



City of Wheatland
Compliance Evaluation Findings Report
#23-1613

May 1, 2025

Report Summary

California Code of Regulations, Title 14, Division 7, Chapter 12 - Short-Lived Climate Pollutants

Article 4: Education and Outreach

Compliant

Noncompliant

Section 18985.1. Organic Waste
Recovery Education and Outreach

None

Section 18985.2. Edible Food Recovery
Education and Outreach

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

Article 8: CALGreen Building Standards and Model Water Efficient Landscape Ordinance

Compliant

Noncompliant

Section 18989.1. CALGreen Building
Codes

None

Section 18989.2. Model Water Efficient
Landscape Ordinance

Article 9: Locally Adopted Standards and Policies

Compliant

Section 18990.1. Organic Waste Recovery Standards and Policies

Section 18990.2. Edible Food Recovery Standards and Policies

Noncompliant

None

Article 10: Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery

Compliant

Section 18991.1. Jurisdiction Edible Food Recovery Program

Section 18991.2. Recordkeeping Requirements for Jurisdiction Edible Food Recovery Program

Noncompliant

None

Article 11: Organic Waste Recycling Capacity Planning

Compliant

Section 18992.2. Edible Food Recovery Capacity

Noncompliant

None

Article 12: Procurement of Recovered Organic Waste Products

Compliant

None

Noncompliant

Section 18993.1. Recovered Organic Waste Product Procurement Target

Section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target

Section 18993.3. Recycled Content Paper Procurement Requirements

Section 18993.4. Recordkeeping Requirements for Recycled Content Paper Procurement

Article 13: Reporting

Compliant	Noncompliant
Section 18994.1. Initial Jurisdiction Compliance Report	None
Section 18994.2. Jurisdiction Annual Reporting	

Article 14: Enforcement Requirements

Compliant	Noncompliant
Section 18995.1. Jurisdiction Inspection Requirements	Section 18995.2. Implementation Record and Recordkeeping Requirements
Section 18995.3. Jurisdiction Investigation of Complaints of Alleged Violations	
Section 18995.4. Enforcement by a Jurisdiction	

Article 16: Administrative Civil Penalties

Compliant	Noncompliant
Section 18997.1. Scope	None

Public Resources Code, Division 30, Part 3, Chapters 12.8 and 12.9

Mandatory Commercial Organics Recycling

The City of Wheatland is implementing a Mandatory Commercial Organics Recycling program.

Mandatory Commercial Recycling

The City of Wheatland is implementing a Mandatory Commercial Recycling program.

Public Resources Code, Division 30, Part 2

Source Reduction and Recycling Element

The City of Wheatland is implementing a Residential Diversion Program, Commercial Diversion Program, and Education and Outreach Program.

The City of Wheatland did not provide evidence of a Construction and Demolition Debris

or a Recycled Content Procurement Program.

Household Hazardous Waste Element

The City of Wheatland is implementing a Household Hazardous Waste Element Program.

Overview

Review Process

The Department of Resources Recycling and Recovery's (CalRecycle) Jurisdiction and Agency Compliance and Enforcement Branch (JACE) is required to conduct a compliance evaluation (California Public Resources Code (PRC) section 41821(h) and Title 14 of the California Code of Regulations (14 CCR) section 18996.1) of the City of Wheatland (Jurisdiction) implementation of and compliance with:

- Short-Lived Climate Pollutants (SLCP) (14 CCR sections 18981.1 through 18998.4).
- Mandatory Commercial Organics Recycling (MORe) (California Public Resources Code (PRC) sections 42649.8 through 42649.87).
- Mandatory Commercial Recycling (MCR) (PRC sections 42649-42649.7 and 14 CCR sections 18835-18839).
- Source Reduction and Recycling Element (SRRE) (PRC sections 41000 through 41460).
- Household Hazardous Waste Element (HHWE) (PRC sections 41500 through 41516).

JACE's compliance evaluation reviewed the Jurisdiction's waste diversion program implementation, using available information from the Jurisdiction's Implementation Record, Electronic Annual Report (EAR), CalRecycle databases, and communications between CalRecycle and the Jurisdiction. The compliance evaluation included, but was not limited to:

- Communications with the Jurisdiction (phone calls, emails, and letters) to learn about the community and program implementation efforts.
- Field evaluations of the Jurisdiction's residential, commercial, edible food, and procurement programs.
- Observing and evaluating the Jurisdiction's waste, recycling, and organics loads at respective facilities.

JACE did not evaluate SLCP requirements that became effective on January 1, 2024, as the compliance evaluation commenced prior to the date that the requirements became effective. These requirements include inspections of Tier Two commercial edible food generators [14 CCR Section 18995.1(a)(2)] and enforcement actions [14 CCR sections 18995.1(a)(5) and 18995.4].

Communication and Compliance Evaluation Timeline

The Jurisdiction was notified on February 10, 2023 by letter (Attachment 1), that a compliance evaluation would be conducted by JACE to determine the status of the Jurisdiction's implementation of programs designed to divert organics and edible food from landfills.

