STATE OF CALIFORNIA

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

CORRECTIVE ACTION PLAN AND COMPLAINT FOR PENALTY
1108.SLCP.CAP.2023.3

Before:	The State of California Department of Resources Recycling and Recovery 1001 I Street Sacramento, CA 95814
In the Matter of:	City of Brentwood 150 City Park Way Brentwood, CA 94513

BACKGROUND AND PURPOSE

1. The California Department of Resources Recycling and Recovery is hereinafter referred to as "CalRecycle."

1.1 CalRecycle, in consultation with the California Air Resources Board, adopted regulatory requirements, consistent with the mandate of Senate Bill 1383 (Lara, Chapter 395, Statutes of 2016), that are designed to achieve the organic waste reduction goals established in section 39730.6 of the Health and Safety Code through a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2025. The purpose of these reductions is to further the statewide effort to reduce emissions of short-lived climate pollutants (SLCP), including methane. These SLCP regulations are referred to herein as the “Regulations” and can be found at Title 14 California Code of Regulations (CCR) sections 18981.1 through 18998.4. Cities, counties, and special districts are responsible for implementing these Regulations in their communities starting January 1, 2022.

1.2 The City of Brentwood is hereinafter referred to as "Jurisdiction." Jurisdiction is required to comply with the Regulations.

1.3 Jurisdiction is or expects to be facing continuing violations of the Regulations commencing during the 2022 calendar year, which could result in significant administrative civil penalties under the Regulations.

1.4 Senate Bill 619 (Laird, Chapter 508, Statutes of 2021), through amendments to section 42652.5 of the Public Resources Code (PRC), created a mechanism called

a Notification of Intent to Comply through which a local jurisdiction may secure administrative civil penalty relief from any continuing violations of the Regulations for the 2022 calendar year and may be eligible for a broader and longer-term regulatory compliance path, including suspended administrative civil penalties, through a Corrective Action Plan.

1.5 Under PRC section 42652.5(e), the Notification of Intent to Comply must include a description of proposed actions to remedy the violations, as well as a proposed schedule for those actions, that the Jurisdiction commits to undertake to remedy the violations.

1.6 The Notification of Intent to Comply is hereinafter referred to as “Notification.”

1.7 For violations taking more than 180 days to correct, PRC section 42652.2 allows CalRecycle to determine, in its sole discretion, that violations identified in a Notification may be addressed through a Corrective Action Plan issued pursuant to 14 CCR section 18996.2.

1.8 The Corrective Action Plan is hereinafter referred to as "CAP.”

1.9 For violations disclosed in the Notification approved by CalRecycle as meeting the requirements of PRC section 42652.5(e), CalRecycle shall waive administrative civil penalties during the 2022 calendar year if the Jurisdiction implements the proposed actions according to the approved Notification’s schedule of actions and, as applicable, approved CAP schedule of actions.

1.10 For violations disclosed in the Notification that commence during the 2022 calendar year and continue into the 2023 calendar year, administrative civil penalties may begin accruing as of January 1, 2023. SB 619 provides administrative civil penalties accruing on and after January 1, 2023, shall be waived upon complete compliance with an approved CAP schedule of action.

DETERMINATION OF VIOLATIONS

2. As authorized by PRC section 42652.5(c), the Jurisdiction notified CalRecycle of its ongoing or anticipated violations of the Regulations and the PRC through a Notification submitted March 1, 2022.

2.1 CalRecycle reviewed the Jurisdiction's Notification, its description of the Jurisdiction’s disclosed violations of the Regulations, and proposed actions and schedule for those actions to remedy those violations for compliance with PRC section 42652.5(e). CalRecycle approved the Notification’s proposed actions and schedule of actions, as modified by this CAP.

2.2 The Jurisdiction's Notification identified the following violations of the Regulations as follows:

2.2.1 The Jurisdiction is and has been in violation of 14 CCR section 18984.1 in that since January 1, 2022, the Jurisdiction has not provided three-container organic waste collection service to all residential and commercial generators and has not included food scrap collection service in the three-container collection system provided to all residential and commercial generators.

2.2.2 The Jurisdiction is and has been in violation of 14 CCR section 18984.4 in that since January 1, 2022, the Jurisdiction has not met recordkeeping requirements for compliance with Organic Waste Collection Services.

2.2.3 The Jurisdiction is and has been in violation of 14 CCR section 18984.5 in that since January 1, 2022, the Jurisdiction has not conducted container contamination minimization for the residential or commercial sector.

2.2.4 The Jurisdiction is and has been in violation of 14 CCR section 18984.6 in that since January 1, 2022, the Jurisdiction has not met recordkeeping requirements for compliance with container contamination minimization.

2.2.5 The Jurisdiction is and has been in violation of 14 CCR section 18984.7 in that since January 1, 2022, the Jurisdiction has not distributed new containers meeting the container color requirements.

2.2.6 The Jurisdiction is and has been in violation of 14 CCR section 18984.8 in that since January 1, 2022, the Jurisdiction has not distributed new containers with proper container labeling.

2.2.7 The Jurisdiction is and has been in violation of 14 CCR section 18984.11 in that since January 1, 2022, the Jurisdiction has not verified each waived generator is eligible for a waiver.

2.2.8 The Jurisdiction is and has been in violation of 14 CCR section 18985.1 in that since February 1, 2022, the Jurisdiction has not provided education and outreach to organic waste generators that are provided an organic waste collection service, including self-haulers, or the information provided did not comply with the requirements.

2.2.9 The Jurisdiction is and has been in violation of 14 CCR, section 18985.3 in that since January 1, 2022, the Jurisdiction has not included all relevant documents supporting compliance with Article 4 (Education and Outreach) of the Regulations in the Implementation Record as required by section 18995.2.

2.2.10 The Jurisdiction is and has been in violation of 14 CCR section 18993.1 in that since January 1, 2022, the Jurisdiction has not procured recovered organic waste products to meet or exceed its current annual recovered organic waste product procurement target.

2.2.11 The Jurisdiction is and has been in violation of 14 CCR section 18993.2 in that since January 1, 2022, the Jurisdiction has not included all documents

supporting its compliance with Article 12 of the Regulations in the implementation record required by section 18995.2.

