler, composteur, or disposal facility is located. For brokers and transporters, the jurisdiction of origin shall be the jurisdiction within which the reporting entity supplying the material is located.
- (c) When required by this article, a transfer/processor or disposal facility shall estimate the overall tonnages or percentages from each source sector for materials sent for disposal using any of the following methods:
- (1) Assigning source sector based on vehicle type, such as:
 - (A) Small vehicles, such as automobiles, pickups and small trailers, and flat beds as "self-hauled."
 - (B) Side loaders as "contract-hauled single-family residential."
 - (C) Front loaders and rear loaders as "contract-hauled commercial/multi-family."
 - (2) Assigning source sector based on billing records, such as:

- (A) Cash accounts as "self-hauled."
- (B) Accounts with jurisdictions or their haulers for residential routes as "contract-hauled single-family residential."
- (C) Accounts with jurisdictions or their haulers for commercial routes as "contract-hauled commercial/multi-family."
- (3) Using periodic reports from contract haulers on the source sectors of their routes. A transfer/processor or disposal facility may request, but not require, periodic reports from a hauler.
- (4) Asking the driver delivering each incoming load.
- (5) Assigning disaster debris and designated waste as "self-hauled."
- (6) Assigning residual disposal from, and material sent by, recyclers, composters, brokers, transporters and disposal facilities to the "self-hauled" source sector.
- (d) If asked for information on source sector, then a contract hauler shall provide the information at the time of delivery, unless both the contract hauler and receiving facility have previously agreed to periodic reports in lieu of providing information at the time of delivery. In these cases, a contract hauler shall provide the periodic report to the receiving reporting entity within 30 days of the end of the reporting period. When providing source sector information, a hauler shall use any of the following methods to estimate the overall tonnages or percentages of disposal from each source sector sent to the receiving facility:
 - (1) Assigning source sector based on vehicle type, such as:
 - (A) Side loaders as "contract-hauled single-family residential."
 - (B) Front loaders and rear loaders as "contract-hauled commercial/multi-family."
 - (2) Assigning source sector based on billing records, such as:
 - (A) Accounts with jurisdictions for residential routes as "contract-hauled single-family residential."
 - (B) Accounts with jurisdictions for commercial routes as "contract-hauled commercial/multi-family."
 - (C) Accounts with businesses and apartments as "contract-hauled commercial/multi-family."
 - (3) Assigning source sector by using dispatcher records of hauling routes, total bin volumes from each source sector, or total weights from each source sector.
 - (4) Assigning disaster debris and designated waste as "self-hauled."
- (e) If a transfer/processor or disposal facility lacks an attendant and is unable to estimate source sector using one of the methods in this section, then the reporting entity shall assign all tonnage to the sector that makes up most of the delivered material based on operator observations of the site traffic or material disposed.
- (f) If a method in this section is used, then inaccuracies or errors in source sector reporting shall not be subject to penalties described in section 18815.10 of this article.
- (g) When required by this article, a reporting entity shall use the following methods to report tonnages:
 - (1) A reporting entity who uses certified scales to measure a transaction by weight shall use that measurement, and not an estimate based on volume, when compiling and submitting their report to the Department.
 - (2) A reporting entity who does not use certified scales, but uses non-certified scales to measure a transaction by weight shall use that measurement, and not an estimate based on volume, when compiling and submitting their report to the Department.
 - (3) A reporting entity shall use scales to measure tons, unless they meet one of the following exceptions:
 - (A) If a transfer/processor or disposal facility records self-haul loads by volume, then they may estimate disposal tonnages using volume-to-weight conversion factors. If a