- February 24, 2023, JACE sent a letter (Attachment 2) to request access to the Jurisdiction's Implementation Record by March 10, 2023.
- March 21, 2023, JACE staff accessed the Implementation Record in person.
- April 4, 2023, JACE staff received a list of MCR- and MORE-covered businesses.
- September 25, 2023, Yuba/Sutter Regional Waste Management Agency (RWMA) responded to questions JACE staff posed in an upcoming meeting agenda.
- September 27, 2023, the Jurisdiction, Yuba/Sutter RWMA, and JACE staff met to discuss additional information needed and documentation that was missing from the Implementation Record.
- October 3, 2023, JACE staff conducted a field visit. Staff observed commercial containers subject to MCR and MORE requirements.
- October 13, 2023, JACE staff conducted a field visit. Staff observed residential containers in the neighborhoods around Wheatland Road and Caliterra Park Drive, northeast of Main Street and D Street, and southeast of Chana Way and McDevitt Drive. Staff also observed residential truck loads from gray, green, and blue containers.
- October 27, 2023, JACE staff conducted a field visit. Staff observed commercial containers subject to MCR and MORE requirements. Staff also observed a commercial truck load from gray containers.
- November 16, 2023, JACE staff conducted a field visit. Staff observed a commercial truck load from blue containers.
- October 16, 2024, JACE staff sent the Jurisdiction a draft findings report with the opportunity to provide feedback.
- October 29, 2024, the Jurisdiction provided additional information about all programs that were found noncompliant in the report.
- January 10, 2025, JACE staff responded to the additional information with follow-up questions.
- February 3, 2025, the Jurisdiction provided answers to JACE's follow-up questions.
- Additional communications and other interactions that took place with the Jurisdiction throughout the compliance evaluation, which included phone calls and email messages, site visits, and meetings.

Existing Jurisdiction Conditions

The City of Wheatland is in Yuba County. According to the U.S. Census Bureau, the Jurisdiction has a total area of 8.1 square miles. The Jurisdiction has an estimated population of 3,893 (California Department of Finance, 2024). According to the Yuba/Sutter RWMA's base year history (2004), 21 percent of the Jurisdiction's total

waste generation is from the residential waste stream and 79 percent from the non-residential waste stream.

Summary of Jurisdiction's Solid Waste Infrastructure and Materials Flow

Jurisdiction interviews and Recology's website were used to determine that the Jurisdiction has one approved hauler, Recology Yuba-Sutter, with an exclusive franchise agreement to collect gray, blue, and green container waste for all residents and commercial generators. Residents and commercial generators may also self-haul their materials for recycling and disposal.

Materials collected in the Jurisdiction are first taken to one of two facilities:

1. Recology Yuba-Sutter Transfer Station & Material Recovery Facility (MRF)
2. Recology Ostrom Road Landfill and Organics composting facility

Gray container waste picked up by the hauler is taken directly to the Recology Ostrom Road landfill.

Blue container waste picked up by the hauler is taken to the Recology Yuba-Sutter MRF to be sorted, baled, and shipped to paper mills, glass plants, and other manufacturers to be recycled. Loads of blue container waste from commercial businesses and schools are mixed with Yuba – Unincorporated's recyclables.

Green container waste picked up by the hauler is taken to the Recology Ostrom Road Organics composting facility. Loads of green container waste from residential, commercial, and government sectors are mixed.

Self-haulers may drop off all waste types at Recology Yuba-Sutter Transfer Station and MRF where they will be sorted and transported for recycling, landfill, or composting.

The Jurisdiction does not provide mixed waste organic collection and reported that it does not use a High Diversion Organic Waste Processing Facility (HDOWPF).

Short-Lived Climate Pollutants (SLCP) Regulation Evaluation

General Provisions

14 CCR Section 18981.2. Implementation Requirement on Jurisdictions

See Table 1 below for specific information on ordinances, enforceable mechanisms, and other requirements.

Table 1

Program Requirements	Findings
Adopted enforceable ordinance(s) or mechanism(s) to mandate compliance with SLCP requirements. [18981.2(a)]	See details in the Articles below regarding enforceable ordinances or mechanisms to mandate compliance with SLCP requirements.
Designations of responsibilities made through contracts or agreements. [18981.2(b)]	The Jurisdiction provided evidence of contracts or agreements for any designations made. The Jurisdiction delegated to Yuba/Sutter Regional Waste Management Authority (RWMA) implementation of the requirements of SLCP, except for CALGreen, MWEL0, and procurement, as well as MORE, MCR, SRRE, and HHWE.
Civil penalties not designated to a private entity. [18981.2(d)]	The Jurisdiction’s mandatory organic waste disposal ordinance states that a representative from the RWMA will assess fines.
Copies of designee agreements and contracts included in the Implementation Record. [18981.2(e)]	The Jurisdiction provided documentation in its Implementation Record of designee agreements, which included the Yuba/Sutter RWMA Joint Powers Agreement, RWMA Amended Regional Agency Formation Agreement, Wheatland Franchise Agreement, and RWMA and Zero Foodprint Agreement.

