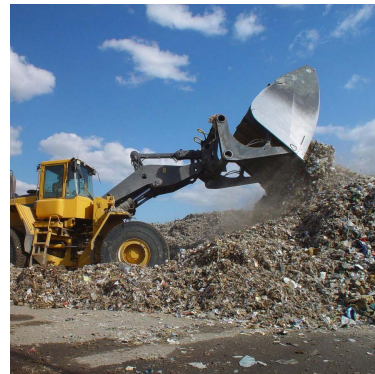


2018 CalRecycle Enforcement Report

September 3, 2021



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Executive Summary

The Department of Resources Recycling and Recovery, known as CalRecycle, has a variety of enforcement responsibilities and programs established under different laws. CalRecycle's enforcement program activities include:

- Oversight of permitted solid waste handling and disposal facilities
- Enforcement of:
 - Laws and regulations related to the storage, handling, and disposal of waste tires, including waste tire hauler and manifest requirements
 - Reporting, record keeping, and operational compliance of certified and registered beverage container collectors, distributors, recyclers, manufacturers, retailers, processors, and dealers
- Evaluation of local enforcement agency (LEA) performance to determine whether LEAs are fulfilling their duties and responsibilities effectively
- Review and approval of product stewardship/extended producer responsibility plans and annual reports for carpet, paint, and mattress product stewardship programs
- Enforcement action when:
 - Cities and counties have not implemented diversion programs to achieve their per capita disposal rate
 - Businesses have not met minimum recycled content requirements for eligible products
 - Businesses have not met product stewardship/extended producer responsibility requirements for carpet, paint, and mattresses

CalRecycle helps protect public health and the environment by effectively and efficiently managing California's solid waste disposal and recycling efforts. The following are a few highlights from CalRecycle's 2018 programs:

- **SOLID WASTE:** LEAs have the primary enforcement responsibility over solid waste facilities within the state. To assure facilities in the state are adhering to state standards, CalRecycle reviews each LEA's performance in carrying out its enforcement duties every three years (often referred to as cycles). Based on the 38 LEA evaluations completed between 2015 and 2018 (seventh evaluation cycle), 27 (or 71 percent) LEAs were fulfilling all or most of their responsibilities. CalRecycle put 11 LEAs not fulfilling their responsibilities on a corrective action plan until they achieved compliance. Eleven corrective action plans were issued, mostly due to the late submittal of updated closure plans and inspection frequency for Solid Waste Facilities (SWF).
- **LOCAL GOVERNMENT DIVERSION:** CalRecycle completed eight compliance evaluation reviews in 2018. Of the eight compliance evaluations, three resulted in the issuance of Compliance Orders to the City of Compton, Tracy and Waterford. The remaining five compliance evaluations resulted in findings of "good faith" for the City of Adelanto, Colton, Lodi, Modesto, and Oakdale.

Calaveras County Regional Agency, unincorporated Merced, while the Cities of Commerce, Maywood, Ripon and Wasco are still under compliance orders.

- **MINIMUM CONTENT (RIGID PLASTIC PACKAGING CONTAINERS):** CalRecycle continues to review submitted compliance certifications from product manufacturers while following up with those product manufacturers that submitted incomplete submissions. During 2018, three product manufacturers were found to be noncompliant based on their submitted compliance certifications and have been referred to CalRecycle's Legal Office for issuance of an accusation. Additional staff referrals and subsequent enforcement actions are pending and ongoing.
- **BEVERAGE CONTAINER RECYCLING:** CalRecycle ramped up enforcement in 2018 largely due to the continued success of the Processor Oversight and Imported Materials programs. CalRecycle filed accusations valued at over \$555 million and recommended 32 locations be revoked or have their applications for a new site to be denied due to fraud. These recommendations were a 400% increase from 2017.
- **PRODUCT STEWARDSHIP/EXTENDED PRODUCER RESPONSIBILITY PROGRAMS FOR MATTRESSES and PAINT RETAILERS:** Throughout 2018, CalRecycle maintained enforcement oversight of the mattress and paint product stewardship programs. Through these efforts, CalRecycle found mattress retailers demonstrated 37 percent initial compliance with the law and paint retailers demonstrated 67 percent initial compliance with the law. CalRecycle's progressive enforcement efforts resulted in 96.3 percent of inspected sites correcting the violations prior to the issuance of penalties. CalRecycle continued enforcing on sites that were not achieving compliance.
- **PRODUCT STEWARDSHIP/EXTENDED PRODUCER RESPONSIBILITY PROGRAM FOR CARPET:** CalRecycle found Carpet America Recovery Effort (CARE), the stewardship organization for California's used carpet stewardship law, to be noncompliant with statutory requirements for the 2013 through 2015 reporting periods. On February 13, 2018, the State of California's Office of Administrative Hearings issued a ruling supporting CalRecycle findings. On April 25, 2018, CalRecycle issued CARE a final decision and a penalty of \$821,250. CARE filed a writ on CalRecycle's final decision. A final ruling on the writ was not issued during 2018. During 2018, CalRecycle developed its enforcement process consistent with the Carpet Enforcement Plan (adopted in June 2017) and did not conduct inspections at manufacturer or retailer/wholesaler facilities. In addition, CARE worked to finalize and obtain approval of the 2018-2022 stewardship plan.
- **TIRE ENFORCEMENT:** The program has completed 15,938 inspections for 2018 within the timeframes outlined in the [Five-Year Tire Plan](#). The program also initiated 214 educational inspections and 10 waste tire hauler trainings during 2018.

Enforcement Program Overview

CalRecycle used several approaches to achieve and maintain compliance from the regulated community due to the wide range of laws CalRecycle enforces. CalRecycle focuses its resources on compliance assistance before taking formal enforcement action and imposing penalties. State laws require that CalRecycle enforcement programs have technical assistance, outreach, and training programs. Success depends on effective coordination between government and the regulated community.

CalRecycle has a variety of enforcement responsibilities and programs established under different laws. Each of the laws conveys different levels of enforcement authority, which determine the types of enforcement activities. CalRecycle tracks enforcement orders online at [CalRecycle Enforcement Orders](#).

CalRecycle has direct authority for enforcing requirements for all programs except solid waste, for which its authority is indirect. To ensure effective statewide enforcement for solid waste programs, CalRecycle certified 60 local enforcement agencies, while CalRecycle is the enforcement agency for eight cities and counties.

Partnerships at various levels of state and local government enhance CalRecycle's enforcement activities. In 2018, CalRecycle provided 33 grants to local tire enforcement agencies to inspect waste tire sites and issue violation notices. Partnerships with stewardship organizations enable the private sector to design and manage statewide extended producer responsibility programs for their respective industries. For some enforcement and criminal prosecution activities in the beverage container and e-waste programs, CalRecycle has interagency agreements with the California Department of Food and Agriculture, Department of Justice, Department of Toxic Substances Control, and the Office of the Attorney General.

CalRecycle also participated in the third CalEPA Environmental Justice Compliance and Enforcement Initiative that targeted multi-agency inspections and compliance assistance in the city of Pomona and Imperial County. In addition to facility inspections, CalRecycle conducted a waste tire hauler training workshop in Spanish and English in both locations.

Purpose and Scope of Report

CalRecycle created this report detailing the department's enforcement activities in part to comply with the reporting requirements for CalRecycle (Public Resources Code section 40507) and CalEPA (Government Code section 12812.2). It summarizes CalRecycle's wide-ranging enforcement activities for calendar year 2018 and provides a snapshot of enforcement data for the last several years.

Program Descriptions and Enforcement Activity Data

Waste Tire Enforcement

Program Description

CalRecycle regulates waste tires to prevent or mitigate the negative impacts of tires on public health, safety, and the environment, and to provide a level playing field for California businesses engaged in the collection, transportation, processing, storage, and disposal of waste tires. Enforcement efforts focus on two related fronts: waste tire haulers and handlers, and waste tire storage/processing facilities. The regulated tire community documents transactions among the waste tire generator, hauler, and storage facilities on a manifest form and submits them electronically to CalRecycle. In 2018, the Waste Tire Enforcement Program managed a total of 51.1 million passenger tire equivalents.

Waste Tire Haulers, Generators, and Permitted Facilities

There are more than 32,000 waste tire-related businesses in California. Of those, 39 are required to have a waste tire permit issued by CalRecycle to operate. Roughly 1,400 of those businesses are registered with CalRecycle and authorized to transport ten or more tires throughout the state. The remaining businesses are required to meet state standards for waste tire storage and handling and requirements for recordkeeping to assist with tracking movement of waste tires within the state. The entities that are enrolled with the CalRecycle Waste Tire Program include tire-related businesses such as new and used tire dealers, car dealers, fleet operators, repair shops, dismantlers, re-treaders, cement kilns, and agriculture users. In 2018, the number of regulated entities remained virtually the same as the prior year in all categories including:

- 1,413 registered waste tire haulers
- 45 permitted waste tire facilities (30 minor facilities and 15 major facilities)
- 31,020 other waste tire-related businesses

Enforcement Activity Data

Inspections

A local tire enforcement agency (TEA) or CalRecycle staff inspect waste tire haulers and active tire generators at regular intervals, as established by the [Five-Year Tire Plan](#). CalRecycle conducts all inspections of permitted tire facilities. Inspections ensure ongoing compliance with state standards during operation and prior to issuing waste tire facility permits. Inspection frequency is as follows:

- Permitted facilities: annually
- Registered haulers: every two years
- Active generators: every three years

Waste tire inspectors conducted a total of 15,938 inspections statewide in 2018 (see Figure 1). CalRecycle staff conducted 1,826 inspections or 11 percent of all inspections, and local TEAs conducted 14,112 inspections or 89 percent. Overall the number of inspections conducted in 2018 was similar to the number of inspections conducted in the previous reporting period.

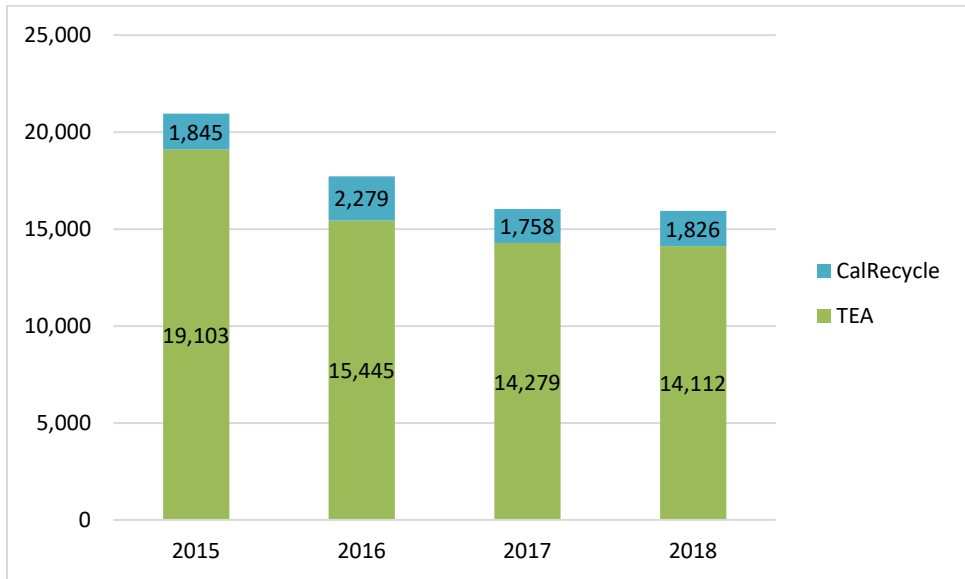


Figure 1 - 2018 TEA and CalRecycle Waste Tire Enforcement Inspections

Enforcement Activities: All Waste Tire Businesses

Out of the 15,938 inspections of all tire-related businesses and facilities, TEAs or CalRecycle issued 729 Notices of Violation (NOV), 620 of which were issued to tire generators, 95 were issued to registered haulers, and 13 of which were issued to permitted facilities. Nearly all corrected the violations by the cited compliance date. However, some facilities required escalated enforcement. Four entities were issued clean up and abatement orders (CAOs) and one entity was served with an administrative complaint (AC, see Figure 2).

