

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Resources Recycling and  
Recovery**

**Regulatory Action:**

**Title 14, California Code of Regulations**

**Amend sections: 18419**

**NOTICE OF FILING AND PRINTING ONLY**

**Government Code Section 11343.8**

**OAL Matter Number: 2023-0927-03**

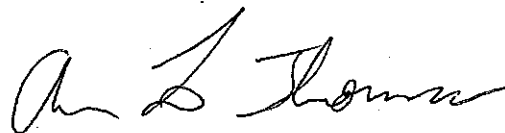
**OAL Matter Type: File and Print Only (FP)**

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This conflict of interest code filing by the Department of Resources Recycling and Recovery (CalRecycle) has been approved by the Fair Political Practices Commission and is being submitted for filing with the Secretary of State and printing only.

OAL filed this regulation(s) or order(s) of repeal with the Secretary of State, and will publish the regulation(s) or order(s) of repeal in the California Code of Regulations.

**Date: November 8, 2023**



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**Anna Thomas  
Attorney**

**For: Kenneth J. Pogue  
Director**

**Original: Rachel Machi Wagoner, Director**

**Copy: Kris Chisholm**

NOTICE PUBLICATION/REGULATION SUBMISSION

STD. 400 (REV. 10/2019)

FILE PRINT

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2023-0620-01</b>	REGULATORY ACTION NUMBER <b>2023-0927-03</b>	EMERGENCY NUMBER <b>FP</b>
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED - FILED  
in the office of the Secretary of State  
of the State of California

NOV 08 2023  
*2:02 PM*

OFFICE OF ADMIN. LAW  
2023 SEP 27 PM4:19

AGENCY WITH RULEMAKING AUTHORITY California Department of Resources Recycling and Recovery (CalRecycle)	AGENCY FILE NUMBER (If any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER <b>2023, 26-2</b>	PUBLICATION DATE <b>6/30/23</b>

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Conflict-of-Interest Code	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	ADOPT
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	AMEND <b>18419</b>
TITLE(S) <b>14</b>	REPEAL

3. TYPE OF FILING	<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
	<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only	
	<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Other (Specify)	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)	<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <b>30 days after SOS filing per 2 CCR 18750</b>
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input checked="" type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
	<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Kris Chisholm	TELEPHONE NUMBER 916-322-2404	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Anastasia Baskerville</i>	DATE 9-27-23
TYPED NAME AND TITLE OF SIGNATORY Anastasia Baskerville, Chief Counsel	

For use by Office of Administrative Law (OAL) only

**AUTHORIZED FOR FILING AND PRINTING**

**NOV 08 2023**

**Office of Administrative Law**

California Code of Regulations  
Title 14, Division 7, Chapter 5.9**Department of Resources Recycling and Recovery (CalRecycle)  
Conflict of Interest Code**

**NOTE:** It having been found, pursuant to Government Code section 11344, that the printing of the regulations constituting the Conflict of Interest Code is impractical and being of limited and particular application, these regulations are not published in full in the California Code of Regulations. The regulations are available to the public for review or purchase at cost at the following locations:

DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CalRecycle)  
~~801 K Street, MS 19-04-1001 I Street, MS 24B~~  
Sacramento, CA 95814

FAIR POLITICAL PRACTICES COMMISSION  
~~428 J STREET, SUITE 800~~  
~~SACRAMENTO, CA 95814~~  
1102 Q Street, Suite 3000  
Sacramento, CA 95811

ARCHIVES  
SECRETARY OF STATE  
1020 "O" STREET  
SACRAMENTO, CA 95814

The Conflict of Interest Code is designated as Chapter 5.9, Division 7 of Title 14, of the California Code of Regulations, and consists of sections numbered and titled as follows:

Chapter 5.9	Department of Resources Recycling and Recovery
Section 18419	General Provisions Appendix A – Designated Positions and Assigned Disclosure Categories Appendix B – Disclosure Categories

Note: Authority cited: Section 87300 et seq., Government Code.  
Reference: Section 87300 et seq., Government Code.

**Department of Resources Recycling and Recovery  
Conflict of Interest Code****§ 18419. General Provisions.**

The Political Reform Act (Government Code Sections 81000, et seq.), requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendices, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the Department of Resources Recycling and Recovery (Department).

Individuals holding designated positions shall file statements of economic interests with the Department. The Director must file their statement of economic interest electronically with the Fair Political Practices Commission. ~~Upon receipt of the statement of the Director, the Department shall make and retain a copy and forward the original to the Fair Political Practices Commission.~~ Statements for all other designated positions will be retained by the Department, which shall make them available for public inspection and reproduction. (Government Code Section 81008.)

Note: Authority cited: Sections 81008, 87300 and 87306, Government Code.  
Reference: Section 87300 et seq., Government Code.

**APPENDIX A  
DESIGNATED POSITIONS AND  
ASSIGNED DISCLOSURE CATEGORIES**

Individuals in the following positions are hereby required to file statements of economic interests in accordance with the disclosure categories indicated.