Article 3: Organic Waste Collection Services

The Jurisdiction was granted a low population waiver by the Department on July 20, 2022. Under the waiver, the Jurisdiction is not required to comply with Article 3 (14 CCR Sections 18984 – 18984.14). Dependent on eligibility and submittal of a request to renew a waiver, the Jurisdiction may be eligible for renewal of their low population waiver when the current waiver expires.

Article 4: Education and Outreach

Under the low population waiver granted by the Department for organic waste collection, there is no need to provide education and outreach to generators on the organic waste collection requirements in 14 CCR Section 18985.1.

14 CCR Section 18985.2. Edible Food Recovery Education and Outreach

Finding: Compliant

The Jurisdiction provided all evidence of compliant educational materials sent annually on October 29, 2024. See Table 2 below for specific information about the Jurisdiction’s edible food recovery education and outreach program implementation.

Table 2

Program Requirements	Compliance	Findings
List of food recovery organizations and services operating within the jurisdiction and maintained on website. Updated annually. [18985.2(a)]	Yes	A list of food recovery organizations is located on Yuba/Sutter RWMA’s website, which is linked to on the Jurisdiction’s website.
At least annually provide commercial edible food generators information about edible food recovery program. [18985.2(b)(1)(A)]	Yes	The Jurisdiction provided compliant educational materials that were distributed in 2022 and 2023.
At least annually provide commercial edible food generators information about edible food recovery requirements. [18985.2(b)(1)(B)]	Yes	The Jurisdiction provided compliant educational materials that were distributed in 2022 and 2023.
At least annually provide commercial edible food generators information about food recovery services and organizations and where they can be found. [18985.2(b)(1)(C)]	Yes	The Jurisdiction provided compliant educational materials that were distributed in 2022 and 2023.
At least annually provide commercial edible food generators information about how to prevent the creation of food waste. [18985.2(b)(1)(D)]	Yes	The Jurisdiction provided compliant educational materials that were distributed in 2022 and 2023.

14 CCR Section 18985.3. Recordkeeping Requirements for a Jurisdiction’s Compliance with Education and Outreach Requirements

Finding: Compliant

The Jurisdiction’s Implementation Record contained records required by 14 CCR Section 18985.3. See Table 3 below for specific documentation in the Implementation Record.

Table 3

Implementation Record Requirements	Received	Findings
Copies of flyers, brochures, newsletters, invoice messaging, and website and social media posts. [18985.3(a)(1)]	Yes	Information provided to commercial edible food generators was included in the Implementation Record.
The date, and to whom the information was disseminated, or direct contact was made. [18985.3(a)(2)]	Yes	The Jurisdiction provided this information in a log.
If a jurisdiction provides mass distribution through mailings, or bill inserts, provide the date, a copy of the information, and the type and number of accounts receiving the information. [18985.3(a)(2)]	Yes	The Jurisdiction provided this information in a log.
If using electronic media solely, provide a copy, with dates posted, of social media posts, e-mails, or other electronic messages. [18985.3(a)(3)]	Yes	The Jurisdiction provided this information in a log.
If relying on a designee, a copy of the materials distributed by the designee. [18985.3(a)(4)]	Yes	Information provided to commercial edible food generators was included in the Implementation Record.

Article 4: Electronic Annual Report Findings

The Jurisdiction reported in their 2022 EAR that one commercial edible food generator received education materials in 2022. The Jurisdiction noted that the Yuba/Sutter Regional Waste Management Authority’s (RWMA) Commercial Edible Food Generator flyer was mailed to the Tier One generator.



Article 7: Regulation of Haulers

The Jurisdiction was granted a low population waiver by the Department on July 20, 2022. Under the waiver, the Jurisdiction is not required to comply with Article 7 (14 CCR Sections 18988.1 – 18988.4).

Article 8: CALGreen Building Standards and Model Water Efficient Landscape Ordinance

14 CCR Section 18989.1. CALGreen Building Codes

Finding: Compliant

A CALGreen ordinance was adopted and can be found on the Jurisdiction's website.

14 CCR Section 18989.2. Model Water Efficient Landscape Ordinance

Finding: Compliant

A Model Water Efficient Landscape Ordinance (MWELo) was adopted and can be found on the Jurisdiction's website.

Article 8 Electronic Annual Report Findings

The Jurisdiction reported in their 2022 EAR that there were two projects subject to MWELo and zero construction and demolition debris removal activities conducted in compliance with CALGreen.

Article 9: Locally Adopted Standards and Policies

14 CCR Section 18990.1. Organic Waste Recovery Standards and Policies

Finding: Compliant

The Jurisdiction was not aware of any ordinance, policy, procedure, permit condition, or initiative that includes provisions listed in 14 CCR Section 18990.1(b)(1) – (5).

