

Questions and Answers: Construction and Demolition and Inert Debris Transfer/Processing Regulations

If you have a question that you would like answered here please submit it to permittrainingassistance@calrecycle.ca.gov. Don't forget to make it clear that the question is one you would like placed on this page—include the URL or web address in your e-mail.

Question 1: Does the clean up of a legacy pile of concrete and asphalt require a permit?

Answer 1: If the processing and removal of the pile is part of a required clean up directed by a regulating agency, no permit will be required as long as no offsite material is received.

Question 2: It was repeatedly stated during the regulatory development process that naturally occurring clean soil and rock are not regulated as solid waste. The initial statement of reasons for the construction and demolition waste and inert debris disposal regulations seem to say this as well as the 1996 final statement of reasons for the nonhazardous petroleum contaminated soil regulations. Are there any other written guidance documents from the California Department of Resources Recycling and Recovery (CalRecycle) that you are aware of that reiterate this position?

Answer 2: CalRecycle has provided no such guidance as it is believed that solid waste statutes, regulations, and supporting documents clearly indicate that there is no intent to regulate clean soil and rock.

Question 3: An operation takes in 3,000 tons per day of presorted inert construction debris (i.e., asphalt, concrete with contained rebar, concrete block, and brick; no wood, no putrescibles). Residuals consist of tarps used between layers of asphalt (likely less than 10 percent). Operation produces 2/3" – 2" spec. and non-spec. AB, sand, clean fill dirt, and scrap metal. The materials are shipped to area construction projects for road and pad fill and base, and pipe bedding. Storage times vary depending on demand for product. Which tier would this operation fit?

Answer 3: Since the materials appear to be type A inert debris, the residuals are less than 10 percent and the putrescible less than 1 percent, this is an inert

debris recycling center, subject only to the time limitations, as described in [14 CCR 17381.1](#).

Question 4: Drywall crushing operation consisting of post consumer and off-spec material from a drywall manufacturer. Operator crushes the material then ships it to local farmers for use as soil amendment. Is this activity subject to the construction and demolition regulations?

Answer 4: Yes. This site would be considered a construction and demolition debris and inert debris recycling center subject to the time limitations as described in [14 CCR 17381.1](#).

Question 5: The construction, demolition, and inert debris processing regulations allow a facility that existed prior to the approval of the regulations to continue to operate until the enforcement agency determines a permit is needed [[14 CCR 17385\(b\)](#)]. If the enforcement agency determines that a full permit is required, the operator must then apply and obtain a full permit within 180 days from the date the owner/operator receives the enforcement agency's written determination. The regulations allow a temporary registration permit as a phase [[14 CCR 17385\(c\)](#)].

If the operation requires a full permit and the operator begins the permitting process, in the interim of applying and obtaining the permit, must the enforcement agency issue a temporary registration permit or a notice and order?

Answer 5: The regulations allow for a "grace period" to obtain the required approval. Therefore, no enforcement action needs to be taken by the enforcement agency until the "grace period" allowed in the regulations ([14 CCR 17385](#)) has been exceeded. If the operator fails to obtain the required permit within the timeframes, the enforcement agency must issue a cease and desist order to the operator to cease that portion of the operation which requires a permit. The operator of an existing large volume construction and demolition/inert debris processing facility may obtain a temporary registration permit to delay the deadline for it to obtain a full permit. The temporary permit is only used to bridge the gap between no permit and the issuance of a full permit. The temporary permit must be obtained in the timeframes and in the same manner for processing a registration permit. If the operator fails to obtain a temporary permit within the timeframes, the enforcement agency must take appropriate enforcement action to address the portion of the facility which requires a solid waste facility permit.

Question 6: An operator brings in some mixed debris boxes and some source separated boxes of metal and wood with less than 10% residual. Does the

tonnage for the source separated material count toward the facility's total tonnage?