2.2.12 The Jurisdiction is and has been in violation of 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not established an inspection and enforcement program designed to ensure overall compliance with the Regulations.

2.2.13 The Jurisdiction is and has been in violation of 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not conducted annual route reviews of commercial businesses and residential generators for compliance with organic waste generator requirements set forth in section 18984.9(a) and container contamination requirements set forth in section 18984.5.

2.2.14 The Jurisdiction is and has been in violation of 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not conducted a compliance review of all solid waste collection accounts for commercial businesses generating two cubic yards or more of solid waste per week, including organic waste.

The Jurisdiction has not determined compliance with:

a. Organic waste generator requirements set forth in section 18984.9(a)
b. Self-hauling requirements pursuant to section 18988.3, including whether a business is complying through back-hauling organic waste.

2.2.15 The Jurisdiction is and has been in violation of Title 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not conducted inspections of Tier One commercial edible food generators and food recovery organizations and services for compliance.

2.2.16 The Jurisdiction is and has been in violation of Title 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not investigated complaints as required under section 18995.3.

2.2.17 The Jurisdiction is and has been in violation of Title 14 CCR section 18995.1 in that since January 1, 2022, the Jurisdiction has not provided educational material describing the applicable requirements in response to violations.

2.3 CalRecycle accepted the Jurisdiction's self-reported Notification and characterization of its violations therein. CalRecycle has not undertaken a compliance review of Jurisdiction, and thus CalRecycle's approval of the Notification or this CAP should not be taken as an indication that Jurisdiction is in full compliance with Regulations in other respects. CalRecycle will be undertaking a compliance review of all jurisdictions in the future.

SCHEDULE FOR COMPLIANCE

3. Based on the foregoing DETERMINATION OF VIOLATIONS, CalRecycle finds that:
    a. The Jurisdiction worked with CalRecycle to develop this CAP, which includes schedule of actions necessary for the Jurisdiction to achieve address the violations disclosed in the Notification and described in Section 2 (Determination of Violations) above.
    b. CalRecycle hereby approves and issues this CAP pursuant to PRC section 42652.5(c)-(e) and Title 14 CCR section 18996.2.
    c. The Jurisdiction will fully implement the programs identified in this CAP by the dates provided in the Section 3.2 below.
    d. CalRecycle will monitor the Jurisdiction's continued implementation of the programs identified in the CAP from March 30, 2023 through March 31, 2025 ("the oversight period") to assure implementation is complete and timely. The oversight period may be extended at the discretion of CalRecycle if any extensions to the Schedule are granted as described below in Sections 4.4 and 4.5.
    e. During the oversight period, the Jurisdiction will submit status reports to CalRecycle and attend status meetings with CalRecycle to demonstrate the ongoing progress the Jurisdiction is making on remedying the violations described above.
    f. During the oversight period, the Jurisdiction will provide bimonthly status reports to CalRecycle:

        Report Cycle
        Report 1: May 31, 2023, covering March 1, 2023 – April 30, 2023
        Report 2: July 31, 2023, covering May 1, 2023 – June 30, 2023
        Report 3: September 30, 2023, covering July 1, 2023 – August 31, 2023
        Report 4: November 30, 2023, covering September 1, 2023 – October 31, 2023
        Report 5: January 31, 2024, covering November 1, 2023 – December 31, 2023
        Report 6: March 31, 2024, covering January 1, 2024 – February 28, 2024
        Report 7: May 31, 2024, covering March 1, 2024 – April 30, 2024
        Report 8: July 31, 2024, covering May 1, 2024 – June 30, 2024
        Report 9: September 30, 2024, covering July 1, 2024 – August 31, 2024
        Report 10: November 30, 2024, covering September 1, 2024 – October 31, 2024
        Report 11: January 31, 2025, covering November 1, 2024 – December 31, 2024
        Report 12: March 31, 2025, covering January 1, 2025 – March 3, 2025

    g. The status reports are to be used to document the status and work completed for each of the identified tasks in the CAP. For each task in the CAP, the Jurisdiction will explain the status of the task, specifying what actions have been taken to complete the task.

h. If the work has been delayed or has not been completed, the Jurisdiction will explain the reason(s) for the delay/incompletion. The Jurisdiction will also attach any previously submitted extension requests made pursuant to section 4.4 of this CAP and any extensions granted pursuant to section 4.5 of this CAP, using additional sheets as necessary for the report. CalRecycle may consider the explanation in deciding whether to allow the Jurisdiction to continue to operate under the Notification and CAP or to revoke approval of the Notification and CAP pursuant to PRC section 42652.5(d).
i. During the oversight period, the Jurisdiction will meet with CalRecycle telephonically or via other remote electronic means (such as Teams or Zoom) bimonthly to provide interim progress updates on the following schedule:

Meeting Cycle
Meeting 1: During April 2023
Meeting 2: During June 2023
Meeting 3: During August 2023
Meeting 4: During October 2023
Meeting 5: During December 2023
Meeting 6: During February 2024
Meeting 7: During April 2024
Meeting 8: During June 2024
Meeting 9: During August 2024
Meeting 10: During October 2024
Meeting 11: During December 2024
Meeting 12: During February 2025

j. The status meetings are to be used to discuss the most recent status report and to discuss interim progress made by the Jurisdiction on each of the identified tasks in the CAP.
k. Prior to the close of the oversight period, CalRecycle may undertake a compliance review or field visit to supplement other status reporting.
l. At any time prior to the conclusion of the oversight period, if CalRecycle determines the Jurisdiction has failed to implement the programs identified in the Notification and CAP, has failed to participate in status reporting during the oversight period, has substantially misrepresented its progress in status reporting, or has substantially failed to make interim progress on Tasks set out in Section 3.2 for four consecutive reporting periods, CalRecycle may immediately issue a notice revoking its approval of the Notification and CAP and indicating its intent to impose penalties as provided in PRC section 42652.5. Title 14 CCR sections 18997.3, 18997.5, and 18997.6 and PRC section 42652.5 governs the process and considerations CalRecycle will utilize in calculating and assessing administrative civil penalties against the Jurisdiction, which may be up to $10,000 per day per violation.

3.1 Based on the foregoing DETERMINATION OF VIOLATIONS, it is hereby ordered that the Jurisdiction will implement the actions described below in accordance with

the compliance deadlines contained in the schedule of actions to remedy violations as set forth in Section 3.2 below.

3.2. Schedule and Program of Actions

Section 18984.1 Three-Container Organic Waste Collection Services
The Jurisdiction will provide three-container collection service to all residential and commercial generators.

Tasks 5-11 will be completed if the feasibility study meets expectations, and the Jurisdiction decides to proceed with the new facility and use it to comply with Section 18984.1 of the Regulations. If, at any point in the process, the Jurisdiction decides not to proceed with the new facility, the Jurisdiction will continue with Tasks 12-17.

Task #	Description	Target Completion Date
TASK 1	The Jurisdiction's City Council will adopt a resolution to begin a feasibility study with Anaergia for developing a high diversion organic waste processing facility.	11/8/2022 (Task completed and verified)
TASK 2	The Jurisdiction and Anaergia will complete study to determine feasibility of project.	6/30/2023
TASK 3	The Jurisdiction will engage an independent third party to complete technical review.	10/1/2023
TASK 4	The Jurisdiction will decide whether they will proceed with building the new facility based on results of the feasibility study and technical review.	10/14/2023
TASK 5	The Jurisdiction's City Council will approve agreement to proceed with the project.	1/31/2024
TASK 6	The Jurisdiction will begin CEQA requirements and apply for all applicable permits (e.g., conditional use permit, building permit, BAAQMD permit, solid waste facility permit, etc.) to begin construction of the facility.	2/29/2024
TASK 7	The Jurisdiction will touch base with CalRecycle to update/finalize subsequent dates.	9/30/2024
TASK 8	The Jurisdiction will complete the CEQA requirements to build the facility.	12/31/2024
TASK 9	The Jurisdiction will initiate construction of new facility.	12/31/2024
TASK 10	The Jurisdiction will complete construction of new facility.	3/3/2025

TASK 11	The Jurisdiction will provide three-container waste collection service to all residential and commercial customers that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11, 18984.12, or other provision of the Regulations, or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of section 18988.3. In implementing this container system, the Jurisdiction will ensure materials are sorted into the containers properly by generators.	3/3/2025

Tasks 12-17 will only be completed if the new Anaergia facility is not built or is not used to comply with Section 18984.1 of the Regulations.

Task #	Description	Target Completion Date
TASK 12	The Jurisdiction will touch base with CalRecycle to update/finalize subsequent dates.	11/30/2023
TASK 13	The Jurisdiction will complete residential re-routing for yard trimmings.	12/1/2023
TASK 14	The Jurisdiction will increase residential and commercial rates to cover increased costs for the introduction of food waste into green container.	1/1/2024
TASK 15	The Jurisdiction will begin food waste service for residential and commercial generators and redirect organic waste to an alternative, organics processing facility.	1/1/2024
TASK 16	The Jurisdiction will increase truck inventory to accommodate additional organics routes.	3/1/2024
TASK 17	The Jurisdiction will provide three-container waste collection service to all residential and commercial customers that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11, 18984.12, or other provision of the Regulations, or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of section 18988.3. In implementing this container system, the Jurisdiction will ensure materials are sorted into the containers properly by generators.	3/1/2024

Section 18984.4 Recordkeeping Requirements for Compliance with Organic Waste Collection Services

The Jurisdiction will document or keep records for compliance with Organic Waste Collection Services.

Task #	Description	Target Completion Date
TASK 18	The Jurisdiction will establish a system for documenting organic waste collection services for recordkeeping and reporting. The Jurisdiction will include the following information and documents in the Implementation Record: 1. A description of which collection method(s) it will use to comply. 2. The geographical area for each collection method. 3. If using a service that requires the contents of containers provided by the jurisdiction to be transported to a high diversion organic waste processing facility, the jurisdiction shall at a minimum: • List all high diversion organic waste processing facilities used by the jurisdiction. • List all approved haulers in the jurisdiction that are allowed to take organic waste to the jurisdiction's identified high diversion organic waste processing facility or facilities. • List the geographical area the hauler(s) serves, the routes serviced, or a list of addresses served. 4. If allowing compostable plastics to be placed in the green container, a copy of written notification received from each facility serving the jurisdiction indicating that the facility recovers that material. 5. If allowing organic waste to be collected in plastic bags, a copy of written notification received from each facility serving the jurisdiction indicating that the facility can process and remove plastic bags when it recovers source separated organic waste.	5/1/2023
TASK 19	The Jurisdiction will document implementation of actions to verify and evaluate whether businesses opting to self-haul organics are doing so.	3/1/2024

Section 18984.5 Container Contamination Minimization

The Jurisdiction will monitor generator using a three-container waste collection service for contaminants.

Task #	Description	Target Completion Date

TASK 20	The Jurisdiction determined it will use route reviews to monitor container contaminants. **Minimum requirements - Route reviews** • All hauler routes must be reviewed annually. • Containers may be randomly selected along a hauler route. Not required that every container on a hauler route be sampled annually.	12/31/2022 (Task completion to be verified)
TASK 21	The Jurisdiction will develop a schedule for conducting route reviews.	1/1/2024
TASK 22	The Jurisdiction will conduct 10 residential and two commercial routes route reviews annually.	3/1/2024
TASK 23	The Jurisdiction will perform container contamination minimization for all routes that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11 and 18984.12 (a) and (c), or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of section 18988.3.	3/1/2024

Section 18984.6 Recordkeeping Requirements for Container Contamination Minimization

The Jurisdiction will keep records of the number of residential or commercial violations identified and number of notices issued.

Task#	Description	Target Completion Date
TASK 24	The Jurisdiction will document the methods used to monitor container contaminants.	5/1/2023
TASK 25	The Jurisdiction will establish a system for documenting route reviews conducted and tracking the violations for recordkeeping and reporting. The Jurisdiction will include the following information and documents in the Implementation Record: 1. A description of the jurisdiction's process for determining the level of container contamination. 2. Documentation of route reviews conducted. 3. Copies of all notices issued to generators with prohibited container contaminants. 4. Documentation of the number of containers where the contents were disposed due to observation of prohibited container contaminants.	5/1/2023

Section 18984.7 Container Color Requirements

The Jurisdiction will distribute new containers meeting the container color requirements.