14 CCR Section 18990.2. Edible Food Recovery Standards and Policies

Finding: Compliant

The Jurisdiction was not aware of any ordinance, policy, or procedure that prohibits the ability of a generator, food recovery organization, or food recovery service to recover edible food that could be recovered for human consumption. The Jurisdiction was also not aware of any ordinance, policy, or procedure that prohibits share tables or requires schools to adhere to a food safety standard not specified in Part 7 of Division 104 of the Health and Safety Code.

Article 10: Jurisdiction Edible Food Recovery Programs, Food Generators, and Food Recovery

14 CCR Section 18991.1. Jurisdiction Edible Food Recovery Program

Finding: Compliant

The Jurisdiction has provided evidence to support that an edible food recovery ordinance has been adopted, and a program is being implemented. The Jurisdiction provided compliant educational materials that were sent to edible food generators in 2023 on October 29, 2024. See Table 4 below for specific information about the Jurisdiction’s edible food recovery program implementation.

Table 4

Program Requirements	Compliance	Findings
Educate commercial edible food generators. [18991.1(a)(1)]	Yes	The Jurisdiction provided compliant educational materials that were distributed annually.
Increase commercial edible food generator access to food recovery organizations and services. [18991.1(a)(2)]	Yes	The Jurisdiction reported that a grant from CalRecycle has been awarded to the Yuba-Sutter Food Bank to assist in increasing commercial edible food generator access. Evidence of the grant can be found on CalRecycle’s website.
Monitor commercial edible food generators compliance. [18991.1(a)(3)]	Yes	The Jurisdiction provided a log of inspections in the Implementation Record. The one Tier 1 commercial edible food generator in the Jurisdiction was reported to have been inspected on May 16, 2023, and October 2, 2023. This was verified by JACE staff during a visit to the Tier 1 generator.
Increase edible food recovery capacity. [18991.1(a)(4)]	Yes	The Jurisdiction is part of Yuba and Sutter counties’ organic waste recycling capacity planning and was not identified as needing to submit an implementation schedule to CalRecycle.

14 CCR Section 18991.2. Recordkeeping Requirements for Jurisdiction Edible Food

Recovery Program

Finding: Compliant

The Jurisdiction provided all records required by 14 CCR Section 18991.2 on October 29, 2024. See Table 5 below for specific documentation in the Implementation Record.

Table 5

Implementation Record Requirements	Received	Findings
List of commercial edible food generators in the jurisdiction that have a contract or written agreement with food recovery organizations or services. [18991.2(a)(1)]	Yes	The Jurisdiction included the required list of commercial edible food generators in the Implementation Record.
List of food recovery organizations and food recovery services in the jurisdiction and their edible food recovery capacity. [18991.2(a)(2)]	Yes	The Jurisdiction does not need to create a list as there is no food recovery organization or service in the jurisdiction. However, the Jurisdiction identified the Yuba-Sutter Food Bank, which is located outside of the Jurisdiction.
Documentation of the actions the jurisdiction has taken to increase edible food recovery capacity. [18991.2(a)(3)]	Yes	The Jurisdiction provided a description of the actions it has taken to increase edible food recovery capacity.

Article 10 Electronic Annual Report Findings

For the 2022 EAR, the Jurisdiction reported five (5) commercial edible food generators total for both Tier One and Tier Two. The Jurisdiction reported having zero (0) food recovery organizations or services located within the city.

Article 11: Organic Waste Recycling Capacity Planning

Under the low population waiver granted by the Department for organic waste collection, there is no need to conduct capacity planning required in 14 CCR Section 18992.1 during the first capacity planning reporting period covering January 1, 2022, through December 31, 2024, as specified in 14 CCR Section 18992.3(a)(1).

14 CCR Section 18992.2. Edible Food Recovery Capacity

Finding: Compliant

The Jurisdiction is part of Yuba and Sutter counties' organic waste recycling capacity planning and was not identified as needing to submit an implementation schedule. For the 2022 – 2024 capacity planning cycle, Yuba and Sutter counties coordinated on capacity planning and reporting.

Article 11 County Capacity Planning Report

The Jurisdiction was not identified in Yuba/Sutter's 2022 - 2024 Capacity Planning report as needing to submit an implementation schedule to CalRecycle.

Article 12: Procurement of Recovered Organic Waste Products

14 CCR Section 18993.1. Recovered Organic Waste Product Procurement Target

Finding: Noncompliant

The Jurisdiction provided invoices for the recovered organic waste product (ROWP) procurement target, but the procurement was for the Yuba/Sutter Regional Waste Management Authority (RWMA) as a whole, not specifically for the Jurisdiction. Because there was no direct service provider agreement (or designation of authority for RWMA's procurement) for the Jurisdiction, it could not be determined which member jurisdiction(s)'s procurement target the invoices count toward.

14 CCR Section 18993.2. Recordkeeping Requirements for Recovered Organic Waste Procurement Target

Finding: Noncompliant

The Jurisdiction provided a description of how it will comply with procuring recovered organic waste products.

The Jurisdiction provided copies of invoices with RWMA as the procurer. However, it has not provided documentation of a direct service provider agreement for RWMA or designation of authority to the RWMA for procurement to explain how RWMA procurement will be divided amongst the member jurisdictions.

14 CCR Section 18993.3. Recycled Content Paper Procurement Requirements

Finding: Noncompliant

The Jurisdiction did not provide evidence to support that paper products met requirements. The documentation that was provided did not contain required information. See Table 6 below for details.

Table 6

Program Requirements	Compliance	Findings
Procured paper products, and printing and writing paper meeting recycled content requirements. [18993.3(a)]	No	The Jurisdiction did not provide evidence that paper products procured met recycled content requirements.
Paper products and printing and writing paper shall be deemed eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations section 260.12 (January 1, 2013). [18993.3(b)]	No	The Jurisdiction did not provide evidence that paper products procured were eligible to be labeled with an unqualified recyclable label.
Required all businesses from whom it purchases paper products to certify requirements in writing. [18993.3(c)]	No	The Jurisdiction did not provide evidence that it required all businesses where it purchased paper products from to certify the minimum percentage of postconsumer material or that the product is eligible to be labeled with an unqualified recyclable label.

14 CCR Section 18993.4. Recordkeeping Requirements for Recycled Content Paper Procurement

Finding: Noncompliant

The Jurisdiction’s Implementation Record does not contain the records required by 14 CCR Section 18993.4. See Table 7 below for specific documentation missing from the Implementation Record.

Table 7

Implementation Record Requirements	Received	Findings
Copies of invoices, receipts or other proofs of purchase that describe the procurement of paper products by volume and type for all paper purchases. [18993.4(a)(1)]	No	The Jurisdiction provided a log but no proof of purchases.
Copies of all certifications or other verification required under 14 CCR Section 18993.3. [18993.4(a)(2)]	No	The Jurisdiction’s Implementation Record did not contain this documentation.

Article 12 Electronic Annual Report Findings

In 2022 and 2023, the Jurisdiction had a procurement target of 289 ROWP units. In the 2022 EAR, the Jurisdiction reported procuring zero (0) ROWPs.

Article 13: Reporting

14 CCR Section 18994.1. Initial Jurisdiction Compliance Report

Finding: Compliant

The Jurisdiction submitted its initial jurisdiction compliance report on time.

14 CCR Section 18994.2. Jurisdiction Annual Reporting

Finding: Compliant

The Jurisdiction has submitted its EAR on time for the period reviewed for this compliance evaluation.

Article 13 Electronic Annual Report Findings

The Jurisdiction submitted its 2022 EAR on time.

Article 14: Enforcement Requirements

Under the low population waiver granted by the Department for collection, the Jurisdiction is not required to comply with 14 CCR sections 18995.1(a)(1) and (6) and 18995.2(f)(3) – (5) and (7).

14 CCR Section 18995.1. Jurisdiction Inspection Requirements

Finding: Compliant

The Jurisdiction provided all evidence to support that written or electronic records with all required information are generated for each inspection on February 3, 2025. See Table 8 below for specific information about the Jurisdiction's inspection program implementation.

Table 8

Program Requirements	Compliance	Findings
Conduct inspections of Tier One commercial edible food generators. [18995.1(a)(2)]	Yes	The Jurisdiction has conducted inspections of the one Tier One commercial edible food generator in the Jurisdiction. This was documented in a log of Tier One inspections provided in the Implementation Record.
Investigate complaints. [18995.1(a)(3)]	Yes	The Jurisdiction reported that no complaints have been received.
Provide educational material describing requirements in response to violations (required in 2022 and 2023 only). [18995.1(a)(4)]	Yes	The Jurisdiction provided evidence of educational materials that were provided in response to a noncompliant edible food generator.
Conduct a sufficient number of inspections to adequately determine overall compliance. [18995.1(b)]	Yes	The Jurisdiction conducted two inspections of the Tier One commercial edible food generator. The Jurisdiction was not required to inspect Tier Two commercial edible food generators until January 1, 2024.
Generate a written or electronic record for each inspection conducted. [18995.1(c)]	Yes	The Jurisdiction provided records for each inspection.

See Table 9 below for this section’s Implementation Record requirements.

Table 9

Implementation Record Requirements	Received	Findings
<p>A written or electronic record for each inspection including: [18895.1(c)]</p> <ul style="list-style-type: none"> • Identifying information for the subject(s) of inspection, such as name or account name of each person or entity. [18995.1(c)(1)(A)] • The date(s) inspections were conducted. [18995.1(c)(2)] • The person(s) who conducted the inspections. [18995.1(c)(3)] • Findings regarding compliance for inspections, including any Notices 	Yes	The Jurisdiction provided records for each inspection. Although the name of who conducted the inspections was not included on each record, the Jurisdiction provided the name of the inspector and stated they will add the name to future records. Educational materials that were issued for noncompliant edible food generator inspections were also provided.

of Violation, penalty orders, or education materials issued. [18995.1(c)(4)] <ul style="list-style-type: none"> Any relevant evidence supporting the findings above for inspections, such as photographs and account records. [18995.1(c)(5)] 		
Documentation of inspections and all other enforcement records, including: [18995.1(d)]: <ul style="list-style-type: none"> Copies of all inspection documentation. [18995.1(d)(1)] A list of date(s) determined an entity complied with a Notice of Violation and the evidence that supports compliance determination. [18995.1(d)(3)] Copies of notices and educational material. [18995.1(d)(4)] 	Yes	The Jurisdiction provided all inspection documentation. (See details in row above.)

14 CCR Section 18995.2. Implementation Record and Recordkeeping Requirements

Findings: Noncompliant

The Jurisdiction’s Implementation Record did not contain the required documentation for:

- 14 CCR Section 18993.2
- 14 CCR Section 18993.4
- 14 CCR Section 18995.2

See individual recordkeeping writeups for each article above for additional information on the documentation that is missing. See Table 10 below for Implementation Record program requirements.

Table 10

Program Requirements	Compliance	Findings
All records are maintained in the Implementation Record. [18995.2(a)]	No	See details in Table 11 below.
Stored in one central location, physical or electronic. [18995.2(b)]	Yes	The Jurisdiction did not have compliant proof of purchases to add to the Implementation Record. All other known existing records were included in the Implementation Record.

Access was provided within ten business days. [18995.2(c)]	Yes	The Jurisdiction provided access to the Implementation Record within ten business days.
Includes records within 60 days of their creation. [18995.2(d)]	Yes	The Jurisdiction included records in its Implementation Record within 60 days.
Retains all records for five years. [18995.2(e)]	Yes	The Jurisdiction has retained known records created since beginning of 2022.

See Table 11 below for documentation received and missing from the Implementation Record.

Table 11

Implementation Record Requirements	Received	Findings
Copy of all ordinances or enforceable mechanisms, contracts, and agreements. [18995.2(f)(1)]	Yes	The Jurisdiction provided all known records of ordinances or enforceable mechanisms, contracts, and agreements.
Written description of the jurisdiction’s inspection and enforcement program. [18995.2(f)(2)]	Yes	The Jurisdiction has provided a written description of the Jurisdiction’s inspection and enforcement program.
All education and outreach records. [18995.2(f)(6)]	Yes	See details in Article 4 above.
All jurisdiction edible food recovery program records. [18995.2(f)(8)]	Yes	See details in Article 10 above.
All recovered organic waste procurement target records. [18995.2(f)(9)]	No	See details in Article 12 above.
All recycled content paper procurement records. [18995.2(f)(10)]	No	See details in Article 12 above.
All inspection documents. [18995.2(f)(11)]	Yes	See details in Table 9 above.
All complaint and investigation records. [18995.2(f)(13)]	Yes	The Jurisdiction reported no complaints. Other required records were provided. See Table 12 below for more details.

14 CCR Section 18995.3. Jurisdiction Investigation of Complaints of Alleged Violations

Finding: Compliant

The Jurisdiction provided evidence to support the procedure that will be followed for the receipt and investigation of complaints of alleged violations and the information required to be submitted for a complaint. See Table 12 below for specific information about the Jurisdiction’s investigation of complaints program implementation.

Table 12

Program Requirements	Compliance	Findings
Provides a procedure for the receipt and investigation of written complaints of alleged violations. [18995.3(a)]	Yes	The Jurisdiction provided a written description in the Implementation Record. The procedure to submit complaints and a portal to submit is available on Yuba/Sutter RWMA’s website.
Allows for the submission of anonymous complaints. [18995.3(a)]	Yes	The online complaint portal allows for anonymous complaints.
<p>The procedure provides complaints be in writing and include the following information: [18995.3(b)]</p> <ul style="list-style-type: none"> • If the complaint is not anonymous, the name and contact information of the complainant [18995.3(b)(1)] • The identity of the alleged violator, if known. [18995.3(b)(2)] • A description of the alleged violation including location(s) and all other relevant facts known to the complainant. [18995.3(b)(3)] • Any relevant photographic or documentary evidence to support the allegations in the complaint. [18995.3(b)(4)] • The identity of any witnesses, if known. [18995.3(b)(5)] 	Yes	The online complaint portal allows for complaints in writing and allows for all required information.
Provides a procedure to notify complainants of results. [18995.3(d)]	Yes	The Jurisdiction provided the procedure in the Implementation Record.
All records are maintained in Implementation Record. The records include the complaint as received and the jurisdiction’s determination of compliance or notice of violations issued. [18995.3(e)]	Yes	The Jurisdiction provided records in Implementation Record.

