



Date: June 18, 2020

To: Local Enforcement Agencies

Local Enforcement Agency Q&A and Guidance Regarding Permitting and Inspections

CalRecycle staff has developed answers to questions received regarding management of the solid waste facilities permitting process and inspections during the current COVID-19 emergency. The questions and answers are attached to this e-mail (below) and will also be available soon on the CalRecycle website.

CalRecycle is also sharing in this e-mail the methods and protocols that were developed to help CalRecycle maintain its responsibility to inspect solid waste facilities where we are the Enforcement Agency. The protocols provide for alternatives to in-person inspections. CalRecycle staff have also been provided guidance designed to keep them safe and healthy during the current emergency when they need to conduct in person inspections.

We hope that these tools may be of help to LEAs as they continue to manage their permit and inspection programs.

*This announcement is being sent on behalf of the Permitting and Assistance Branch,  
CalRecycle*

## **CalRecycle EA Inspection Protocols During the Covid-19 Emergency**

CalRecycle oversees the state's recycling and waste management programs, with an eye toward protecting public health, safety, and the environment. Program oversight includes conducting inspections. All inspections will be documented with a standard inspection report form.

### **PRIORITIZATION:**

1. Priority 1 – Emergency response inspections or site visits in response to an immediate and substantial threat to public health and safety and/or the environment (e.g., a subterranean landfill fire).
2. Priority 2 – Routine inspections mandated by state statutes and/or regulations (e.g., an active landfill) and inspections in areas identified by CalEnviroScreen as having the highest levels of pollution burden and respiratory disease.
3. Priority 3 – Inspections conducted to ensure recycling and waste management program implementation (e.g., mandatory commercial recycling).

### **INSPECTIONS:**

In-person inspections will only be conducted if they can be performed safely and in accordance with governmental directives and safety guidelines related to COVID-19. Alternatives to in-person inspections will be considered, including:

- Virtual or remote inspection – Virtual or remote inspections include the use of video or drone technology to “walk-through” a facility.
- Drive-through inspection –e.g. driving around the site to conduct the inspection.
- Desk audit – Inspector contacts facility by phone and/or email to ask questions about the current status of the facility, request photos, and relevant documents.

### **In-Person Inspections:**

For Priority 1 inspections or site visits that must be conducted in-person, EAs would be expected to follow public health guidance, in addition to standard health and safety protocols, during the inspection, otherwise these inspections should be conducted as they would be for a regular inspection or focused inspection:

- Thoroughly and regularly washing hands with soap and water for at least 20 seconds especially after you have been in a public place, or blowing one's nose, coughing, or sneezing. Hand washing should occur immediately following the conclusion of any field activities. Avoiding touching eyes, nose, and mouth with unwashed hands. Avoiding close contact with people who are sick.
- Terminating and rescheduling inspections if any persons are visibly sick or voluntarily note that they are sick.
- Avoiding inspections or site visits should one become sick with respiratory symptoms, fever, cough, or shortness of breath.

- Following all additional guidance from public health officials as it becomes available. One source is the Center for Disease Control and Prevention's website <https://www.cdc.gov/coronavirus/>.
- Adhering to all standard guidance with respect to Personal protective equipment (PPE) use, including but not limited to, gloves and face masks
- Reviewing and following the matrix of mitigation activities routinely associated with conducting field inspections and implementing the proposed inspection health mitigation measures as appropriate.

### **Virtual Inspections:**

Virtual inspections may be conducted in place of in-person inspections for Priority 1, 2, and 3 inspections until COVID-19 restrictions are lifted. Virtual inspections consist of conducting an inspection at a facility using video or drone technology. For inspections conducted with video technology, the operator will walk around the facility using a device equipped with a camera (e.g., laptop, tablet, or phone) while the EA participates remotely via videoconference. The EA would ask the operator questions about the facility operations relevant to the program requirements, while the operator conducts the walk-through of the facility, providing clear and comprehensive video evidence to the EA of the facility and facility's operations. If the option is available, inspections could be conducted by drone, a drone pilot will take aerial video of the facility and facility operations.

An exit interview with the operator will be conducted to address any issues, areas of concern, or violations. The EA can request copies of facility records and photos and other visual documentation of the facility and/or operations. The virtual inspection will be documented in an inspection report and uploaded to SWIS DIP.

### **Drive-through Inspections:**

Drive-through inspections may be conducted in place of in-person inspections for Priority 1, 2, and 3 inspections until COVID-19 restrictions are lifted. The EA can follow the Inspection Health Mitigation Measures for public health and safety protocols.

The EA can conduct drive-through inspections while remaining in a vehicle and driving through and/or around the facility. The operator may or may not accompany EA staff in a separate vehicle. The EA would ask the operator questions about the facility and facility operations relevant to the program requirements, either before, during, or after the drive through inspection. As safety allows, the EA will document observations and findings. This documentation can include photographs, visual observations, direct information from the operator. The EA can request copies of facility records and photos of the facility and/or operations.

An exit interview will be conducted with the operator to address any issues, areas of concern, or violations. The virtual inspection will be documented in an inspection report and uploaded to SWIS DIP.

**Desk Audit Inspections:**

Desk audits may be conducted in place of in-person inspections for Priority 2 and 3 inspections. Desk audits allow the EA to monitor a facility or facility operations until COVID-19 restrictions are lifted. Desk audits consist of the EA contacting a facility operator by phone and/or email. The EA would ask questions, request facility records, and request photos and, if possible, video images, of the facility and facility operations relevant to program requirements. The desk audit will be documented in an inspection report and uploaded to SWIS DIP.

An inspection report should be completed and processed in the same manner as all inspection reports. If an inspection is not completed as required by regulations, an inspection report should still be developed and processed indicating the reasons why an inspection could not be conducted.

## **GUIDANCE FOR INSPECTION HEALTH MITIGATION MEASURES**

CalRecycle has developed guidance for inspection health mitigation measures for its inspectors (EA). These mitigation measures along with public health guidance for public health and safety protocols are what EA inspectors are using to meet CalRecycle's inspection mandate. Local Enforcement Agencies (LEAs) should also follow local government recommendations and or ordinances that may be subject to change due to COVID 19. LEAs are encouraged to follow this guidance or adopt a similar one.

Common mitigation measures referenced in this guidance include:

- Physical Distancing: maintain a distance of 6 feet from others whenever possible, including during work tasks.
- Hand washing: use soap and water and thoroughly wash hands for at least 20 seconds.
- Hand sanitizing: use hand sanitizer containing at least 60% alcohol, cover all surfaces, and rub hands until dry
- Wiping down surfaces: use an appropriate disinfectant solution for the surface. Always take care to use appropriate precautions (e.g., wearing gloves and use with appropriate ventilation).
  - Solutions containing > 60% alcohol are appropriate for many surfaces, however for many nonporous surfaces either a solution containing at least 0.5% hydrogen peroxide (e.g., 3% OTC solution intended for topical use) or a dilute bleach solution (e.g., 0.12%) may also be used.
  - Certain materials, such as fabrics and leather, are more appropriately cleaned with soap and water to avoid damaging or degrading the material.
- US EPA also maintains a [list of EPA-registered household disinfectants](#) that may be used. Always follow use instructions on the label to ensure safe and effective use of the product. Note: many products recommend keeping surface wet for a period of time of up to several minutes.
- Face coverings: Use face coverings appropriate for a given situation or task following guidance from your Agency as well as that from California Department of Public Health (CDPH) and US Centers for Disease Control and Prevention (CDC).
  - CDPH has released guidance on [face coverings](#), stating: "There may be a benefit to reducing asymptomatic transmission and reinforcing physical distancing from the use of face coverings." Use of face coverings do not obviate the need for physical distancing and frequent hand washing.

**Guidance for Mitigation Measures for Inspections During COVID-19**

**Inspector should continue to utilize all required Personal Protection Equipment during inspections, including the use of masks, gloves, boots, etc. Handwashing with soap and water for at least 20 seconds or thoroughly wet and rub for about 30 seconds using hand sanitizer containing at least 60% alcohol (cover all surfaces and rub hands until dry).**

Potential Exposure	Exposure Risk Level	Proposed Exposure Mitigation Measure
Interior of fleet vehicle	Medium	<ul style="list-style-type: none"> <li>• Wash hands with soap and water for at least 20 seconds before and after use of fleet vehicle.</li> <li>• Before and after use:               <ul style="list-style-type: none"> <li>• Wipe down interior surfaces (especially steering wheel, console, dashboard, and parking brake) with a greater than 60% ethanol or isopropanol, dilute bleach disinfectant solution before and after each use. Use a soap solution for fabric and leather vehicle surfaces.</li> </ul> </li> <li>• When refueling:               <ul style="list-style-type: none"> <li>• Wear disposable gloves for contact with station pump and card reader</li> <li>• If gloves are not available, after refueling (but before touching interior of vehicle): wash hands with soap and water for at least 20 seconds or thoroughly wet and rub for about 30 seconds using hand sanitizer containing at least 60% alcohol (cover all surfaces and rub hands until dry)</li> </ul> </li> <li>• When parking:               <ul style="list-style-type: none"> <li>• Park away from other vehicles where possible.</li> <li>• If parking at a garage, park on the roof in direct sun for three days to increase temperature inside vehicle see <a href="#">CDPH guidance</a>.</li> </ul> </li> </ul>
Interior of rental vehicle	High	<ul style="list-style-type: none"> <li>• Wash hands with soap and water for at least 20 seconds before and after use of fleet vehicle.</li> <li>• Use fleet vehicle when possible.</li> <li>• If a fleet vehicle is not available, request a vehicle that has not been in use for at least 72 hours. Staff should wipe down interior surfaces (especially steering wheel, console, dashboard, and parking brake) with a greater than 60% ethanol or isopropanol, dilute bleach</li> </ul>

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Potential Exposure	Exposure Risk Level	Proposed Exposure Mitigation Measure
		<p>disinfectant solution before and after each use. Use a soap solution for fabric and leather vehicle surfaces.</p>
Entering office building to pick up equipment	Low	<ul style="list-style-type: none"> <li>Practice physical distancing, wear a face covering, and follow recommended building protocols.</li> </ul>
Shared inspection field equipment (e.g., gas monitor, compost thermometer)	Low	<ul style="list-style-type: none"> <li>Wipe down with greater than 60% ethanol or isopropanol, dilute bleach disinfectant solution before and after use.</li> </ul>
Vehicle mileage log binder, pen, keys, and FasTrak pass	Medium	<ul style="list-style-type: none"> <li>Use your own pen and handle only with cleaned or gloved hands.</li> <li>Wipe down keys, binder, and FasTrak pass with greater than 60% ethanol or isopropanol, dilute bleach disinfectant solution before and after each use.</li> </ul>
Refueling at gas stations	High	<ul style="list-style-type: none"> <li>Wear disposable gloves for contact with station pump and card reader. Unused disposable gloves should always be kept in a sealed container or Ziploc bag until use. Dispose of any used disposable gloves in the appropriate container.</li> <li>Wash hands with soap and water for at least 20 seconds or use hand sanitizer containing at least 60% alcohol (cover all surfaces thoroughly wet hands and rub hands until dry) after refueling but before touching interior of vehicle.</li> <li>Follow physical distancing guidelines.</li> <li>Avoid entering the mini-mart.</li> </ul>
Stopping for meals, coffee, snacks, dinner	High	<ul style="list-style-type: none"> <li>Prior to handling meals, always wash hands (with soap and water for at least 20 seconds) or sanitize hands (using a hand sanitizer containing at least 60% alcohol, cover all surfaces thoroughly wet hands, and rub hands until dry).</li> <li>Bring your own food.</li> <li>If you must purchase food:</li> </ul>

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Potential Exposure	Exposure Risk Level	Proposed Exposure Mitigation Measure
		<ul style="list-style-type: none"> <li>• Use only a drive-through or curbside pickup (i.e., call ahead or order online) option.</li> <li>• Use credit card instead of cash, wiping down card with appropriate disinfectant solution before and after handing to clerk or inserting into card reader.</li> </ul>
Bathroom breaks	High	<ul style="list-style-type: none"> <li>• Wash hands (with soap and water for at least 20 seconds) immediately after entering a restroom and before exiting</li> <li>• Use paper towels or disposable gloves to contact door surfaces prior to exiting.</li> </ul>
Signing in at the landfill gate house	Medium	<ul style="list-style-type: none"> <li>• Call ahead to avoid signing in.</li> <li>• Use your own pen and handle only with cleaned or gloved hands.</li> </ul>
Riding with operator in site vehicle	High	<ul style="list-style-type: none"> <li>• Call ahead to get permission to drive fleet vehicle alone.</li> <li>• Ride in separate cars.</li> <li>• Walk the site, following physical distancing guidelines.</li> </ul>
Interactions with operators, personnel, and regulators	High to Medium	<ul style="list-style-type: none"> <li>• Follow physical distancing guidelines.</li> <li>• Wear a face covering as needed.</li> </ul>
Gas well monitoring	Low	<ul style="list-style-type: none"> <li>• Wipe down case and monitor with appropriate disinfectant solution before and after each use.</li> </ul>
Record review	Low	<ul style="list-style-type: none"> <li>• Request operator send records by email.</li> </ul>
Exit interview	Medium to Low	<ul style="list-style-type: none"> <li>• Conduct exit interview by phone.</li> <li>• Follow physical distancing guidelines.</li> </ul>
Hotel lobby, room, and restaurant	Very High	<ul style="list-style-type: none"> <li>• Consider other inspection alternatives.</li> <li>• Postpone overnight trips.</li> <li>• Limit overnight trips. If an overnight trip is required, staff should take additional precautions to disinfect surfaces and plan to stay in their hotel room to the extent possible and limit nonessential activities in</li> </ul>