Since the enforcement agency notification tier levels were reduced to 25 tons or less, what portion of the total tonnages need be counted in the regulations that cover the processing of construction, demolition, and inert debris, as opposed to the part of a business which handles source separated construction, demolition, and inert debris for recycling.

Answer 6: Assuming that all of the material is handled as one activity and assuming that the site does not qualify as a recycling center, then all of the construction and demolition debris through the gate would count toward the total tons received per day to determine the appropriate tier.

Question 7: Per 14 CCR 17385, an enforcement agency determines that an existing, non-permitted construction and demolition/inert debris processing facility needs a full permit. The operator has 180 days from the date of the determination to obtain the permit. OR the operator may elect to obtain and operate under a temporary registration permit for up to 2 years (excluding extensions). If the operator elects to apply for the temporary registration permit, does he/she have to submit a complete registration application per 14 CCR 18104.1? Including 14 CCR 18104.1(e)(2) information regarding the conformance finding? And what, if any, type of report of facility information would be required? The facility report required for a full construction and demolition/inert debris processing per 14 CCR 18223.5, or one for a registration level construction and demolition/inert debris processing facility, or the information defined in 14 CCR 18104.1?

Answer 7: Under [14 CCR 17385\(b\)](#), an existing, unpermitted facility may continue to operate "in substantially the same manner" as it has been doing until the enforcement agency notifies the operator of the kind of permit the new regulations require. If a full permit is required, the operator must apply for and obtain that permit within 180 days from the enforcement agency's notice. If the existing facility in question is a large volume construction and demolition/inert debris processing facility, as defined in the regulations, then [14 CCR 17385\(c\)](#) applies. The facility may obtain a temporary registration permit in the same manner as an operator would obtain a registration permit under [14 CCR 17385\(b\)](#) (that is, within 60 days from notice from the enforcement agency as to the kind of permit the new regulations require). The operator then has two years (plus possible extensions) to get its full permanent permit. If the operator chooses to proceed under [14 CCR 17385\(c\) and \(b\)](#) he/she must meet all the requirements for a registration permit, just like a new facility would. Thus, the operator must file an application in the manner required under [14 CCR 18104.1](#) which includes the conformance finding required at [14 CCR](#)

[18104.1\(e\)\(2\)](#) (or [\(e\)\(1\)](#), if applicable). The report of facility information would be whatever is required of a registration tier permittee, which is specified in [14 CCR 18223](#) of the new regulations. An existing facility that is operating under a temporary registration permit, however, may continue to handle quantities which a large volume construction and demolition/inert debris processing facility may handle. The facility may not increase the amount of material until it gets a full permit. (The purpose of [14 CCR 17385](#) is to allow existing businesses to continue to operate without requiring them to go immediately through all of the hoops required for a full permit, but not to allow them to expand their business before they get the necessary full permit.)

Question 8: An operator has submitted an EA notification package for a small volume construction & demolition wood chipping and grinding site that meets the requirements of 14 CCR 18103.1. The operation plan required to be submitted is, in my opinion, inadequate. Does the enforcement agency send a letter to the operator acknowledging the EA notification but that it is unacceptable, thereby determining the operation is out of compliance with 14 CCR requirements? What is the violation? EA notification is not a permit, so are they allowed to operate without a permit? They have submitted the information required, but not adequately.

Answer 8: The operator of a small volume construction & demolition wood chipping and grinding operation must meet the requirements of [14 CCR 18103.1](#)-Filing Requirements and [14 CRR 17386](#)-Operation Plan. An operator should not operate until they have fully complied with the requirements. An enforcement agency should take appropriate enforcement actions if it is determined that the operator has not fully complied with the filing and/or operation plan requirements and is operating the site. [14 CCR 18103\(c\)](#) states: "Operations authorized to use the enforcement agency notification tier are required to operate in accordance with the minimum standards set forth in Chapters [3](#) or [3.1](#) of Division 7 applicable to that operation." [Article 5.9](#) is under Chapter 3 of Division 7. In addition, Article 5.9, [Section 17386\(a\)](#) states: "The Plan shall contain the following..." (which includes all the requirements of the Operations Plan).

