

Enforcement Agency Duties and Responsibilities Related to Permitting

As a result of SB 1383 (Lara, Chapter 395, Statutes of 2014), Title 27, California Code of Regulations (CCR) have been updated to include new regulations and amendments to existing regulations. The Enforcement Agency (EA) is required to inspect and enforce state minimum standards, solid waste facility permit terms and conditions, and the administration of solid waste facilities permits and their operating documents. This summary focuses on the duties and responsibilities of an EA for implementing the new minimum operating standards that go into effect starting January 1, 2022.

SB 1383 Updates to Permitting Requirements

SB 1383 added new requirements for both operators and the EA when submitting and processing solid waste facility permit (SWFP) application packages. The specific sections and suggested guidance are specified below:

1. **Operator Public Meeting Filing Requirements:** Operators are required to hold a public meeting with any disadvantaged communities within 180-days of submittal of an application package [see [27 CCR, Section 21570\(g\)](#)].

EA roles and responsibilities may include:

- Ensuring this requirement is met. Affected disadvantaged communities means communities that are located within one mile of the facility (See Health and Safety Code [Section 39711](#)).
- Ensuring copies of notices distributed to those communities are submitted.

2. **Informational Meeting for New and Revised Full Solid Waste Facility Permit**

Applications: The EA is required to consider affected disadvantaged communities when scheduling the meeting (see [27 CCR, Section 21660.2](#)).

EA roles and responsibilities may include:

- Holding meetings in suitable locations and days/times available that enable attendance.
- Utilizing tools such as [CalEnviroscreen](#) or other resources available to identify any affected disadvantaged communities (Per CalEnviroscreen, disadvantaged communities are defined as the top 25 percent scoring areas along with other areas with high amounts of pollution and low populations).
- Take additional measures to increase public participation such as making available public notices and other documentation in multiple languages.

3. **Organic Disposal Reduction Status Impact Report:** No later than 365 days from January 1, 2022, landfill operators shall submit a Status Impact Report (SIR) to CalRecycle that provides analysis of potential impacts resulting from implementation of organic disposal reduction requirements (see [27 CCR, Section 21695](#)).

EA roles and responsibilities may include:

- Directing the operator to submit an updated Joint Technical Document (JTD) including updated closure and post-closure maintenance plans that include information from the SIR.
- Notifying the operator within 30 days of receipt of CalRecycle's findings on the SIR.
- Ensuring the operator submits to the EA the updated JTD within 120 days of the notice.

4. **Organic Waste Measurement Protocol and Alternative Measurement Protocol (AMP):** The EA is required to ensure the organic waste measurement protocol and AMP (if applicable) are incorporated into the RFI or facility plan.

EA roles and responsibilities may include:

- Review the measurement protocol(s) to ensure measurements are accurate and representative of SB1383 standards.
- Directing the operator to submit an application for a RFI Amendment, Permit Modification, Permit Revision or a revised facility plan (if applicable).

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