



TO: Kenneth J. Pogue
Director
Office of Administrative Law

DATE: March 03, 2026

FROM: Kris Chisholm
Attorney IV
DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

SUBJECT: REQUEST FOR RULEMAKING EARLY EFFECTIVE DATE BASED UPON GOOD CAUSE

Illegal Disposal Permanent Regulations

The Department of Resources Recycling and Recovery (CalRecycle) formally requests, pursuant to Government Code section 11343.4(b), that the Office of Administrative Law (OAL) prescribe an early effective date for the Illegal Disposal Permanent Regulations, Title 14, California Code of Regulations, sections 17402, et seq. that CalRecycle has filed with OAL for final review. Specifically, CalRecycle requests that the proposed regulations be effective on the date of OAL approval and filing of the regulations with the Secretary of State. CalRecycle believes that good cause exists for OAL to grant this request, as delineated below.

In this rulemaking, CalRecycle is proposing to add definitions, revise procedures, address recordkeeping, and enforcement of material that is being land applied.

This filing is a certificate of compliance filing following two readopts of emergency regulations to address an emergency. However, there were minor changes made to the emergency readopt regulations found in the certificate of compliance filing.

Given that language approved by the Office of Administrative Law for a certificate compliance adopting emergency regulation language is effective upon filing with the Secretary of State, but any language that varies from that in the certificate of compliance would normally be effective at the next quarter effective date, CalRecycle requests that any varying language be made effective on filing. This would allow for the full regulation package to be in effect at the same time preventing confusion for regulated entities and potential lack of enforcement due to parts of this package being effective on filing and other parts being effective at a much later date.

For this reason, CalRecycle believes that good cause exists for OAL to grant this request for an early effective date for any varying language in the certificate of compliance package that coincides with OAL's approval of the proposed regulations and filing with the Secretary of State pursuant to Government Code section 11343.4(b).

Kris Chisholm
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Chisholm
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Kris Chisholm

Attorney