

Department of Resources Recycling and Recovery
Recycling and Disposal Reporting System Regulatory Permanent
Regulations

Updated Informative Digest

§18815.2. DEFINITIONS.

Subsection (a)(10.5)(A)

The regulatory language has been changed to update “self-hauled residential mixed recycling” to “self-hauled mixed recycling.” The word “residential” was removed in the First 15-Day Notice regulation text in response to feedback received from interested parties during the 45-Day public comment period, in which said parties expressed opposition to the separation of self-hauled material into residential versus commercial self-haul. Based on these comments, CalRecycle decided to remove the regulatory language splitting the self-haul source sector into residential and commercial, which is discussed later in this Updated Informative Digest (e.g., subsection 18815.9(c)(1)(A)). Consequently, because a component of collection method is source sector, subsection 18815.2(a)(10.5)(A) was altered to remove the reference to “self-hauled residential” so that the collection method definition would not explicitly or implicitly require that self-hauled material be split into residential versus commercial.

Subsection (a)(22)(A) and (B)

In the 45-Day notice, paragraph (22) was reorganized to have two subparagraphs, (A) and (B). The subparagraph labels, (A) and (B), were not underlined on the Original 45-Day or First 15-Day Notice regulatory text as clearly indicated added language to the original regulatory text. These labels should have appeared as “(A)” and “(B)”. The reorganization of paragraph (22) was discussed in the Initial Statement of Reasons (ISOR), which accompanied the Original 45-Day regulatory text.

Subsection (a)(25.5)

The regulatory language has been changed to explain that when determining the destination for an outflow of material, the material shall be considered sent to wherever the material was received by the recipient. This so-identified destination shall then be considered to be exported or not according to the definition of export in Public Resources Code 41781.4(c) and California Code of Regulations, Title 14, Section 18815.2(a)(25.5). Note that this change does not alter the intended meaning of the definition of outflow relative to the originally proposed regulation. The purpose of this amendment is to clarify the intent of the definition.

Subsection (a)(43)

The regulatory language has been changed to update the definition of recycling in a few ways. First, the definition has been amended to clarify that the changes proposed in the initial notice (i.e., 18815.2(a)(43): “recycling shall also include all activities considered recycling for purposes of section 41821.5 of the Public Resources Code”) only apply for the “purposes of determining facilities’ reporting obligations under this article”

(18815.2(a)(43)). The changes to the definition of recycling do not apply outside of RDRS. Second, the definition was altered to clarify that the recycling activities listed in subparagraphs (A) through (D) are meant to be examples of activities that may constitute recycling rather than an exhaustive list of all possible activities. Whether any given activity is considered recycling for the purposes of RDRS reporting depends on whether those activities meet the definition of recycling provided in section 18815.2(a)(43). These latter amendments do not change the effect of the originally proposed regulatory language and are for clarity only.

Subsection (a)(58)(D)

CalRecycle received feedback from interested parties in opposition to the separation of self-haul residential versus self-haul commercial, which has been addressed through the proposed amendments to section 18815.2(a)(10.5). In line with this amendment, section 18815.2(a)(58)(D) is also being amended to remove the separation of self-haul into residential and commercial self-haul. In addition, CalRecycle removed the fourth category of source sector, “Reporting entity other than contract hauler or transfer/processor”. CalRecycle removed this category because interested parties objected to the other source sector change, interested parties found the fourth category confusing, and CalRecycle determined that the benefits provided by the fourth category alone (i.e., in absence of the split between self-haul residential and commercial) were not justified by the potential cost to affected parties. Thus, CalRecycle restored source sector to its original definition. Note that doing so required additional minor amendments to the regulatory language to correct grammar and punctuation.

§18815.3 registration, reporting and exemptions.

Subsection (f)

The phrase “and report as follows:” was not clearly indicated on the Original 45-Day or First 15-Day Notice regulatory text as added language to the original regulatory text. The addition should have appeared as “and report as follows:”. The purpose and necessity of the “and report as follows” addition is the same as described in the ISOR, section 18815.3(f) header.

Subsection (f)(1)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 (i.e., commencing 1 January 2025) and not 2024 Q4 (i.e., 1 October 2024). CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (g)

The word “closes” was not clearly indicated on the Original 45-Day or First 15-Day Notice regulatory text as deleted language from the original text. This deletion should have appeared as “closes”. CalRecycle is deleting the word “closes” due to the rest of the updates to subdivision (g). Edits to subdivision (g) clarify that this subdivision

applies to inactivity and closure requests, and if the word “closes” is not deleted, then these edits do not make sense when read.

