

Department of Resources Recycling and Recovery

Illegal Disposal Permanent Regulations

Updated Informative Digest

Current regulations and the emergency regulations specify the land application requirements under the definition of land application in 14 CCR Section 17852(a)(24.5)(a). The existing definition contains provisions that do more than simply define the term “land application” but also contains compliance and enforcement related provisions.

The location of the land application requirements within the land application definition does not fit the format of other definitions in Section 17852 under Article 1 General in the compostable material handling operations and facilities requirements in Chapter 3.1 of Division 7 of 14 CCR. The format for definitions in this section describes the material, action, and/or site and specifies applicable statutes those material, action, and/or site is required to meet.

The proposed regulations will ensure the location of the land application requirement is housed in an appropriate standalone regulatory section, titled as land application requirements, in 14 CCR Section 17862.4. This will provide additional clarity for regulated parties by placing the substantive requirements for land application within Article 2 of Chapter 3.1 of Division 7 of 14 CCR in the section immediately following the requirements for land application activities.

The proposed regulations also updated all regulatory language that referenced the land application requirements from the land application definition in 14 CCR Section 17852(a)(24.5) to the new standalone regulatory section in 14 CCR Section 17862.4 to ensure consistency with the proposed change.

Current regulations and the emergency regulations require samples to undergo lab analysis by a lab accredited by California Department of Public Health (CDPH), who is no longer performing the accreditation service, to meet the environmental health standards pursuant to in 14 CCR Section 17868.1(a)(3) and 17896.58(b)(2).

The proposed regulations ensure labs, performing these services, are accredited by an active accreditation agency.