

SB 619 Webinar Part 2 Video Transcript

January 13, 2022

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08:15:23:Presenter: Welcome to the Web and R. Please stand by the webinar will begin shortly. Please remain on the line.

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08:50:59:Presenter: The broadcast is now starting all attendee far in listen only mode.

08:55:42:Presenter: Good morning everybody. If you are here for the power cycle SP 1383 notification of intent to comply form webinar, you're in the right place. We plan to begin the web and R at 9:00 o'clock, so in five minutes we will start.

09:01:16:Presenter: Good morning everybody and welcome to cower cycles, SP619 notification of intent to comply form webinar.

09:01:18:Presenter: My name is Alan Osorio.

09:01:28:Presenter: And I am part of the SB6119 at power cycle. Before we get started, our director, Rachel Maquis Wagner would like to provide some high level remarks.

09:01:29:Presenter: Director.

09:01:46:Presenter: Good morning and thank you so much Alan, for the introduction. I'll keep it really short so we can get to the good stuff here. Thank you all so much for joining us today. I am very excited.

09:01:59:Presenter: Optimistic and hopeful about an implementation of SB619 in helping the state achieve our SB 1383 goals and all of you who are attending today.

09:02:13:Presenter: Are really contributing to that hopefulness because you are here to try to be to find a solution that is right for your jurisdiction and really, looking forward to the conversation and the questions today.

09:02:27:Presenter: And as we move forward with a really strengthening our partnership and implementation of this incredibly important climate goal, I just want to share with that I've had the opportunity over the last couple of weeks to talk to.

09:02:41:Presenter: Media stakeholders and industry stakeholders. Community stakeholders, who are all really excited to see what California is able to achieve and it is really.

09:02:54:Presenter: Then my pleasure to speak to the partnerships that we've been able to build between our local jurisdictions and the state jurisdictions, and so with that I will turn it back over to Alan to kick off.

09:03:02:Presenter: Today and again, thank you all for being here and I look forward to the conversation Allen.

09:03:13:Presenter: Thank you director. Before we go over the logistics for today's webinar, including the live Q&A, I want to introduce you to those who would, participating and or will be available for questions after the presentation portion.

09:03:20:Presenter: At this point, I'd like to ask power cycle staff participating in today's webinar to turn their cameras on.

09:03:29:Presenter: Thank you Carrie. Cycle power cycle. Please wave when I call your name.

09:03:35:Presenter: I would like to first introduce Ashley, the branch chief with enforcement.

09:03:41:Presenter: Karen Morgan, the branch chief with local assistance and market development.

09:03:45:Presenter: And cat for air with the SP6119.

09:03:51:Presenter: Also, joining us today is Jocelyn RC who will be assisting with the Q&A portion.

09:04:05:Presenter: Now I will briefly, briefly turn it over to Jocelyn to go over the logistics for the Q&A Jocelyn Color cycle team. You may turn off your cameras until the Q&A session, which will occur at the back end of today's webinar.

09:04:19:Presenter: Thank you Alan. Good morning everyone. I will be going over the instructions for the Q&A session which will follow the presentation. If you are using the GOTOWEBINAR platform, please type your question into the question.

09:04:19:Presenter: Pain.

09:04:33:Presenter: If you are watching the web and our view of the Cali P. Broadcast, you may email your questions to analyze the at cover cycle dot.ca.gov staff or I will unmute participants in the order that questions come in.

09:04:40:Presenter: So that you may read your question out loud. Note that you will need to unmute yourself on your end and go to webinar when asked to.

09:04:44:Presenter: Please state your affiliation before asking your question.

09:04:52:Presenter: For those watching the other broadcasts, we will verbalize some of these questions and responses in the GOTOWEBINAR platform. For you to hear as well.

09:05:00:Presenter: Cara cycle staff may respond to some questions in writing through go to webinar, so please review the question pain for those responses.

09:05:05:Presenter: Questions and comments regarding the merit of the regulations were responded to during the rulemaking period.

09:05:12:Presenter: Today we will focus on questions or clarifications regarding the SB619 notification of intent to comply.

09:05:14:Presenter: Back to Allen.

09:05:28:Presenter: Thank you Jocelyn again, my name is Alan and today both cat and I will be presenting on power cycles development of the SP1383 notification of intent to comply for.

09:05:39:Presenter: As background, jurisdictions are required to implement the SB 1383 regulations that went into effect January 1st 2022.

09:05:49:Presenter: As jurisdictions are preparing to implement the regulations, many local governments are facing challenges in response to the COVID-19 pandemic.

09:06:03:Presenter: In response, Governor Newsom signed SB619 layered. Chapter 58 statues 2021 into law to support local governments as a design and implement successful organic waste.

09:06:05:Presenter: Recycling programs throughout the state.

09:06:20:Presenter: The law authorizes Kara cycle to waive civil penalties if a jurisdiction submits a notification of intent to comply or some or all of the regulatory requirements and implements the plan actions and timelines.

09:06:29:Presenter: Upon approval by Kara Cycle of a jurisdictions notification and implementation by the jurisdiction.

09:06:33:Presenter: A jurisdiction may be eligible, or both of the following.

09:06:34:Presenter: 1.

09:06:46:Presenter: Administrative civil penalty relief for the 2022 calendar year pursuant to Public Resources Code section 42652.5 D.

09:06:56:Presenter: And two, a corrective action plan pursuant to Title 14, California Code of Regulations, Section 18996.2.

09:07:09:Presenter: Power cycle may address through a corrective action plan. Any violations disclosed in a jurisdictions notification that will take more than 180 days to correct.

09:07:19:Presenter: In this situation, the proposed actions and schedule in the jurisdictions approved notification will be in effect until a corrective action plan is issued.