<b>POSITION</b>	<b><u>EXECUTIVE</u></b>	<b>DISCLOSURE CATEGORY</b>
Director		1 and 2
Chief Deputy Director		1 and 2
Deputy Director		1 and 2
All Exempt and Career Executive Assignment Positions		1 and 2
 <b>All individuals in the following Executive Office classifications or series:</b>		
<u>Environmental Scientist</u>		<u>1 and 2</u>
Attorneys (All positions, classifications, and series)		1 and 2
Staff Services Manager		1 and 2
Associate Governmental Program Analyst		2
 <b>LEGAL OFFICE</b>		
Attorneys (All positions, classifications, and series)		1 and 2
Management Auditor		1 and 2
Staff Services Manager		2
<u>Associate Governmental Program Analyst</u>		<u>2</u>
Staff Services Analyst		2
 <b>LEGISLATIVE AND EXTERNAL AFFAIRS OFFICE</b>		
Deputy Director		1 and 2
 <b>All individuals in the following Legislative and External Affairs Office classifications or series:</b>		
Associate Governmental Program Analyst		2
Staff Services Manager		2
Staff Services Analyst		2
 <b>PUBLIC AFFAIRS OFFICE</b>		
Deputy Director		1 and 2
 <b>All individuals in the following Public Affairs Office classifications or series:</b>		
Information Officer I (Specialist and Supervisor)		7
Information Officer II		7
Associate Governmental Program Analyst		7
Graphic Designer		7
Recycling Specialist		7

**POLICY DEVELOPMENT AND ANALYSIS OFFICE**

Deputy Director 1 and 2

**All individuals in the following Policy Development and Analysis Office classifications or series:**

Integrated Waste Management Specialist 2  
 Environmental Scientist 2  
 Research Data 2

**AUDITS OFFICE**

**All individuals in the following Audits Office classifications or series:**

Management Auditor 2  
 Auditor I 2  
 General Auditor II 2  
 General Auditor III 2  
 Governmental Auditor (All positions, classifications, and series) 2

**DISASTER DEBRIS RECOVERY OPERATIONS**

Deputy Director 1 and 2

**All individuals in the following Disaster Debris Recovery Operations classifications or series:**

Senior Civil Engineer 2  
 Engineering Geologist 2  
 Staff Services Manager 2  
 Waste Management Engineer 2  
 Senior Safety Engineer (Industrial) 2  
 Associate Safety Engineer 2  
 Associate Governmental Program Analyst 2

**OFFICE OF EDUCATION AND THE ENVIRONMENT**

Deputy Director 1 and 2

**All individuals in the following Office of Education and the Environment classifications or series:**

Environmental Scientist 7  
 Staff Services Manager 7  
 Associate Governmental Program Analyst 7  
 Education Programs Administration (non-CEA classes) 7

**INFORMATION TECHNOLOGY SERVICES OFFICE**

Career Executive Assignment 1 and 2

**All individuals in the following Information Technology Services Office classifications or series:**

Information Technology 8

**ADMINISTRATION, FINANCE AND INFORMATION TECHNOLOGY SERVICES DIVISION**

All Exempt Positions and Career Executive Assignments	1 and 2
Deputy Director	1 and 2

**All individuals in the following Administration, Finance and Information Technology Services Division classifications or series:**

Staff Services Manager	7
Staff Services Analyst	7
Environmental Scientist	7
Associate Governmental Program Analyst	7
<del>Associate Safety Engineer</del>	<del>7</del>
<del>Senior Safety Engineer (Industrial)</del>	<del>7</del>
Labor Relations Specialist	7
Associate Budget Analyst	7
Associate Business Management Analyst	7
Accounting Officer	7
Accounting Analyst	7
Accounting Administrator	7
Special Consultant	7
Business Services Officer	7
Training Officer	7
Industrial Hygienist	7
Research Data	7
<del>Information Technology</del>	<del>8</del>

**MATERIALS MANAGEMENT AND LOCAL ASSISTANCE DIVISION**

All Exempt Positions and Career Executive Assignments	1 and 3
Deputy Director	1 and 3
Member, Recycling Market Development Zone Loan Committee	1 and 3
<b>All individuals in the following Materials Management and Local Assistance Division classifications or series:</b>	
Integrated Waste Management Specialist	3 and 4
Environmental Scientist	3 and 4
Recycling Specialist	3 and 4
Staff Services Manager	3 and 4
Staff Services Analyst	3 and 4
Associate Governmental Program Analyst	3 and 4
Waste Management Engineer	3 and 4
Loan Officer	3 and 4
Engineering Geologist	3 and 4
Research Data	3 and 4
Supervising Program Tech	3 and 4

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**WASTE PERMITTING, COMPLIANCE AND MITIGATION DIVISION**

All Exempt and Career Executive Assignment Positions	1 and 5
Deputy Director	1 and 5