- transfer/processor or a disposal facility records self-haul loads by vehicle size and/or type, then they may estimate the disposal tonnages using weight estimates for each vehicle size and/or type.
- (B) If a transfer/processor weighs total inbound contract-hauled tons and the total tons sent to disposal, then they may use the difference in weight to estimate self-haul sector.
 - (C) If a transfer/processor accepts an annual average of less than 100 tons of material per operating day, or less than 200 tons per operating day if located in a rural city or county, as set forth in sections 40183 and 40184 of the Public Resources Code, then they may use volume-to-weight conversion factors or report tonnages weighed at the receiving facility.
 - (D) If a reporting entity sells or transfers materials, other than solid waste, based on volume, then they may use material-specific volume-to-weight conversion factors to estimate tons.
 - (E) When required by subsection (h), a reporting entity who sends material to another reporting entity with a different RDRS number located at the same site using a conveyance system without scales, shall estimate and report tonnages transferred by using volume-to-weight-conversion factors, flow rates, or belt scales.
- (4) A disposal facility may use volume-to-weight conversion factors under the following conditions:
 - (A) The disposal facility does not have access to scales and does not receive more than 4,000 tons of solid waste per year from contract haulers, not including disaster debris.
 - (B) The disposal facility is located in an area prone to inclement weather for three or more months of the year, which does not allow for the adequate operation and maintenance of scales.
 - (C) The disposal facility is so remote that the availability of an electric utility to power the scales is prohibitive.
 - (5) A reporting entity shall indicate in their report if conversion factors were used to estimate tons, retain documentation on the basis and usage of any volume-to-weight conversion factors, and update the factors every three (3) years. The Department may require a reporting entity to revise the factors and reports if the Department determines that volumetric conversion factors are not satisfactory.
- (h) Tonnages of material transferred within a reporting entity or between reporting entities located at the same site shall be recorded and reported as described below. Refer to subsection (g) for situations in which volume-to-weight conversion factors are allowed to estimate material tonnages.
- (1) Except as provided in subsections (h)(4) and (h)(5), facilities and operations reporting with the same RDRS number and located at the same site are not required to report the tonnages of material transferred between each facility or operation to the Department.
 - (2) A reporting entity who sends separated recyclables or separated organics to another reporting entity with a different RDRS number located at the same site with the same operator is not required to report the tonnages of separated recyclable or organic material transferred between each facility or operation to the Department. The reporting entity responsible for the off-site sale or transfer of the aggregated material shall report the appropriate tonnages to the Department.
 - (3) A reporting entity who sends solid waste or material for potential beneficial reuse to a transfer/processor or disposal facility with a different RDRS number located at the same site shall report this information to the Department in the same manner prescribed in subsections (a), (b) and (c).
 - (4) A transfer/processor shall include the total tons of solid waste generated on-site by recyclers and composters under the same RDRS number and accepted by the transfer/processor in the total tons accepted pursuant to section 18815.5(a)(1)(C) of this article.

- (5) A disposal facility shall include the total tons of solid waste generated on-site by recyclers and composters under the same RDRS number and accepted by the disposal facility in the total tons accepted pursuant to section 18815.6(a)(2)(E) of this article.
- (i) In their report to the Department, a reporting entity shall identify which methods set forth in this section they used in the preparation of the report.
- (j) When required by this article, a reporting entity shall categorize material sent to each person or end user category into one or more of the following streams, and report to the Department in the manner described below:
- (1) Solid waste disposal, which requires jurisdiction of origin, source sector, and RDRS number and contact information of the receiving facility or operation, if applicable. Recyclers, composters, and food waste self-haulers shall additionally report material type pursuant to subsection (a)(1).
 - (2) Disaster debris disposal, which requires RDRS number and contact information of the receiving facility or operation, if applicable.
 - (3) Designated waste disposal, which requires RDRS number and contact information of the receiving facility or operation, if applicable.
 - (4) Green material potential beneficial reuse, which requires jurisdiction of origin, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (5) Non-green material potential beneficial reuse, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (6) Recycling and composting, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (7) Broker or transporter, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (8) End user, which requires material type by end user category and region, pursuant to section 18815.3(k) of this article. Reporting entities are not required to provide the contact information of individual end users in their reports to the Department.
 - (9) If the person to whom material was sent is located outside California, and is not obligated to report to the Department, a reporting entity is not required to provide the contact information of that person to the Department for material streams described in subsections (j)(6) and (j)(7).
 - (10) Except for material sent to a broker, transporter, or end user, if a reporting entity is unsure or does not know into which stream a material being sent should be categorized, they shall report that material stream based on the following defaults:
 - (A) For material sent to a transfer/processor or disposal facility, report pursuant to subsection (j)(1).
 - (B) For material sent to a recycler or composter, report pursuant to subsection (j)(6).