In addition, two sentences were not clearly indicated on the Original 45-Day or the First 15-Day notice regulatory text as added language to the original regulatory text. The addition should have appeared as “In such request, the reporting entity shall demonstrate to the Department why their status should be changed to inactive or closed. If the Department determines that the reporting entity is inactive or the site is closed, then the Department shall grant the request.” The purpose of adding this sentence was to clarify that reporting entities must demonstrate to CalRecycle why they should be inactive or closed. This change is necessary to align requirements for inactivity and closure requests with the requirements for exemption requests (subsection 18815.3(h)) and because CalRecycle needs to be able to verify that entities are appropriately claiming inactivity or closure.

Subsection (n)(5)

The regulatory language has been changed to update the time to resolve inter-entity reporting issues. The originally proposed amendments required reporting entities to resolve such issues within 10 business days. The new changes allow entities to obtain an additional extension of up to 10 business days for those issues to be resolved, based on a notification from the reporting entity to CalRecycle that lists the reasons why additional time is needed. The purpose of this amendment is to allow more time than the originally proposed time limit of 10 business days and is in response to feedback received by CalRecycle from interested parties during the 45-Day public comment period.

Subsection (p)

The phrase “related to this notice” was not clearly indicated on the Original 45-Day and First 15-Day notice regulatory text as added language to the original regulatory text. The addition should have appeared as “related to this notice”. The purpose and necessity of the “related to this notice” addition are the same as discussed in the ISOR, section 18815.3(p).

Subsection (q)(1)

The regulatory language has been changed to clarify that multiple entities on the same site shall report together only as allowed in section 18815.3(d). This amendment clarifies the effect of existing regulations to better reflect the intended purpose of the regulation as originally promulgated.

Subsection (q)(2)(B)(iii)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

§18815.4 REPORTING REQUIREMENTS FOR HAULERS

Subsection (a)

The word “origin” was inappropriately underlined in the originally noticed regulatory text that was published for public comment during the 45-Day public comment period. The purpose of this amendment is to remove the erroneous underline and to clarify that the word “origin” is already included in the existing regulations.

Subsection (d)(2)(G)

The regulatory language has been changed to update the reference from section 18815.9(l)(2) to 18815.9(l) to clarify that this reporting requirement starts in 2025 Q1 (i.e., commencing 1 January 2025), which is specified in (l). CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (d)(3)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

18815.5 REPORTING REQUIREMENTS FOR TRANSFER/PROCESSORS.

Subsection (a)(3)(C)

The regulatory language has been changed to update the reference to section 18815.9(a)(3) to 18815.9(a)(1)(C). This amendment is necessary because subsection 18815.5(a)(3)(C) directs readers to a subsection of 18815.9(a), but due to changes to 18815.9(a), the appropriate subsection has changed from 18815.9(a)(3) to 18815.9(a)(1)(C). The changes to 18815.9(a) are detailed later in First 15-Day Notice and are in response to feedback received by CalRecycle during the 45-Day public comment period.

Subsection (a)(4)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (h)(3)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

§18815.6 REPORTING REQUIREMENTS FOR DISPOSAL FACILITIES.

Subsection (a)(2)(B)

The regulatory language has been changed to explain that designated waste and disaster debris are not assigned a source sector. Note that the new language is not a

change from existing implementation of regulations. The purpose of this amendment is to align source sector regulations for disposal facilities and transfer/processors. For transfer/processors, source sector is collected only for solid waste (18815.5(a)(3)(B)).

Subsection (b)(2)(C)(iii)

The word “takes” is deleted from this proposed section in the Second 15-Day Notice regulation text. Deleting “takes” is necessary as its inclusion results in a grammatical error and introduces confusion in the meaning of this clause. The purpose of this change is to ensure that the proposed regulatory language conveys the correct meaning.

Subsection (b)(4)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (g)(3)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

§18815.7 REPORTING REQUIREMENTS FOR RECYCLING AND COMPOSTING FACILITIES AND OPERATIONS.

Subsection (a)(8)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (g)(2)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

§18815.8 REPORTING REQUIREMENTS FOR BROKERS AND TRANSPORTERS.

Subsection (a)(7)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this

change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (d)(1)

The “s” from “sections” is deleted in the Second 15-Day Notice regulation text as only one section is referenced in this paragraph. This deletion is a nonsubstantive change to the proposed language.