**All individuals in the following Waste Permitting,  
Compliance and Mitigation Division classifications or series:**

Integrated Waste Management Specialist	4 and 5
Environmental Scientist	4 and 5
<del>Staff Services Manager</del>	<del>4 and 5</del>
Associate Governmental Program Analyst	4 and 5
Waste Management Engineer	4 and 5
Engineering Geologist	4 and 5
Recycling Specialist	4 and 5
Research Data	4 and 5

**DIVISION OF RECYCLING**

All Exempt and Career Executive Assignment Positions	1 and 6
Assistant Director	1 and 6
All Managers and Supervisors	1 and 6

**All individuals in the following Division of Recycling classifications or series:**

Staff Services Analyst	6
Associate Governmental Program Analyst	6
Recycling Specialist (non-supervisory)	6
Management Auditor	6
Auditor I	6
Research Data	6
Questioned Document Examiner	6

**Department-wide**

Consultants/New Positions	*
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\*. Consultants and new positions are designated positions for the purposes of these provisions and shall disclose pursuant to the broadest disclosure category in the code (disclosure categories 1 and 2), subject to the following limitation:

The Department's Director may determine in writing that a particular consultant or new position, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's or new position's duties and, based upon that description, a statement of the extent of disclosure requirements. The Director's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (Gov. Code Sec. 81008.)

**APPENDIX B  
DISCLOSURE CATEGORIES**

- Category 1:** Individuals holding positions assigned to this category must report all interests in real property in the State of California.
- Category 2:** Individuals holding positions assigned to this category must report investments and business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that:
- (a) Are subject to the regulatory, certification, registration, or licensing authority of the Department;
  - (b) Provide goods, equipment, vehicles, machinery, leased facilities, or services, including training or consulting services, of the type used by the Department;
  - (c) Are of the type that receive grants, financial or in-kind assistance, or other payments from or through the Department; and/or
  - (d) Are the subject of collection activity by the Department.
- Category 3:** Individuals holding positions assigned to this category must report investments and business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that:
- (a) Are subject to the regulatory, certification, registration, or licensing authority of the Materials Management and Local Assistance Division;
  - (b) Provide goods, equipment, vehicles, machinery, leased facilities, or services, including training or consulting services, of the type used by the Materials Management and Local Assistance Division;
  - (c) Are of the type that receive grants, financial or in-kind assistance, or other payments from or through the Materials Management and Local Assistance Division; and/or
  - (d) Are the subject of collection activity by the Materials Management and Local Assistance Division.
- Category 4:** Individuals holding positions assigned to this category must report interests in real property located within 2,500 feet of the boundaries of any disposal facility, resource recovery facility, transfer/processing station, transformation facility, waste tire facility, solid waste enterprise or composting facility that is subject to the inspection duties and authority of the position.

- Category 5: Individuals holding positions assigned to this category must report investments and business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that:
- (a) Are subject to the regulatory, certification, registration, or licensing authority of the Waste Permitting, Compliance and Mitigation Division;
  - (b) Provide goods, equipment, vehicles, machinery, leased facilities, or services, including training or consulting services, of the type used by the Waste Permitting, Compliance and Mitigation Division;
  - (c) Are of the type that receive grants, financial or in-kind assistance, or other payments from or through the Waste Permitting, Compliance and Mitigation Division; and/or
  - (d) Are the subject of collection activity by the Waste Permitting, Compliance and Mitigation Division.
- Category 6: Individuals holding positions assigned to this category must report investments and business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that:
- (a) Are subject to the regulatory, certification, registration, or licensing authority of the Division of Recycling;
  - (b) Provide goods, equipment, vehicles, machinery, leased facilities, or services, including training or consulting services, of the type used by the Division of Recycling;
  - (c) Are of the type that receive grants, financial or in-kind assistance, or other payments from or through the Division of Recycling; and/or
  - (d) Are the subject of collection activity by the Division of Recycling.
- Category 7: Individuals holding positions assigned to this category must report investments and business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that:
- (a) Provide goods, equipment, vehicles, machinery, leased facilities, or services, including training or consulting services, of the type used by the Department; and/or
  - (b) Are of the type that receive grants, financial or in-kind assistance, or other payments from or through the Department.
- Category 8: Individuals holding positions assigned to this category must report all investments, business positions in business entities, and income, including the receipt of gifts, loans, and travel payments, from sources that provide goods, equipment, hardware, software, facilities, supplies, training, consulting, or services related to information technology, geographical information systems, electronic records storage, audio, video, multimedia, and telecommunications, of the type used by the Department.

This is the last page of the conflict of interest code for the Department of Resources, Recycling and Recovery (CalRecycle)



## CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the Department of Resources, Recycling, and Recovery (CalRecycle) was approved on 8/31/23

Sukhdip Brar Digitally signed by Sukhdip Brar  
Date: 2023.08.31 15:31:18 -07'00'

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Sukhi K. Brar

Assistant Chief Counsel

Fair Political Practices Commission

Pursuant to Government Code Section 11346.2:

Secretary of State Filing Date:

Effective:

