Key Issues – Preparation for: January 1, 2024 Compliance Deadline

• Jurisdiction Recordkeeping Requirements
• Jurisdiction Enforcement Requirements
• CalRecycle Oversight
• Potential Liabilities
• Managing Liabilities
Yes, We are Talking About Keeping Records about Trash
**Annual Report**

Deadline: August 1, 2023

- Everything You Want to Know About Waste Collection Services
- Contamination Monitoring
- Education & Outreach
- CALGreen Building Standards
- Landscape Ordinance
- Edible Food Recovery
- Capacity
- Enforcement & Compliance

**Implementation Record**

Retained for 5 Years

- Stored in one location
- Readily Accessible
- 60 days to include
Jurisdiction
Enforcement
Responsibilities
Inspection and Enforcement Program

- Compliance Reviews
- Complaints & Investigations
- Violation Notices
- Potential Liabilities
- Penalties
- Appeal / Due Process
CalRecycle
Oversight & Enforcement
Progressive Enforcement Scheme

1. Evaluation of Compliance/Inspections
2. Notification of Deficiencies
3. Notice of Violation
4. Corrective Action Plan
5. Appeal - APA
6. Enforcement Lawsuit
Potential Liabilities
Failure to Comply

Corrective Action Plan

- Pros: Provides Additional Compliance Time
- Cons: Could Lose Discretion on Remedy

Name Memorialized on the Website

Penalties

- Minor Violations: $500 to $4,000 per day per violation
- Moderate Violations: $4,000 to $7,500 per day
- Major Violations: $7,500 to $10,000 per violation per day

Corrective Action Plan Penalties
Managing Liabilities
Steps to Take

• Compliance Process in Place
• Managing Recordkeeping & Reporting
• Proactive Procurement
• Contracting Out Obligations
• Forming Partnerships
Questions?

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