09:07:29:Presenter: The SB619 process differs from the SB1383 enforcement process in two major ways.

09:07:37:Presenter: The first way the process differs from SB1383 enforcement process is civil penalties.

09:07:53:Presenter: In the SB619 process, CALRECYCLE will waive administrative civil penalties for the 2022 calendar year for violations disclosed in a jurisdictions approved notification of intent to.

09:07:53:Presenter: Comply.

09:08:03:Presenter: If the jurisdiction implements the proposed actions to remedy the violations in accordance with the schedule provided by jurisdiction in the notification.

09:08:18:Presenter: For violations commencing during the 2022 calendar year and continuing into the 2023 calendar year, administrative civil penalties will begin accruing January 1, 2023, but.

09:08:24:Presenter: If power cycle exercises its discretion to put a jurisdiction on a corrective action plan.

09:08:32:Presenter: Any penalties may be waived upon a determination of full compliance with the terms of the corrective action plan.

09:08:41:Presenter: In the SB 1383 enforcement process, penalties may begin accruing for violations occurring in 2022.

09:08:51:Presenter: The second way the process differs from the SB 1383 enforcement process is eligibility for a corrective action plan.

09:08:58:Presenter: In the six SB619 process or violations identified in the notification of intent to comply.

09:09:07:Presenter: Power cycle may address any violations disclosed through a corrective action plan that will take more than 180 days to correct.

09:09:18:Presenter: A jurisdiction is not required to demonstrate a substantial effort to be eligible for a corrective action plan through the notification of intent to comply process.

09:09:34:Presenter: In the SB 1383 enforcement process, power cycle may exercise its enforcement discretion in allowing consideration of substantial efforts made by the jurisdiction and extenuating circumstances.

09:09:40:Presenter: That would allow the use of extended compliance deadlines in a corrective action plan.

09:09:50:Presenter: Jurisdiction is required to demonstrate of substantial effort to be considered four corrective action plan in the SB 1383 enforcement process.

09:10:01:Presenter: Let's talk about the content required. Mints that needs to be included within notification of intent to comply.

09:10:08:Presenter: A jurisdiction shall, at a minimum, include the following in its notification submittal.

09:10:15:Presenter: 1A description with specificity of the continuing violations.

09:10:25:Presenter: Two, a detailed explanation of the reasons supported by documentation why the jurisdiction is unable to comply.

09:10:33:Presenter: 3A description of the impacts of the COVID-19 pandemic on compliance.

09:10:49:Presenter: 4A description of the proposed actions. The jurisdiction will take to remedy the violations within the timelines established in Title 14, California Code of Regulations, Section 18996.2.

09:10:51:Presenter: With the proposed schedule or doing so.

09:10:57:Presenter: The proposed actions shall be tailored to remedy the violations in a timely manner.

09:11:12:Presenter: Additionally, jurisdictions are to adopt A resolution by its respective governing body, affirming the contents and timeline of its notification of intent to comply, and include the resolution.

09:11:14:Presenter: Within their notification submission.

09:11:26:Presenter: New since our last webinar that we've had, power cycle has developed a resolution template that jurisdictions can utilize that my colleague cat will talk about later in today's presentation.

09:11:39:Presenter: Additionally, as stated in the previous slide regarding administrative civil penalty relief for violations of the regulations that are disclosed in the notification and approved by cower cycle.

09:11:52:Presenter: Power cycle will waive administrative civil penalties and penalties will not occur for the outline violations in the notification during the 2022 calendar year if the jurisdiction implements the proposed.

09:11:56:Presenter: Actions according to the schedule proposed in the notification.

09:12:12:Presenter: The notification and a resolution adopted by the governing body of the jurisdiction shall be sent to counter cycle no later than Tuesday, March 1st, 2022.

09:12:26:Presenter: Notifications and the resolutions should be emailed to the notification of intent to comply. Inbox at and no. I see noise at power cycle dot.ca.gov.

09:12:43:Presenter: Terracycle will respond in writing to a jurisdiction's notification submission within 45 business days of receiving the notification with one of the following.

09:12:45:Presenter: And approval.

09:12:47:Presenter: A disapproval.

09:12:50:Presenter: A request for additional information.

09:12:55:Presenter: Yeah, a timeline for a decision on approval or disapproval.

09:13:03:Presenter: If power cycle disapproves the notification due to the notification not meeting the requirements.

09:13:09:Presenter: Power cycle will include in the response a justification for the disapproval.

09:13:18:Presenter: I will now hand it over to cat for a live demonstration of the notification of intent to comply form.

09:13:35:Presenter: And let me give her permissions here. So let's switch over here.

09:13:35:Presenter: Give us a second.

09:13:51:Presenter: Alright cat, we could see your screen and you could go ahead. I think you can beat yourself.

09:13:57:Presenter: And you could begin perfect. Thank you Alan and good morning everyone.

09:14:10:Presenter: As Alan mentioned, Calrecycle has developed and is providing a notification form as a convenience to assist jurisdictions for purposes of submitting a notification of intent to comply to counter cycle.

09:14:22:Presenter: As described in public Resources code section 42652.5 C, I want to point out that use of this form is optional and not a regulatory requirement.

09:14:35:Presenter: I'm going to start by demonstrating where to find information about the notifications on our website. So from the counter cycle homepage, you'll scroll down to the update section.

09:14:38:Presenter: And find new 1383 resources.

09:14:41:Presenter: And you'll click on the learn more button.

09:14:48:Presenter: This will take you to the short lived climate pollutant reduction strategy web page.

09:14:52:Presenter: Next you will scroll down to the enforcement section.