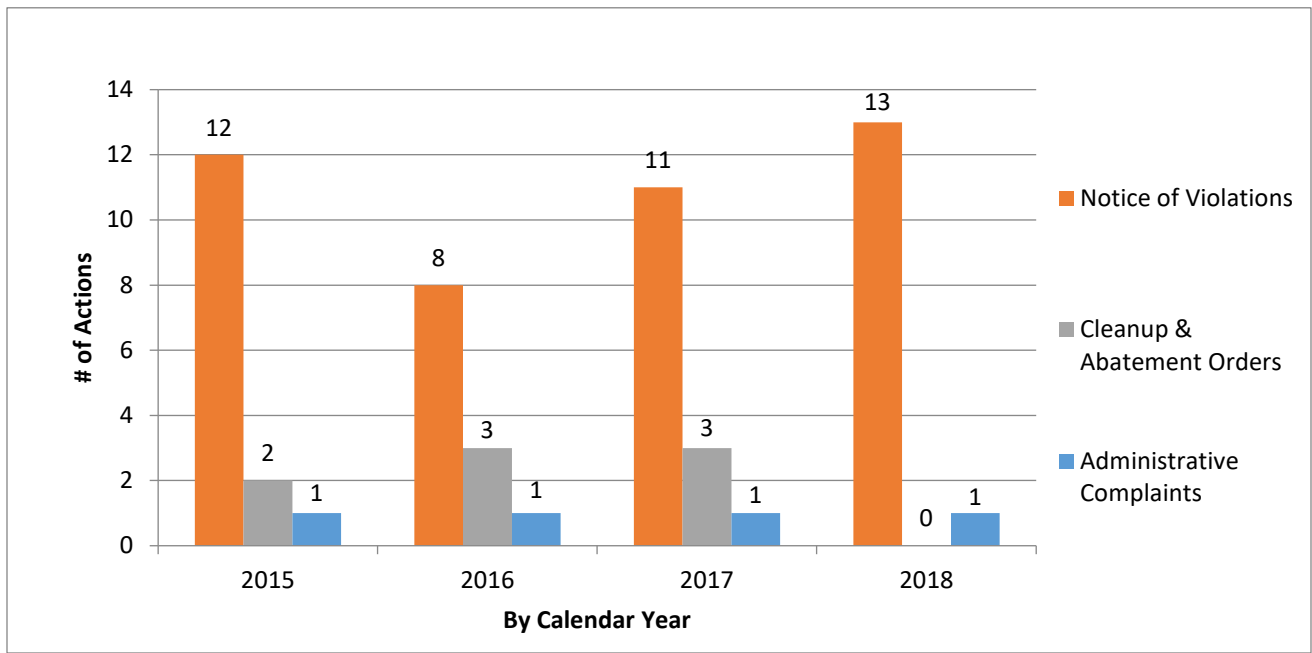


Figure 2 - Enforcement Actions and Administrative Complaints chart that summarizes NOVs, CAOs, and ACs issued by CalRecycle against permitted waste tire facilities.

Escalated Enforcement Activities: Permitted Waste Tire Facilities

CalRecycle conducted 33 inspections at Permitted Waste Tire Facilities during 2018, observing 855,575 waste tires during these inspections. Additionally, CalRecycle staff issued 13 NOVs to permitted facilities. Nearly all permitted facilities corrected the violations by the compliance deadline date; however, there was one escalated enforcement action as a result of continued noncompliance. Figure 2 – Enforcement Actions and Administrative Complaints Issued Against Permitted Waste Tire Facilities summarizes NOVs, CAOs and Administrative Complaints issued by CalRecycle against permitted waste tire facilities over the past four years.

Escalated Enforcement Actions: Waste Tire Hauler Registration and Manifest

CalRecycle utilized the streamlined penalty process for a total of 15 waste tire hauler cases in 2018. Of that total, eight were related to noncompliance with manifest requirements and seven were unregistered hauling cases (See Figure 3). The total number of unregistered hauler cases continues a downward trend that began in 2015, likely due to stepped-up hauler outreach and education efforts. In 2018, there were 10

Waste Hauler Trainings in English and Spanish at various locations throughout the state.

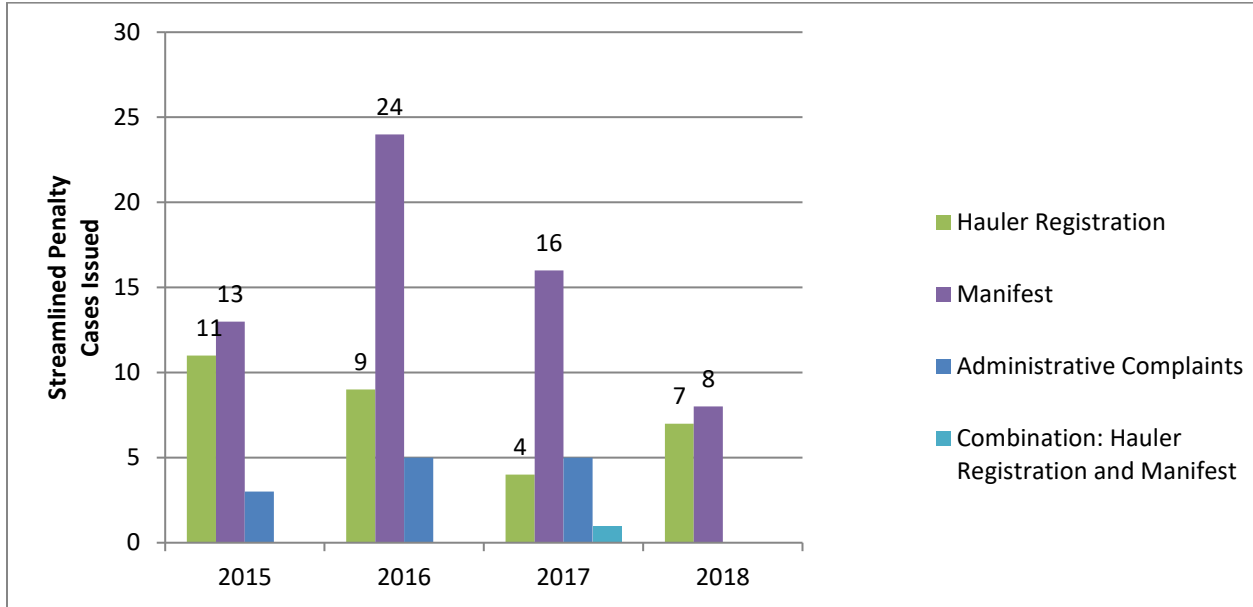


Figure 2 – Streamlined Penalties by Violation Category and Administrative Complaints

Solid Waste Facilities Enforcement

Program Description

Solid waste enforcement programs protect public health and safety and the environment, and they ensure a level playing field for solid waste businesses.

CalRecycle has oversight authority for solid waste handling, processing, and disposal facilities or operations. Sixty state-certified LEAs have direct authority to ensure proper operation of facilities and operations. CalRecycle is the enforcement agency (EA) for four cities and four counties with no designated LEA, including:

- Cities of Berkeley, Brentwood, Paso Robles, and Stockton
- Counties of San Benito, San Luis Obispo, Santa Cruz, and Stanislaus.

CalRecycle has the ability to take direct enforcement if LEAs do not choose to or are not adequately performing enforcement duties, or in areas where CalRecycle is the EA.

The LEAs and CalRecycle collaboratively developed a [“compliance first”](#) enforcement approach that emphasizes education and cooperation between the LEA and operators to deter problems before considering formal enforcement action or penalties.

The [Compliance Targeting Strategy](#) (December 2007) builds upon those developed principles to provide direction for CalRecycle staff on focusing resources to provide early assistance to LEAs to cooperatively resolve chronic cases.

Solid Waste Disposal Facilities and Operations

In 2018, California’s solid waste disposal infrastructure included 580 active, permitted solid waste facilities and 726 active operations. Operations are distinguished from facilities in that they do not require a permit. However, operations are required to send a “notification” to the LEA and are inspected by the LEAs, although less frequently than permitted facilities.

California’s solid waste management infrastructure includes the 1,306 active facilities and operations listed below (see Figure 4).

- **Active permitted facilities (580)**
 - 326 waste transfer and processing facilities
 - 99 composting facilities
 - 144 disposal facilities
 - 3 transformation facilities
 - 6 in-vessel digestion facilities
 - 2 engineered municipal solid waste facility (eMSW)
- **Authorized operations (726)**
 - 419 waste transfer and processing operations
 - 280 compostable material handling operations
 - 24 inert fill operations
 - 3 in-vessel digester operation

Solid Waste Facilities and Operations: 2018

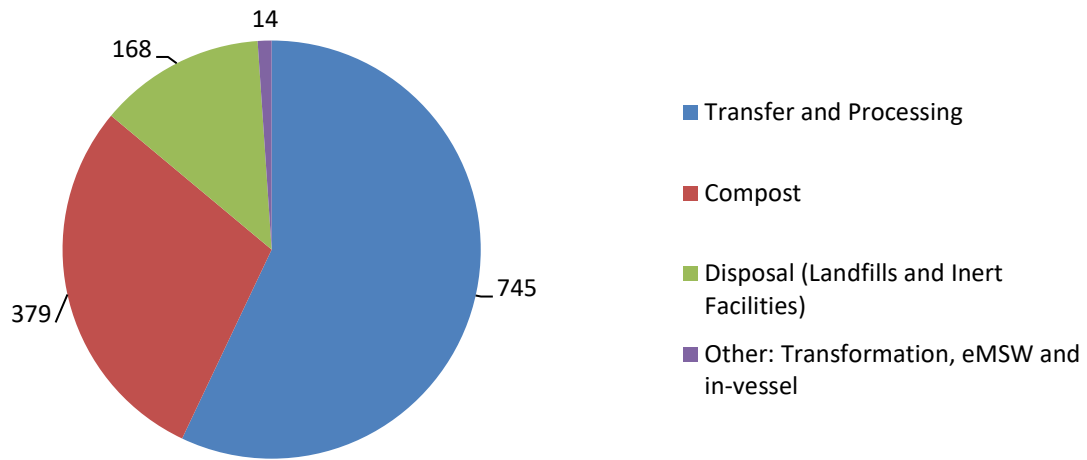


Figure 3 - Solid Waste Facilities and Operations: 2018

Enforcement Activity Data

Solid Waste Inspections

Solid waste inspectors conducted a total of 13,414 inspections statewide in 2018 (see Figure 5). CalRecycle staff conducted 742 inspections or 5.5 percent of all inspections and LEAs conducted 12,672 inspections or 94.5 percent. Overall, the number of inspections conducted in 2018 was similar to the number of inspections conducted the previous year.

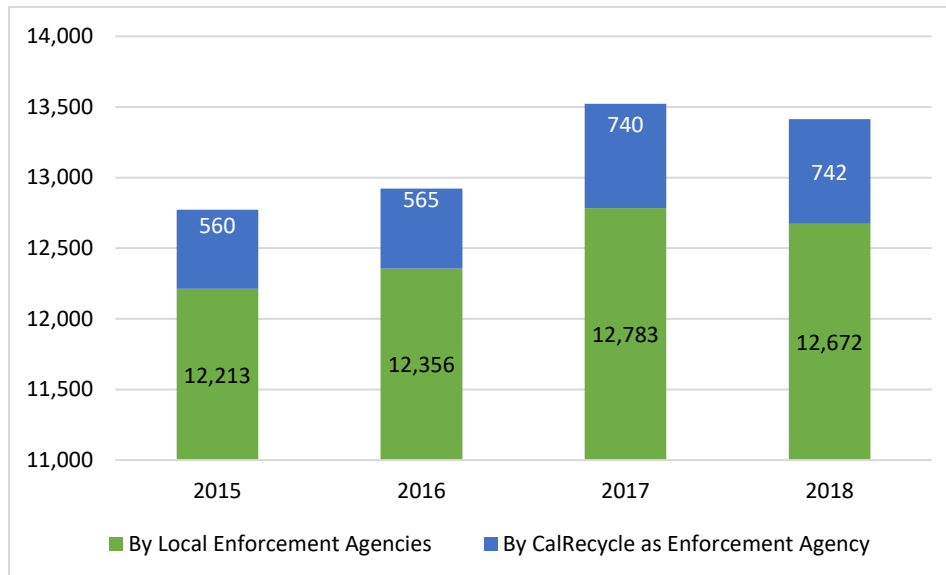


Figure 4 - Solid Waste Facility Inspections

The total number of violations for active facilities decreased from 1,427 in 2017 to 1,190 in 2018. Tables 1, 2, and 3 below list the most often cited violation categories for each facility type.

Violations by facility type include:

- Disposal facilities (landfills): 33% (393)
- Compost facilities: 17% (198)
- In-vessel digestion facilities: <1% (7)
- Waste transfer and processing facilities: 50% (591)
- Other (eMSW): >1% (1).

Disposal Facilities (Landfills): Thirty-three percent (393) of the total violations were at landfills. Of the 393 violations, gas monitoring and control was the most frequently cited violation in 2018. This closure plan-related violation was a factor in several LEAs being placed on corrective action plans as noted later in this report. Table 1 summarizes the most often cited violation categories for landfills.

Violations	Percent	Landfill Violation Category
153	39%	Gas Monitoring and Control
33	8%	Operator Compliance with Permit Terms & Conditions
24	10%	Litter Control
15	4%	Report of Disposal Site Information
20	5%	Closure Plans
148	38%	Other

Table 1 - Landfill Violations

Compost Facilities: Seventeen percent (198) of the total violations were at compost facilities. The 198 compost facility violations are fairly evenly distributed across a variety of regulations. Table 2 summarizes the most often cited violation categories for compost facilities.

Violations	Percent	Compost Facility Violation Category
33	17%	Operator Complies with Terms & Conditions
24	12%	Fire Prevention, Protection, and Control
18	9%	Chip/Grind Storage Limit Time Exceeded
11	6%	Report of Compost Site Information
12	6%	Enforcement Agency Notification Field
100	50%	Other

Table 2 - Compost Facility Violation

In-Vessel Digestion Facilities: Less than one percent of total violations occurred at in-vessel facilities in 2018, which is consistent with the fact that there are only six facilities permitted under this new category. The most often cited violations were for operator compliance with terms & conditions and research time frame (2 years).

Waste Transfer and Processing Facilities: Fifty percent (591) of the total violations were at waste transfer and processing facilities. The total number of violations in 2018 (591) was similar to the previous year 2017 (625).

Table 3 summarizes the most often cited violation categories for waste transfer and processing facilities. The majority of violations continues to relate to permit compliance and record keeping requirements.

Violations	Percent	Transfer and Processing Facilities Violation Category
72	12%	Operator Authorized by SWF Permit
64	11%	Solid Waste Removal
53	9%	Operator Complies with Terms & Conditions
37	7%	Record Keeping Requirements
34	6%	Vector, Bird, and Animal Control
331	55%	Other

Table 3 - Transfer and Processing Facilities Violations

CalRecycle Oversight Inspections and Investigations

In addition to routine inspections, CalRecycle is required to conduct oversight inspections. In 2018, CalRecycle conducted 149 oversight inspections (18-month inspections of landfills, pre-permit, and discretionary) to ensure consistent statewide application of standards and regulations and to evaluate LEA performance.

Sixty-five percent of oversight inspections (97) were mandated 18-month inspections of landfills. The remaining 35 percent split between discretionary inspections (30) and pre-permit inspections (22) (see Figure 6).

Pre-permit inspections determine if a proposed permit is consistent with the state minimum standards. These inspections vary based on the number of new or revised permits issued. During 2018, CalRecycle conducted pre-permit inspections at seven transfer and processing facilities, ten landfills, four compost facilities, and one chip-and-grind/construction and demolition facility.

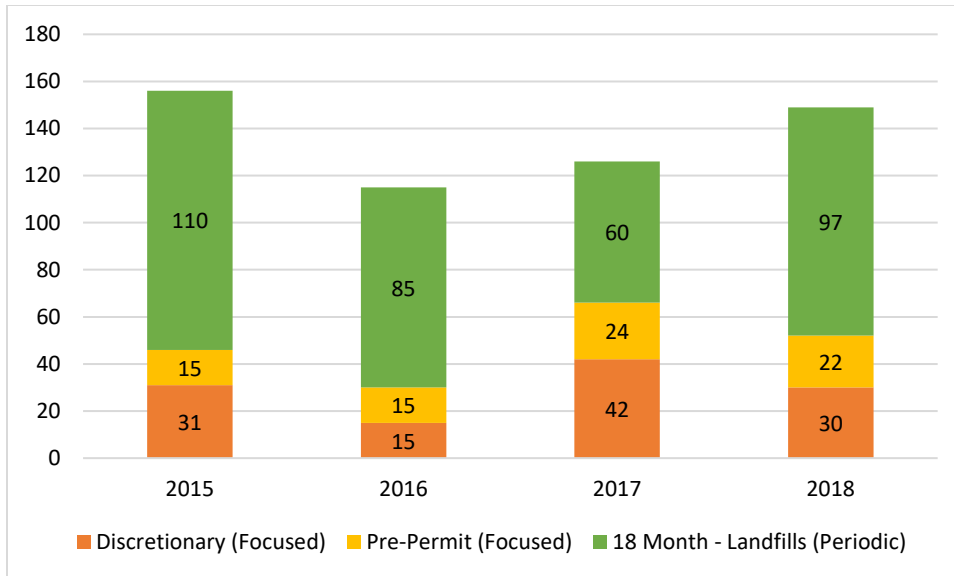


Figure 5 - CalRecycle Oversight Inspections

CalRecycle conducted 30 discretionary inspections in 2018, including two landfills, ten transfer and processing facilities, ten compost facilities, three chip-and-grind/construction and demolition facilities, one recycling center, three in-vessel digestion facilities, and one closed landfill.

CalRecycle conducts discretionary inspections to evaluate the performance of LEAs, determine a site’s compliance, respond to requests from LEAs, or investigate complaints that have been submitted through the CalEPA referral process. In 2018, CalRecycle staff investigated 15 complaints.

Enforcement Actions

Most violations are corrected within a month or two and do not require formal enforcement action. Ongoing noncompliance with state standards and permit conditions is tracked by CalRecycle in several ways:

1. CalRecycle maintains an [Inventory of Facilities Violating State Minimum Standards](#), which lists solid waste facilities with chronic violations of one or more state minimum standards for solid waste handling and disposal.
2. CalRecycle tracks enforcement orders.

Figure 7 summarizes enforcement actions taken against facilities that violate state minimum standards and/or permit conditions.

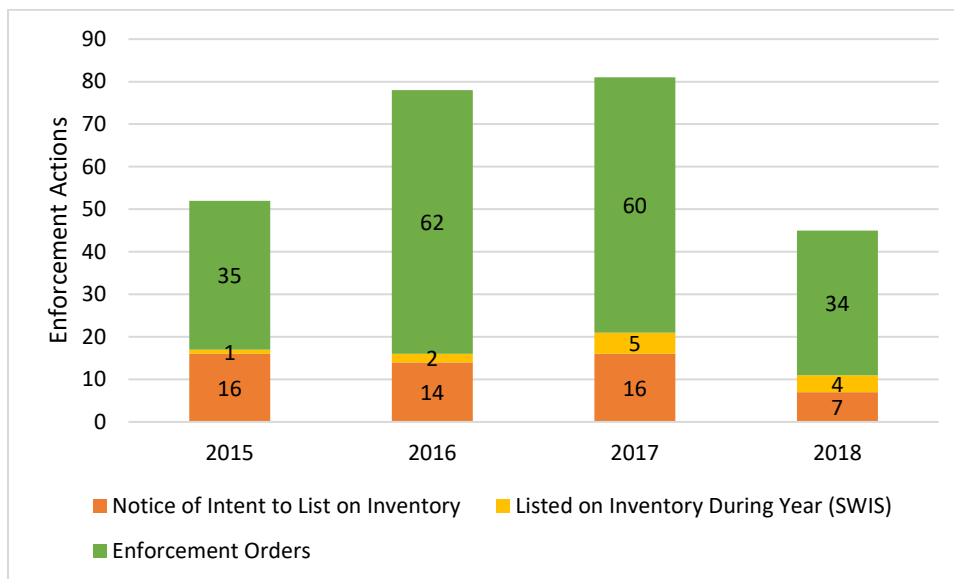


Figure 6 - Solid Waste Facility Enforcement Actions

During 2018, seven facilities received Notices of Intent to List, notifying them that CalRecycle would be listing them on the Inventory of Facilities Violating State Minimum Standards for repeat violations. Out of the seven facilities receiving a Notice of Intent, only four were listed on the Inventory because the other three facilities corrected their violations.

Another way CalRecycle tracks compliance is by tracking the number of facilities that are under active enforcement orders. During 2018, 34 solid waste facilities, primarily landfills, were under enforcement orders. Enforcement orders include cease and desist orders, notices and orders, compliance schedules, stipulated agreements, and penalty orders.

LEA Evaluations

CalRecycle evaluates each LEA's performance approximately every three years and reports data on a three- to four-year cycle. The last completed cycle was the sixth cycle, which was primarily conducted between 2012 and 2016. The seventh cycle began in 2016. LEA evaluation cycles can overlap, as some evaluations require additional time to obtain documentation or allow for corrective actions. In 2018, staff continued to review evaluations from the seventh cycle. Staff are also working on issuing or monitoring corrective action plans.

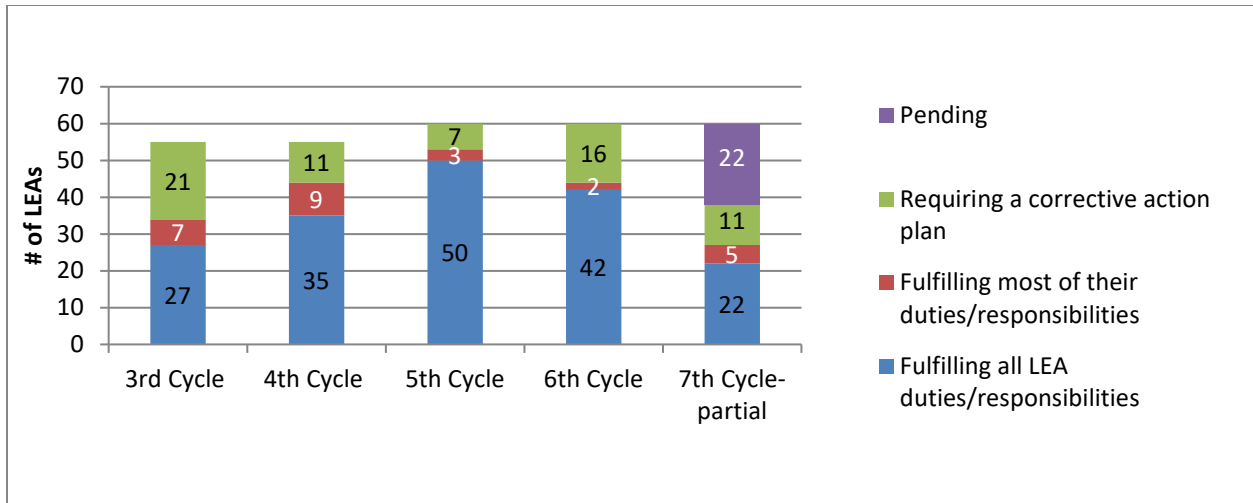


Figure 7 - LEA Evaluation Results by Cycle

For the LEA evaluations completed in the seventh cycle, 71 percent (27) of the LEAs were fulfilling all, or most, of their responsibilities and 29 percent (11) were required to complete corrective action plans (the counties of Siskiyou, Lassen, Colusa, Tuolumne, San Francisco, Napa, Modoc, Plumas, Lake, Sierra, and City of West Covina). Two LEAs completed these corrective action plans during 2017 (Tuolumne and San Francisco), and one completed the corrective action plan during 2018 (Napa). The remainder of the counties are making progress towards the completion of existing corrective action plans and taking steps to remediate the issues identified in their evaluations.

Local Government Diversion Enforcement

Program Description

Local governments submit an annual report to CalRecycle summarizing the implementation of their waste diversion plans to comply with their respective per capita disposal targets. CalRecycle reviews each local government’s progress in implementing its unique diversion programs and its progress in sustaining or achieving compliance. Based on that review, CalRecycle may refer local governments for a compliance evaluation review. The number of local governments referred is generally less than 1 percent. The compliance evaluation can result in a finding that a jurisdiction is not meeting the “good faith” standard for implementing its diversion programs or has not reached the jurisdiction’s per capita disposal target. Should noncompliance be determined, CalRecycle will issue a compliance order. If the local government fails to fulfill the terms of the compliance order the local government may be subject to penalties.

Enforcement Activity Data

Compliance Evaluation Reviews

CalRecycle oversaw 20 compliance evaluations during 2018 (this includes six local governments referred to enforcement in March 2018). CalRecycle issued Compliance Orders to three local governments, including the Cities of Compton, Tracy, and Waterford. Five compliance evaluations resulted in a finding of “good faith” for the Cities of Adelanto, Colton, Lodi, Modesto, and Oakdale. Six local governments, including Inyo County and the Cities of Chino, El Segundo, Oxnard, San Bernardino, and Santa Ana were still undergoing a compliance evaluation review at the end of 2018.

The remaining six local governments, Calaveras County Regional Agency, Merced-Unincorporated and the Cities of Commerce, Maywood, Ripon and Wasco are still under compliance orders issued in previous years. (Figure 9).

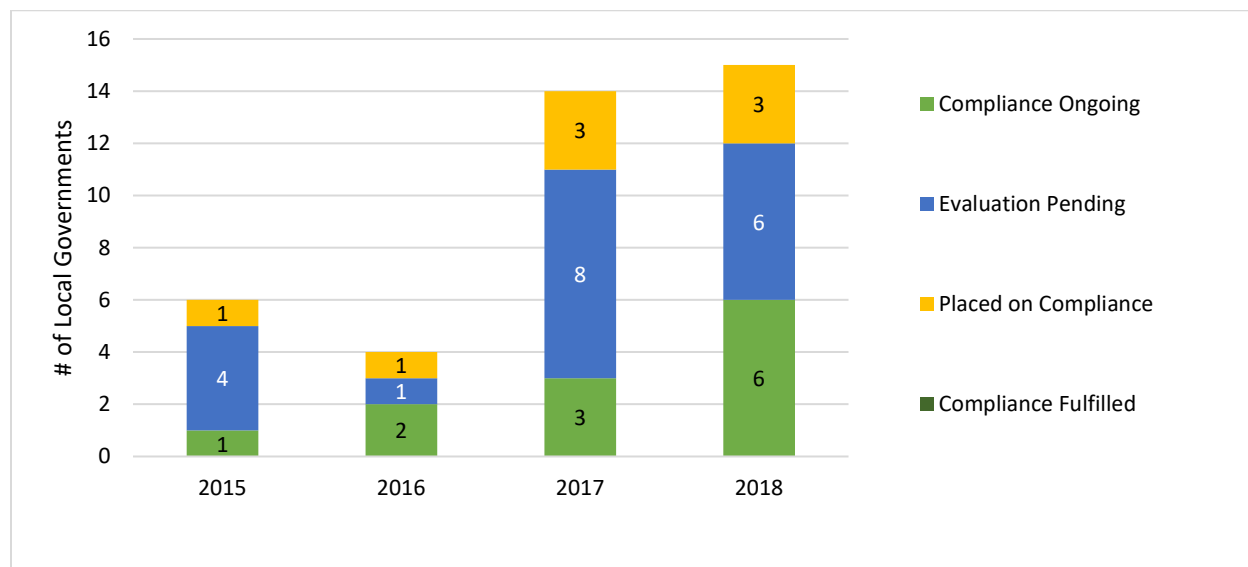


Figure 8 - Local Government Diversion Programs Enforcement Actions By Year

Minimum Content Program: Rigid Plastic Packaging Containers

Program Description

CalRecycle regulates product manufacturers that sell certain products in rigid plastic packaging containers (RPPCs) in California to reduce the amount of plastic disposed in landfills and to increase the use of postconsumer recycled plastic resin in the manufacturing of new RPPCs. Some RPPCs are exempt from this law due to the type of product they hold, such as food, infant formula, drugs, medical devices, cosmetics, toxic, or hazardous products. To ensure compliance with the law for regulated entities and RPPCs, there is a three-phase process: registration, pre-certification, and compliance certification.

Enforcement Activity Data

Registration: CalRecycle focused resources on increasing Pre-Certification and Compliance Certification reviews during 2018. As resources permitted, research to identify product manufacturers was conducted.

Pre-Certification: In 2018, CalRecycle randomly selected and notified 95 product manufacturers that they may be selected to certify compliance for the 2019 measurement period (see Figure 10). This one-year advance notice provides product manufacturers the opportunity to review the RPPC requirements to ensure that their RPPCs comply with the law.

Compliance Certification

CalRecycle notified 35 product manufacturers of their requirement to submit proof that its products sold or offered for sale in California are in compliance for the 2018 measurement period (January 1, 2018 through December 31, 2018) (see Figure 10). Selected product manufacturers must provide documentation (by April 2019) that their RPPCs meet at least one of the compliance options including, but not limited to, using 25 percent postconsumer material in the RPPCs or reducing container weight by 10 percent.

CalRecycle received 35 product manufacturer compliance certifications by the April 2018 due date. The 2018 submittals included required information for the 2017 measurement period (January 1, 2017 thru December 31, 2017). Staff compliance determination reviews were ongoing in 2018 and results will be reported in a subsequent CalRecycle Enforcement Report.

Throughout 2018, staff continued to review compliance certifications submitted in 2017 and previous compliance certifications. Based on these efforts:

- 3 referrals were made to CalRecycle's legal office for preparation of an accusation. Two of the three noncompliant product manufacturers were levied penalties in 2018. The resolution of additional enforcement actions will be reported in a subsequent CalRecycle Enforcement Report.

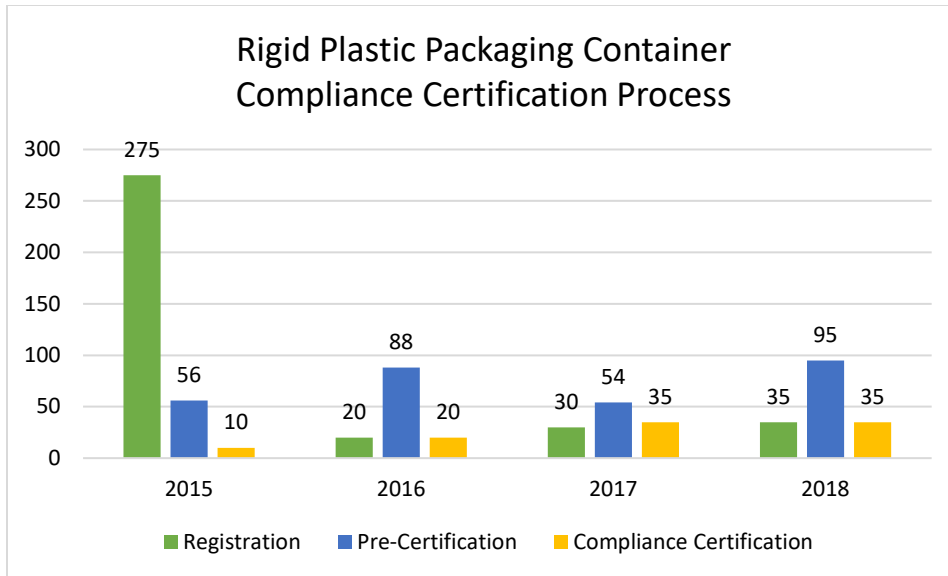


Figure 9 - Rigid Plastic Packaging Container

Figure 10 shows that in 2015 the RPPC program focused on registering businesses. Once businesses were registered, resources shifted to sending pre-certification letters and reviewing submitted product manufacturer compliance certifications.

Beverage Container Recycling Enforcement

Program Description

Californians recycled an average of more than 51 million beverage containers each day in 2018, totaling about 18.4 billion beverage containers. To fund California’s Beverage Container Recycling Program, CalRecycle collects redemption payments and processing fees from beverage distributors and manufacturers for each CRV-eligible aluminum, glass, plastic, and bimetal beverage container sold in California. Consumers pay a deposit at the store for each eligible beverage container and can redeem their used containers at a recycling center or participating dealer.

Recyclers sell the used eligible empty beverage containers to processors. Recyclers are responsible for verifying that the containers qualify for CRV before claiming a refund from the processor.

The processor requests reimbursement from CalRecycle to cover the payments it makes to recyclers and other program participants. If recyclers or processors submit fraudulent or improperly documented claims, CalRecycle can deny or reduce payments. Program fraud associated with the illegal redemption of empty beverage containers imported into California is a significant threat to the solvency of the fund.

The network of program participants for beverage container recycling includes:

Beverage Container Distribution

- Retailer Beverage Dealers 30,000
(This is an estimate since dealers are not required to register)
- Beverage Manufacturers 2,165
- Distributors 2,256

Collection/Processing

- Recycling Centers (buyback) 1,630
- Curbside 599
- Collection/Drop-Off Programs 196
- Processors 181
- Community Service Programs 198

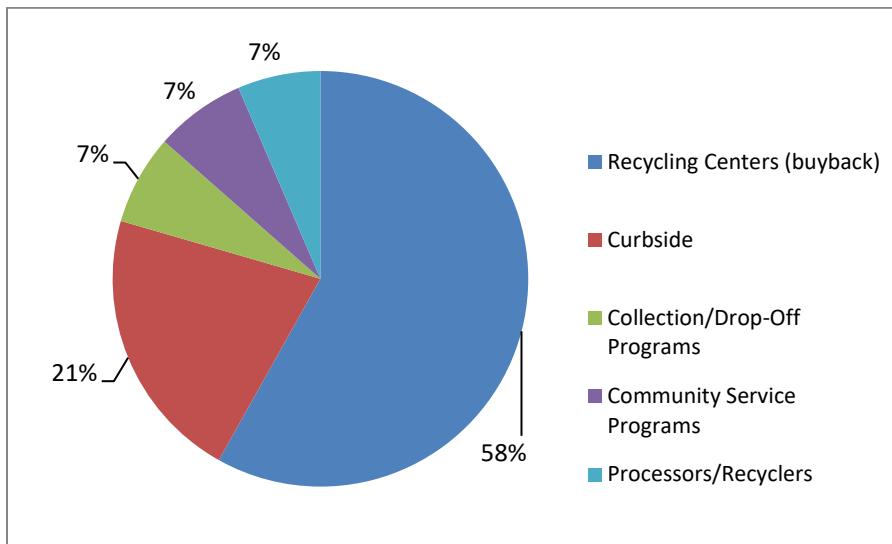


Figure 10 Beverage Container Recycling Infrastructure Collection/Processing (2017)

The percentage of certified or registered program participants in each category was essentially the same in 2017 as in 2016. However, the total number of recycling centers decreased by approximately 6 percent. (See Figure 11).

Enforcement Activity Data

Recycling Center Probationary Reviews

Recycling centers are on probation for the first two years of operation but can be renewed on probation based upon a file review or site visit. CalRecycle reviewed 474 probationary certificates during 2018. (See Figure 12). Based upon a standard risk assessment, staff members determined whether to conduct a compliance history and file review or a site visit. Staff conducted approximately 59 percent of probationary reviews through the compliance history and file review. The number of on-site probationary reviews remained consistent with 2017.

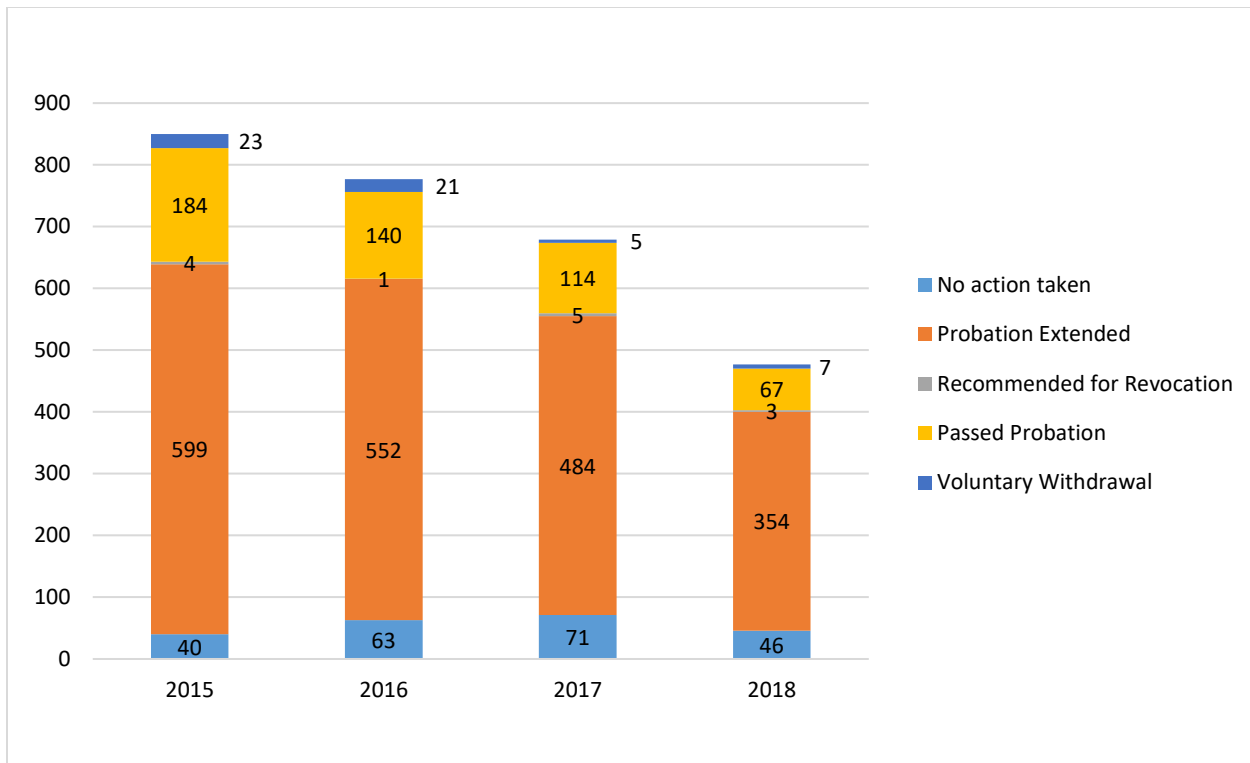


Figure 11 Recycling Center Probationary Reviews: Recycling Centers

Figure 12 summarizes all actions resulting from probationary reviews. In addition to these actions, auditors assessed \$39,863 in restitution, civil penalties, and/or interest. The next two figures summarize actions taken by the type of review: compliance history and file review (See Figure 13) or site visit (See Figure 14).

- Compliance History and File Review:** Staff members conducted compliance history and file reviews for 279 recycling centers in 2018. Approximately 76 percent of the recycling centers reviewed had their probationary certificates extended for another year (211 recycling centers), which is a three percent increase compared to 2017. Eight percent of recycling centers reviewed, or 22 recycling centers, passed probation, which was a decrease from 2017. Three recycling centers voluntarily decertified from the program or were abandoned. No action was taken at 43 non-recycling center sites that were up for review. (See Figure 13).

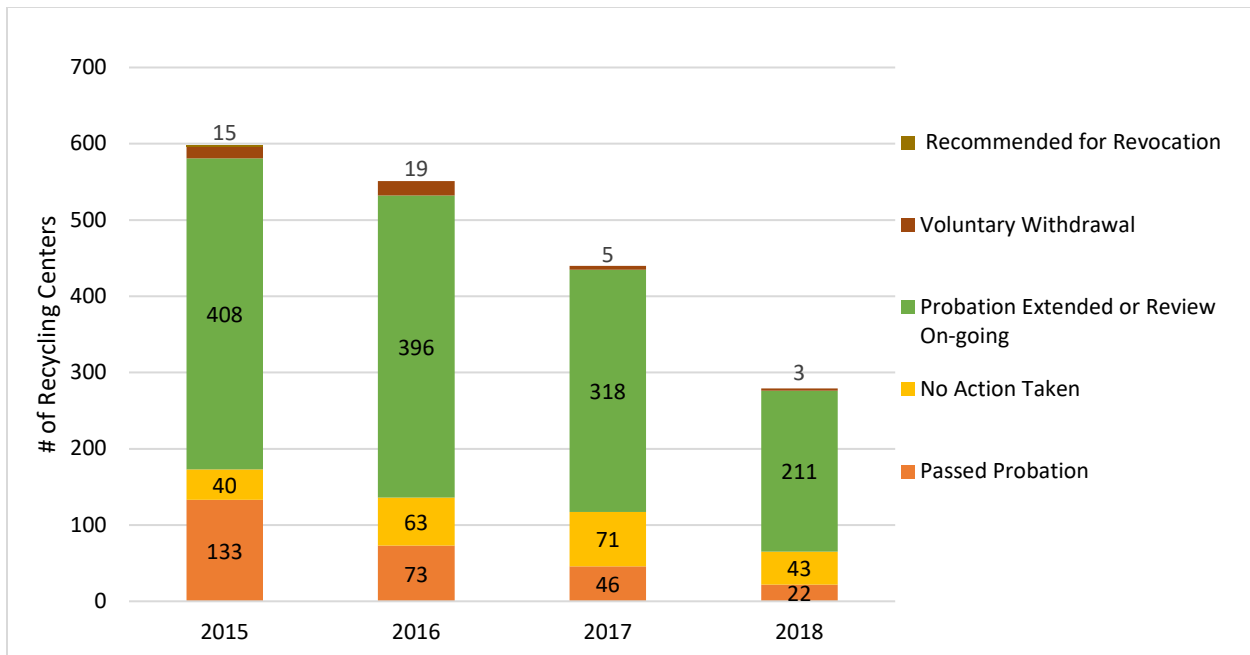


Figure 12 Compliance History/File Review: Actions Taken

- On-Site Review:** CalRecycle conducted on-site reviews at 195 recycling centers. Just over 73 percent had their probationary certificates extended for another year (143 recycling centers), which was slightly higher than in 2017. Another 23 percent passed probation (45 recycling centers). Four recycling centers voluntarily decertified or were abandoned. Three recycling centers had their probationary certificate recommended for revocation (See Figure 14).

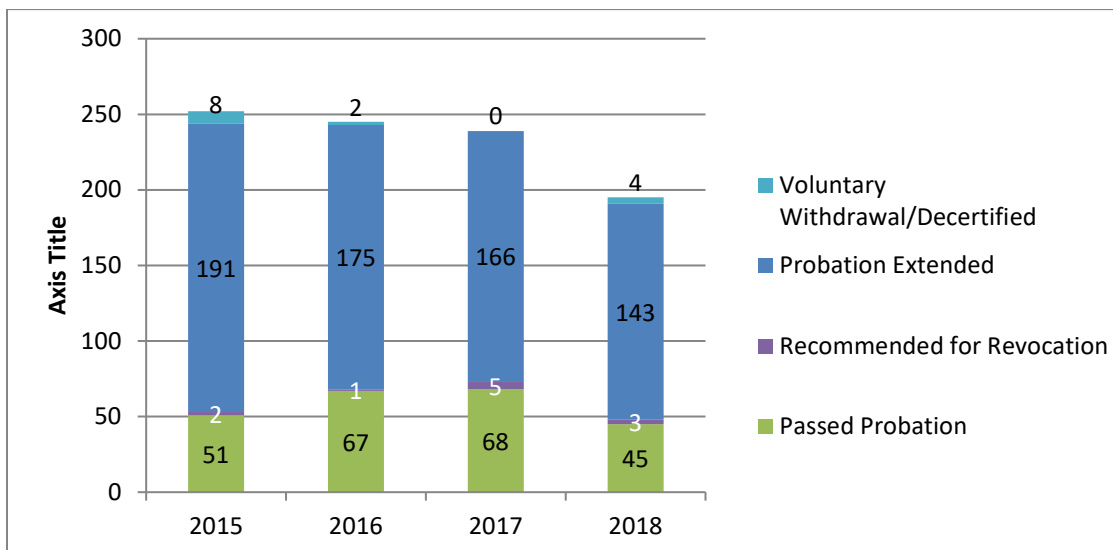


Figure 13 On-Site Reviews: Actions Taken

Handling Fee Reviews

Of the 32 handling fee applications reviewed in 2018, CalRecycle denied 18, which represents a 66 percent decrease compared to 2017. CalRecycle may deny handling fee applications in the following scenarios when:

- Consumer transaction logs and receipts do not support participant's claims,
- A participant is not accepting all material types for redemption
- A participant does not provide records
- A participant has other violations

Of the applications reviewed, handlers claimed \$293,608, but CalRecycle denied 42 percent (\$122,229). In 2018, handling fee claim reviews also yielded \$4,571 in restitution and civil penalties, which is 43 percent more than in 2017.

Recycling Center Inspections

CalRecycle inspects each certified recycling center at least once annually to ensure compliance with program requirements.

Recycling center inspections decreased in 2018. Staff members conducted 2,836 inspections during 2018. (See Figure 15).

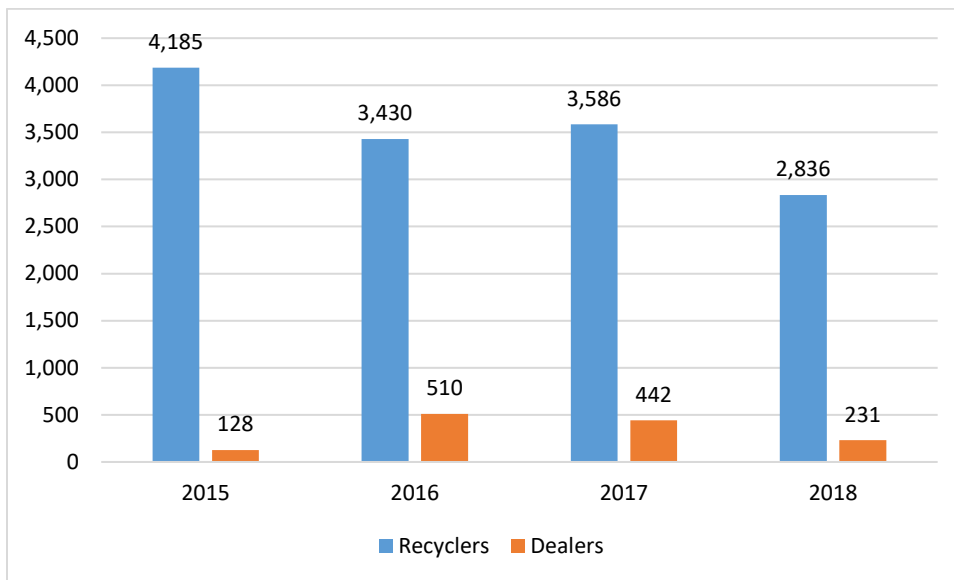


Figure 14 Recycler Center and Dealer Inspections

During 2018, CalRecycle issued 615 Notices of Noncompliance (NONC) to recycling centers. Twenty-two percent of recycling centers received NONCs— essentially the same percentage as in 2017 (See Figure 16). There were 526 NOV's issued, which is 14 percent lower (as a percentage of total inspections) than in 2017. Assessments continue to rise each year: CalRecycle assessed \$202,950 in civil penalties on noncompliant recycling center operators because of the inspections—a two percent increase in penalties assessed compared to 2017.

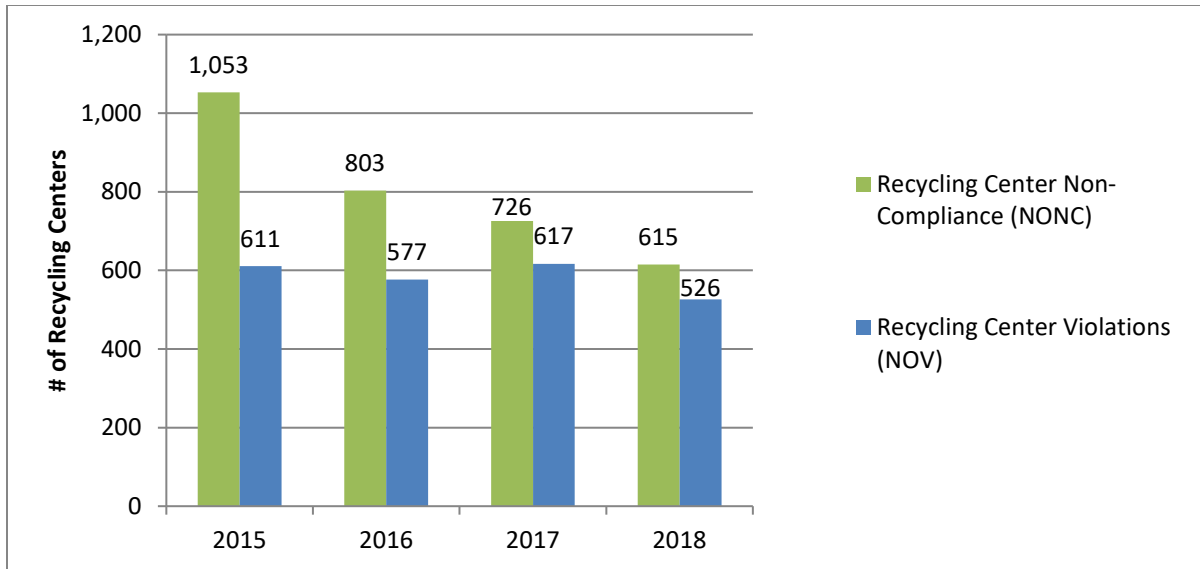


Figure 15 Recycling Center Inspections: Enforcement Actions

Dealer Inspections

In areas where there is no certified recycling center, retail beverage dealers such as supermarkets, liquor stores, and mini-marts may be required to redeem beverage containers or pay an in-lieu fee in order to provide convenient redemption for consumers. In these cases, inspectors conduct test sales to determine if the dealer is redeeming empty beverage containers as required. Dealer inspections decreased by 48 percent since 2017 with 231 dealer inspections conducted. (See Figure 15).

During 2018, there were 72 NONCs issued to dealers, which is 71 percent less (as a percentage of total inspections) than in 2017. There were only 46 violations issued. That represents a decrease of 33 percent (as compared to total inspections) from 2017. (See Figure 17). CalRecycle assessed civil penalties totaling \$42,650 on noncompliant dealers because of the inspections.

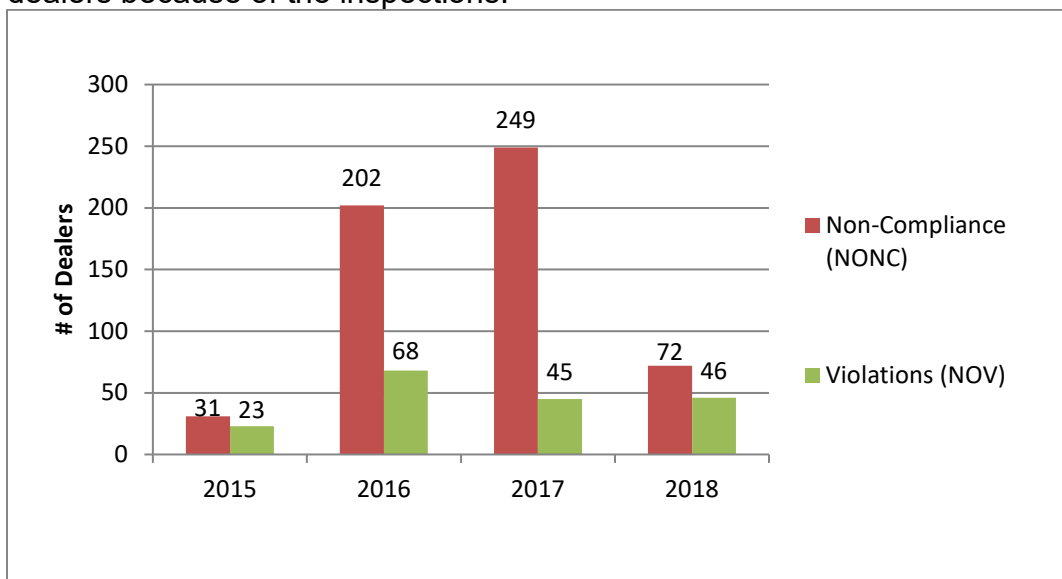


Figure 16 Dealer Inspections: Enforcement Action

Processor Oversight and Imported Materials

CalRecycle initiated 22 processor investigations in 2018 and closed 11 cases. Of the 2,235 load inspections and reviews conducted in 2018, CalRecycle denied 13 and reduced payments on 19 of the loads. CalRecycle denied loads for pieces of broken, densified bales or biscuits of aluminum beverage containers found within the load, falsification of supporting documents, and out-of-state material. When CalRecycle denies a load, CalRecycle does not issue CRV payment for any portion of the claim. The Investigators will reduce the amount of material eligible for payment based on the amount of material they find in the load that is non-CRV material thus they reduced the load. Ineligible material is not eligible for CRV payment. When a load is reduced, CalRecycle denies a corresponding portion of the material claimed as CRV. In 2018, CalRecycle received 3,324 Imported Material Reports (IMR) from CDFA. This information was then data entered and reviewed for both accuracy and legitimacy.

Investigations, Accusations, and Criminal Prosecution

CalRecycle conducts investigations as a result of risk analysis, tips, referrals, or inspections. Staff members conduct administrative investigations to evaluate the validity and eligibility of reimbursement claims, look for possible document falsifications, or investigate potentially fraudulent claims. CalRecycle's forensic document reviews can lead to the recovery of unsubstantiated and/or illegal payments. Findings can result in placing pre-payment controls on suspect participants, administrative civil penalties, restitution, and/or revocation of the recycler's certification for non-compliant or fraudulent activities.

Results from completed investigations during 2018 include:

- \$555 million dollars in accusations filed
- 26 recommendations for revocation of recycling centers/processors
- 6 recommendations for application denial of recycling centers/processors
- 75 Notices of noncompliance issued
- 50 Notices of violation issued

CalRecycle does not have statutory authority to conduct criminal investigations or criminally prosecute. When CalRecycle investigations reveal potential criminal activity, staff members refer the case to the California Department of Justice (DOJ) for further investigation and subsequent prosecution, if warranted, by the state Attorney General. In 2018, CalRecycle referred 43 cases to DOJ for further investigation. During 2018, DOJ initiated 24 investigations, closed 22 investigations, and made 31 arrests. The section below summarizes some of the 2018 cases.

Border Arrests

In January 2018, eight drivers were arrested near the Arizona border with San Bernardino and Riverside counties and are accused of smuggling nearly 59,000 pounds of empty beverage containers from Arizona into California in an attempt to defraud the California Redemption Value Fund of more than \$87,000. The drivers arrested were:

- Tim Bristol, 55, of Tucson, Arizona
- Miguel Dominguez-Lopez, 40, of Los Angeles, California

- Henry Juarez, 53, of Oxnard, California
- Oscar Lopez, 62, of Mesa, Arizona
- Jose Mineros, 45, of Rialto, California
- Tony Perez, 21, of Phoenix, Arizona
- Eduardo Pineda Salcedo, 27, of Perris, California
- Eduardo Siordia, 46, of Rancho Cucamonga, California

In June 2018, agents with California's DOJ Recycling Fraud Team received information that a semi-truck filled with empty beverage containers from a Las Vegas construction yard was being transported into California for fraudulent CRV redemptions. Agents followed the vehicle on a route designed to illegally circumvent the CDFA border checkpoint in Yermo, California. California Highway Patrol initiated a traffic stop near the L Street off-ramp of I-15 in Barstow, and officers arrested Moises Morgan-Gomez, 33, of Las Vegas, Nevada, on charges of felony recycling fraud, attempted grand theft, and conspiracy.

Agents seized 1,480 pounds of aluminum and 6,260 pounds of plastic empty beverage containers with an estimated CRV value of \$10,142.

In July 2018, CalRecycle, CDFA, and CDOJ conducted operations at the CDFA border checkpoint in Needles and a temporary border checkpoint near Needles. Over the two-day operation, suspects in five vehicles were found to be transporting out-of-state empty beverage containers from Nevada to California with intent to defraud California's CRV fund.

Agents arrested the following suspects on charges including felony recycling fraud, attempted grand theft, and conspiracy:

- Jose Ramirez, 25, of Duarte, California
- Juan Higuera, 37, of Buckeye, Arizona
- Romeo Turcios, 49, of Los Angeles, California
- Ricardo Flores, 57, of Pomona, California
- Mario Tolentino, 37, of Las Vegas, Nevada
- Rafael Escobar, 57, of Los Angeles, California

Agents seized 33,639 pounds of aluminum and 13,623 pounds of plastic empty beverage containers with an estimated CRV value of \$71,260.

In August 2018, fraud team agents arrested an Arizona recycling center owner suspected of smuggling empty beverage containers into California in an attempt to defraud California's CRV fund.

After a two-month investigation, agents observed Mary Simpson, 64, of Yuma, Arizona, attempting to enter California with materials collected at her "Cash 4 Cans" business. Agents detained Simpson at the Winterhaven CDFA border protection station, where she admitted to transporting the containers into California in an effort to collect fraudulent CRV.

Agents seized 907 pounds of aluminum empty beverage containers with an estimated CRV value of \$1,451. Based on Simpson's statements and evidence seized from her vehicle, it's believed Simpson imported approximately 468,000 pounds of aluminum worth an estimated \$748,800 in CRV into California over the past three years.

Washington and Arizona Arrests

The California Department of Justice's Recycle Fraud Team launched an investigation in October 2016 after Candido Acevedo, 59, of Sacramento, California suspiciously redeemed several hundred pounds of aluminum empty beverage containers for California Redemption Value (CRV) at a Sacramento recycling center. During the criminal investigation, California DOJ agents discovered that in 2016 Acevedo regularly redeemed hundreds of pounds of out of state aluminum empty beverage containers at that same location.

During the investigation, RFT agents identified Placido Martinez-Lopez, 55, of Grandview, Washington, as the source of Acevedo's used beverage container supply. Agents believe the individuals were responsible for the importation of more than 4,000 pounds of aluminum beverage containers for the purpose of defrauding the California Beverage Container Recycling Program's CRV fund. On January 9, 2018, Martinez-Lopez was arrested at his residence in Washington State. Agents executed a search warrant at Acevedo's residence in Sacramento on January 18. Acevedo was not there at the time, but was later arrested.

In exchange for pleading no-contest to theft charges, Acevedo and Martinez-Lopez were given credit for time served and sentenced to three years of probation. Each man was also ordered to pay \$9,990 in restitution to CalRecycle, totaling \$19,980.

In November 2018, California DOJ agents coordinated with Arizona law enforcement authorities to serve three search warrants on known locations where used beverage containers were packed and loaded onto California-bound trucks. From one property, agents seized:

- 19,300 pounds of aluminum empty beverage containers (potential CRV value: \$30,880)
- 8,560 pounds of plastic empty beverage containers (potential CRV value: \$10,957)

Arizona Department of Public Safety arrested owner Miguel Bustillos, 49, of Glendale, Arizona, and truck driver Anthony Sanchez, 57, of Tucson, Arizona, pursuant to warrants obtained in Los Angeles County. Both were extradited to California. On Nov. 8, California DOJ agents in Los Angeles arrested suspected broker Amaury Avila-Medina, 56, of Sylmar, California. All three suspects face charges of felony recycling fraud, attempted grand theft, and conspiracy. Based on evidence, agents believe the suspects, in collaboration with Arizona-based collection yards searched, are responsible for defrauding approximately \$16.1 million from the CRV fund over the past three years.

Product Stewardship (Extended Producer Responsibility) Enforcement

Program Description

Stewardship organizations (Carpet America Recovery Effort (CARE), Mattress Recycling Council (MRC), and PaintCare) are responsible for submitting plans to CalRecycle for approval. After approving the plans, CalRecycle posts them on its website to allow stakeholders and the public to evaluate and comment on the plans. For each of the programs, individual manufacturers not represented by a stewardship organization must submit their own stewardship plans.

Stewardship plans define how a manufacturer or stewardship organization intends to fulfill its responsibilities for end-of-life product management under the law and communicate with stakeholders and the public. In 2010, AB 2398 (Perez, Chapter 681, Statutes of 2010) established the Carpet Stewardship Law and AB 1343 (Huffman, Chapter 420, Statutes of 2010) established the Paint Product Stewardship law. The Used Mattress Recovery and Recycling Act was enacted in 2013 (Hancock, SB 254, Chapter 388, Statutes of 2013).

To ensure a level playing field, the laws require all manufacturers who sell covered products in California (as well as all renovators, distributors, wholesalers, and retailers) to comply with the regulations. A list of compliant manufacturers and brands is compiled by the stewardship organizations and posted on CalRecycle's website for retailers to verify that the products being sold are compliant.

Consumers pay an assessment on carpet and paint when they buy a product covered by these laws, and they pay a recycling fee (charge) when they buy a mattress or foundation. Paint assessments are included in the purchase price. The carpet assessment and the mattress recycling fee are required to be clearly visible on the customer's receipt or invoice.

Assessments and recycling fees remitted to stewardship organizations provide funding for costs associated with end-of-life management or, in the case of carpet, for recycling processor incentive grants to increase recycling. The stewardship organizations also reimburse CalRecycle to cover administrative and enforcement costs associated with each of the product stewardship laws.

Compliance and Enforcement Activities

CalRecycle's compliance and enforcement role in the stewardship programs addresses both:

1. The stewardship organizations (by reviewing and approving plans and checking progress via annual reports) and,

2. The industry (by posting compliant manufacturers and brands on our website and verifying compliance with program requirements).

If violations are identified, CalRecycle uses a progressive enforcement approach and establishes violation penalty ranges accordingly.

Enforcement Activity Data: Carpet Inspections

CalRecycle inspects program participants (manufacturers, wholesalers and retailers) to verify compliance with program requirements. These efforts include, but are not limited to, the following:

- Manufacturers must be listed on CalRecycle's website in order to sell carpet in California. CalRecycle uses the list to verify that manufacturers offering for sale or selling in California are registered under an approved product stewardship program or have their own approved plan. As of Decemeber 2018, CalRecycle listed 70 carpet manufacturers whom are all registered with CARE. CalRecycle also listed 39 businesses that CARE identified as registered manufacturer sub-companies.
- Wholesalers and retailers must monitor CalRecycle's website to ensure the carpet they sell is from compliant, registered manufacturers.
- The stewardship assessment fee must be clearly visible as a separate line item on the invoice and must be accompanied by a CalRecycle-approved label or description of the stewardship assessment.

If the manufacturer, wholesaler, or retailer is not in compliance, the inspector issues a NOV. If the participant fails to achieve compliance after a follow-up review or inspection, the participant is subject to fines.

Manufacturer and retailer/wholesaler inspections

In April 2017, CalRecycle disapproved CARE's 2017-2021 California Carpet Stewardship Plan. To address the period of time not covered by an approved stewardship plan, CalRecycle developed an interim enforcement plan. As outlined in the enforcement plan, carpet manufacturers needed to maintain their statutory obligations. In summary, this could be achieved by maintaining membership with CARE and continuing to pay assessments to CARE. CalRecycle deferred inspections for those manufacturers meeting the terms of the enforcement plan. CalRecycle's enforcement plan also deferred of inspections for retailers and wholesalers until a stewardship plan was approved. Please visit this link for additional information regarding the adopted [Carpet Enforcement Plan](#).

Enforcement Actions

In October 2017, CalRecycle issued an accusation against Earth Weave Carpet Mills, Inc. (Earth Weave), a carpet manufacturer, for selling carpet in California without being enrolled in a stewardship plan. In April of 2018 CalRecycle entered into a Settlement agreement with Earth Weave. The \$78,000 settlement included payment of \$10,000 with \$68,000 held in abeyance pending the manufacturer remaining in compliance for three years.

Stewardship Organization Compliance Review

In March of 2017, CalRecycle filed an accusation against CARE regarding CARE's noncompliance with statutory requirements for the 2013 through 2015 reporting periods. On February 13, 2018, the State of California's Office of Administrative Hearings issued a ruling supporting CalRecycle's findings. On April 25, 2018, CalRecycle issued CARE a final decision and a penalty of \$821,250. CARE filed a writ on CalRecycle's final decision. Resolution of the writ was not reached in 2018.

Enforcement Activity Data: Mattresses

Inspections

CalRecycle inspects program participants (manufacturers, recyclers, renovators, wholesalers, and retailers) to ensure compliance with program requirements including, but not limited to, the following:

- Manufacturers and renovators are required to register with the Mattress Recycling Council (MRC). As of December 31, 2018, CalRecycle listed 284 manufacturers and 44 renovators, all of whom are registered with MRC. CalRecycle's website lists these manufacturers and renovators along with 622 brands and manufacturer identification numbers.
- Retailers must ensure the mattresses they sell are on CalRecycle's website listing of compliant/registered manufacturers, renovators, or appear on the brands list. Retailers are prohibited from selling mattresses from manufacturers or renovators that are not registered with MRC.
- The mattress recycling fee must be clearly visible as a separate line item on the customer's receipt or invoice. The retailer must collect the fee when a mattress or foundation is sold to a California consumer and then remit the collected fee to the MRC.
- Retailers must offer to pick-up old mattresses for no additional charge when delivering a new mattress to a California consumer unless the condition of the used mattress poses a contamination risk.

If the manufacturer, recycler, renovator, wholesaler, or retailer is not in compliance, the inspector issues a NOV. If the business fails to achieve compliance after a second notice or follow-up inspection, the business is subject to fines.

Manufacturer Inspections

CalRecycle enforcement staff conducted 18 inspections of mattress manufacturers in 2018. Through these inspections, four businesses (22 percent) were found to be in compliance. Enforcement staff issued NOVs to 14 businesses. Of these, 10 businesses corrected their violations within 30 days and no additional actions were necessary and the remaining four businesses were able to document correction of violations within 60 days.

Enforcement Actions

No enforcement actions involving penalties were assessed for mattress manufacturers in 2018.

Renovator Inspections

CalRecycle enforcement staff conducted 22 inspections of mattress renovators in 2018. Through these inspections, three of these businesses (14 percent) were found to be in compliance. Enforcement staff issued NOVs to 19 businesses. Of these, nine businesses corrected their violations within 30 days and no additional actions were necessary and seven of these businesses were able to document correction of violations within 60 days. Enforcement staff escalated enforcement on the remaining three businesses.

Enforcement Actions

Two mattress renovator businesses were issued penalties. These businesses accepted the offers and penalties and submitted documentation supporting compliance. One case is ongoing.

Retailer and Wholesaler Inspections

CalRecycle enforcement staff conducted 168 inspections of mattress retailers/wholesalers in 2018. Through these inspections, 62 businesses (37 percent) were found to be in compliance. Enforcement staff issued NOVs to 106 businesses. Of these, 57 businesses corrected their violations within 30 days and no additional actions were necessary and 41 of these businesses were able to document correction of violations within 60 days. Enforcement staff escalated enforcement on the remaining eight businesses.

Enforcement Actions

Three mattress retail businesses were issued penalties. These businesses accepted the offers and penalties and submitted documentation supporting compliance; two mattress retail businesses are now permanently closed and will not be subject to penalties; three mattress retail businesses are pending.

Stewardship Organization Compliance Review

In August of 2018, CalRecycle's Director disapproved the 2017 Annual Report submitted by the Mattress Recycling Council on July 2, 2018 with the direction to provide a revised Annual Report within 60 days addressing the deficiencies noted. The Mattress Recycling Council submitted a revised Annual Report on October 22, 2018. On December 21, 2018, CalRecycle's Acting Director conditionally approved the revised 2017 Annual Report pending submittal of an addendum within 60 days, addressing the deficiencies not fully addressed. The Mattress Recycling Council responded to CalRecycle's December 21, 2018 conditional approval by submitting an addendum. The addendum supported CalRecycle's approval of the 2017 Annual Report on February 12, 2019.

Mattress Recyclers, Renovators, and Solid Waste Facilities Annual Reporting

The year 2018 was the second year CalRecycle received an Annual Report from mattress recyclers, renovators, and solid waste facilities. In accordance with the California Used Mattress Recovery and Recycling Act, mattress recyclers, renovators, and solid waste facilities, as defined by PRC Section 42991, must submit an Annual Report to CalRecycle by May 1, 2018, and each year thereafter. The Annual Reports include contact information and quantitative information for the previous calendar year (referred to as the measurement period).

In 2018, CalRecycle focused on identifying the reporting community which includes:

- 30 Renovators
- 9 Recyclers
- 357 Solid Waste Facilities (SWF).

Prior to the May 1, 2018 due date, CalRecycle provided education and outreach to support timely submittal of annual reports, however, a number of businesses reported late.

As of the May 1, 2018 due date, 10 renovators and 64 SWF were late in reporting mattress activity. Through progressive enforcement actions, CalRecycle was successful in getting eight of ten late renovators and 49 of 64 late SWFs reported. Progressive enforcement against the remaining two renovators continued into 2019. The California Mattress Stewardship Law does not provide CalRecycle authority to apply penalties to SWFs that do not provide an annual mattress report.

Enforcement Actions

The two mattress renovator businesses were issued penalties. One business paid the penalty and submitted documentation supporting compliance. The remaining case is on-going.

Enforcement Activity Data: Paint Inspections

CalRecycle reviews program participants (manufacturers and wholesalers/retailers) that are selling architectural paint in California to ensure compliance with program requirements.

- Manufacturers must be listed on CalRecycle's website to ensure they are covered/registered under the approved product stewardship program or have their own approved plan. At the end of 2018, approximately 239 manufacturers (representing 1,972 brands) were registered.
- Retailers, wholesalers, and distributors must monitor CalRecycle's website to ensure the paint they sell is on the most current CalRecycle list of compliant/registered manufacturers. They must also meet record-keeping requirements.

If the manufacturer, wholesaler, or retailer is not in compliance, the inspector issues a NOV. The inspector works with the participant to identify the actions necessary to correct deficiencies. If the participant fails to achieve compliance after a follow-up review or inspection, the participant is subject to fines.

Manufacturer Inspections

CalRecycle conducts file reviews of manufacturers to verify registration with PaintCare (the only approved paint stewardship program). CalRecycle initiates manufacturer reviews when unregistered products are identified during retailer inspections. No unregistered products were observed at retailer inspections in 2018.

Retailer Inspections

CalRecycle enforcement staff conducted 9 inspections of paint retailers in 2018. Through these inspections, six businesses (67 percent) were found to be in compliance. Enforcement staff issued NOVs to 3 businesses. Of these, all three businesses corrected their violations within 30 days and no additional actions were necessary.

Enforcement Actions

CalRecycle took no enforcement actions seeking penalties in 2018.

Stewardship Organization Compliance Review:

CalRecycle determined PaintCare's Year-5 Annual Report (July 1, 2016 through June 30, 2017) to be compliant as it met statutory requirements.

Glossary of Terms

Acronym	Full Name
AC	Administrative Complaint
CalRecycle	Department of Resources Recycling and Recovery
CAO	Clean-up & Abatement Order
CARE	Carpet America Recovery Effort, the stewardship organization for California's used carpet stewardship law
CDFA	California Department of Food and Agriculture
CHP	California Highway Patrol
CRV	California Redemption Value and California Refund Value <ul style="list-style-type: none"> • Redemption paid when the container is purchased. • Refund paid when the container is recycled.
DOJ	California Department of Justice
DTSC	California Department of Toxic Substances Control
EA	Enforcement Agency
EMSW	Engineered Municipal Solid Waste Facility
IMR	Imported Material Reports
LEA	Local Enforcement Agency for solid waste
NONC	Notice of Noncompliance
NOV	Notice of Violation
MRC	Mattress Recycling Council, the stewardship organization for California's used mattress stewardship law
PaintCare	The stewardship organization for California's used paint stewardship law
PRC	Public Resources Code
RPPC	Rigid Plastic Packaging Container
SLP	Streamlined Penalty Letter

SWF	Solid Waste Facility
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Appendix 1

Accessible Versions of Figures

Figure 1. 2017 TEA and CalRecycle Waste Tire Enforcement Inspections

Year	TEA	CalRecycle
2015	19,103	1,845
2016	15,445	2,279
2017	14,279	1,758
2018	14,112	1,826

Figure 2. Enforcement actions and administrative complaints chart that summarizes NOV, CAOs, and ACs issued by CalRecycle against permitted waste tire facilities.

Year	Notices of Violation	Cleanup & Abatement Orders	Administrative Complaints
2015	12	2	1
2016	8	3	2
2017	11	3	1
2018	13	0	1

Figure 3. Streamlined penalties by violation category and administrative complaints

Year	Hauler Registration	Manifest	Administrative Complaints	Combination: Hauler Registration and Manifest
2015	11	13	3	0
2016	9	24	5	0
2017	4	16	5	1
2018	7	8	0	0

Figure 4. Solid waste facilities and operations: 2018

Transfer and Processing	Compost	Disposal (Landfills and Inert Facilities)	Other: Transformation, eMSW and in-vessel
745	379	168	14

Figure 5. Solid waste facility inspections

Year	LEA	CalRecycle
2014	11,237	528
2015	12,213	560
2016	12,356	565
2017	12,782	740
2018	12,672	742

Figure 6. CalRecycle oversight inspections

Year	Discretionary (Focused)	Pre-Permit (Focused)	18 Month – Landfills (Periodic)
2015	31	15	110
2016	15	15	85
2017	42	24	60
2018	30	22	97

Figure 7. Solid waste facility enforcement actions

Year	Notice of Intent to List on Inventory	Listed on Inventory	Enforcement Actions
2015	16	1	35
2016	14	2	62
2017	16	5	60
2018	7	4	34

Figure 8. LEA evaluation results by cycle

Cycle	Pending	Requiring a corrective action plan	Fulfilling most of their duties or responsibilities	Fulling all LEA duties or responsibilities
3 rd Cycle	0	21	7	27
4 th Cycle	0	11	9	35
5 th Cycle	0	7	3	50
6 th Cycle	0	16	2	42
7 th Cycle – Partial	22	11	5	22

Figure 9. Local government diversion programs enforcement actions by year

Year	Evaluation Pending	Compliance Ongoing	Placed on Compliance	Compliance Fulfilled
2015	4	1	1	0
2016	1	2	1	0
2017	8	3	3	0
2018	6	6	3	0

Figure 10. Rigid plastic packaging container

Year	Registration	Pre-Certification	Compliance Certification
2015	275	56	16
2016	20	88	20
2017	30	54	35
2018	35	95	35

Figure 11. Beverage container recycling infrastructure collection/processing

Recycling Centers (buyback)	Curbside	Collection or Drop-off Programs	Community Service Programs	Processors / Recyclers
58%	21%	7%	7%	7%

Figure 12. Recycling center probationary reviews: recycling centers

Year	Recommended for Revocation	Voluntary Withdrawal	Passed Probation	Probation Extended	No Action Taken
2015	4	23	184	599	40
2016	1	21	140	552	63
2017	5	5	114	484	71
2018	3	7	67	354	46

Figure 13. Compliance history/file review: actions taken

Year	Recommended for Revocation	Voluntary Withdrawal	Probation Extended or Review On-Going	No Action Taken	Passed Probation
2015	2	15	408	40	133
2016	0	19	396	63	73
2017	0	5	318	71	46
2018	0	3	221	43	22

Figure 14. On-site reviews: actions taken

Year	Voluntary Withdrawal / Decertified	Probation Extended	Recommended for Revocation	Passed Probation
2015	8	191	2	51
2016	2	175	1	67
2017	0	166	5	68
2018	4	143	3	45

Figure 15. Recycler center and dealer inspections

Year	Recyclers	Dealers
2015	4,185	128
2016	3,430	510
2017	3,586	442
2018	2,836	231

Figure 16. Recycling center inspections: enforcement actions

Year	Recycling Center Non-Compliance (NONC)	Recycling Center Violations (NOV)
2015	1,053	611
2016	803	577
2017	726	617
2018	615	526

Figure 17. Dealer inspections: enforcement action

Year	Non-compliance (NONC)	Violations (NOV)
2015	31	23
2016	202	68
2017	249	45
2018	72	46