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Potential Exposure	Exposure Risk Level	Proposed Exposure Mitigation Measure
		public in addition to practicing physical distancing.
Flights to SoCal	Very high	<ul style="list-style-type: none"> <li>• Avoid flying               <ul style="list-style-type: none"> <li>• Drive to SoCal inspections</li> <li>• Postpone SoCal inspections</li> </ul> </li> <li>• If flying is required, staff should take additional precautions to disinfect surfaces and increase frequency of hand washing (and/or hand sanitizing) frequency. Staff should maintain physical distancing to the extent feasible and wear a face covering.</li> </ul>

**REFERENCES**

<https://www.cdc.gov/coronavirus/2019-ncov/communication/guidance-list.html?Sort=Date%3A%3Adesc>

<https://www.who.int/docs/default-source/coronaviruse/getting-workplace-ready-for-covid-19.pdf>

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Face-Coverings-Guidance.aspx>

[https://www.faa.gov/other\\_visit/aviation\\_industry/airline\\_operators/airline\\_safety/safo/all\\_safos/media/2020/SAFO20003.pdf](https://www.faa.gov/other_visit/aviation_industry/airline_operators/airline_safety/safo/all_safos/media/2020/SAFO20003.pdf)

## **Local Enforcement Agency Q&A Regarding Permitting and Inspection During the Covid-19 Emergency**

**Question:** What if the deadlines to process solid waste facilities permits are impacted because of the need to shelter in place?

**Response:** It is anticipated that much of the work required to process a permit can be done remotely, however the need for an informational meeting required for new or revised permits would be impacted during the call that citizens shelter in place. All other permit process actions should not be impacted. During the time that citizens are being asked to shelter in place, in-person informational meetings should not be conducted given the limits on travel and the size of groups. CalRecycle is conducting virtual meetings utilizing remote capabilities during the time shelter in place requirements are in place. There must be full public access including, the ability for the public to provide input during the meeting, either through video, audio, chat, e-mail, etc.. Participation in the meeting should not be dependent on the public having access to computers and the internet. Separate phone line(s) should be available. Further details will be provided.

As always, when possible, the LEA may substitute a previous public meeting or hearing consistent with Title 27 Section 21660.4. Applicants also have the option to request a waiver of the timelines. LEAs should notify their CalRecycle Permitting and Assistance POC regarding issues with completing permit action consistent with the regulatory requirements.

**Question:** Should LEAs be conducting required inspections during the shelter in place requirements?

**Response:** The collection and disposal of solid waste has been identified as an essential function. Solid waste facilities associated with the collection and disposal of solid waste are essential to this function and most continue to operate. It is important that these facilities operate in a manner that continues to be protective of public health and safety and the environment. LEAs should be monitoring compliance of solid waste facilities.

In response to the COVID-19 emergency and shelter-in-place orders issued by the Governor and in multiple areas throughout California, CalRecycle has developed guidance for its inspectors (EA) on how to prioritize and conduct inspections. The following is what EA inspectors are using to meet CalRecycle's inspection mandate. LEAs are encouraged to follow this guidance or adopt a similar one. An inspection report for each facility should continue to be submitted to CalRecycle consistent with the required schedule. If an inspection was not completed during the required period, the report should indicate in the notes section the reason the LEA was not able to carry out the inspection. Please confer with your CalRecycle Point of Contact to discuss your programs approach to inspections.