Task #	Description	Target Completion Date
TASK 26	If purchasing new containers, the Jurisdiction will provide containers, for collection services to generators that comply with the container color requirements specified in Article 3 of the Regulations.	3/1/2024

Section 18984.8 Container Labeling Requirements

The Jurisdiction will distribute new containers with proper container labeling.

Task #	Description	Target Completion Date
TASK 27	The Jurisdiction will develop labeling or use model labeling provided by CalRecycle for use on containers. 1. Labels on containers must include language or graphic images or both indicating the primary materials accepted and the primary materials prohibited in that container, OR 2. Containers must include imprinted text or graphic images indicating the primary materials accepted and the primary materials prohibited in that container.	3/1/2024
TASK 28	The Jurisdiction will label each new container or lid provided to generators. Labels will be consistent with the applicable container collection requirements specifying what materials are allowed to be placed in each container.	3/1/2024

Section 18984.11 Waivers Granted by a Jurisdiction

The Jurisdiction will verify each waived generator is eligible for a waiver.

Task #	Description	Target Completion Date
TASK 29	The Jurisdiction will establish a procedure for verifying eligibility for waivers and granting waivers.	12/31/2023
TASK 30	The Jurisdiction will evaluate de minimis and other waiver eligibility during phone calls and site visits.	12/31/2023

Section 18985.1 Organic Waste Recovery Education and Outreach

The Jurisdiction will provide organic waste recovery education and outreach to residential and commercial generators.

Task #	Description	Target Completion Date
TASK 31	The Jurisdiction will provide organic waste recovery education and outreach to residential/commercial generators. • Information on the organic waste generator's requirements to properly separate materials in appropriate containers pursuant to Chapter 12 of the Regulations. • Information on methods for: the prevention of organic waste generation, recycling organic waste on-site, sending organic waste to community composting, and any other local requirements regarding organic waste. • Information regarding the methane reduction benefits of reducing the landfill disposal of organic waste, and the methods of organic waste recovery the organic waste collection service uses. • Information regarding how to recover organic waste and a list of approved haulers. • Information related to the public health and safety and environmental impacts associated with the landfill disposal of organic waste. • Information regarding programs for the donation of edible food. • If a jurisdiction allows generators subject to its authority to self-haul organic waste pursuant to Section 18988.1, information regarding self-hauling requirements will be included in education and outreach material.	1/1/2024
TASK 32	The Jurisdiction will post the education information on its website and update as needed. The information will be specific to the Jurisdiction's program and provide compliance options, contact information for Jurisdiction's Solid Waste Division, and edible food recovery program information.	1/1/2024
TASK 33	The Jurisdiction will mail a program flyer/brochure/letter to all residential/commercial generators to provide education on organics and explain the Jurisdiction's program including types of organic materials accepted and the Jurisdiction Solid Waste Division's contact information.	1/1/2024
TASK 34	The Jurisdiction will identify the following for commercial customers generating two or more cubic yards of solid waste per week: a. Generators not signed up for collection service. b. Generators exempt from Mandatory Commercial Organics Recycling (MORe). c. Generators with third-party service. d. Generators self-hauling.	3/1/2024

TASK 35	The Jurisdiction will send a letter to all non-compliant generators, including education and outreach regarding new program.	3/1/2024
TASK 36	The Jurisdiction will make phone calls to covered and non-compliant generators.	3/1/2024
TASK 37	The Jurisdiction will provide outreach and education to organic waste generators that are provided organic waste collection services or self-haul within the jurisdiction, that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11 and 18984.12 (a) and (c). (Note: A jurisdiction may still have a separate obligation under the Mandatory Commercial Recycling (MCR) and Mandatory Organics Recycling (MORe) laws—Public Resources Code (PRC) Sections 42649.3 (d) and 42649.82 (d)(1)(C)—that is separate and independent of SB 1383, the SB 1383 Regulations, and this plan.)	3/1/2024

Section 18985.3 Recordkeeping Requirements for a Jurisdiction's Compliance with Education and Outreach

The Jurisdiction will establish recordkeeping for compliance with Education and Outreach requirements.

Task #	Description	Target Completion Date
TASK 38	The Jurisdiction will establish a system for documenting and compiling records related to education and outreach requirements for recordkeeping and reporting.	5/1/2023
TASK 39	The Jurisdiction will begin tracking and compiling documentation in the Implementation Record and will include at a minimum: • Copies of the information provided to comply with Article 4 of the Regulations, including flyers, brochures, newsletters, invoice messaging, and website and social media postings. • The date, and to whom the information was disseminated, or direct contact made. If a jurisdiction provides mass distribution through mailings, or bill inserts, it will provide the date, a copy of the information, and the type and number of accounts receiving the information. • If the requirements of Article 4 of the Regulations were met solely through electronic media, the record will include a copy, with dates posted, of social media posts, e-mails or other electronic messages.	5/1/2023

	• If a jurisdiction relies on a designee to comply with this section, it will include a copy of the materials distributed by the designee.	

Section 18993.1 Recovered Organic Waste Product Procurement Target
The Jurisdiction will procure organic waste products to meet its procurement target.

Task #	Description	Target Completion Date
TASK 40	The Jurisdiction will annually procure a quantity of recovered organic waste products that meets or exceeds its current annual recovered organic waste product procurement target by one or both of the following: • Directly procuring recovered organic waste products for use or giveaway. • Requiring, through a written contract or agreement, that a direct service provider to the jurisdiction procure recovered organic waste products and provide written documentation of such procurement to the jurisdiction.	1/1/2024
TASK 41	The Jurisdiction will identify additional procurement opportunities within its departments and divisions for expanding the use of recovered organic waste products.	1/1/2024
TASK 42	The Jurisdiction will meet regulatory procurement targets established by CalRecycle pursuant to 14 CCR section 18993.1; enforcement of this provision by CalRecycle will be consistent with the legislative directives in PRC section 42652.5 (a)(5)(B) and 42652.6, as amended in AB 1985 (R. Rivas, Chapter 344, Statutes of 2022).	1/1/2024

Section 18993.2 Recordkeeping Requirements for Recovered Organic Waste Procurement Target
The Jurisdiction will establish recordkeeping related to recovered organic waste procurement.