09:14:59:Presenter: And click on the learn more button.

09:15:10:Presenter: This will take you to the enforcement Web page is where you will find the SB619 notification of intent to comply section.

09:15:18:Presenter: Then you will click on the learn more button.

09:15:27:Presenter: To the notification of intent to comply with SB1383 regulations webpage.

09:15:39:Presenter: Here you will find information about the notification of intensive comply including the process, the application form and a sample resolution.

09:15:48:Presenter: Since her last webinar, Cara Cycle posted a sample resolution that jurisdictions could utilize to submit with their notification.

09:15:59:Presenter: We have also posted the first webinar recording and Powerpoint presentation here and we also plan to post a list of jurisdictions with approved notifications on this page.

09:16:07:Presenter: Once today's presentation and webinar recording have been made ADH compliant, they will also be posted here.

09:16:12:Presenter: To access the form we developed, you'll click on the application form button.

09:16:18:Presenter: What the notification?

09:16:21:Presenter: Form looks like.

09:16:28:Presenter: The first page of this form summarizes all of the same information Alan covered in the previous slides.

09:16:31:Presenter: So now I will go down to page 2.

09:16:38:Presenter: And this is where the fillable portion of the form begins, and it begins with administrative information.

09:16:44:Presenter: This includes all the information from jurisdiction name, all the way down to phone number.

09:16:52:Presenter: For section 1, this is where you'll provide the violations.

09:16:59:Presenter: We provided some checkboxes for ease of identifying some of the most common violations. However, it is not all inclusive.

09:17:09:Presenter: You may select violations using the checkboxes or right in the violations for each application or applicable regulatory section.

09:17:17:Presenter: For each regulatory section selected or you will describe the specific violations related to that regulatory section.

09:17:28:Presenter: We have provided an example to give you an idea of what we are expecting in the way of identifying and describing specific violations.

09:17:42:Presenter: Paul, we selected letter B14 CCR, section 1898, point 418984.13 container, organic waste collection services.



09:17:46:Presenter: And we included a description of the violations.

09:17:57:Presenter: The first is not implementing mandatory residential food waste collection for all residents and not implementing mandatory commercial organics collection for all businesses under 2 cubic yards.

09:18:07:Presenter: In our example, we only identify two violations, but when using this form, jurisdictions are to list all violations that may apply.

09:18:10:Presenter: So now going down to number 2.

09:18:22:Presenter: Number two is where you'll provide a detailed explanation of the reasons why the jurisdiction is unable to comply, supported by documentation if applicable.

09:18:30:Presenter: And #3 you'll provide a description of the impacts of the COVID-19 pandemic on compliance.

09:18:45:Presenter: And then in #4 you'll provide a description of the proposed actions that jurisdiction will take to remedy the violations listed in number one above. Where the proposed schedule for completing each one.

09:18:48:Presenter: This is to be done for all of the violations identified.

09:18:57:Presenter: We have provided an optional format in this document, so let's take a look at that and that's located on the last page.

09:19:06:Presenter: So we are looking for a tasks associated with remedying violations and achieving compliance.

09:19:14:Presenter: We have provided examples to give you an idea of what we are expecting in the way of identifying tasks.

09:19:30:Presenter: Using our example in section one we had identified section 18984.13 container organic waste collection services and we identify two specific violations.

09:19:41:Presenter: For the first violation identified in our example, we included a description of the specific violation not implementing mandatory residential food waste collection for all residents.

09:19:49:Presenter: We then identify the tasks that may be needed in order to provide mandatory residential food waste collection.

09:20:01:Presenter: In this example, tasks identified are purchasing additional collection vehicles and working with the hauler to find a facility to accept mixed organic waste.

09:20:06:Presenter: Along with the tasks we have included, their associated completion dates.

09:20:21:Presenter: For the second violation identified in our example, we included a description of the specific violation not implementing mandatory commercial organics collection for all businesses under 2 cubic yards.

09:20:26:Presenter: We then identified that asks for that violation and their associated completion dates.

09:20:29:Presenter: Lastly

09:20:42:Presenter: you will sign the notification form and send it along with the resolution adopted by our governing body to NYC at karacycle.ca Gov.

09:20:47:Presenter: No later than March 1st, 2022.

09:20:52:Presenter: This concludes the overview of cow cycles, notification of intent to comply form.

09:21:01:Presenter: Thank you kat. Let me switch back over to myself here.

09:21:19:Presenter: And thank you cat for that live demo so everybody. For more information, we encourage you to subscribe to the SLCP.

09:21:20:Presenter: Listserv.

09:21:24:Presenter: Visit the SLCP homepage on the car cycle website.

09:21:38:Presenter: Contact your local assistance and market development liaison or you could email the notification of intent to comply inbox as listed on the screen, which is NOIC at powercycle.ca.

09:21:48:Presenter: Gov and additionally that is also the email inbox that you will be sending your notifications too for submission before March 1st 2022.

09:22:00:Presenter: Lastly, I want to note that this presentation is a guidance tool developed for information and example purposes only.

09:22:12:Presenter: Disclaimer specifies use of this document is optional. It is not an enforceable regulatory requirement and does not ensure regulatory compliance if it is used.

09:22:19:Presenter: I will now hand it over to Jocelyn to begin the Q&A portion of today's web and R.

09:22:28:Presenter: Thanks alan. Here is a reminder of how the Q&A session will go.

09:22:34:Presenter: If you are watching the web and R via the Cali P broadcast, you may email your questions to the Noike inbox.

09:22:40:Presenter: If you are using the go to webinar platform, please type your question into the question pain.

09:22:44:Presenter: I will unmute participants in the order that questions come in.

09:22:48:Presenter: Note that you will need to unmute yourself on your end when asked.

09:22:52:Presenter: Please state your name and affiliation before asking your question.

09:22:58:Presenter: Questions and comments regarding the merit of the regulations were responded to during the rulemaking period.

09:23:05:Presenter: Today we will focus on questions or clarifications regarding the notification of intent to comply.

09:23:08:Presenter: I will now start us off with the first question.

09:23:20:Presenter: So first question is coming from JC Bolden.

09:23:23:Presenter: Give me a second two and meet you.

09:23:29:Presenter: JC, You may, I ask you a question in circulation.

09:23:43:Presenter: Good morning, uhm, I wasn't anticipating this JC Bolden, SCS engineers. My quick question was if the jurisdiction completes the noise to the.

09:23:56:Presenter: Very best of their ability and inadvertently misses one of the many violation opportunities. Will cower cycle staff review that and work with the jurisdiction and allow them.

09:24:01:Presenter: The Grace and opportunity to amend that to get it correct.

09:24:13:Presenter: Yeah, good question. I see Carrie you put your name on there on that question. Did you wanna take that? And if there's anything else I could either cat and I could add?

09:24:28:Presenter: Sure hey thanks Alan J C. Thank you for the question. So uhm, if a jurisdiction identifies a violation that it did not include in its notification, it cannot be added.

09:24:41:Presenter: After March 1, so what we've been doing is meeting with jurisdictions all across the state to discuss their potential violations and solutions for that violation, so.

09:24:54:Presenter: If you have any jurisdictions that you'd like us to have that conversation with prior to March one, we'd be happy to do so. But if violation cannot be added now, if there is a violation that's listed in the notification.

09:25:07:Presenter: And there's additional details that Calrecycle needs. Then we can. We can tackle that in the notification, but a new violation cannot be added to the application, did that?

09:25:21:Presenter: Answer your question JC, it did so just to clarify and summarize, it sounds like it's in every jurisdiction's best interest that is intending to submit an OIC.

09:25:28:Presenter: That they should reach out to their calrecycle rep for a pre review.

09:25:43:Presenter: Yes no. I saw the eyes rock. I don't know that we're saying a pre review of the application and what you're putting it. But yes, we would love to meet with any jurisdiction to discuss what they think their violations.

09:25:56:Presenter: Are the timeline when they think they will correct those violations and then we can discuss potential solutions and such as including that in the notification or not. So yeah, happy to have those conversations.

09:26:04:Presenter: Just contact your lambs liaison and we will get that set up ASAP. 'cause I do appreciate that we're on a tight timeline. Yep, thank you.

09:26:10:Presenter: Thank you Jesse, for a question and thank you, Kara.

09:26:21:Presenter: Next question is coming from Trevor Blythe and I think that's how you pronounce it. I'm sorry if I mispronounced it, but you are unmuted. Please state your city and your question.

09:26:26:Presenter: He nailed the last name. Takes place Trevor Blythe.

09:26:40:Presenter: So I have a question. Basically, if we're looking at more than the year 2022 to wrap up some of the violations that are outlined in the noise, does it make sense to include corrective action, kind of?

09:26:51:Presenter: Time lines that extend into 2023? Or are we really looking at for this week to really only outline corrective action plans that happened during 2022?

09:27:06:Presenter: Yeah, good question Trevor and I could take a stab at this and Karan Ashley feel free to chime in if I don't cover something there. So good question Trevor. We understand power cycle understands that not all violations that jurisdictions are going to be.

09:27:19:Presenter: Uhm, under violation for SB1383 can be addressed within the 11 months left that are in this calendar year. We are asking that jurisdictions including outlined their violations. The schedule.

09:27:32:Presenter: Aspect, an area within the notification will include and potentially include violations that'd jurisdiction address within a week, but maybe some that you are going to address that the schedule is going to go into 2020.

09:27:46:Presenter: Three, so once the submission that the jurisdiction submits the notification with all of their violations that they are identifying with the schedule of how they're going to address them with the specificity similar to what we've.

09:27:59:Presenter: Discussed during today's webinar. Once that is reviewed by Calrecycle, then we'll evaluate and look at things and see whether a corrective action plan. If issuing that for that jurisdiction.

09:28:12:Presenter: It is best fit for that particular jurisdiction, so that'll be just something that we're asking their jurisdictions to include and just outline their schedule. Whether it's going to be addressed in 2022 or 2023 and so forth.

09:28:14:Presenter: Cara, Ashley, anything you want to add to that.

09:28:30:Presenter: Yeah, thanks alan. So something else that may help is for example if you put in a timeline within your corrective action plan that you work with us and for some reason you come across a barrier.

09:28:43:Presenter: Uhm, that you cannot control. So maybe the cart supply. I know we have carts play questionnaire. Maybe the cart supplies down or something fell through with an agreement.

09:28:57:Presenter: You're making in place. If you let us know ahead of time well before that timeline is supposed to, or that due date, I guess for that task is supposed to be there and you're supposed to have implemented that task.

09:29:10:Presenter: Will work with you to potentially extend your timeline a little bit further depending on your situation. Also. So for any of the for any of you who've been in the jurisdiction compliance unit with Alan's team.

09:29:23:Presenter: Come and you've been on was a local implementation plan. They have extended timelines for certain reasons, so that's also an option in this too, so we know that sometimes.

09:29:37:Presenter: Timelines do get messed up and we are trying to predict the future on when things will occur, but if there is something that is a good reason for your timeline not being met, please contact us as soon as possible.

09:29:50:Presenter: And we will work with you on adjusting your corrective action plan timeline for that task only, right? If it affects other tasks, then we'll have to explore that more. But we're not saying will extend the whole corrective action plan.

09:29:58:Presenter: Or at least just for that test. So I hope that also helps Trevor and talking timelines. Yeah, thanks for the clarification guys, appreciate that.

09:30:12:Presenter: Thank you Trevor. So next question is coming from Sarah Aaron. I think I'm behalf of Jill Santos. Jill you are unmuted.

09:30:15:Presenter: Go ahead and set your affiliation and your question.

09:30:29:Presenter: OK, I will ask the question on behalf of Joe so Joe Santos for recycling manager from City of Oxnard. If the city intended to phase in parts.

09:30:42:Presenter: Of XP, 1383 over the course of 2022 so that terms are in progress. How is that going to be managed? Follow-up acts of God. Does that include supply chain issues?

09:30:57:Presenter: And Jill and I'll say, Jill and Sarah. Thank you for your question. So similar to Trevor's question. There with the timelines and whatnot. I would recommend that jurisdictions outline all of their violations.

09:31:11:Presenter: That if they are planning to go down the path of submitting a notification to include all of the violations on there and then with each violation having that addressed through including a schedule.

09:31:24:Presenter: Of how they're going to address that violation now. There may be some instances where you're mentioning it acts of gods or supply chain issues. That's something that the enforcement staff during the oversight of.

09:31:38:Presenter: The implementation of jurisdictions notifications as we're monitoring that there will be communication during that process with working with the end discussing with jurisdiction, their progress in implementing their violations that they've dressed.

09:31:39:Presenter: Within the notification.

09:31:53:Presenter: So hopefully that answers a question Carrie did you want to chime in on anything on that? Yeah, thanks so much, Alan for that explanation. So it's important to note that these are plans and an estimated timelines.

09:32:06:Presenter: So after the corrective action plan is issued, should as Ashley noted and Alan did as well, should have jurisdiction run into a challenge with achieving a timeline, they will need to communicate that to.

09:32:19:Presenter: Reinforcement staff, we will then look at the situation and potentially revise that task and timeline in the corrective action plan. The Statute does provide calorie cycle with the ability.

09:32:34:Presenter: To establish maximum timelines beyond what is provided for in the 1383 regulations. So just really important that as we begin monitoring your implementation of a corrective action plan.

09:32:48:Presenter: If something comes up and that you're not going to hit a timeline, you need to contact your enforcement branch staff person that's doing the monitoring so that we can look at this situation and then assess whether or not to.

09:32:56:Presenter: Modify that task and really the timeline related to that task in the corrective action plan. Thanks, alan.

09:33:06:Presenter: So Jill and Sarah. Hopefully that answers your question if I know you don't have a mic. But if that doesn't feel free to touch base with one of us offline after the webinar.

09:33:22:Presenter: Thanks Alan and Kara. So next question is coming from Colonal Burnley a believe it's on behalf of James Homme, Cologne or James you are and we did. You might see your affiliation and your question.

09:33:36:Presenter: But I will ask the question on behalf of James. So James with the city of Beverly Hills. His question is what do you do if your city has a plan?

09:33:48:Presenter: To be fully rolled out by the end of 2022, but missed the city council date to bring a resolution before March 1st, 2022. Deadline for SB619. Like. What do you recommend?

09:33:53:Presenter: Sakara.

09:34:11:Presenter: So that's a great question. First and foremost, if you think you're in that situation, please talk to your land liaison.

09:34:20:Presenter: As soon as possible, we need to strategize and understand the situation and why you're not able to bring that resolution to Council by the March 1st submittal deadline. So let's.

09:34:33:Presenter: Talk, let's understand your situation, but let's play this out. Worst case scenario, you are not able to submit the required documents by the due date you if you absolutely.

09:34:41:Presenter: We're not able to take that resolution. Two council to get it submitted to us by the march when due date.

09:34:55:Presenter: We cannot accept your notification. I mean that is a requirement that the elected body approved the notification. So in that instance you would be under the regular 1383 enforcement.

09:35:09:Presenter: Process as laid out in the regulations and we can talk about your particular situation and what that means. As we've laid out in our enforcement process document when CALRECYCLE conducts.

09:35:22:Presenter: Compliance evaluation on your jurisdiction. We would review your implementation and determine calrecycle will determine if there are violations. If there are violations, then we would continue.

09:35:35:Presenter: Down the path laid out in the regulations, determining if an enforcement action is necessary, but again, if you're in this situation, please let's talk now. Get a call into your local assistance.

09:35:43:Presenter: Liaison so we can understand your situation and see if there's anything we can do to provide you support.

09:35:57:Presenter: Alan, is there anything else you'd like to add? Yeah, so similar as Cara stated, you know there is still the normal enforcement process. And when I say normal, it's just the SB 1383 enforcement process that's outlined within the regulations.

09:36:11:Presenter: So, as Karen mentioned, a resolution is required for approval for all of the notifications that are coming in. So if in this instance in this case if a resolution.

09:36:25:Presenter: Was not passed and you missed the March 1st deadline then we would not be able to accept the notification. Although as CARA stated and outlined in previous webinars, the enforcement process is laid out in.

09:36:37:Presenter: In a timeline setting where a compliance evaluation would occur on a jurisdiction and if violations were identified through the compliance evaluation, that enforcement staff performs on the jurisdiction, it goes through the note.

09:36:51:Presenter: The enovi process, which is the notice of violation, which gets some formally sent over to the jurisdiction and then it's in that case of the jurisdiction, has to implement those violations to which then.

09:37:05:Presenter: As stated in previous webinars, potentially may go now the cat process as well, so it is not that the end of the road end all. If a jurisdiction is not able to do the notification. Obviously the notification is set up for jurisdictions.