14 CCR Section 18995.4. Enforcement by a Jurisdiction

The compliance evaluation for the Jurisdiction took place prior to January 1, 2024, when this requirement became effective.

Article 14 Electronic Annual Report Findings

For the 2022 EAR, the Jurisdiction reported one inspection was conducted on a Tier

One commercial edible food generator. For the 2022 EAR, the Jurisdiction reported zero (0) complaints were received. This is consistent with no records of complaints being in the Jurisdiction’s Implementation Record.

Article 16: Administrative Civil Penalties

14 CCR Section 18997.1. Scope

Finding: Compliant

The Jurisdiction has adopted a Mandatory Organic Waste Disposal Reduction Ordinance that includes that they will impose penalties with the correct amounts consistent with 14 CCR Section 18997.2.

Mandatory Commercial Organics Recycling (MORE)

PRC Section 42649.82

The Jurisdiction is implementing a commercial organic recycling program. See Table 13 below for details.

Table 13

Program Requirements	Findings
<p>Implemented a commercial organic waste recycling program that is appropriate for that jurisdiction. [42649.82(a)(1)]</p>	<p>As of May 2023, the Jurisdiction reported 27 out of 31 businesses that were subject to MORE requirements were compliant. Out of 27 businesses that were required to recycle organics, 11 recycled organics and 16 were exempt. JACE staff visited businesses on the list to verify they had collection containers. Although not all containers could be located during the visit, a route sheet provided to JACE staff by the City's hauler, Recology, confirmed that the compliant businesses on the list were subscribed to collection services. The requirement in Section 5(b) of the RWMA’s Mandatory Organic Waste Disposal Reduction Ordinance for all commercial businesses to recycle their organics either</p>

	through curbside service or self-haul and to sort properly. According to the ordinance, enforcement and penalties begin January 1, 2024, for entities that are noncompliant.
Provided for the education of, outreach to, and monitoring of, businesses. [42649.82(d)(1)(C)]	The RWMA website and the Recology Yuba-Sutter website contain information on MORE. According to the 2021 and 2022 EARs, education and outreach (e.g., flyers, mailings, emails, presentations, phone calls, site visits, etc.) were also provided to affected entities. The Jurisdiction monitors business compliance via reports from Recology.
Notified businesses that are not in compliance. [42649.82(d)(1)(C)]	The Jurisdiction sends out notifications to businesses out of compliance at least annually.
Provided the department with information required in the annual report. [42649.82(f)]	The Jurisdiction reports annually in the Electronic Annual Report on its MORE program.

MORE Electronic Annual Report Findings

In the Jurisdiction’s 2022 EAR, it is reported that out of 31 commercial businesses that are required to recycle organics, 15 are not recycling organics. This is a compliance rate of 52 percent. It was also reported that noncompliant businesses were notified and educated on requirements.



Mandatory Commercial Recycling (MCR)

PRC Section 42649.3 and 14 CCR Section 18838

The Jurisdiction is implementing a commercial recycling program. See Table 14 below for details.

Table 14

Program Requirements	Findings
Implemented a commercial recycling program that is appropriate for that jurisdiction. [PRC 42649.3(a) and 14 CCR 18838(a)]	As of May 2023, the Jurisdiction reported 12 out of 15 businesses that were subject to MCR requirements were compliant. This information was confirmed by a route sheet provided to JACE staff by the City's hauler, Recology in October 2023 and verified during site visits by JACE staff. Additionally, there is a requirement in Section 5(b)

	of the RWMA's Mandatory Organic Waste Disposal Reduction Ordinance for all commercial businesses to recycle their recyclables either through curbside service or self-haul and to sort properly. According to the ordinance, enforcement and penalties begin January 1, 2024, for entities that are noncompliant.
Provided for the education of, outreach to, and monitoring of, businesses. [PRC 42649.3(d) and 14 CCR 18838(a)(1) and (2)]	The RWMA website and the Recology Yuba-Sutter website contain information on MCR. According to the 2021 and 2022 EARs, education and outreach (e.g., flyers, mailings, emails, presentations, phone calls, site visits, etc.) were also provided to affected entities. The Jurisdiction monitors business compliance via reports from Recology.
Notified businesses that are not in compliance. [PRC 42649.3(d) and 14 CCR 18838(a)(2)]	The Jurisdiction sends out notifications to businesses out of compliance at least annually. A copy of a notification was included in the Implementation Record.
Provided the department with information required in the annual report. [PRC 42649.3(g) and 14 CCR 18838(h)]	The Jurisdiction reports annually in the Electronic Annual Report on its MCR program.

MCR Electronic Annual Report Findings

In the Jurisdiction's 2022 EAR, it is reported that out of 15 businesses required to recycle, two (2) are not recycling. This is a compliance rate of 87 percent. It was also reported that noncompliant businesses were notified and educated on requirements.

Source Reduction Recycling Element Program

Residential Diversion Program

All residents receive a blue and green container at no additional charge with mandatory trash curbside container. There is also an ordinance for mandatory collection of recyclables and organics, and a majority of residential customers participate and separate properly. There are seven beverage container buy-back drop-off locations in the area.