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.10. Procedure for Imposing Civil Liabilities.

- (a) The Department shall impose administrative civil penalties in accordance with the procedures set forth in this section.
- (b) Prior to initiating any enforcement proceeding, the Department shall notify a reporting entity in writing of any alleged failure to comply with this article. The notification will include all of the following:
- (1) A description and dates of the alleged compliance failures.
 - (2) A compliance deadline that allows for reasonable time to remedy.

- (3) Any potential penalties that may be assessed if the compliance deadline is not met.
 - (4) Notification that if the alleged violation or compliance failure is corrected by the deadline, then no further enforcement will be pursued by the Department.
 - (5) Notification that if there are extenuating circumstances, then the Department can extend the compliance deadline.
- (c) Civil penalties set forth in Penalty Table I may be imposed as follows:
- (1) Each violation shall be multiplied by the number of days the reporting entity was in violation. The number of days the violation occurred will begin one day after the compliance deadline the Department issued in its written notification of an alleged failure to comply to the reporting entity. If the violation is not corrected pursuant to subsection (b), then the following table applies:

Penalty Table I. All penalties are per day the reporting entity is in violation.

<u>Authority</u>	<u>Description of Violation</u>	<u>1st Violation</u>	<u>2nd Violation</u>	<u>3rd and subsequent Violation (s)</u>
<u>Public Resources Code 41821.5(d)</u>	<u>A reporting entity fails to submit information on time as required by this article.</u>	<u>\$500</u>	<u>\$1,000</u>	<u>\$5,000</u>
<u>Public Resources Code 41821.5(d)</u>	<u>A reporting entity refuses to submit information required by this article.</u>	<u>\$1,000 – \$5,000</u>	<u>\$1,000 - \$5,000</u>	<u>\$5,000</u>
<u>Public Resources Code 41821.5(e)</u>	<u>A reporting entity knowingly or willfully files a false report, or a reporting entity alters, cancels, or obliterates entries in the records for the purpose of falsifying the records as required by this article.</u>	<u>\$500 - \$10,000</u>	<u>\$2,500 - \$10,000</u>	<u>\$5,000- \$10,000</u>
<u>Public Resources Code 41821.5(e)</u>	<u>A reporting entity refuses to allow the Department or any of its representatives to inspect or examine records as required by this article.</u>	<u>\$500- \$2,500</u>	<u>\$2,500- \$5,000</u>	<u>\$5,000</u>
<u>Public Resources Code 41821.5(e)</u>	<u>A reporting entity fails to keep any records for inspection as required by this article.</u>	<u>\$500</u>	<u>\$500 - \$2500</u>	<u>\$1,000 - \$5,000</u>

- (d) Once a potential penalty range from Penalty Table I is determined, the Department shall take the following factors into consideration in determining the total penalty amount to be requested in an Administrative Accusation:
- (1) Whether the violation(s) were intentional.
 - (2) Whether the violation(s) demonstrate a chronic pattern of non-compliance with the regulations set forth in this article.
 - (3) Whether the violation(s) were due to circumstances beyond the reasonable control of the reporting entity or were unavoidable under the circumstances.

- (4) Whether the reporting entity acted in good faith to comply, including correcting the violation(s) in a timely manner.
- (5) Whether the violation(s) were voluntarily and promptly reported to appropriate authorities prior to the commencement of an investigation by the enforcement agency.
- (6) The circumstances, extent, and gravity of any violation(s).
- (e) The Administrative Accusation may be served on the respondent by the following means:
 - (1) Personal service.
 - (2) Substitute service using the same service procedures described in section 415.20 of the Code of Civil Procedure.
 - (3) Certified Mail: For respondents who are registered with RDRS, the mailing address or addresses provided at the time of registration will be used. Proof of service of the Administrative Accusation shall be the certified mail receipts or registered mail receipts proving the accusation and accompanying materials were sent to respondent by certified mail or registered mail.
- (f) In any case in which it is determined that more than one reporting entity is responsible and liable for a violation, each reporting entity may be held jointly and severally liable for an administrative civil penalty.
- (g) Reports shall be based on the information provided to a reporting entity at the time the report is due. The Department shall not hold reporting entities liable for incomplete or inaccurate information provided by a hauler or other third party. If a reporting entity is aware that a third party has failed to provide information or has provided incorrect information, then the reporting entity shall identify the third party and the alleged error or omission, as required by section 18815.3(n)(1) of this article. To the extent that the Department identifies an impact of incomplete or inaccurate information reported by a hauler or other third party on a specific jurisdiction, the Department shall notify that jurisdiction.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.11. Record Retention Requirements for a Reporting Entity.