Subsection (d)(2)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

§18815.9 METHODS.

Subsection (a)(1)(B)

Subsection (a)(1)(B) was updated to explain that recycling and composting facilities and operations, brokers, and transporters shall report material type for beneficial reuse according to subsection 18815.9(a)(2). This amendment was necessary because the originally proposed updates to subsections 18815.9(a)(1)(B) through (D) did not provide a method for non-disposal facilities to report material type for beneficial reuse. CalRecycle implemented this change in response to feedback received from interested parties during the 45-Day public comment period.

Subsection (a)(1)(C)

Subsection (a)(1)(C) was changed to further explain the reporting of material type for beneficial reuse inflows and outflows. First, disposal facilities reporting inflows of materials that are actually used for beneficial reuse shall report material type according to subsection 18815.9(a)(3), whereas any entity (e.g., a transfer/processor) reporting inflows or outflows of potential beneficial shall report material type according to subsection 18815.9(a)(2). Second, subsection (a)(1)(C) clarifies that soil shall never be included in potential beneficial reuse tonnages. These changes were necessary because the originally proposed updates to subsections 18815.9(a)(1)(B) through (D) did not provide a method for non-disposal facilities to report material type for beneficial reuse, did not clarify which methods disposal facilities should use, and did not clarify requirements regarding soil and potential beneficial reuse. CalRecycle implemented these changes in the First 15-Day Notice regulation text in response to feedback received from interested parties during the 45-Day public comment period.

Subsection (a)(1)(D) and (a)(1)(D)(ii)

Subsection (a)(1)(D) and (D)(ii) were amended to clarify that contract haulers, transfer/processors, and disposal facilities shall refer to subsection 18815.9(a)(1)(C) when reporting material type for beneficial reuse. These changes in the First 15-Day Notice regulation text were necessary to ensure that subparagraph (D) did not conflict

with the updates to subparagraph (C), which were made in response to feedback received from interested parties during the 45-Day public comment period.

Subsection (a)(2)(D)

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (a)(2)(E)

The regulatory language has been amended to explain that when any facility reports material type for green material for potential beneficial reuse, material type shall be reported just as “green material.” This amendment was necessary because of the changes made subsection 18815.9(a)(1)(B) through (D), which have the effect that subsection 18815.9(a)(3) applies only to material actually used for beneficial reuse and not to material reported for *potential* beneficial reuse. Thus, because subsection 18815.9(a)(3) dictates that green material used for beneficial reuse be given a material type of green material, subsection 18815.9(a)(2) was amended to explain that green material for *potential* beneficial reuse shall also be assigned a material type of green material. This change was made in the First 15-Day Notice regulation text in response to feedback received from interested parties during the 45-Day public comment period.

Subsection (b)(3) through (5)

In the originally proposed amended regulations, subsections 18815.9(b)(3) through (5) dictated the methods for determining origins for different scenarios (e.g., paragraph (3) governs how transfer/processors determine jurisdiction of origin for solid waste, whereas paragraph (5) governs how all entities determine jurisdiction of origin for exported mixed plastic waste). Based on feedback received from interested parties during the 45-Day public comment period, which questioned why different scenarios appeared to have different methods, CalRecycle deleted subsections 18815.9(b)(3.5) through (5) and generalized subsection 18815.9(b)(3) to apply whenever entities determine jurisdiction of origin for tons sent in the First 15-Day Notice regulation text. These changes do not alter requirements relative to the proposed regulations. Instead, the amendments more concisely rephrase the regulatory language.

Subsection (c), header

Subsection 18815.9(c) provides the methods that reporting entities must use to determine source sector. In the originally proposed amended regulations, subsection 18815.9(c) allowed entities to use any method listed in the subdivision, except where a specific method was required by subsection 18815.9(c)(5) through (7). However, for reasons discussed in the next Subsection of this Updated Informative Digest, subsection 18815.9(c)(7) was deleted. It was therefore necessary to amend subsection 18815.9(c) such that it referred to only subsections 18815.9(c)(5) through (6).

Subsections (c)(1)(A), (c)(1)(D), (c)(1)(D)(i), (c)(1)(D)(ii), (c)(2)(A), (c)(2)(D), (c)(4), and (c)(6)

In the originally proposed amended regulations, entities were required to separate the self-haul source sector into residential versus commercial self-haul starting in 2024 Q4. Based on feedback received from interested parties during the 45-Day public comment period, CalRecycle removed the requirement that entities split self-haul into residential and commercial as of 2024 Q4 in the First 15-Day Notice regulation text. Note that doing so also required removing the language that dictated that regulations would apply prior to or as of reporting period 4 of 2024.