The enforcement agency should follow the appropriate guidelines as noted in its own enforcement program plan. For example, an escalating level of regulatory responses for enforcement agency use could include a compliance request (written or verbal) > applicable violation noted on an inspection form > notice of violation > notice and order > cease and desist. As enforcement agency notification sites are not facilities, the use of [Public Resources Code 44002](#) may be problematic. However, other enforcement tools available to enforcement agencies could be used to require an operation to either cease operating or to comply with requirements established in state regulations. Factors that an

enforcement agency may consider when choosing the level and timing of enforcement options include the level of threat to public health and safety and/or the environment posed by the operation and whether the operator knowingly disregarded the regulations when commencing or continuing operations after implementation of said regulations.

Question 9: I have a question on the processing of notifications. What are the regulations that the enforcement agency should use when it receives an incomplete enforcement agency notification package? Many times the enforcement agency notification is missing the letter to the local planning agency. What if the facility plan or other required information on the application form is not complete and correct? In these cases do we reject the enforcement agency notification?

Answer 9: The operator of an enforcement agency notification level operation must meet the requirements of [14 CCR 18103.1](#)-Filing Requirements, and any specific requirements for that particular type of activity. An operator should not operate until they have fully complied with the requirements. An enforcement agency should take appropriate enforcement action if it is determined that the operator has not fully complied with the filing and/or additional requirements and is operating the site. [14 CCR 18103\(c\)](#) states: "Operations authorized to use the enforcement agency notification tier are required to operate in accordance with the minimum standards set forth in Chapters [3](#) or [3.1](#) of Division 7 applicable to that operation."

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Question 10: Chipping and grinding of any material, or the receipt of chipped and ground material, is prohibited at construction and demolition debris/inert debris recycling centers. So, if a company chips and grinds source separated

wood pallets it cannot be a construction and demolition debris and inert debris recycling center. Right?

Answer 10: Yes. Pursuant to [14 CCR 17381.1\(c\)](#), chipping and grinding of any material is prohibited at a construction and demolition debris/inert debris recycling center. Chipping and grinding is not the same as crushing of inert debris. The chipping and grinding activity would require the appropriate tiered permit (enforcement agency notification, registration permit, or full permit) based on the amount of material received.

Question 11: If a construction and demolition and inert debris transfer/processing activity/facility is located at a landfill or transfer/processing facility that has a tiered or full permit is the construction and demolition and inert debris transfer/processing activity/facility required to be identified in the jurisdiction's nondisposal facility element before the enforcement agency can process the paperwork for the EA notification/permit?

Answer 11: The finding of consistency with the nondisposal facility element is required for permits only, not for enforcement agency notifications. If the activity/facility was in existence prior to August 2002 (when CalRecycle made a policy determination) and was also described in the report of facility information and/or permit, then they were "grandfathered" for purposes of finding conformance with the nondisposal facility element relative to a permit action only. If the activity/facility commenced operations after August 2002, then they are subject to the conformance finding requirements before the enforcement agency can find that the permit application is complete. [Resolution 2002-413 \(revised\)](#) outlines the CalRecycle policy decision.

Question 12: Source separated, separated for reuse construction & demolition material is received at a site along with some raw wood (branches, stumps). No tip fee is charged and material is load checked. The loads are sorted to pull out materials appropriate for use in the manufacture of pallets (2x4s, 2x6s, plywood sheets). Materials not suitable for the pallet manufacture are chipped into sawdust that is immediately transferred to a facility manufacturing plywood, particleboard and decking products. Very little residual is created. Although the operator has discussed accepting green waste and inert debris for processing, that is a potential future activity. Is this facility exempt?

Answer 12: No. It is not exempt. The [14 CCR 17402.5\(c\)\(5\)](#) manufacturing definition does not apply here. This site is a manufacturer when it makes pallets, but not when it chips construction and demolition debris and trees into sawdust, which it then sells to a manufacturer pursuant to [14 CCR 17862.1](#). The activity of

manufacturing pallets is no different than the chipping and grinding to produce wood mulch or to sell chipped wood to a company that manufactures plywood.

Note: Check to see if this site falls into the small quantity exclusion, i.e., [14 CCR 17382\(a\)\(4\)\(B\)](#) for chipping and grinding sites that handle less than 500 cubic yards on-site at any one time.

Question 13: What tier would a type A inert debris processing facility be placed in if it is more than 1,500 tons a day of type A inert debris? Keep in mind that the material handled is only type A inert debris, but there may be a very small residual of type B inert debris. Would that place them in a full permit tier?

Answer 13: Pursuant to [14 CCR 17381\(q\)](#) a 1,500 tons per day construction and demolition/inert debris processing facility of any combination of construction and demolition debris and type A inert debris is defined as a large volume construction and demolition/inert debris processing facility. Pursuant to [14 CCR 17383.7](#) such a facility requires a full solid waste facilities permit.

Question 14: In what tier would a soil disposal operation be slotted? The operation will take soils for disposal. They will blend different soils to make a plant, landscaping or building mix. The rest of the soil received is placed in small piles in rows on a closed landfill surface. These piles are often mixed with type A inert debris. At some point the piles are graded onto the landfill surface. I don't know if they are graded in to the landfill surface with the oversight of an engineer or to a certain specification. Would this slot as an engineered fill disposal site? The owner of the site would like to develop the landfill into a retail or industrial complex.

Answer 14: Yes, pursuant to [14 CCR 17388\(l\)](#) the use of one of the type A materials enumerated in that subsection as an aspect of the soil disposal operation could be considered an inert debris engineered fill operation if it meets specifications in 14 CCR [17388\(l\)](#) and [17388.3](#).

Note: The enforcement agency should review issues relative to the post-closure land use at the closed landfill. Alternatively, if it does not qualify as an inert debris engineered fill operation, the activity might be considered an inert debris type A disposal facility (14 CCR [17388\(m\)](#) and [17388.4](#)).

Question 15: Does [14 CCR 17383.7\(d\)](#) mean all three: land use entitlement, storage plan and financial assurances requirements, have to be met in order to extend the storage time limit?

Answer 15: No. Only one is required. The [final statement of reasons](#) developed as part of the rulemaking and submitted to the Office of Administrative Law further clarifies this by stating the following: “This section is necessary to accommodate alternatives to proposed regulations that offer similar or equivalent assurances to compliance standards or extensions of storage limits in order to protect public health, safety, and the environment. Longer storage periods may facilitate marketing of materials as long as no public health, safety or environmental concerns arise from the extended periods. The operator may choose one of the three alternatives available, the operator does not have to comply will all of them.”

Question 16: I have an inert disposal site that has an exemption. The site cannot have more than 1% non-inert material. Can you check and see if the 1% is normally calculated by weight or volume.

Answer 16: Under the current regulations inert disposal is now handled differently and the allowable non-inert is not an issue. As defined in [14 CCR 17388\(m\)](#) an inert debris type A disposal facility can accept only type A inert debris. If a site receives type A and B inert debris and/or other types of construction and demolition debris it is a construction and demolition waste and inert debris disposal facility as defined in [14 CCR 17388\(d\)](#), which requires a landfill permit issued under 27 CCR. Previous exemptions to full solid waste facility permits should be reviewed and a determination made relative to the appropriate level of regulation for each site. Note that sites covered by 14 CCR, Division 7, Chapter 3.0, [Article 5.95](#) cannot be exempted from permit requirements. Per [14 CCR 17388\(d\)](#)-“CDI Waste Disposal Facility” means a facility at which construction and demolition waste, construction and demolition waste together with inert debris (type A or B) or inert debris (type B) only is disposed. Per [14 CCR 17388\(m\)](#)-“Inert Debris Type A Disposal Facility” means a site where only type A inert debris is disposed to land. Inert debris type A disposal facilities do not include inert debris engineered fill operations. Per [27 CCR 21565\(b\)](#), the classification of solid waste facilities that may be exempted include: unclassified waste management units as defined by the State Water Resources Control Board, except as otherwise provided in 14 CCR, Division 7, Chapter 3.0 [Article 5.95](#).