- (a) A reporting entity shall retain a copy of all reports and supporting records that were used in creating those reports at their place of business for five (5) years.
- (b) As applicable to the type of reporting entity, records to be retained shall include, but are not limited to:
 - (1) The specific generator locations of a load of solid waste to verify the jurisdiction of origin for disposed waste.
 - (2) Bills of lading, receipts, monthly billing statements to any person transferring material, and contact information for those entities.
 - (3) Daily log entries prepared by the reporting entity detailing the acceptance, transport, or delivery of material, the associated amounts, sources, material types, jurisdictions of origin, and the associated dates.
 - (4) Weight tags for individual haulers, transfer or other loads that identify the hauler, vehicle, vehicle type, quantity and unit of measure, date, waste type, and jurisdiction of origin of material delivered, transported, or received.

- (5) All base data, methods and calculations used to derive information in a report.
- (c) A reporting entity shall maintain the documentation described in this section in a usable format, either electronically or on paper.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.12. Confidentiality of Reports and Records and Record Review Requirements for a Reporting Entity.

- (a) A reporting entity shall provide access to the records required by this article to any authorized representative of the Department upon request.
- (b) If the Department requests copies of specific records either prior to, in lieu of, or after an inspection, then a reporting entity shall provide the copies within 10 business days, unless additional time is necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the Department.
- (c) A reporting entity shall provide records to the Department electronically, and in a format that will allow effective review, such as searchable portable document format (PDF), spreadsheet, or other searchable format.
- (d) Pursuant to section 41821.5(g)(7) of the Public Resources Code, a reporting entity may redact the records subject to inspection or copying by the Department before inspection or submittal, to exclude confidential pricing information contained in the records, such as contract terms and conditions, including information on pricing, credit terms, volume discounts, and other proprietary business terms.
- (e) Pursuant to section 41821.5(g)(1) of the Public Resources Code, the records maintained by a reporting entity to support a report shall be confidential and shall not be subject to disclosure by the Department under the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code].
- (f) Pursuant to section 41821.5(i) of the Public Resources Code, a reporting entity may designate information as a trade secret and request that the records provided to the Department in accordance with this section be exempt from disclosure. The Department will review the request as provided in Public Resources Code section 40062 and implementing regulations.
- (g) For purposes of this article, whether retained by a reporting entity or submitted to the Department as part of a report required by this article or as part of an audit or in lieu of an audit, the following types of records shall be deemed to be confidential and not subject to disclosure by the Department, whether or not the record is identified as such by the person furnishing the information to the Department, without the need to follow the procedure set forth in section 17046(c):
- (1) Weight tickets,
 - (2) Customer lists,
 - (3) Pricing or similar financial data, or
 - (4) Any other information, from which the identity of any account, customer, vendor, buyer, supplier, end user, or other source or transferee of recyclable material may be reasonably ascertained, such as name, address, or other identifying information.

- (h) Pursuant to section 41821.6 of the Public Resources Code, in order to ensure that records required pursuant to this article are accurate and properly maintained, in addition to inspecting all relevant records, the Department may conduct audits, perform site inspections, observe facility operations, and otherwise investigate the recordkeeping and reporting of persons subject to the requirements of this article. Any records, reports, notes, studies, drawings, schematics, photographs, or trade secrets, as defined in section 3426.1 of the Civil Code, obtained, produced, or created by the Department in connection with or arising from such audits, inspections, or observations are confidential, shall not be subject to disclosure under the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code], and shall be deemed confidential and not subject to disclosure according to subsection (g).
- (i) Government entity requests for inspections or records shall be subject to the provisions of Public Resources Code section 41821.5(g) and shall not be subject to the Department's compliance procedures outlined in sections 18815.10, 18815.11 and 18815.12 of this article.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

Section 18815.13. Complaints Regarding Non-Compliance.