Task #	Description	Target Completion Date
TASK 43	The Jurisdiction will include all documents supporting compliance with Article 12 of the Regulations in the implementation record including, but not limited to, the following: • A description of how the jurisdiction will comply with the requirements of Article 12 of the Regulations. • The name, physical location, and contact information of each entity, operation, or facility from whom the	1/1/2024

	recovered organic waste products were procured, and a general description of how the product was used, and if applicable, where the product was applied. • All invoices or similar records evidencing all procurement. • If including procurement of recovered organic waste products made by a direct service provider to comply with the procurement requirements of section 18993.1(a), the jurisdiction will include all records of procurement of recovered organic waste products made by the direct service provider on behalf of the jurisdiction including invoices or similar records evidencing procurement. • If a jurisdiction will include renewable gas procured from a POTW for any of the uses identified in section 18993.1(f)(2) to comply with the procurement mandate of Section 18993.1(a), a written certification by an authorized representative of the POTW, under penalty of perjury in a form and manner determined by the jurisdiction, attesting to the following for the applicable procurement compliance year: (A) That the POTW was in compliance with the exclusion in Section 17896.6(a)(1); (B) The total tons of organic waste received from the types of solid waste facilities listed in Section 18993.1(h)(1); and (C) The percentage of biosolids that the POTW produced and transported to activities that constitute landfill disposal. • If a jurisdiction will include electricity procured from a biomass conversion facility to comply with the procurement mandate of Section 18993.1(a), a written certification by an authorized representative of the biomass conversion facility certifying that biomass feedstock was received from a permitted solid waste facility identified in 18993.1(i) will be provided to the jurisdiction. The certification will be furnished under penalty of perjury in a form and manner determined by the jurisdiction. • If the jurisdiction is implementing the procurement requirements of Section 18993.1 through an adjusted recovered organic waste product procurement target pursuant to Section 18993.1(j), the jurisdiction will include records evidencing the 6 total amount of transportation fuel, electricity, and gas for heating	

	applications procured during the calendar year prior to the applicable reporting period. • For jurisdictions complying with the requirements of Section 18993.1, through the procurement of mulch, a copy of the ordinance or similarly enforceable mechanism the jurisdiction has adopted requiring that mulch procured by the jurisdiction or a direct service provider meets the land application standards specified in Section 18993.1.	

Section 18995.1 Jurisdiction Inspection Requirements
The Jurisdiction will establish an inspection and enforcement program designed to ensure overall compliance with Regulations.

Task #	Description	Target Completion Date
TASK 44	The Jurisdiction will develop an inspection and enforcement program to ensure overall compliance with Regulations.	3/1/2023 (Task completion to be verified)
TASK 45	The Jurisdiction will begin implementing the inspection and enforcement program.	8/1/2023

The Jurisdiction will complete a compliance review of all solid waste collection accounts for commercial businesses.

Task #	Description	Target Completion Date
TASK 46	The Jurisdiction will complete a compliance review of all solid waste accounts for commercial businesses subject to its authority and that generate two cubic yards or more per week of solid waste, including organic waste. The Jurisdiction will determine compliance with: • Organic waste generator requirements set forth in Section 18984.9(a). • Self-haul requirements set forth in Section 18988.3, including whether a business is complying through back-hauling organic waste.	3/1/2024

The Jurisdiction will conduct route reviews.

Task #	Description	Target Completion Date

TASK 47	The Jurisdiction will conduct annual route reviews of commercial businesses and residential generators for compliance with organic waste generator requirements and container contamination requirements.	3/1/2024

The Jurisdiction will ensure compliance of Tier 1 commercial edible food generators and food recovery services and organizations through inspections.

Task #	Description	Target Completion Date
TASK 48	The Jurisdiction will enter an agreement with Contra Costa County for inspections of edible food generators and food recovery services and organizations located within the Jurisdiction in compliance with Article 10 of the Regulations.	7/1/2023
TASK 49	The Jurisdiction will require and verify Contra Costa County begins inspections for the Jurisdiction's Edible Food Recovery Program.	8/1/2023
TASK 50	The Jurisdiction will obtain documentation of all Edible Food Recovery Program inspections and related records (e.g., education, complaint, and enforcement) to enter into the Jurisdiction's Implementation Record within 60 days of the creation of the record.	12/31/2023

COMPLIANCE REVIEW, ENFORCEMENT, AND RELEASE

4. Communications. All approvals and decisions of CalRecycle regarding notifications will be communicated to the Jurisdiction in writing by the Branch Chief, Jurisdiction and Agency Compliance and Enforcement Branch, Waste Permitting, Compliance and Mitigation Division, or the Branch Chief's designee. No formal advice, guidance, suggestions, or comments by CalRecycle regarding reports, plans, specifications, schedules, or any other writings by Jurisdiction shall be construed to relieve the Jurisdiction of the obligation to obtain such formal approvals as may be required.

4.1 Submittal. All reporting from the Jurisdiction described in section 3 (Schedule for Compliance), paragraph 3.f, shall be submitted through an online portal or compliance module developed by CalRecycle with instructions provided to Jurisdiction. All other communications from the Jurisdiction according to this CAP shall be sent in writing electronically to:

Marshalle Graham
Marshalle.Graham@calrecycle.ca.gov

4.2 Compliance Review. At the end of the oversight period or at any time deemed appropriate by CalRecycle, CalRecycle will meet with the Jurisdiction to assess the Jurisdiction's CAP implementation efforts and to determine whether or not the Jurisdiction has timely complied with all commitments in all sections of this CAP. If requested by the Jurisdiction, CalRecycle has discretion to issue notice of a hearing at any time upon its staff's recommendation that the Jurisdiction has completed the conditions of the CAP. In accordance with PRC section 42652.5, failure to implement programs and or comply with all sections of the CAP at any time may result in CalRecycle's revocation of its approval of the Notification and CAP and imposition of administrative civil penalties retroactively to the date of violation in 2022, for administrative civil penalties accruing in 2023, and for administrative civil penalties accruing during any other additional time covered by the Notification and CAP. These potentially applicable penalties are described in Section 5.0 of this CAP.