Question 17: With the promulgation of the construction and demolition waste and inert debris disposal regulations, an existing inert landfill with a full permit in our jurisdiction would like to down-tier from a full permit to an enforcement agency notification tier as an inert debris engineered fill operation. The current permit allows for 6,000 tons per day. On the enforcement agency notification form the operator indicated that they were going to take 7,500 tons per day. Per 14 CCR 17388.3 there is no restriction on how much inert material is allowed in

this tier. Can the operator increase the daily maximum tonnage when down-tiering from a full permit to an enforcement agency notification?

Answer 17: [14 CCR 17388.3](#) does not limit the maximum daily tonnage for an inert debris engineered fill operation. The operator must comply with all peak tonnages in other permits from other agencies. The operations plan required by [14 CCR 17390\(g\)](#) requires the operator to include information regarding types and daily quantities of waste or debris to be received.

Question 18: An inert debris engineered fill operation in our jurisdiction stockpiles about 450 tons per day of type A inert debris on-site for crushing (processing). The materials have been source separated at the point of generation and include cured asphalt, uncontaminated concrete, brick, ceramics and clay and clay products. These may be associated with mixed rock and soil. The residual requiring disposal is less than 1%. A piece of equipment that crushes the material comes every 6-9 months to crush the material. The operator is claiming that this stockpile and crushing operation is an inert debris recycling center pursuant to 14 CCR 17381.1(a). Is this operation an inert debris recycling center pursuant to 14 CCR 17381.1(a) or an inert debris type A processing operation pursuant to 14 CR 17383.7? Is “crushing” considered “processing” or “chipping and grinding?”

Answer 18: This operation is an inert debris recycling center pursuant to [14 CCR 17381.1\(a\)](#). The operation receives only type A inert debris that is source separated. Crushing is allowed at an inert debris recycling center. Storage times at an inert debris recycling center are outlined in [14 CCR 17381.1\(e\)](#). There are no storage time limits for inert debris recycling centers that are located at an inert debris engineered fill operation [[14 CCR 17381.1\(e\)\(3\)](#)].

Question 19: I am requesting clarification on the types of materials a construction and demolition/inert debris processing facility can accept, process, and transfer and still be considered a legitimate construction and demolition/inert debris processing facility.

Can all materials and refuse that originates from a construction and demolition site (or manufacturing plant that produces construction and demolition and inert-like material) be accepted at a construction and demolition/inert processing facility even if the incoming load contains those items that are not listed in 14 CCR 17381(e)(1) and (k)(1)?

Example, a homeowner is remodeling a kitchen and rents a 40 cubic yard bin to dispose of the kitchen sink, the marble countertops, the ceramic floor tiles, etc. However, in addition to disposing of the above items in the roll off bin, the

homeowner also disposes of items in the garage such as a surfboard, a workout bench, toys, an entertainment center, clothes, etc. In addition, the homeowner has excellent rapport with his neighbors and notifies them they can also dispose of similar items in the roll off bin, which they do. When the roll off bin is ready to be picked up by the hauling company, the contents of the bin, by visual appearance, are 50% of the kitchen remodeling work and 50% of household materials. None of the items in the roll off bin contain food waste, so there are no putrescible wastes.

Second example, a 10 foot by 10 foot storage shed made of stucco is demolished. The contents of the storage shed are a lawnmower, rakes, lawn chairs, bicycles, and shovels, which were also demolished. The demolished storage shed and the contents are then placed in a 40 cubic yard bin for additional processing. The contents of the bin, by visual appearance, are 15% stucco and 85% of the items listed above.

Answer 19: The answer to the generic question in the second paragraph is “no.”

The material described in the first example does not meet the definition of construction and demolition debris [[14 CCR 17380.1\(e\)](#)]. Some of the material (the solid waste from the neighbors) does not qualify as construction and demolition/inert debris because it does not result from “construction work” as defined in [14 CCR 17381\(g\)](#). As for the “surfboard, a workout bench, toys, an entertainment center, [and] clothes,” they do not qualify as construction and demolition/inert debris because they do not meet the definitions of either “C&D debris” ([14 CCR 17381\(e\)](#)) or “inert debris” ([14 CCR 17381\(k\)\(1\) and \(2\)](#)).

The material described in the second example does meet the definition of construction and demolition debris as it all comes directly from construction work, in this case demolition of a shed, and does not include prohibited material [arguably, at least, the contents of the shed, which are typical items found in a storage shed, could be described as “equipment” and “furnishings,” as described at [14 CCR 17381\(e\)\(1\)\(A\)](#)].

Question 20: In the phase II construction and demolition waste and inert debris disposal regulations, any material that is processed at a construction and demolition/inert debris processing facility should also be permitted at an inert fill disposal site, since the materials are benign and will not decompose to where landfill gas or leachate is generated. Do you agree?

Answer 20: It is certainly not true that whatever goes through a construction and demolition/inert debris processing facility can be disposed in an inert debris engineered operation. Three types of disposal sites are defined in the phase II

construction and demolition waste and inert debris disposal regulations, as follows:

1. [14 CCR 17388\(d\)](#)-“CDI Waste Disposal Facility” [These sites may receive any construction and demolition waste ([14 CCR 17388\(c\)](#)) and Type B inert debris ([14 CCR 17388\(k\)\(2\)](#))]
2. [14 CCR 17388\(l\)](#)-“Inert Debris Engineered Fill Operation” [These sites may receive only a subset of type A inert debris, [14 CCR 17388\(l\)](#)], and
3. [14 CCR 17388\(m\)](#)-“Inert Debris Type A Disposal Facility” [These sites may only receive type A inert debris ([14 CCR 17388\(k\)\(1\)](#))].

Of these disposal sites, only construction and demolition waste and inert debris disposal facilities can receive and dispose of all of the various types of material that could also be received and processed at a construction and demolition/inert debris processing facility, as these sites handle a subset of construction and demolition waste.

Question 21: Does 14 CCR 17388.2(a)(6) under “excluded activities,” which addresses inert landfills that take material from various government projects, apply to an operator that accepts and disposes of C&D materials from various government projects?

Answer 21: No. [14 CCR 17388.2\(a\)\(6\)](#) only excludes the “use” of inert material in “connection” with road building, road repair, etc. by federal, state or local government projects. (The “use” of such materials does not include its disposal.) The subsection does not exclude the disposal of materials generated from a federal, state or local government project.

For example, if CalTrans is receiving concrete, crushing it and using the material as road base, the activity would be excluded. This is different from a site that receives concrete generated from a CalTrans project but does not use it in connection with road building, repair, etc., but disposes of the concrete. This type of operation could be an engineered fill, or inert disposal depending on how it is operated.

Note: An enforcement agency should not use [14 CCR 17388.2\(a\)\(6\)](#) to exclude disposal operations just because the material is generated by a governmental agency.

Question 22: Is a site that is in the process of placing 4,000 cubic yards of concrete rubble for reclamation and levee work exempt from CalRecycle C&D

regulations (or at least excluded from the permit process)? CalRecycle staff viewed the site and noted that it looked like piles of concrete rubble dumped along a creek and that there were hand painted signs that said "CONCRETE HERE". The site was open and unattended. The County Planning and Building Department prepared and approved a mitigated negative declaration and issued a grading permit for the project.

Answer 22: It is assumed that this is not a project being carried out by a public agency so the exclusion under [14 CCR 17388.2\(a\)\(6\)](#) does not apply. If a project is accepting type A inert debris for longer than one year, the site might qualify as an inert debris engineered fill operation per [14 CCR 17388.3](#) under the enforcement agency notification tier or as an inert debris type A disposal facility per [14 CCR 17388.4](#) under a registration permit. This particular project appears to be the construction of a levee only. It may qualify as an excluded engineered fill activity under [14 CCR 17388.2\(a\)\(2\)](#) if the concrete has been properly prepared. If the material is not processed to 2" minimum particle size this exemption would not apply. Finally, depending on the specific facts of the project, the site may not be a disposal site at all or it may be an illegal disposal site.

Question 23: According to 14 CCR 17380(g), the regulations do not apply to persons who generate C&D debris or inert debris in the course of carrying out construction, remodeling, repair, demolition or deconstruction of buildings, roads, and other structures at the site of the construction work. Currently, a military base has several construction projects going on and they generate surplus lumber as a part of their daily operations. As part of their recycling program, all discarded wood/lumber is taken to a site on-base where it is chipped and ground into wood mulch. The wood mulch is used on the military base. Do the regulations exclude a person who chips and grinds that portion of the C&D debris that is lumber or wood into wood mulch? If not, is 14 CCR 17380(g) applicable to the military base?

Answer 23: Assuming that the military base has full control of the entire project, including demolition as well as the chipping and grinding operations, and as long as the material used for the chipping and grinding comes from the military base construction projects and the product is being used on the military base, [14 CCR 17382\(a\)\(4\)](#) could be applied. However, if any of the wood mulch is stockpiled for later use the material must remain below temperatures of 122 degrees Fahrenheit. Otherwise it would be considered a compostable material handling facility. Should the military base begin accepting discarded wood/lumber from off-site for chipping and grinding operations, [14 CCR 17382\(a\)\(4\)](#) no longer applies, even if the material is used on the military base. Also, [14 CCR 17382\(a\)\(4\)](#) no longer applies if the product is sent off site.

Question 24: An operating facility is accepting street sweepings at a large volume construction and demolition/inert debris transfer/processing facility. Are street sweepings allowed to be handled at a large volume construction and demolition/inert debris transfer/processing facility?

Answer 24: No. Construction & demolition/inert debris transfer/processing sites can only handle construction and demolition debris and/or type A inert debris. Street sweepings are not construction and demolition debris nor are they type A inert debris. The [final statement of reasons](#) developed as part of the rulemaking and submitted to the Office of Administrative Law further clarifies this by stating that street sweepings are solid waste and are not allowed to be handled or processed at construction & demolition/inert transfer/processing facilities or operations.

Question 25: 14 CCR 17388.3(c) requires the enforcement agency to determine whether the operations plan for an inert debris engineered fill operation is complete and correct per 14 CCR 18101. However, the definition of complete and correct per 14 CCR 18101 (d) & (e) is only for facilities. Was this an error? And will this be corrected?

Answer 25: This was not an error. There is no need to correct the citation. The citation to [14 CCR 18101](#) is to help clarify what definition for “complete and correct” should be utilized by the enforcement agency. The reference to solid waste permit in this section is not pertinent to the definition in this regard. The enforcement agency is to review the operations plan to determine if it is complete and is correct, in that it is accurate, exact, and fully provides information regarding the activity.

Resources

- [LEA Central](#)
- [Proposed Regulations](#)
- [Rulemaking Archives](#)
- [Current Regulations](#)
- [Regulations Implementation](#)
- [Legislation and Regulations](#)
- [Legislation Implementation](#)
- [Solid Waste Facilities Home](#)