- (a) In their quarterly report to the Department, a reporting entity shall inform the Department of specific allegations of non-compliance by another reporting entity who fails to provide them with the information required by this article. The reporting entity shall provide the relevant and specific details for each occurrence reported.
- (b) In their quarterly report to the Department, a reporting entity shall inform the Department if they have evidence suggesting the information provided to them by another reporting entity, as required by this article, is inaccurate. The reporting entity shall provide the relevant and specific details for each occurrence reported.
- (c) Affected or involved parties who are not reporting entities, such as jurisdictions, may report specific allegations of non-compliance by a reporting entity. The party reporting the alleged non-compliance shall identify the reporting entity and the facts upon which their allegation is based so the Department may investigate appropriately.

Authority cited: Sections 40502 and 41821.5, Public Resources Code. Reference: Sections 41821.5, 41821.6, 41821.7 and 41821.8, Public Resources Code.

TITLE 27

DIVISION 2

CHAPTER 3.

SITES

SUBCHAPTER 4.

ARTICLE 1.

ENVIRONMENTAL PROTECTION

SOLID WASTE

CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL

CRITERIA FOR LANDFILLS AND DISPOSAL SITES

CIWMB - OPERATING CRITERIA

Section 20510. CIWMB - Disposal Site Records. (T14: Section 17258.29, 17636, 17637, 17638, 17639)

(a) Each site operator shall maintain records of weights or volumes accepted in a form and manner approved by the EA. Such records shall be submitted to the EA upon request, accurate within 10 percent and adequate for overall planning purposes and forecasting the rate of site filling.

(b) Each site operator shall maintain records of excavations that may affect the safe and proper operation of the site or cause damage to adjoining properties.

(c) Each site operator shall maintain a daily logbook or file of the following information: fires, landslides, earthquake damage, unusual and sudden settlement, injury and property damage accidents, explosions, receipt or rejection of unpermitted wastes, flooding, and other unusual occurrences.

(d) Each site operator shall maintain a record of personnel training as required in section 20610.

(e) Each site operator shall maintain a copy of written notification to the EA, local health agency, and fire authority of names, addresses, and telephone numbers of the operator or responsible party of the site as required in section 20615.

(f) Disposal site records, including MSWLF unit records, shall be available for inspection by authorized representatives of the EA, the local health agency, and the CIWMB Department during normal business hours and retained near the site in an operating record or in an alternative location approved by the EA.

~~(g) Each site shall maintain records for the Disposal Reporting System as required by Title 14 California Code of Regulations section 18800 et seq. Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspection as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.~~

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 43020, 43021 and 43103, Public Resources Code.

TITLE 27

DIVISION 2

CHAPTER 3.

SITES

SUBCHAPTER 4.

ARTICLE 2.

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SOLID WASTE

CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL

CRITERIA FOR LANDFILLS AND DISPOSAL SITES

ALTERNATIVE DAILY COVER MATERIAL AND BENEFICIAL REUSE

Section 20686. Beneficial Reuse

Beneficial reuse of solid wastes at a solid waste landfill shall include, but not be limited to, the following: alternative daily cover, alternative intermediate cover, final cover foundation layer, liner operations layer, leachate and landfill gas collection system, construction fill, road base, wet weather operations pads and access roads, and soil amendments for erosion control and landscaping. Alternative daily cover reuse shall comply with the requirements of section 20690. Alternative intermediate cover reuse shall comply with the requirements of section 20700. Other beneficial reuse shall comply with the following requirements:

(a) Beneficial reuse shall be restricted to those solid wastes appropriate for the specific use and in accordance with engineering, industry guidelines, or other standard practices specified in the Report of Disposal Site Information as required by section 21600(b)(6).