4.3 CalRecycle Review and Approval: If CalRecycle determines that any report, plan, schedule, or other document submitted for approval pursuant to this CAP fails to comply with the Notification as amended by this CAP or fails to achieve successful implementation of the Regulations, CalRecycle may:

a. Amend the CAP as appropriate to remedy the violations of the Regulations expeditiously, and/or
b. Serve a notice that CalRecycle will revoke approval of the Notification and consider the imposition of penalties in accordance with Title 14 CCR sections 18997.3, 18997.5, and 18997.6.

4.4 Extension Request and Other Task Modification Requests: If the Jurisdiction determines that it will be unable to perform any activity or submit any document within the time required under this CAP, the Jurisdiction may, as far in advance of the due date as possible, request an extension of time in writing. The extension request shall include a justification for the delay. If the Jurisdiction finds that a task required by this CAP in Section 3.1 is not feasible, despite the Jurisdiction's best and substantial efforts, the Jurisdiction may propose an alternative task that is substantially similar or equally effective to the original task, subject to the approval of CalRecycle. The modification request shall include an explanation of the infeasibility, an explanation of how the alternative task is substantially similar or equally effective, and a justification for any extension of time associated with the change.

4.5 Extension and Other Task Modification Approvals: If CalRecycle determines that good cause exists for an extension, considering the factors set out in Title 14 CCR section 18996.2(a)(2), it will grant an extension as appropriate and specify in writing a new compliance schedule. If CalRecycle determines that good cause exists for the change in task because the original task is infeasible and the alternative task is substantially similar or equally effective, it will grant an approval

and extension as appropriate and specify in writing the new task; additionally, if CalRecycle determines that good cause exists for any extension associated with the change in task, considering the factors set out in Title 14 CCR section 18996.2(a)(2), it will grant an extension as appropriate and specify in writing a new compliance schedule.

4.6 Compliance with Applicable Laws: The Jurisdiction shall carry out this CAP in compliance with all Local, State, and Federal requirements, including but not limited to requirements to obtain necessary permits.

4.7 Liability: Nothing in this CAP shall constitute or be construed as a satisfaction or release from liability for any conditions or claims arising as a result of past, current, or future operations of the Jurisdiction, including for violations of the Regulations that were not disclosed in the Notification and any violations of the Regulations that the Jurisdiction fails to remedy notwithstanding commitments in the Notification and this CAP.

4.8 Government Liabilities: The State of California and CalRecycle shall not be liable for injuries or damages to persons or property resulting from acts or omissions in carrying out activities pursuant to this CAP, nor shall the State of California be held as a party to any contract entered into by the Jurisdiction or its agents in carrying out activities pursuant to the CAP. The Jurisdiction shall indemnify, defend, and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting in connection with the performance of this CAP.

4.9 Parties Bound: This CAP shall apply to and be binding upon the Jurisdiction and upon CalRecycle and any successor agency (regional agency, etc.) that may have responsibility for, and the authority over, the subject matter of this CAP.

PENALTY

5. Penalties, if any, shall be assessed and calculated in accordance with the provisions of PRC 42652.5 and Title 14 CCR sections 18997.3, 18997.5, and 18997.6. Penalties shall be calculated based on the factors set out in section 18997.3 and may be as much as $10,000 per day per violation for the duration of the violation(s).

5.1 Penalty Procedures. Penalty, if any, shall be imposed in accordance with the procedures and methodology set out in PRC section 42652.5 and Title 14 CCR sections 18997.3, 18997.5, and 18997.6. Regulatory violations that are considered “minor,” meaning they involve violations constituting minimal deviation from regulations, shall be subject to penalties of no less than five hundred dollars ($500) per violation and no more than four thousand dollars ($4,000) per violation per day; “moderate” violations are subject to no less than four thousand dollars ($4,000) per

violation and shall be no more than seven thousand five hundred dollars ($7,500) per violation per day; and “major” violations, are subject to penalties no less than seven thousand five hundred dollars ($7,500) per violation per day and no more than ten thousand dollars ($10,000) per violation per day. The following types of deviations are deemed to be “major” under the regulations for the purposes of assessing penalties:

a. Failure to have any ordinance or similarly enforceable mechanism for organic waste disposal reduction and edible food recovery.
b. Failure to have a provision in a contract, agreement, or other authorization that requires a hauler to comply with the requirements the Regulations.
c. Failure to have an edible food recovery program.
d. Failure to have any Implementation Record.
e. Implementation or enforcement of an ordinance, policy, procedure, condition, or initiative that is prohibited under Title 14 CCR sections 18990.1 or 18990.2.
f. Failure to submit the reports required in Title 14 CCR sections 18994.1 and 18994.2.

EFFECTIVE DATE

6. Issuance. This Corrective Action Plan is final and effective from the date of issuance.

6.1 Date of Issuance March 30, 2023

Signature on file

Mark de Bie, Deputy Director
Waste Permitting, Compliance and Mitigation Division
Department of Resources Recycling and Recovery

Sent via Certified Mail

FIRST ADDENDUM TO CORRECTIVE ACTION PLAN NO. 1108.SLCP.CAP. 2023.3

City of Brentwood Amendment of Tasks and Timelines in Corrective Action Plan No. 1108.SLCP.CAP.2023.3

On October 5, 2023, the City of Brentwood (Jurisdiction) requested an amendment to part of its tasks and timelines for Corrective Action Plan No. 1108.SLCP.CAP.2023.3. The justification provided for the task and timeline amendments is included in the attached request.