The Jurisdiction reports the following organics are accepted in the green container: food waste, yard waste, food-soiled paper, and other organic materials (including but not limited to cotton balls and swabs, corks, hair, and fur).

On the October 27, 2023, field visit, staff evaluated 52 green carts and observed an

average contamination rate of approximately 5 percent. Staff observed and evaluated one truck load from green containers, which contained approximately 5 percent prohibited container contaminants.

Organics may also be self-hauled to Recology Yuba-Sutter Transfer Station in Marysville.

The Jurisdiction reports that the following materials are accepted for recycling in the blue container: paper products, plastics 1-7, bottles and cans, metals, and glass.

During an October 27, 2023 field visit, staff evaluated 60 blue carts and observed an average contamination rate of 10 percent. Staff observed and evaluated one truck load from blue containers. The load observed contained approximately 5 percent prohibited container contaminants. The self-haul collection locations accept carpet, mattresses, scrap metals, and plastic bags for recycling. The Yuba/Sutter RWMA website provides various locations to self-haul types of recyclables in the area. All common non-hazardous recyclables can be self-hauled to Recology Yuba-Sutter in Marysville for recycling.

Staff also evaluated 52 gray carts and observed an average of 10 percent of divertible materials. Staff observed one truck load from gray containers that contained approximately 10 percent divertible materials. The most observed divertible materials were cardboard and recyclable plastics.

Commercial Diversion Program

Curbside recycling and organics collection are mandated by the Regional Waste Management Authority Mandatory Organic Waste Disposal Reduction Ordinance for all commercial customers unless they self-haul or have an approved organics waiver. Commercial customers pay for recycling and organics services. Recology offers free waste audits to commercial customers to help commercial customers with sorting and to right size the container as needed.

During field visits on October 3, 2023, and October 27, 2023, staff evaluated six commercial green containers and observed an approximate contamination rate of 5 percent. A truck load that contained a small amount of commercial organic waste was viewed on October 13, 2023. The majority of that load was residential organic waste and is referenced in the Residential Diversion Program section above.

Organics may also be self-hauled to Recology Yuba-Sutter Transfer Station in Marysville.

According to the Yuba/Sutter RWMA website, the following materials are accepted for recycling in the blue container: paper products (incl. cardboard), plastics 1-7, bottles and cans, metals, and glass. On October 3, 2023, and October 27, 2023, staff evaluated 21 blue containers and observed an average contamination rate of about 15 percent. Staff observed and evaluated one truck load from blue containers on

November 16, 2023. The load observed contained approximately 5 percent prohibited container contaminants. The Yuba/Sutter RWMA website provides various locations to self-haul types of recyclables in the area. All common non-hazardous recyclables may be self-hauled to Recology Yuba-Sutter for recycling. These include materials accepted in curbside containers, as well as recyclables not accepted in containers (e.g., carpets, mattresses, scrap metals, plastic bags).

On October 2, 2023, and October 27, 2023, staff also evaluated 18 gray containers and observed an average of 20 percent of divertible materials. Staff observed and evaluated one truck load from gray containers. The load contained approximately 25 percent divertible materials. The most observed divertible materials were cardboard and recyclable plastics.

Construction and Demolition Debris

The Jurisdiction did not report or provide any evidence to support implementation of a construction and demolition (C&D) debris diversion program. JACE staff could not obtain information from the Jurisdiction staff regarding this program.

The Yuba/Sutter RWMA website does list locations in the area to drop off scrap metal, tires, and wood waste for recycling.

Recycled Content Procurement

The Jurisdiction did not report or provide any evidence to support procurement of recycled content products. See Article 12 under SLCP section above for more information.

Education and Outreach

The Yuba/Sutter RWMA and Recology websites provide information on waste reduction and recycling programs in the Yuba-Sutter area. Additionally, letters, flyers, brochures, etc. are sent to generators at least annually, and presentations are also held for certain generator types.

See Article 4 under SLCP section above for more information.

Household Hazardous Waste Element Program

Information on how to properly dispose of household hazardous waste (HHW) can be found on both Yuba/Sutter RWMA's website and Recology Yuba-Sutter's website. Recology owns the Yuba-Sutter Household Hazardous Waste Facility located in Yuba Jurisdiction, which accepts waste from both residential and commercial sectors. Materials accepted include electronic waste, lights, batteries, oil and oil filters, sharps, paints, cleaning products, and other hazardous chemicals. The facility offers a Reuse

Center to drop off and pick up products for free that are still in usable condition. On October 27, 2023, staff conducted a field visit to verify the materials collected at the facility, and the materials were collected appropriately.

Additional Information

Attachments

1. February 10, 2023, Notification of Compliance Evaluation for the City of Wheatland
2. February 24, 2023, Request for SB 1383 Implementation Record for the City of Wheatland
3. Photo Report for the City of Wheatland

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