(b) Beneficial reuse shall be restricted to quantities of solid wastes no more than necessary to meet the minimum requirements of (a). Should the ~~CIWMB Department~~ determine that an owner or operator violated this standard, the owner or operator shall revise the applicable reports to reflect the overuse as disposal, and pay the required ~~Board of Equalization (BOE)~~ California Department of Tax and Fee Administration (CDTFA) disposal tipping fees for the amount of overuse.

(c) Storage and handling of solid waste and derived materials for beneficial reuse shall be conducted in a manner to protect public health and safety and the environment, and to control vectors, fires, odors, and nuisances.

(d) The owner or operator shall maintain a record of beneficial reuse in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section ~~§18800~~ 18815.1 et seq. The records shall be available for inspection by authorized representatives of the EA, the local health agency, and the ~~CIWMB Department~~ during normal business hours and retained in the operating record near the site or in an alternative location approved by the EA.

Note:

Authority cited: Sections 40502, 41781.3, 43020, 43021, 43030 and 43103, Public Resources Code.

Reference: Sections 40508, 42245, 43020 and 43021, Public Resources Code; and ~~Title 40~~ Code of Federal Regulations Sectionpart 258.21.

TITLE 27

DIVISION 2

CHAPTER 3.

SUBCHAPTER 4.

ARTICLE 2.

ENVIRONMENTAL PROTECTION

SOLID WASTE

CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL SITES

CRITERIA FOR LANDFILLS AND DISPOSAL SITES

CIWMB - DAILY AND INTERMEDIATE COVER

Section 20690. CIWMB - Alternative Daily Cover. (T14: Section 17682, 17258.21(B))

(a) General Requirements

(1) Alternative materials of alternative thickness for daily cover (other than at least six inches of earthen material) for municipal solid waste landfill units may be approved by the EA with concurrence by the CIWMB Department, if the owner or operator demonstrates that the alternative material and thickness control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment.

(2) Alternative daily cover alone, or in combination with compacted earthen material, shall be placed over the entire working face at the end of each operating day or at more frequent intervals to control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment. For the purposes of this section, the operating day shall be defined as the hours of operation specified in the solid waste facility permit, and may extend for more than 24 hours if operations are continuous. Waste-derived alternative daily cover shall be processed prior to spreading and compacting on the working face and applied and compacted to ensure that all exposed waste is completely covered by ADC and that there are no open voids within the cover material or in contact with the underlying wastes. Waste materials used as ADC that already meet the grain-size specifications of these regulations, or an alternative grain size approved by the EA and CIWMB Department pursuant to this section, need not be processed if the EA determines that the material as received at the landfill is adequate to perform the functions of daily cover and meets the appropriate specifications.

(3) Should the application of alternative daily cover become impracticable or contribute to conditions hazardous to public health and safety and the environment, the owner or operator shall terminate such use and revert to the use of compacted earthen cover material in accordance with section 20680. For the purposes of this section, impracticable conditions are those which make placement of alternative daily cover difficult due to adverse climatic or other conditions such that the performance requirements of (a)(2) cannot be met.

(4) The owner or operator shall place compacted earthen material over the entire working face at the end of any operating day preceding a period of time greater than 24 hours when the facility is closed, unless procedures as required by the EA are in place to ensure that the requirements of (a)(2) and (a)(3) are met. A stockpile of earthen cover material and required equipment shall be available to ensure a corrective response to violation of (a)(2) and (a)(3). Whenever an EA determines that an application of ADC is not meeting the requirements of this standard, the EA may direct the operator to immediately cover the ADC with soil. The continuing use of ADC that has been determined by the EA as not meeting the requirements of this section may become the basis for the EA to take enforcement action to seek compliance with the requirements of this section.

(5) The owner or operator shall maintain a record of waste derived alternative daily cover in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, section 518800 et seq Section 18815.1 et seq. The records shall be available for inspection by authorized representatives of the EA, the local health agency, and the CIWMB Department during normal business hours and retained in the operating record near the site or in an alternative location approved by the EA.

(6) For waste classification, composition, and liquid percolation requirements of alternative daily cover, refer to the SWRCB requirements set forth in section 20705.