Subsection (c)(5)

The regulatory language has been changed to explain that designated waste and disaster debris are not assigned a source sector. Note that the new language is not a change from existing interpretation of regulations. The purpose of this amendment is to align source sector methods regulations with reporting regulations for disposal facilities (subsection 18815.6(a)(2)(B)) and transfer/processors (18815.5(a)(3)(B)).

Subsection (c)(7), deletion

In the originally proposed amended regulations, subsection 18815.9(c)(7) required entities to assign residual disposal and material received from certain reporting entity types to a fourth source sector category, “reporting entity other than contract hauler and transfer/processor.” CalRecycle deleted this subsection (i.e., deleted the new fourth category of source sector) because of feedback received from interested parties during the 45-Day public comment period, in which said parties found the fourth category confusing. CalRecycle also determined that the benefits provided by the fourth category alone (i.e., in absence of the split between self-haul residential and commercial) were not justified by the potential cost to affected parties.

Subsection (c)(7), renumbering

This paragraph was renumbered from (8) to (7) because the original paragraph (7) was deleted.

Subsection (d)(4)

The regulatory language has been changed to explain that designated waste and disaster debris are not assigned a source sector. Note that the new language is not a change from existing implementation of regulations. The purpose of this amendment is to align the source sector methods regulations for contract haulers with the other source sector methods and reporting regulations (subsections 18815.6(a)(2)(B), 18815.5(a)(3)(B), and 18815.9(c)(5)).

Subsection (I), header

The regulatory language has been changed to state that the originally proposed amendments will take effect in 2025 Q1 and not 2024 Q4. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

Subsection (l)(3)(C)(i)

The regulatory language has been amended such that, when determining collection method, self-hauled material is not segregated into residential versus commercial self-haul. This change was implemented in response to feedback received from interested parties during the 45-Day public comment period, in which said parties opposed the separation of self-hauled material into residential versus commercial self-haul. Based on these comments, CalRecycle decided to remove the regulatory language splitting the self-haul source sector into residential and commercial, which is discussed earlier in this Updated Informative Digest (e.g., subsection 18815.9(c)(1)(A)). Consequently, because a component of collection method is source sector, subsection 18815.9(l)(3)(C)(i) was altered to remove the language requiring that self-hauled material be split into residential versus commercial. Note that this change was also made to match the updates to subsection 18815.2(a)(10.5)(A).

Subsection (l)(4)

The regulatory language was changed to clarify how collection method should be determined for mixed loads. For loads that represent multiple levels of segregation (e.g., 1-bin and 2-bin recycling), the most aggregated segregation level shall apply (e.g., 1-bin). For loads that represent multiple source sectors, the proportion from each sector shall be estimated or the majority sector shall be assigned. If estimation is not possible and the majority sector is not known, then loads shall be assigned to the self-haul sector. CalRecycle implemented these changes in the First 15-Day Notice regulation text because, during the 45-Day public comment period, interested parties expressed confusion about determining collection method for mixed loads.

Title 14, Section 18794.2

TITLE 14. NATURAL RESOURCES

DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING & RECOVERY

CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING COUNTRYWIDE INTEGRATED WASTE MANAGEMENT PLANS

ARTICLE 9.0. ANNUAL REPORTING REGULATIONS

SECTION 18794.2

§18794.2 REPORTING REQUIREMENTS FOR CALCULATIONS.

Subsection (c)(7)

The regulatory language has been changed to state that the originally proposed amendments will take effect January 1, 2025 rather than October 1, 2024. CalRecycle implemented this change in the First 15-Day Notice regulation text because interested parties requested a later effective date, 2025 Q1, for this requirement during the 45-Day public comment period.

**TITLE 14. NATURAL RESOURCES
DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING & RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING
AND REVISING COUNTRYWIDE INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9.25. RECYCLING AND DISPOSAL REPORTING SYSTEM**

SECTIONS 18815.1 THROUGH 18815.8

**18815.8 REPORTING REQUIREMENTS FOR BROKERS AND TRANSPORTERS.
Subsection (d)(1)**

The “s” from “sections” is deleted in the Second 15-Day Notice regulation text as only one section is referenced in this paragraph. This deletion is a nonsubstantive change to the proposed language.