Requested Changes to Tasks and Timelines:

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
4	The Jurisdiction will decide whether they will proceed with building the new facility based on results of the feasibility study and technical review.	N/A	10/14/2023	3/1/2024
5	The Jurisdiction's City Council will approve an agreement to proceed with the project.	N/A	1/31/2024	6/1/2024
6	The Jurisdiction will begin California Environmental Quality Act (CEQA) requirements and apply for all applicable permits (e.g., conditional use permit, building permit, Bay Area Air Quality Management District permit, solid waste facility permit, etc.) to begin construction of the facility.	N/A	2/29/2024	10/1/2024
7	The Jurisdiction will touch base with CalRecycle to update/finalize subsequent dates.	N/A	9/30/2024	2/1/2025
8	The Jurisdiction will complete the CEQA requirements to build the facility.	N/A	12/31/2024	3/3/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
9	The Jurisdiction will initiate construction of new facility.	N/A	12/31/2024	3/3/2025
10	The Jurisdiction will complete construction of new facility.	N/A	3/3/2025	6/3/2025
11	The Jurisdiction will provide three-container waste collection service to all residential and commercial customers that are not subject to an exemption or waiver from such service under Title 14 of the California Code of Regulations (CCR) sections 18984.11, 18984.12, or other provision of the Regulations, or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of Section 18988.3. In implementing this container system, the Jurisdiction will ensure materials are sorted into the containers properly by generators.	N/A	3/3/2025	6/3/2025
12	The Jurisdiction will touch base with CalRecycle to update/finalize subsequent dates.	N/A	11/30/2024	4/30/2025
13	The Jurisdiction will complete residential re-routing for yard trimmings.	N/A	12/1/2023	5/1/2025
14	The Jurisdiction will increase residential and commercial rates to cover increased costs for the introduction of food waste into green container.	The Jurisdiction will increase residential and commercial rates to cover increased costs for the introduction of food	1/1/2024	Task14a: 6/1/2025 Task14b: 6/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
		waste into green container. Task14a: Develop a document to present to City Council regarding proposed rate increases. Bring forward to City Council Task14b: Yes vote – begin implementation of rate increases (notification to residential and commercial accounts)		
15	The Jurisdiction will begin food waste service for residential and commercial generators and redirect organic waste to an alternative, organics processing facility.	N/A	1/1/2024	6/1/2025
16	The Jurisdiction will increase truck inventory to accommodate additional organics routes.	The Jurisdiction will increase truck inventory to accommodate additional organics routes. Task 16a: Verify if additional trucks are necessary. Task 16b: Order additional trucks if it is determined that they are required.	3/1/2024	Task 16a: 4/1/2025 Task 16b: 8/1/2025
17	The Jurisdiction will provide three-container waste collection service to all residential and commercial customers that are not subject to an	The Jurisdiction will provide three-container waste collection service to all residential and commercial customers	3/1/2024	Task 17a: 6/1/2025 Task 17b: 8/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
	exemption or waiver from such service under 14 CCR sections 18984.11, 18984.12, or other provision of the Regulations, or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of Section 18988.3. In implementing this container system, the Jurisdiction will ensure materials are sorted into the containers properly by generators.	that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11, 18984.12, or other provision of the Regulations, or are not an authorized self-hauler subject to the Jurisdiction's ordinance requiring compliance with the requirements of Section 18988.3. In implementing this container system, the Jurisdiction will ensure materials are sorted into the containers properly by generators. Task 17a: Develop a rollout out process – determine if in phases or all at once. Task 17b: Full rollout of residential and commercial three container collection.		
31	The Jurisdiction will provide organic waste recovery education and outreach to residential/commercial generators. Information on the organic waste generator's requirements to properly separate materials in appropriate containers pursuant to Chapter 12 of the Regulations.	N/A	1/1/2024	6/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
	Information on methods for: the prevention of organic waste generation, recycling organic waste on-site, sending organic waste to community composting, and any other local requirements regarding organic waste. • Information regarding the methane reduction benefits of reducing the landfill disposal of organic waste, and the methods of organic waste recovery the organic waste collection service uses. • Information regarding how to recover organic waste and a list of approved haulers. • Information related to the public health and safety and environmental impacts associated with the landfill disposal of organic waste. • Information regarding programs for the donation of edible food. • If a Jurisdiction allows generators subject to its authority to self-haul			

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
	organic waste pursuant to Section 18988.1, information regarding self-hauling requirements will be included in education and outreach material.			
32	The Jurisdiction will post the education information on its website and update as needed. The information will be specific to the Jurisdiction's program and provide compliance options, contact information for Jurisdiction's Solid Waste Division, and edible food recovery program information.	N/A	1/1/2024	3/3/2025
33	The Jurisdiction will mail a program flyer/brochure/letter to all residential/commercial generators to provide education on organics and explain the Jurisdiction's program including types of organic materials accepted and the Jurisdiction Solid Waste Division's contact information.	N/A	1/1/2024	3/3/2025
35	The Jurisdiction will send a letter to all non-compliant generators, including education and outreach regarding new program.	N/A	3/1/2024	6/1/2025
36	The Jurisdiction will make phone calls to covered and non-compliant generators.	N/A	3/1/2024	6/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
37	The Jurisdiction will provide outreach and education to organic waste generators that are provided organic waste collection services or self-haul within the Jurisdiction, that are not subject to an exemption or waiver from such service under 14 CCR sections 18984.11 and 18984.12 (a) and (c). (Note: A jurisdiction may still have a separate obligation under the Mandatory Commercial Recycling [MCR] and Mandatory Organics Recycling [MORe] laws – Public Resources Code [PRC] Sections 42649.3 [d] and 42649.82 [d][1][C] – that is separate and independent of SB 1383, the SB 1383 Regulations, and this plan.)	N/A	3/1/2024	6/1/2025
39	The Jurisdiction will begin tracking and compiling documentation in the Implementation Record and will include at a minimum: Copies of the information provided to comply with Article 4 of the Regulations, including flyers, brochures, newsletters, invoice messaging, and website and social media postings. The date, and to whom the information was disseminated, or direct contact made. If a Jurisdiction provides mass	N/A	5/1/2023	6/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
	distribution through mailings, or bill inserts, it will provide the date, a copy of the information, and the type and number of accounts receiving the information. If the requirements of Article 4 of the Regulations were met solely through electronic media, the record will include a copy of Corrective Action Plan Page 14, with dates posted, of social media posts, e-mails or other electronic messages. If a Jurisdiction relies on a designee to comply with this section, it will include a copy of the materials distributed by the designee.			
45	The Jurisdiction will begin implementing the inspection and enforcement program.	N/A	8/1/2023	6/1/2025
46	The Jurisdiction will complete a compliance review of all solid waste accounts for commercial businesses subject to its authority and that generate two (2) cubic yards or more per week of solid waste, including organic waste. The Jurisdiction will determine compliance with: Organic waste generator requirements set forth in Section 18984.9(a).; Self-haul requirements set forth in Section 18988.3, including whether a	N/A	3/1/2024	6/1/2025

Task #	Original Task Language	Proposed Task Language	Original Date	First Amended Date
	business is complying through back-hauling organic waste.			
47	The Jurisdiction will conduct annual route reviews of commercial businesses and residential generators for compliance with organic waste generator requirements and container contamination requirements.	N/A	3/1/2024	6/1/2025

The Jurisdiction's request for tasks and timelines amendments shows good cause and provides reasonable alternate tasks and timelines for completion. The impacted tasks affect the final completion date of the Corrective Action Plan (CAP). Therefore, Sections 3.d, 3.f, and 3.i will need to be changed to reflect the new final completion date of the CAP.

See below for the changes made to Sections 3.d, 3.f, and 3.i.

SCHEDULE FOR COMPLIANCE

3. Based on the foregoing DETERMINATION OF VIOLATIONS, CalRecycle finds that:
    a. The Jurisdiction worked with CalRecycle to develop this CAP, which includes a schedule of actions necessary for the Jurisdiction to address the violations disclosed in the Notification and described in Section 2 (Determination of Violations).
    b. CalRecycle hereby approves and issues this CAP pursuant to PRC Section 42652.5(c)-(e) and 14 CCR Section 18996.2.
    c. The Jurisdiction will fully implement the programs identified in this CAP by the dates provided in the Section 3.2.
    d. CalRecycle will monitor the Jurisdiction's continued implementation of the programs identified in the CAP from March 30, 2023 through September 30, 2025 ("the oversight period") to assure implementation is complete and timely. The oversight period may be extended at the discretion of CalRecycle if any extensions to the Schedule are granted as described in Sections 4.4 and 4.5.
    e. During the oversight period, the Jurisdiction will submit status reports to CalRecycle and attend status meetings with CalRecycle to demonstrate the ongoing progress the Jurisdiction is making to address the violations described above.

f. During the oversight period, the Jurisdiction will provide bimonthly status reports to CalRecycle:

Report Cycle
- Report 1: May 31, 2023, covering March 1, 2023 – April 30, 2023
- Report 2: July 31, 2023, covering May 1, 2023 – June 30, 2023
- Report 3: September 30, 2023, covering July 1, 2023 – August 31, 2023
- Report 4: November 30, 2023, covering September 1, 2023 – October 31, 2023
- Report 5: January 31, 2024, covering November 1, 2023 – December 31, 2023
- Report 6: March 31, 2024, covering January 1, 2024 – February 29, 2024
- Report 7: May 31, 2024, covering March 1, 2024 – April 30, 2024
- Report 8: July 31, 2024, covering May 1, 2024 – June 30, 2024
- Report 9: September 30, 2024, covering July 1, 2024 – August 31, 2024
- Report 10: November 30, 2024, covering September 1, 2024 – October 31, 2024
- Report 11: January 31, 2025, covering November 1, 2024 – December 31, 2024
- Report 12: March 31, 2025, covering January 1, 2025 – February 28, 2025
- Report 13: May 31, 2025, covering March 1, 2025 – April 30, 2025
- Report 14: July 31, 2025, covering May 1, 2025 – June 30, 2025
- Report 15: September 30, 2025, covering July 1, 2025 – August 31, 2025

g. The status reports are to be used to document the status and work completed for each of the identified tasks in the CAP. For each task in the CAP, the Jurisdiction will explain the status of the task, specifying what actions have been taken to complete the task.

h. If the work has been delayed or has not been completed, the Jurisdiction will explain the reason(s) for the delay/incompletion. The Jurisdiction will also attach any previously submitted extension requests made pursuant to Section 4.4 of this CAP and any extensions granted pursuant to Section 4.5 of this CAP, using additional sheets as necessary for the report. CalRecycle may consider the explanation in deciding whether to allow the Jurisdiction to continue to operate under the Notification and CAP or to revoke approval of the Notification and CAP pursuant to PRC Section 42652.5(d).

i. During the oversight period, the Jurisdiction will meet with CalRecycle telephonically or via other remote electronic means (such as Teams or Zoom) bimonthly to provide interim progress updates on the following schedule:

Meeting Cycle
- Meeting 1: During April 2023
- Meeting 2: During June 2023
- Meeting 3: During August 2023
- Meeting 4: During October 2023
- Meeting 5: During December 2023

Meeting 6: During February 2024
Meeting 7: During April 2024
Meeting 8: During June 2024
Meeting 9: During August 2024
Meeting 10: During October 2024
Meeting 11: During December 2024
Meeting 12: During February 2025
Meeting 13: During April 2025
Meeting 14: During June 2025
Meeting 15: During August 2025

j. The status meetings are to be used to discuss the most recent status report and to discuss interim progress made by the Jurisdiction on each of the identified tasks in the CAP.
k. Prior to the close of the oversight period, CalRecycle may undertake a compliance review or field visit to supplement other status reporting.
l. At any time prior to the conclusion of the oversight period, if CalRecycle determines the Jurisdiction has failed to implement the programs identified in the Notification and CAP, has failed to participate in status reporting during the oversight period, has substantially misrepresented its progress in status reporting, or has substantially failed to make interim progress on Tasks set out in Section 3.2 for four (4) consecutive reporting periods, CalRecycle may immediately issue a notice revoking its approval of the Notification and CAP and indicating its intent to impose penalties as provided in PRC Section 42652.5., 14 CCR sections 18997.3, 18997.5, and 18997.6 and PRC Section 42652.5 governs the process and considerations CalRecycle will utilize in calculating and assessing administrative civil penalties against the Jurisdiction, which may be up to $10,000 per day per violation.

3.1 Based on the foregoing DETERMINATION OF VIOLATIONS, it is hereby ordered that the Jurisdiction will implement the actions described in accordance with the compliance deadlines contained in the schedule of actions to address violations as set forth in Section 3.2.

The request is approved. The amendment will be included as a first addendum to the March 30, 2023 Corrective Action Plan No. 1108.SLCP.CAP.2023.3.

Dated: February 6, 2025

Signature on file

Mark de Bie, Deputy Director
Waste Permitting, Compliance and Mitigation Division
Department of Resources Recycling and Recovery

Attachment: City of Brentwood's Task and Timeline Amendment Request