(7) Waste derived materials used as alternative daily cover shall be restricted to quantities no more than necessary to meet the performance requirements of (a)(2), or as specified in subdivision (b) of this section. Should the CIWMB Department determine after consulting with the EA that an owner or operator violated this standard, the owner or operator shall revise the applicable reports to reflect the overuse as disposal, and pay the required ~~Board of Equalization (BOE)~~ California Department of Tax and Fee Administration (CDTFA) disposal tipping fees for the amount of overuse. EAs shall not be responsible for making such determinations.

(8) Compost, co-compost, and chemically fixed sewage sludge and water treatment sludge only, that meet the performance standards for cover material, shall be limited to up to 25 percent of landfill cover materials or landfill cover extenders as required under Public Resources Code (PRC) section 42245. For the purposes of this section, "chemically fixed sewage sludge" means solid and semisolid residue generated during the treatment of domestic sewage. The 25 percent limit shall apply on a quarterly basis to the total daily and intermediate cover or cover extender use. For the purposes of this section, landfill cover extenders shall mean compost, co-compost, or chemically fixed sewage sludge blended or mixed with soil.

(9) Storage and handling of waste derived materials at the landfill for use as alternative daily cover shall be conducted in a manner to protect public health and safety and the environment, and to control vectors, fires, odors, blowing litter, scavenging, and nuisances.

(10) The EA shall apply this section to disposal facilities other than municipal solid waste landfill units as necessary to control vectors, fires, odors, blowing litter, scavenging, and nuisances without presenting a threat to human health and the environment. This requirement shall also apply to municipal solid waste landfills which qualify for a delay in the general compliance date or additional flexibility as specified in 40 CFR Part 258.

(11) The owner or operator shall implement a program described in the Report of Disposal Site Information as required by section 21600(b)(6) to minimize contamination of alternative daily cover with wastes not included within the individual alternative daily cover material types specified in subdivision (b) of this section and wastes that would conflict with the performance requirements of (a)(2).

(b) Specific Requirements

All types of ADC must be approved by the EA in writing prior to use at solid waste landfills as consistent with Title 27, California Code of Regulations, section 21570 through section 21686. Proposed uses of alternative daily cover materials not specified shall be subject to site-specific demonstration projects approved by the EA with concurrence by the CIWMB Department to establish suitability as daily cover. Unless otherwise specified in this section, alternative daily cover use by blending listed materials other than using side-by-side on the working face, or layering on top of one another listed materials, shall require site-specific demonstration projects approved by the EA with concurrence by the CIWMB

Department as required by subsection (a)(1). Site-specific demonstration projects are not required for the following materials used as specified and in accordance with subdivision (a) of this section:

(1) Geosynthetic Fabric or Panel Products (Blankets).

(A) Geosynthetic blanket products shall be removed from the waste and the waste shall be covered with new waste or approved cover materials within 24 hours of product placement, unless the product is intended to be nonreusable, or has been approved by the EA for continuous use beyond 24 hours.

(2) Foam Products.

(A) Foam products shall not be applied when there is precipitation or when there is a local forecast of greater than 40% chance of precipitation within 8 hours of application time in the vicinity of the landfill.

(B) Foam products shall be covered with waste or other approved cover materials within 72 hours of application, unless a shorter time period is required by the EA to meet the requirements of (a)(2) and (a)(3) of this section.

(3) Processed Green Material.

(A) For the purposes of this section, processed green material means any plant material that is either separated at the point of generation, or separated at a centralized facility that employs methods to minimize contamination. Green material includes, but is not limited to, yard trimmings, untreated wood wastes, paper products, and natural fiber products. Green material does not include treated wood waste, mixed demolition or mixed construction debris, manure, or plant waste from the food processing industry, alone or blended with soil. Processed green material may include varying proportions of wood waste from urban and other sources and shall be ground, shredded, screened, source separated for grain size, or otherwise processed.

(B) Green material used for alternative daily cover shall be processed prior to being applied to the working face unless the green material to be used as alternative daily cover already meets the grain size specifications. Prior to spreading and compacting on the working face, processed green material shall comply with a grain size specification by volume of 95 percent less than 6 inches. Alternative processing and grain size specification requirements may be approved by the EA if the EA determines that the alternative meets the performance requirements of (a)(2) and (a)(3) of this section and the CIWMB Department concurs.

(C) Processed green material shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches.

(D) Processed green material placed as cover shall not be exposed for greater than 21 days.

(4) Sludge and Sludge-Derived Materials.

(A) Public contact with sludge or sludge-derived materials, either alone or blended with soil, ash, processed green material, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall be prohibited. This prohibition shall apply to staging, processing, tipping, and cover placement areas.

(B) Sludge or sludge-derived materials, either alone or blended with soil, processed green material, ash, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall form a compacted material which can be placed without forming open voids or causing material to be tracked off the working face area.

(C) Sludge or sludge-derived materials shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches.

(5) Ash and Cement Kiln Dust Materials.

(A) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents, shall form a compacted material which can be placed without forming open voids or causing material to be tracked off the working face area. For the purposes of this section, ash means the nonhazardous residue from the combustion of material or the hazardous residue that may be managed as a nonhazardous waste in accordance with Title 22 California Code of Regulations sections 66260.200(f) or 66260.210.

(B) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents shall be used as alternative daily cover in a manner to minimize the creation of dust.

(C) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents, shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 12 inches.

(6) Treated Auto Shredder Waste.

(A) Auto shredder waste shall be treated pursuant Title 22, California Code of Regulations, section 66268.106(a)(1).

(B) Treated auto shredder waste used for alternative daily cover shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 24 inches.

(7) Contaminated Sediment, Dredge Spoils, Foundry Sands, Energy Resource Exploration and Production Wastes.

(A) Contaminated sediment, dewatered dredge spoils, foundry sands, or processed energy resource exploration and production wastes shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 12 inches. Such materials shall form a compacted material that can be placed without forming open voids or causing material to be tracked off the working face area.

(8) Compost Materials.

(A) Except as provided in (b)(8)(B) of this section, compost shall meet the environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7.

(B) Public contact shall be precluded from cover staging, processing, tipping, and placement areas for compost that does not meet the environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7.

(C) Compost materials shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches. Compost materials shall comply with a grain size specification by volume of 95 percent less than 6 inches.

(9) Processed Construction and Demolition Wastes and Materials.

(A) Processed construction and demolition wastes and materials shall be ground, pulverized, shredded, screened, source separated, or otherwise processed, alone or mixed with soil in a manner to provide a compacted material free of open voids when applied to meet the performance requirements as alternative daily cover.

(B) Processed construction and demolition wastes and materials used as alternative daily cover shall be restricted to the following materials: rock, concrete, brick, sand, soil, ceramics, cured asphalt, lumber and wood, wood products, roofing material, plastic pipe, plant material when commingled from construction work, and fines derived from processing the above materials.

(C) Construction and demolition wastes shall be processed prior to being applied to the working face. Prior to spreading and compacting on the working face, these materials shall comply with a grain size specification by volume of 95 percent less than 12 inches and 50 percent less than 6 inches as

determined by the EA. The CIWMB Department shall provide technical assistance in making this determination if requested by the EA. Alternative processing and grain size specification requirements may be approved by the EA if the EA determines that the alternative meets the performance requirements of (a)(2) and (a)(3) of this section and the CIWMB Department concurs.

(D) Construction and demolition wastes shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 18 inches.

(10) Shredded Tires.

(A) Shredded tires used as daily cover alone or mixed with soil shall be shredded such that 50% by volume is smaller than 6 inches in length and no individual pieces are greater than 12 inches in length.

(B) Shredded tires used as alternative daily cover without admixed soil shall not be applied when there is precipitation or when there is a local forecast of greater than 40% chance of precipitation within 8 hours of application time in the vicinity of the landfill.

(11) Spray Applied Cementitious Products

(A) Such products shall not be applied when there is a local forecast of greater than 40 percent chance of precipitation within 8 hours of application time in the vicinity of the landfill.

Note:

Authority cited: Sections 40502, 41781.3, 43020, 43021, 43030 and 43103, Public Resources Code.

Reference: Sections 40508, 42245, 43020 and 43021, Public Resources Code; and Title 40 Code of Federal Regulations Section part 258.21.