09:37:19:Presenter: To provide that administrative civil penalty relief for the calendar year 2022, but as cold as the question was posed, it just.

09:37:24:Presenter: Meeting those timelines would need for us being able to approve the notification.

09:37:40:Presenter: No, thank you, I appreciate it. It's just I brought that up because my window is short and we're operating with little bandwidth. I'm focused on getting it.

09:37:46:Presenter: Rolled out, so I'm having to stop and focus on prepping and getting the resolution done.

09:38:00:Presenter: To make that deadline while I'm in the middle of trying to roll out the program. So I just wanna make sure I focus my attention where it needs to be focused because we're operating with small bandwidth and I appreciate all you guys working out for dinner sisters.

09:38:14:Presenter: Thanks, yeah, thank you. It's fine. I completely appreciate. I mean this has been a huge lift. Adding 6190 is another huge lift so you know if the local assistance team is not already come.

09:38:28:Presenter: Kind of met with you and talked about your situation. I will make sure that they follow up today with you and will get something scheduled so we can chat about your particular situation and offer any assistance that we can. But thank you so much.

09:38:38:Presenter: For all that you're doing, Ashley. No, they just real quick now. They've both been great. I'm in. I'm in direct communication with them, so they both prima table and he is doing a great job.

09:38:53:Presenter: And I think something else to consider is, uhm, I know we have a situation out there where their resolution may be signed really close to March 1st, or maybe mark second, but.

09:39:06:Presenter: They are have already presented to council and it's already in draft form, so those are things that Cara and her team will also talk to you about too is you know what happens if you get it signed March 1st at 5:00 PM.

09:39:20:Presenter: Right, would we accept it in those types of things so I know those scenarios have also come up so I know Karen, our team know how to handle that one, and so I know they look forward to talking with you and hopefully we could get everything squared away.

09:39:36:Presenter: And then also just to remind everybody with the resolution power cycle has developed a resolution template that jurisdictions get utilized that potentially may help speed up just the process of just.

09:39:50:Presenter: Utilizing the template process and having that so it'll be different case by case of what jurisdictions, but that is something that the department did put out just to assist jurisdictions in covering their resolution.

09:39:53:Presenter: Requirement as required by the notification submission.

09:39:56:Presenter: Thanks Jocelyn next question.

09:40:06:Presenter: Next question is coming from Lillian Clark Lillian. I've unmuted you, please unmute yourself, state your filiation and your question.

09:40:21:Presenter: Hi I was just wondering in RN I see if we should add this statement in there about the supply chain issues 'cause it could impact when programs start.

09:40:35:Presenter: Yeah, good question Lillian. It's kind of similar to believe traverse question that we chimed in on but yes, so if there are backlogs and supply chain issues.

09:40:48:Presenter: Regarding carts, that would mean that there would be generators that are required to have organic collection service not have service, so that would be the violation. So that's kind of the domino effect of not being able to implement the program.

09:41:01:Presenter: I would recommend including that on there and having the schedule and having that just so it's identified. That way the department is in the understanding that the city is going through issues with carts and bins.

09:41:14:Presenter: Just to put it on the radar so that when we perform a compliance evaluation and we're looking at organic waste generators and we don't see a been there and there is nothing that may be tide into that of how that's being impacted on the program.

09:41:27:Presenter: And the haulers are also saying that there it's impacting trucks, so if they need to increase their routes that they're having a hard time getting new trucks. So just let you guys know.

09:41:28:Presenter: Chris

09:41:32:Presenter: yeah to add to that Alan.



09:41:46:Presenter: I think it's really important as you provide the timeline and your best estimate. You know if you give us an estimate that seems like it's really.

09:41:59:Presenter: Far out there for something that normally wouldn't be, just include a note in your application as Alan noted, explaining that the reason for this timeline is we the hollars talked to them.

09:42:13:Presenter: And this is the date that the vendor is saying that truck right can be delivered. So any supporting documentation like that is what's needed with your application and then that.

09:42:26:Presenter: Will help us as Alan noted, as we're monitoring the implementation of your tasks and timelines. If you were running into that dates coming up and you're hearing.

09:42:39:Presenter: From the vendor that it's gonna be two more months etc. Communicating to the enforcement branch, providing them whatever information say you had from that vendor will provide that necessary documentation then.

09:42:53:Presenter: As we talked about earlier, we will then evaluate that and then potentially change the timeline in the corrective action plan, and again Carrie cycle has the ability to go beyond.

09:43:06:Presenter: Uhm, what's laid out in the regulation and we can establish a maximum timelines. We have that flexibility and that's a 619 has provided that to calrecycle through that statue.

09:43:07:Presenter: Thanks so much.

09:43:20:Presenter: Thanks Kara, our next question is coming from Annika Anderson, Anika I have unmuted you. Please unmute yourself, state your relation and your question.

09:43:23:Presenter: Me.

09:43:33:Presenter: So that doesn't follow tech question.

09:43:37:Presenter: I was any violation if I'd.

09:43:43:Presenter: I tried on the knowing it to be late or violation regulation.

09:43:57:Presenter: Those violations, corrective action, and I know our cycle so Anika you were breaking up a little bit but I am reading your question just to kind of fill in the gaps. So from what I heard just for everybody so they know.

09:44:10:Presenter: The question was for any violations that are not identified on the new ink, the notification and are found to be out of compliance. Will those violations go through the normal corrective action process?

09:44:23:Presenter: So, uhm, there's a couple of things there of the interpretation, and I'll do my best to look at both scenarios. So from how I'm reading the question, is the jurisdiction identified violation?

09:44:37:Presenter: Identified their violations within the notification, but upon a compliance evaluation that the department does upon the jurisdiction, if we find additional violations that are not identified in the notification, how will those.

09:44:50:Presenter: Violations be addressed through the department, so that's how I'm understanding the question Anika, and I don't know if you could hear me or not 'cause you were breaking up, but I'll answer it in that in that form of fashion, so those violations would go through the traditional.

09:45:04:Presenter: SB1383 enforcement process, which would include identifying those violations through the compliance evaluation and then going through the notice of violation, the ENOVI, and then potentially a corrective action plan.

09:45:17:Presenter: If it was not addressed through the ENOVI by the jurisdiction, so, and I hope that was, that's kind of my inkling, as I was saying your question out loud, and I don't know if you could still hear me, but does that answer your question Anika?

09:45:30:Presenter: I'm going to give my dentist benefit of the doubt and say that did Anika. If it did not feel free to follow up with us offline.

09:45:42:Presenter: Thanks Alan, our next question is coming from Stephanie Mckeon. Stephanie you are unmuted. Please send me yourself, state your affiliation and your question.

09:45:51:Presenter: Hi, this is Stephanie from the city of Palmdale. My question is if a jurisdiction.

09:46:06:Presenter: Wait, can I just didn't have the date to be completed in North listed as 1231, 2020, two for all violations listed or do we have to give you specific dates throughout the year?

09:46:21:Presenter: Yeah I guess to answer your question, depending on what the violations are and if the if the jurisdiction believes that 1231, 2020, two would be, that would be the date that the violations would be addressed.

09:46:25:Presenter: And there was the description and schedule for doing so.

09:46:39:Presenter: It's a case by case, but the answer your question generally yes. But if one of the violations was something that would be more reasonable to address within two or three months, that may be a question that we make.

09:46:52:Presenter: Follow up with the jurisdiction on why does this take you all the way up till the end of the year. If this something is typically a normal task that a violation that a jurisdiction typically can't handle within two or three months so.

09:47:05:Presenter: Just ensure that when jurisdictions and as a reminder that the schedule and the dates that jurisdictions are including to address the violations that they're reasonable and feasible and the dates make sense. So I would just, I wouldn't want it.

09:47:18:Presenter: So we wouldn't want to be reviewing a notifications if the jurisdiction just thought it was easier just to put the same date all the way down across the board. But that date didn't really correlate with addressing the violation. Does that make sense, Stephanie?

09:47:20:Presenter: Yes, thank you.

09:47:34:Presenter: Thank you Stephanie for your question and thank you. Alan next question is coming from Monique Gamma of money. I will just go ahead and read her questions since there and listen only mode.

09:47:42:Presenter: We report as a GPA for our jurisdiction. Do we submit a noite separately or should we be submitting 1 altogether?

09:47:58:Presenter: So GPA doesn't resonate at the top of my head, but I'm assuming that that's kind of a. That's a regional agency, so as a reminder, SB 1383.

09:48:11:Presenter: The responsibility for implementation of 1383 lands on the individual jurisdictions when we're going through our enforcement process, we are enforcing upon individual jurisdictions and not the entire regional agency.

09:48:24:Presenter: So each individual jurisdiction should be submitting a notification if that applies to them to go through that process individually. So Monique if hopefully that answers a question.

09:48:29:Presenter: If there was a different definition for GPA, feel free to touch with us offline.

09:48:48:Presenter: Thank you Alan. Our next question is coming from the noise inbox from Kim Nielsen. I'm sorry, I think that's how you pronounce her last name. Sorry, her question is a free jurisdiction has.

09:48:54:Presenter: An ordinance in place before March 1st, all programs moving forward. Do they need an oink?

09:49:08:Presenter: Yeah, that's a that's a good question Kim and my answer to that is if the jurisdiction does not have any violations and they have their program up and running might not make sense to submit an oink.

09:49:21:Presenter: But if jurisdiction has the ordinance, has programs moving forward, but still has violations because there's still gaps in there that need to be addressed, then that would probably fit more. So for submitting.

09:49:35:Presenter: A notification, so it's really a case by case the anoint is not required for submission by jurisdictions, it's just an ave in a path where jurisdiction can submit a notification.

09:49:49:Presenter: If they're finding violations, so if you want to talk more offline, Kim and I would recommend talking to your local assistance representative who would have more information and how your programs are set up specifically in your jurisdiction. Definitely touch base with them and have a conversation with them.

09:49:56:Presenter: Of potentially what may or may not make sense. If a submission of a notification makes sense for your jurisdiction.

09:50:03:Presenter: Thank you Alan.

09:50:17:Presenter: Our next question is coming from Sharon Mitchell. I will just go ahead and read off her question. Her question is, do you expect that there will be enough compost available for all jurisdictions to meet their organic waste product procurement?

09:50:24:Presenter: Targets, if not, should the organic waste procurement target sections of the regulations be included in a jurisdiction's Mike?

09:50:35:Presenter: Yeah, I might have to divert to either Cara Ashley who had more of a pulse on the statewide aspect of what's going on within the state.

09:50:42:Presenter: Do you mind reading the question again, Jocelyn, just for four out loud.

09:50:56:Presenter: Sure, the question is, do you expect that there will be enough compost available for all jurisdictions to meet their organic waste product procurement targets? If not, should the organic waste procurement target sections?

09:51:00:Presenter: Other regulations be included in new jurisdictions noise.

09:51:19:Presenter: Hey, thank you so much for that question. Uhm you have some nuances in your question which make it a little challenging to respond. Kind of generally across the board and the availability of compost.

09:51:34:Presenter: Uhm, is gonna vary depending on where you are in the state we do expect as collection programs come more and more programs come online this year. There's going to be more compost produced right? And also.

09:51:48:Presenter: Remember that the original procurement target was based upon the amount of material that would be collected and then process in the year 2025. So these first couple years we see procurement and the supply.

09:52:02:Presenter: Market chain supply ramping up, and so right now in the first year of implementation, there may not be enough supply of a particular organic waste product could be renewable.

09:52:15:Presenter: Natural gas could be in the form of electricity or in the form of compost or mulch. So I think again it would be great to have a conversation with your lamp liaison to discuss.

09:52:29:Presenter: Your particular situation, but if you were, uhm, working on your procurement target, if you are setting your baseline, if you are assessing what all the departments

09:52:42:Presenter: are procuring currently and what they will be able to procure if you are working with you direct service providers to look at opportunities for procuring material.

09:52:55:Presenter: If you are exploring some creative solutions, such as maybe compost giveaways, etc. And that's what we're going to be looking for, we recognize that the procurement target.

09:53:08:Presenter: Cheating that target in the first year, particularly, maybe year two is going to be challenging, so we'd like to know what your particular situation is. We'd also like to offer you solutions. What other jurisdictions are doing.

09:53:22:Presenter: Creatively, to address the situation and to that end, we are planning on hosting a webinar to share what jurisdictions are doing to implement their procurement program. But we do recognize.

09:53:35:Presenter: That procurement that is your only gap in your implementation. Then the tool of 619 may not be the most appropriate vehicle for you because it's related to supply chain issues and the notifications.

09:53:49:Presenter: Intended to identify specific tasks and timelines and how you're gonna cure the violation. You may not be able to cure the violation if it's related to supply a market supplies, so again, these are very nuanced conversations.

09:53:58:Presenter: That we would need to talk to you specifically about and help them determine kind of what solution makes sense, Ashley.

09:54:13:Presenter: Thanks Kara, and to play a little devil's advocate with Cara, it is completely up to you guys as jurisdiction if you feel like even if procurement is your only violation.

09:54:25:Presenter: Right, and you want to submit the 619 application, feel free to do so, right? This is something like I said earlier is if it is your supply chain and if you said you'd have it by the end of 2022.

09:54:39:Presenter: And it's still not fair, and it's not going to be there. Talk to us about extending those timelines, so this is an opportunity you could potentially use, even if it's something that it's still kind of uncertain when those timelines.

09:54:52:Presenter: Are but at least you'll have maybe a better handle of what it looks like in summer. This is up to you guys. If you want that protection. So again, I would reach out to Karen and her staff. Talk about.

09:55:05:Presenter: Your specific scenario, maybe there are options to use a direct service provider, so not even in your area, so those are some things that care on her team will talk about, but again, submitting this 619 application.

09:55:15:Presenter: Process is completely up to all of your jurisdictions that you guys represent, and we only could give some recommendations, but ultimately the decision is up to you guys.

09:55:31:Presenter: Thank you, Ashley Karen allen. Our next question is coming from Virginia, Virginia. Fowler. I've admitted you please unmute yourself, state your affiliation and your question.

09:55:51:Presenter: Today I will go ahead and ask the question for her so it's coming from Virginia Fowler. Her question is if the jurisdiction is making a good effort to comply and well on its way to comply with all requirements and will have them completed by 2023.

09:56:00:Presenter: Or before, is there still a need to submit? And like I understand that power cycle will only issue and will be an enforced to those that are serious offenders.

09:56:16:Presenter: Yeah, so Virginia a couple of elements there that are wrapped in there. So I did hear good effort which kind of ties in and when I hear that it's the good faith effort. So as a reminder to all jurisdictions.

09:56:29:Presenter: SB 1383 does not have good faith effort wrapped into it that was eliminated, so it's either it's being implemented or it's not being implemented. You did pose that.

09:56:42:Presenter: If a jurisdiction is implementing its 1383 program, is there a need to submit a notification to that answer? If a jurisdiction is implementing all elements?

09:56:55:Presenter: And does not have violations. Probably isn't a whole need for submission of a notification if there are no violations. I would definitely recommend Virginia talking to your local assistance representative.

09:57:08:Presenter: Who would have a better understanding? An idea of your programs and implementation, and then having that conversation of if it makes sense to submit a notification for your situation in the jurisdiction.

09:57:12:Presenter: Statement I believe that was in your question is.

09:57:26:Presenter: Power cycle will only issue elves and enforced to those that are serious offenders, so the enforcement process as it's written within the regulations. It is enforcement's duty to identify all violations.

09:57:39:Presenter: Within implementation of a jurisdictions 1383 program, although as we've stated in previous webinars, the department has the flexibility to utilize enforcement discretion, so it's really a case by case situation.

09:57:53:Presenter: On a jurisdictions and we will use that discretion based off of what's being provided with the jurisdiction, and do know that the enforcement process that power cycle is going to be implementing. There is going to be lots of communication.

09:58:08:Presenter: That the enforcement team will be having a pond with jurisdictions so it won't be. It won't be just. It won't be a one sided conversation. There will be conversations that will be occurring back and forth. So Virginia hopefully that answers a question and I'm looking at the time.

09:58:22:Presenter: That's probably the last question that will be able to get to today. So with that there are still some questions that are out there that aren't were submitted through the inbox as well as the question Ping there will be.

09:58:35:Presenter: Answers to those questions will be provided and we will follow up with those who we will were not able to get to during today's webinar. So rest assured, somebody will reach out and provide a response.

09:58:49:Presenter: To your questions that you've submitted, so with that, I want to thank everybody for participating and joining in on today's webinar. Ashley cara. Any final words on the web and are otherwise?

09:58:55:Presenter: I will say final words and say thank you. Everybody have a great day and stay safe.