

**AB 901 Regulation Development
Reporting Regulations for Recycling, Disposal & Enforcement
October 2018**

Table of Contents:

Additional Changes in CCR.....pages 1 – 31; 127 – 133
Current Regulatory Language.....pages 32 – 90
Proposed Regulatory Language.....pages 91 – 126

Editor’s Note:

Deletions are shown in as ~~yellow highlight box with single strikeout.~~

Additions are shown in as yellow highlight with a wavy underline.

Changes in the Third 15-Day Draft Regulatory Text:

- Page 30. Section 18794.2(d)(5) added reference to section “20686” for beneficial reuse.
- Page 97. Section 18815.2(a)(29) delete “solid waste, organics, or recyclable” leaving “Generator” means a person whose activities result in the initial creation of material.
- Page 104. Section 18815.3(c)(1)(A) added “or concrete or Portland cement manufacturing facilities” after asphalt plants to clarify that all those facilities are excluded.
- Page 104. Section 18815.3(c)(1)(C) added “other than those included in subsection (b)” to clarify that the included specific activities in subsection (b) for construction material processors was not negated by the general phrase “construction material producers.”
- Page 110. Section 18815.5(a)(1)(A) and (a)(1)(B) deleted “and all other material accepted for transfer or processing” to clarify that transfer/processors do not report on inbound tonnages of recyclable material accepted by their facility
- Page 111. Section 18815.5(a)(3) added “recyclers and composters” to list for clarity and completeness.
- Page 112. Section 18815.5(a)(3)(E) added “or disposal facility” to list for clarity and completeness,
- Page 115. Section 18815.6(e)(2) added “require” which was inadvertently omitted in the 2nd 15-day draft.
- Page 122. Section 18815.9(g)(3)(A) added “If a transfer/processor or a disposal facility records self-haul loads by vehicle size and/or type, then it may estimate the disposal tonnages using weight estimates for each vehicle size and/or type” to allow for currently acceptable methods to continue.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.6. NONHAZARDOUS PETROLEUM CONTAMINATED SOIL OPERATIONS AND FACILITIES
 REGULATORY REQUIREMENTS
SECTION 17365. GENERAL RECORD KEEPING REQUIREMENTS.

All contaminated soil/transfer operations and disposal facilities shall meet the following requirements:

(a) All records required by this Article shall be kept by the operator in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the ~~board~~ Department, enforcement agency, local health entity, and other duly authorized regulatory and enforcement agencies during normal working hours.

(b) The operator shall maintain a log of special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences may include: fires, injury and property damage accidents, explosions, discharge of hazardous or other wastes not permitted, flooding and other unusual occurrences.

(c) The operator shall record any written public complaints received by the operator, including:

(1) the nature of the complaint,

(2) the date the complaint was received,

(3) if available, the name, address, and telephone number of the person or persons making the complaint, and

(4) any actions taken to respond to the complaint.

(d) The operator shall record, as specified by the RWQCB, the types and concentrations of constituents, the date, and quantity of contaminated soil accepted at the operation or facility; and for treatment, transfer, or storage operations, the types and concentrations of constituents, the date, and quantity of contaminated soil and noncontaminated soil leaving the operations. Where no requirements have been specified by the appropriate RWQCB, the operator shall record the same information as provided by generator source. The operator shall also record the name of all transfer, storage, and/or treatment operations where the contaminated soil was located prior to the receipt by the operator and the dates the contaminated soil was received at each of these operations and removed.

(e) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.7. HAZARDOUS WASTE DISPOSAL FACILITIES DISPOSING NONHAZARDOUS,
NONPUTRESCIBLE, INDUSTRIAL SOLID WASTE REGULATORY REQUIREMENTS
SECTION 17370.2. RECORD KEEPING REQUIREMENTS.

Each operator of a hazardous waste disposal facility shall meet the following requirements with respect to nonhazardous, nonputrescible, industrial solid waste disposed at the facility:

- (a) All records required by this Article shall be kept in one location and accessible for three years and shall be available for inspection by authorized representatives of the EA, the ~~Board~~ Department, and other duly authorized regulatory and enforcement agencies during normal working hours. If necessary, then copies of these records may be maintained at an alternative site, as long as that site is easily accessible to the EA.
- (b) The operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment, as it relates to the acceptance and disposal of nonhazardous, nonputrescible, industrial solid wastes (as defined in section 17368 of this Article).
- (c) The operator shall maintain records of the tonnage of nonhazardous, nonputrescible, industrial solid waste that is codisposed in each waste management unit at the facility on a daily basis. The operator shall also maintain records of the tonnage of hazardous waste codisposed in each waste management unit at the facility on a monthly basis. These records shall be provided to the EA or the ~~Board~~ Department upon request.
- (d) By March 1 of each year, the operator shall annually report to the EA and the ~~Board~~ Department the total amount of nonhazardous, nonputrescible, industrial solid waste and hazardous waste codisposed the previous year.
- (e) The operator shall maintain a copy of the demonstration required pursuant to Title 14, California Code of Regulations section 18225 (f) in the operating record.
- (f) The operator shall provide the EA with written notice of intent (Notice) to close a waste management unit at least 60 days prior to beginning unit closure, and maintain a copy of the Notice in the operating record.
- (g) All such facilities shall maintain records as required by Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, section 18810-18815.1 et seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, 43021, and 43051, Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9.	CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS
SECTION 17383.3.	C&D WOOD DEBRIS CHIPPING AND GRINDING OPERATIONS AND FACILITIES.

(a) C&D wood debris chipping and grinding operations and facilities conduct chipping and grinding activities to produce C&D mulch. Authorized chipping and grinding activities do not produce active compost, but mechanically reduce the size of lumber and other wood material to produce C&D mulch. The C&D wood debris chipping and grinding operation or facility shall satisfy the appropriate tier requirements.

(1) A small volume C&D wood debris chipping and grinding operation shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq. and shall be inspected by the EA at least once every three (3) months unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]*

(2) A medium volume C&D wood debris chipping and grinding operation shall comply with the Registration Permit tier requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq.

(3) A large volume C&D wood debris chipping and grinding facility shall comply with the Full Permit tier requirements set forth in CCR, Title 27, Division 2, Subdivision 1, Chapter 4, commencing with section 21563.

(4) To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(5) Except as otherwise specified in this section, small volume C&D wood debris chipping and grinding activities shall comply with all requirements applicable to small volume CDI debris processing operations, medium volume C&D wood debris chipping and grinding facilities shall comply with all requirements applicable to medium volume CDI processing facilities, and large volume C&D wood debris chipping and grinding facilities shall comply with all requirements applicable to large volume CDI debris processing facilities.

(b) All of the following requirements for the storage and stockpiling of C&D mulch feedstock, material being processed, and finished C&D mulch apply:

(1) Unprocessed feedstock may be stored on site prior to processing up to 30 days. Unprocessed feedstock stored for more than 30 days shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(2) C&D mulch shall be removed from the site within 90 days from processing. C&D mulch stored for more than 90 days shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(3) If the temperature of the unprocessed feedstock or C&D mulch reaches 50 degrees Celsius (122

degrees Fahrenheit), then the site shall be regulated as a compostable material handling operation or facility, as set forth in Chapter 3.1 commencing with Article 1, section 17850. The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(4) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(c) All the following requirements for the inspection of C&D mulch feedstock apply:

(1) The feedstock shall undergo load checking to ensure that physical contaminants in the feedstock are reduced to no greater than 1% of total feedstock, by weight. Load checking shall include both visual observation of incoming loads of feedstock and load sorting to quantify the percentage of contaminating materials.

(2) A minimum of 1% of daily incoming feedstock volume or at least one truckload per day, whichever is greater, shall be inspected visually. If a visual load check indicates a contamination level is potentially greater than 1%, a representative sample shall be taken, physical contaminants shall be collected and weighed, and the percentage of physical contaminants determined. The load shall be rejected if physical contaminants are greater than 1% of total weight.

(3) Upon request of the EA, the operator shall take a representative sample of feedstock, shall collect and weigh physical contaminants, and shall calculate the percentage of physical contaminants in the sample.

(4) The operator shall take adequate measures through signage, training, load checking, detection systems, and/or chemical analysis to avoid incorporating any chromated copper arsenate (CCA) pressure treated wood and lead based painted materials into C&D mulch. Such contaminated feedstock shall be stored in a designated area for handling and disposition.

(5) The operator's employees shall be adequately trained to perform the activities specified in this section.

(d) Operations and facilities producing C&D mulch shall maintain all records demonstrating compliance with this section.

(e) All C&D wood debris chipping and grinding activities shall minimize odor impacts.

(f) The operator shall provide fire prevention, protection and control measures, including, but not limited to, temperature monitoring of windrows and piles, adequate water supply for fire suppression, and the isolation of potential ignition sources from combustible materials. Fire lanes shall be provided to allow fire control equipment access to all operation areas. These requirements are in addition to the requirement for a Fire Prevention, Control and Mitigation Plan described in sections 17386(a)(19), 18223(a)(19) and 18223.5(a)(20).

(g) If C&D debris other than C&D wood debris is accepted at the site, then the site shall be regulated as a CDI processing operation or facility under this Article or under the Transfer/Processing Regulatory requirements (commencing at section 17400), as appropriate.

(h) Should the EA have reason to believe that a C&D wood debris chipping and grinding material handler is engaging in other activities that constitute or are deemed to be disposal, the burden of proof shall be on the owner and operator of the site to demonstrate otherwise.

(i) Each operator of a small volume C&D wood debris chipping and grinding operation shall file with the EA, together with its application for an EA Notification, an Operation Plan (as more fully described in

section 17386 of this Article). Each operator of a medium volume C&D wood debris chipping and grinding facility shall file with the EA, together with its application for a Registration Permit, a Facility Plan (as more fully described in Article 3.2, section 18223 of this Chapter). Each operator of a large volume C&D wood debris chipping and grinding facility shall file with the EA, together with its application for a Full Permit, a Facility Report (as more fully described in Article 3.2, section 18223.5 of this Chapter). The information contained in the Plan or Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(j) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(k) Each operator shall determine the weight of all material received at the operation or facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the operation or facility or off-site.

(l) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, and 43021, Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9.	CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS
SECTION 17383.4.	SMALL VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING OPERATIONS.

All small volume CDI debris processing operations shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100. These operations shall be inspected by the EA at least once every three (3) months to verify compliance with minimum standards unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]* To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals. The operator shall specify the operation's boundary area in the operating record.

(a) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed and therefore subject to enforcement action, including the use of a Notice and Order as provided in section 18304.

(b) CDI debris that has been processed and sorted for resale or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) Each operator of a Small Volume CDI Processing Operation shall file with the EA, together with its application for an EA Notification, a Small Volume CDI Processing Operation Plan (as more fully described in Article 3.2, section 17386 of this Article). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(g) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(h) C&D Mulch that is not compostable material produced at a small volume CDI processing operation must meet all requirements of a small volume C&D wood debris chipping and grinding operation, including the storage limits.

(i) Each operator shall determine the weight of all material received at the operation for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall

be determined by the use of scales which may be located at the operation or off-site.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, and 43021, Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9.	CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS
SECTION 17383.5.	MEDIUM VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING FACILITIES.

All medium volume CDI debris processing facilities subject to this Article shall comply with the Registration Permit tier requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, commencing at section 18100 et seq.

(a) The amount of residual in the C&D debris and type A inert debris shall be less than 40% of the amount of such material by weight. The residual amount is calculated on a monthly basis. Facilities which do not meet the 40% residual requirement of this subsection shall obtain a Full Permit and shall comply with the requirements applicable to a Large Volume CDI Debris Processing Facility. If the EA determines that a Medium Volume CDI Debris Processing Facility has exhibited a pattern and practice of failing to comply with the provisions of this subsection, the EA shall take appropriate enforcement action.

(b) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) CDI debris that has been processed and sorted for resale or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(d) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(e) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(f) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(g) Each operator of a medium volume CDI processing facility shall file with the EA, together with its application for a Registration Permit, a CDI Processing Facility Plan (as more fully described in Article 3.2, section 18223 of this Chapter). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5. Article 3.0, section 18101.

(h) Medium volume CDI debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(i) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(j) C&D Mulch that is not compostable material produced at a medium volume CDI processing operation must meet all requirements of a medium volume chipping and grinding operation, including the storage limits.

(k) If a medium volume CDI processing facility exceeds any combination of the following limitations, which are more fully described in this Section 17383.5, three (3) or more times within any two (2) year period which the EA determines constitutes a violation of this Article, then the facility no longer qualifies for a Registration Permit under this section. Upon the third such violation, the EA shall notify the operator in writing that the facility no longer qualifies for a Registration Permit, and the operator must within 30 days apply for a Full Permit as if it were a large volume CDI processing facility pursuant to Section 17383.6. In addition, the EA shall issue a cease and desist order pursuant to Section 18304 directing, among other things, that the operator immediately cease accepting material at the site until the operator has demonstrated to the EA that it has corrected the violation and eliminated the cause of the violation. The limitations to which this subdivision applies are:

(1) Maximum amount of residual specified in Subsection 17383.5(a).

(2) Maximum tonnage received per day as specified in Subsection 17381(t).

(3) Maximum amount of material on site as specified 17383.5(d).

(l) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(m) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, and 43021, Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9.	CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING REGULATORY REQUIREMENTS
SECTION 17383.6.	LARGE VOLUME CONSTRUCTION AND DEMOLITION/INERT DEBRIS PROCESSING FACILITIES.

All large volume CDI debris processing facilities subject to this Article shall comply with the Full Permit tier requirements set forth in Title 27, CCR, Division 2, Subdivision 1, Chapter 4, commencing with section 21450.

(a) CDI debris stored for more than 15 days that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) CDI debris that has been processed and sorted for resale, or reuse, but remains stored on site for more than one year, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlement), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA. Each operator of a large volume CDI processing facility shall file with the EA, together with its application for a Full Permit, a Large Volume CDI Processing Facility Report (as more fully described in Article 3.2, section 18223.5 of this Chapter). The information contained in the Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(f) Large volume CDI debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(g) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect public health and safety.

(h) C&D Mulch that is not compostable material produced at a large volume CDI processing operation must meet all requirements of a large volume C&D wood debris chipping and grinding operation, including the storage limits.

(i) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING
 REGULATORY REQUIREMENTS
SECTION 17383.7. INERT DEBRIS TYPE A PROCESSING OPERATIONS.

All inert debris Type A processing operations subject to this Article shall comply with the EA Notification requirements set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0 and commencing with section 18100.

(a) Inert debris stored for more than 6 months that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) Inert debris that has been processed and sorted for resale or reuse, but remains stored on site for more than 18 months, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlements), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) These operations shall be inspected by the EA at least once every three (3) months to verify compliance with minimum standards unless the EA approves, with Department concurrence, a reduced inspection frequency. The EA may approve a reduced inspection frequency only if it will not pose an additional risk to public health and safety or the environment but in no case shall the frequency be less than once per calendar year. *[Note: See section 18083(a)(3) for additional EA and Department requirements regarding the approval or denial of requests for reducing the frequency of inspections.]* To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(g) The operator shall specify the operation's boundary area in the operating record.

(h) Each operator of an inert debris Type A processing operation shall file with the EA, together with its application for an EA Notification, an Inert Debris Type A Processing Operation Plan (as more fully described in Article 3.2, section 17386 of this Article). The information contained in the Plan shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(i) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect the public health and safety.

(j) Each operator shall determine the weight of all material received at the operation for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the operation or off-site.

(k) Each operator shall maintain records in accordance with Title 14, California Code of Regulations,

Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

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DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.9. CONSTRUCTION AND DEMOLITION AND INERT DEBRIS TRANSFER/PROCESSING
 REGULATORY REQUIREMENTS
SECTION 17383.8. INERT DEBRIS TYPE A AND TYPE B PROCESSING FACILITIES.

All inert debris Type A and Type B processing facilities subject to this Article shall comply with the Full Permit tier requirements set forth in Title 27, CCR, Division 2, Subdivision 1, Chapter 4, commencing with section 21450.

(a) Inert debris stored for more than 6 months that has not been processed and sorted for resale or reuse shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(b) Inert debris that has been processed and sorted for resale or reuse, but remains stored on site for more than 18 months, shall be deemed to have been unlawfully disposed, and therefore subject to enforcement action including the use of a Notice and Order as provided in section 18304.

(c) The maximum amount of material that may be stored on the site, including unprocessed material, material that is being processed, and material that has been processed, is that amount which is the product of 30 days multiplied by the maximum amount of incoming material permitted per day.

(d) Storage time limits may be extended in accordance with sections 17384(a) (Land Use Entitlements), 17384(b) (Storage Plan), and 17384(c) (Financial Assurances) of this Article.

(e) Residual material shall be removed from the site within 48 hours or at an alternate frequency approved by the EA.

(f) Each operator of an Inert Debris Type A and Type B Processing Facility shall file with the EA, together with its application for a Full Permit, an Inert Debris Type A and Type B Processing Facility Report (as more fully described in Article 3.2, Section 18223.5 of this Chapter). The information contained in the Report shall be reviewed by the EA to determine whether it is complete and correct as defined in CCR, Title 14, Chapter 5, Article 3.0, section 18101.

(g) Inert debris processing facilities shall be inspected monthly by the EA in accordance with PRC section 43218. To the greatest extent possible, all inspections shall be unannounced and shall be conducted at irregular intervals.

(h) Where the public may have access to them, the debris piles and other piles of materials on site must be stable and otherwise configured so as to protect public health and safety.

(i) Each operator shall determine the weight of all material received at the facility for handling and shall maintain records of the weight of materials in accord with State Minimum Standards. Weight shall be determined by the use of scales which may be located at the facility or off-site.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020, and 43021, Public Resources Code.

TITLE 14.	NATURAL RESOURCES
DIVISION 7.	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.	MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.95.	CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL REGULATORY REQUIREMENTS
SECTION 17388.4.	INERT DEBRIS TYPE A DISPOSAL FACILITIES

Inert debris Type A disposal facilities shall obtain Registration Permits and shall comply with the Registration Permit requirements as set forth in CCR, Title 14, Division 7, Chapter 5.0, Article 3.0 (commencing at Section 18100), with the following requirements set out in CCR, Title 27, Division 2, Chapter 4, Subchapter 3, Article 2 (commencing at Section 21570) in the same manner as if they were municipal solid waste landfills, CCR, Title 14, Division 7, Chapter 9, and with all RWQCB waste discharge requirements.

(a) Each operator of an inert debris Type A disposal facility shall submit a copy of its waste discharge requirements or a letter of exemption from the applicable RWQCB to the EA together with its application for a Registration Permit.

(b) Inert debris Type A disposal facilities shall be inspected monthly by the EA in accordance with Public Resources Code Section 43218.

(c) Each operator shall file with the EA, together with its application for a solid waste facilities permit, a Disposal Facility Plan (as more fully described in CCR, Title 14, Division 7, Chapter 5, Article 3.2, Section 18223.6).

(d) Each operator must comply with the closure and postclosure maintenance requirements of Title 27, CCR, Division 2, Subchapter 5, Article 2 (commencing with Section 21099).

(e) Each operator must comply with the financial assurance requirements for closure and postclosure maintenance, operating liability and corrective action set forth in Title 27 CCR, Division 2, Chapter 6 (commencing at Section 22200).

(f) The EA shall comply with the Enforcement Agency Requirements of Title 27 CCR, Division 2, Chapter 4, Subchapter 3, Article 3, commencing with Section 21650.

(g) Inert debris Type A disposal facilities shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency. ~~disposal reporting records and comply with the requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System), commencing at Section 18800.~~

(h) Inert debris Type A disposal facilities shall comply with the State Minimum Standards set forth in Title 27 CCR, Division 2, Chapter 3.0, Subchapter 4, Articles 1 (Operating Criteria), Article 3 (Handling, Equipment and Maintenance), and Article 4 controls) (except Sections 20880 and 20890).

(i) Each operator shall determine the weight of all material received at the facility for disposal and shall maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material shall be determined by a conversion factor authorized by the EA for each waste type received.

After that date, weight shall be determined by the use of scales, which may be located at the operation or

off-site. Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code Sections 40183 and 40184, and operations that will cease activities within three years from February 24, 2004, as reflected in their Operation Plan may determine the weight of materials received by use of conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of the accuracy of the conversion factors shall be provided to the EA annually.

(j) If an inert debris Type A disposal facility accepts for disposal any waste not authorized by, or pursuant to, Subsection 17388(k)(1) three (3) or more times within any two (2) year period which the EA determines constitutes a violation of this Article, the facility no longer qualifies for a Registration Permit under this Section. Upon the third such violation, the EA shall notify the operator in writing that the facility no longer qualifies for a Registration Permit, and the operator must within 30 days apply for a Full Solid Waste Facilities Permit as if it were a CDI Waste Disposal Facility pursuant to Section 17388.5. In addition, the EA shall issue a cease and desist order pursuant to Section 18304 directing, among other things, that the operator immediately cease accepting material at the site until the operator has demonstrated to the EA that it has corrected the violation and eliminated the cause of the violation. Notwithstanding, the EA may at any time take any additional enforcement action the EA deems appropriate.

Note:

Authority cited: Sections 40502, 43020, 43021, and 48007.5, Public Resources Code.

Reference: Sections 440053, 43020, 43021, and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.95. CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL
 REGULATORY REQUIREMENTS
SECTION 17388.5. CDI WASTE DISPOSAL FACILITIES.

CDI waste disposal facilities shall obtain full solid waste facilities permits and shall comply with all requirements promulgated by the ~~board~~ Department as set forth in CCR, Title 27, Division 2 in the same manner as if they were municipal solid waste landfill units.

(a) CDI waste disposal facilities shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency. ~~disposal reporting records and shall comply with the requirements set forth in Title 14 CCR, Division 7, Chapter 9, Article 9.2 (Disposal Reporting System), commencing at section 18800.~~

(b) Each operator shall determine the weight of all material received at the facility for disposal and shall maintain records of the weight of materials as required herein. Until February 24, 2005, weight of material shall be determined by a conversion factor authorized by the EA for each waste type received. After that date, weight shall be determined by the use of scales, which may be located at the operation or off-site. Notwithstanding, operations in a rural city or rural county, as defined in Public Resources Code Sections 40183 and 40184, and operations that will cease activities within three years from February 24, 2004, as reflected in their Operations Plan may determine the weight of materials received by use of conversion factors authorized by the EA for each waste type or combination thereof received. Evidence of the accuracy of the conversion factors shall be provided to the EA annually.

Note:

Authority cited: Sections 40502, 43020, 43021, and 48007.5, Public Resources Code.

Reference: Sections 40053, 43020, 43021, and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL
ARTICLE 5.95. CONSTRUCTION AND DEMOLITION WASTE AND INERT DEBRIS DISPOSAL
 REGULATORY REQUIREMENTS
SECTION 17389. RECORD KEEPING REQUIREMENTS FOR OPERATIONS.

All operations shall meet the following requirements:

(a) All records required by this Article shall be maintained in a single accessible location for at least three (3) years and shall be available for inspection by authorized representatives of the ~~board~~Department, EA, local health agency, and other duly authorized regulatory and enforcement agencies during normal working hours.

(b) The operator shall maintain a daily log book or file describing special occurrences and methods used to resolve problems arising from these events, including details of all incidents requiring the implementation of emergency procedures. Special occurrences shall include, but are not limited to: receipt or rejection of prohibited wastes, fires, accidents, injury and property damage, flooding, earthquake damage and other unusual occurrences. The operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment.

(c) The operator shall document any written and oral complaints received from the public, including the nature of the complaint, the date the complaint was received, the name, address, and telephone number of the person or persons making the complaint (if available), and any actions taken to respond to the complaint.

(d) The operator shall maintain an operating record which shall include, among other things, records of incoming weights or volumes and outgoing salvage or residual weights or volumes shall be kept in a form or manner approved by the EA. Such records shall be adequate for overall planning and control purposes, and be as current and accurate as practicable. These records shall be provided to the EA or the ~~board~~Department upon request.

(e) The operator shall record the number of load checks performed and loads rejected.

(f) The operator shall maintain a copy of the written notice to the EA and local health agency specifying the names, addresses, and telephone numbers of the operator or other persons responsible for the operation.

(g) The operator shall maintain records of employee training.

(h) If gas monitoring is conducted at the operation, the operator shall maintain records of all gas monitoring as available and as required.

(i) If water monitoring is conducted at the operation, the operator shall maintain records of all water monitoring as available and as required.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

[Note: Record-keeping requirements for facilities subject to this Article are found at Title 27, Division 2, Chapter 3, Article 1, section 20510.]

Note:

Authority cited: Sections 40502, 43020, 43021, and 48007.5, Public Resources Code.

Reference: Sections 40053, 43020, 43021, and 48007.5, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL ARTICLE 6.3.
RECORD KEEPING REQUIREMENTS.
SECTION 17414. RECORD KEEPING REQUIREMENTS.

Each operator shall meet the following requirements:

- (a) each operator shall maintain records of incoming weights or volumes and outgoing salvage or residual weights or volumes in a form and manner approved by the EA. Such records shall be: submitted to the EA or ~~CWMB~~ Department upon request; be adequate for overall planning and control purposes; and, be as current and accurate as practicable;
- (b) all records required by this Article shall be kept by the operator in one location and accessible for three (3) years and shall be available for inspection by the EA and other duly authorized regulatory agencies during normal working hours;
- (c) the operator shall submit copies of specified records to the EA upon request or at a frequency approved by the EA;~~ev~~
- (d) the operator shall maintain a daily log book or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences shall include but are not limited to: fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel pursuant to section 17410.2, flooding, earthquake damage and other unusual occurrences. In addition, the operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment;
- (e) the operator shall record any written public complaints received by the operator, including:
 - (1) the nature of the complaint,
 - (2) the date the complaint was received,
 - (3) if available, the name, address, and telephone number of the person or persons making the complaint, and
 - (4) any actions taken to respond to the complaint.
- (f) the operator shall maintain a copy of the written notification to the EA and local health agency of the name, address and telephone number of the operator or other person(s) responsible for the operations as required by section 17410.2;
- (g) the operator shall maintain records of employee training as required by section 17410.3;
- (h) ~~all transfer/processing operations and facilities shall maintain records as required by section 18809 et seq.~~ Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference: Sections 40053, 43020 and 43021 of the Public Resources Code.

TITLE 14	NATURAL RESOURCES
DIVISION 7	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 3.1.	COMPOSTING OPERATIONS REGULATORY REQUIREMENTS
ARTICLE 8.	COMPOSTING OPERATION AND FACILITY RECORDS
SECTION 17869.	GENERAL RECORD KEEPING REQUIREMENTS.

Except as provided in subsection (d), all compostable materials handling operations and facilities shall meet the following requirements:

(a) All records required by this Chapter shall be kept in one location and accessible for five (5) years and shall be available for inspection by authorized representatives of the Department, EA, local health entity, and other duly authorized regulatory and EAs during normal working hours.

(b) The operator shall record any special occurrences encountered during operation and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures.

(c) The operator shall record any public complaints received by the operator, including:

(1) the nature of the complaint,

(2) the date the complaint was received,

(3) if available, the name, address, and telephone number of the person or persons making the complaint, and

(4) any actions taken to respond to the complaint.

(d) The operator shall record the quantity and type of feedstock received and quantity of compost and chipped and ground material produced. Agricultural compostable materials handling operations shall maintain records only for compostable material accepted from off-site.

(e) The operator shall record the number of load checks performed and loads rejected.

(f) The operator shall record all test results generated by compliance with Article 7 of this Chapter, including but not limited to, metal concentrations, physical contamination limits, fecal coliform and Salmonella sp. densities, temperature measurements, and dates of windrow turnings; chipping and grinding operations and facilities must record the determinations of the percentage of physical contaminants required by 17862.1(d).

(1) The operator shall retain records detailing pathogen reduction methods.

(g) The operator shall record and retain records of any serious injury to the public occurring on-site and any complaint of adverse health effects to the public attributed to operations. Serious injury means any injury that requires inpatient hospitalization for a period in excess of 24 hours or in which a member of the public suffers a loss of any member of the body or suffers any degree of permanent disfigurement.

(h) The operator shall retain a record of training and instruction completed in accordance with section 17867.5.

(i) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021 of the Public Resources Code.

Reference: Sections 43020

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY CHAPTER 3.2. IN-VESSEL
 DIGESTION OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS
ARTICLE 4. RECORD KEEPING REQUIREMENTS.
SECTION 17896.45. RECORD KEEPING REQUIREMENTS.

Each operator shall meet the following requirements:

(a) Each operator shall maintain records of incoming weights or volumes and outgoing salvage or residual weights or volumes in a form and manner approved by the EA. Such records shall be: submitted to the EA or the Department upon request; be adequate for overall planning and control purposes; and, be as current and accurate as practicable;

(b) All records required by this Chapter shall be kept by the operator in one location and accessible for five (5) years and shall be available for inspection by the EA and other duly authorized regulatory agencies during normal working hours.

(c) The operator shall submit copies of specified records to the EA upon request or at a frequency approved by the EA;

(d) The operator shall maintain a daily log book or file of special occurrences encountered during operations and methods used to resolve problems arising from these events, including details of all incidents that required implementing emergency procedures. Special occurrences shall include but are not limited to: fires, injury and property damage, accidents, explosions, receipt or rejection of prohibited wastes, lack of sufficient number of personnel pursuant to section 17896.42, flooding, earthquake damage and other unusual occurrences. In addition, the operator shall notify the EA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures, unless the EA determines that a less immediate form of notification will be sufficient to protect public health and safety and the environment;

(e) The operator shall record any written public complaints received by the operator, including:

(1) the nature of the complaint,

(2) the date the complaint was received,

(3) if available, the name, address, and telephone number of the person or persons making the complaint, and

(4) any actions taken to respond to the complaint.

(f) The operator shall maintain a copy of the written notification to the EA and local health agency of the name, address and telephone number of the operator or other person(s) responsible for the operations as required by section 17896.42;

(g) The operator shall maintain records of employee training as required by section 17896.43;

(h) all in-vessel digestion operations and facilities shall maintain records as required by section 18809 et seq.

(i) The operator shall record all test results generated by compliance with Article 6 of this Chapter, including but not limited to, metal concentrations, physical contamination limits, fecal coliform and Salmonella sp. densities, temperature measurements, and dates of windrow turnings.

(1) The operator shall retain records detailing pathogen reduction methods.

(j) Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et. seq. The records shall be available for inspections as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.

Note:

Authority cited: Sections 40502, 43020, and 43021, Public Resources Code.

Reference: Sections 40053, 43020 and 43021, Public Resources Code.

TITLE 14 NATURAL RESOURCES
DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
 COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9. ANNUAL REPORT REGULATIONS
SECTION 18794.0. GENERAL REQUIREMENTS AND DUE DATES.

(a) Each jurisdiction shall submit an annual report that discusses the progress achieved in implementing the programs and/or facilities described in a jurisdiction's Planning Documents. Planning Documents include the Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), Nondisposal Facility Element (NDFE), Siting Element (SE), Summary Plan, or Petition for Reduction.

(b) The annual report shall also discuss the progress a jurisdiction has made in achieving the disposal reduction goals required by Public Resources Code (PRC) section 41780.

(c) A jurisdiction includes a City, County, City and County, or Regional Agency, as defined in Section ~~18801~~ 40415 of the Public Resources Code.

(d) The annual report will serve as a basis for determining if any of the Planning Documents need to be revised to reflect new or changed local and regional solid waste management programs, facilities, and other conditions, as well as to determine compliance with the mandated disposal reduction goals.

(e) Jurisdictions shall submit the annual report as follows:

(1) Jurisdictions with Planning Documents approved or conditionally approved prior to January 1, 1996, shall submit their first annual report on these approved documents by August 1, 1996.

(2) Jurisdictions that did not have any Planning Documents approved or conditionally approved prior to January 1, 1996 shall submit their first annual report by August 1 of the year following ~~Board~~ Department-approval or conditional approval of a Planning Document.

(3) Jurisdictions shall submit subsequent annual reports every August 1 thereafter, that address all of a jurisdiction's Planning Documents that have been approved or conditionally approved by the ~~Board~~ Department either during, or prior to, the previous calendar year.

~~(f) Jurisdictions shall submit three copies of the annual report.~~

(g) If a jurisdiction includes information on disaster wastes in its annual report, "disaster" shall mean a natural catastrophe such as an earthquake, fire, flood, landslide, or volcanic eruption, or regardless of cause, any explosion, fire, or flood. In order to be considered a disaster, a local emergency or a state of emergency shall have been duly proclaimed.

(1) For the purposes of this Article, "district" means a community service district that provides solid waste handling services or implements source reduction and recycling programs. Commencing on July 1, 2001, a "district" also includes a sanitary district that provides solid waste handling services or implements source reduction and recycling programs.

(2) Each district shall provide the city, county, or regional agency in which it is located, information on the programs implemented by the district and the amount of waste disposed and diverted within the district.

(3) This information shall be supplied to the city, county, or regional agency so that it may be incorporated into the annual report.

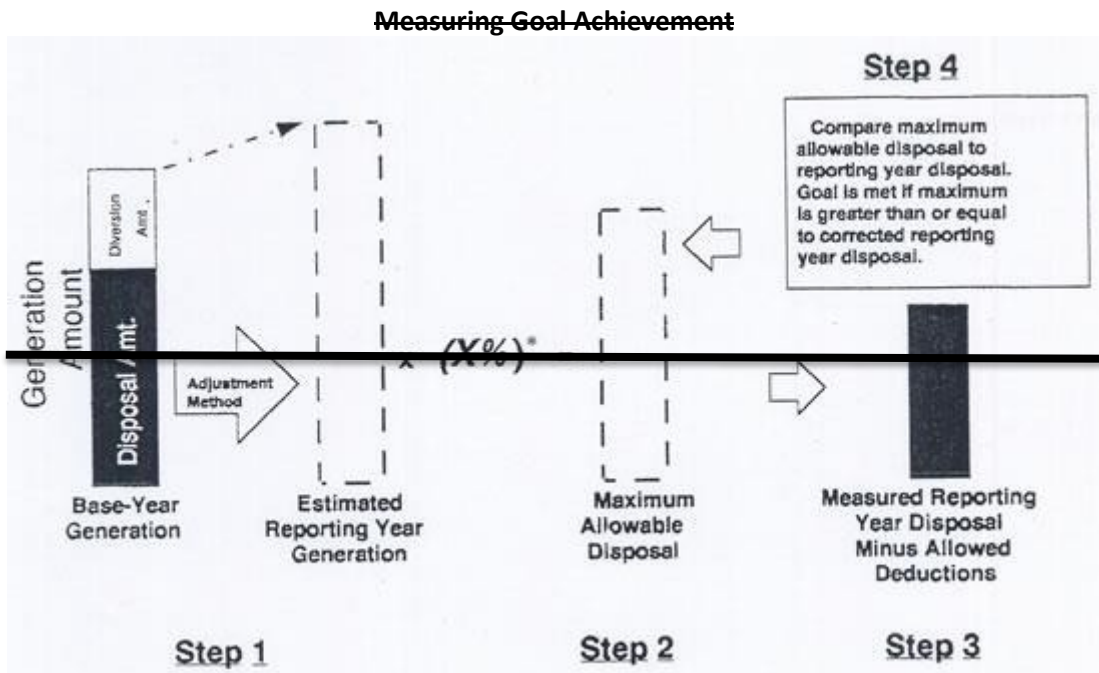
Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Section 40050, 40051, 40052, 40901, 41000, 41300, 41500, 41510, 41700, 41730, 41731, 41750, 41750.1, 41751, 41780, 41801.5, 41821, 41821.2, and 41850, Public Resources Code.

TITLE 14 NATURAL RESOURCES
 DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
 CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
 COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT PLANS
 ARTICLE 9. ANNUAL REPORT REGULATIONS
 SECTION 18794.1. GOAL ACHIEVEMENT CALCULATIONS.

(a) A jurisdiction's annual report shall include the calculations described in this Section 41780.05 of the Public Resources Code to measure achievement of the disposal reduction requirements of PRC section 41780. The diagram below shows the sequence of the calculations.



(b) Step 1. A jurisdiction shall first adjust its Board approved base year generation amount, as required in Section 18797.3. This adjustment yields the estimated reporting year generation amount.

(c) Step 2. A jurisdiction shall next calculate its maximum allowable disposal tonnage, as follows:

(1) A jurisdiction without a Board approved petition for reduction in the goal shall multiply its estimated reporting year generation amount by 0.75 (75%) for the years 1995 through 1999, and by 0.50 (50%) for the year 2000 and beyond.

(2) A jurisdiction with a Board approved petition for reduction in the goal, except for a jurisdiction that is a region as described in (3) below, shall multiply its estimated reporting year generation amount by the difference between 100% and the reduced goal. For example, if the reduced goal for 1995 is 15%, then the estimated reporting year generation amount would be multiplied by 85% (100% - 15% = 85%).

(3) A regional agency that has at least one member agency that has a Board approved petition for reduction in the goal, but does not have a reduced goal for the region as a whole, shall calculate its maximum allowable disposal as specified in PRC Section 41787.2.

(d) ~~Step 3. A jurisdiction shall next deduct any tonnages from the reporting year disposal tonnage calculated by the Department based on facility reports submitted pursuant to Section 18813 18815.4, 18815.5, and 18815.6,~~ pursuant to Section 18813 which it is authorized to subtract because:

- (1) it meets the criteria in PRC section 41782 for claiming a reduction in its disposal tonnage because of a regional diversion facility, or regional medical waste treatment facility; and/or
- (2) it has disposed of additional amounts of solid waste as a result of a disaster. These deductions yield the corrected reporting year disposal tonnages.

(e) ~~Step 4. A jurisdiction shall then compare its maximum allowable disposal tonnage (from Step 2) to its corrected reporting year disposal tonnage (from Step 3). The goal has been met if the maximum allowable tonnage is greater than or equal to the corrected reporting year disposal tonnage.~~

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41780, 41780.1, 41780.2, 41781, 41782, 41787.2, 41821, 41821.5, and 41850, Public Resources Code.

TITLE 14 NATURAL RESOURCES
 DIVISION 7 DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
 CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING
 COUNTYWIDE AND REGIONAL AGENCY INTEGRATED WASTE MANAGEMENT
 PLANS
 ARTICLE 9. ANNUAL REPORT REGULATIONS
 SECTION 18794.2. REPORTING REQUIREMENTS FOR CALCULATIONS.

(a) Jurisdictions who were incorporated prior to January 1, 1995 and who submit their first annual report in 1997 or later, shall include their disposal reduction calculations for 1995, in addition to their disposal reduction calculations for the current reporting year.

~~(b) The information used for calculating the adjustment in Section 18794.1(b) above, shall be included in a jurisdiction's annual report to the Board Department.~~

(c) If a jurisdiction is a member of a Regional Agency, then a single combined report of the information shall be made for all the members of the Regional Agency.

(d) The Department shall calculate jurisdiction disposal using information provided by the Recycling and Disposal Reporting System specified in sections 18815.1-18815.13 of this chapter by determining the tons of solid waste disposed from January 1 to December 31 in each year. This amount shall be the sum of solid waste from the jurisdiction, including:

- (1) the tons disposed at each permitted landfill,
- (2) the tons disposed at each engineered municipal solid waste conversion facility as defined in section 40131.2 of the Public Resources Code,
- (3) the tons that underwent transformation at a permitted solid waste facility in excess of 10% of a jurisdiction's adjusted base-year generation, and pursuant to section 41783 of the Public Resources Code,
- (4) the tons of green material alternative daily cover used at permitted landfills pursuant to section 41781.3(a)(2)(A) of the Public Resources Code as of January 1, 2020,
- (5) potential alternative daily cover, alternative intermediate cover, and other beneficial reuse material which is not used in accordance with the conditions set forth in sections 20686, 20690, 20700, and 20695 of Title 27 of the California Code of Regulations, unless it is otherwise diverted, and
- (6) the tons of solid waste and green material potential beneficial reuse exported from California, minus any portion of the waste that the jurisdiction proves was diverted.

The annual report shall include the information listed below for the calculated adjustment: (1) Name of all jurisdictions included in the report

- ~~(2) For the jurisdiction's base-year: (A) base-year~~
- ~~(B) population factor number and data source used (C) employment factor number and data source used~~
- ~~(D) uncorrected taxable sales factor number and data source used (E) consumer price index number and data source used (F) residential generation tonnage amount~~
- ~~(G) non-residential generation tonnage amount.~~ (3) For the jurisdiction's reporting-year:
 - ~~(A) reporting-year~~
 - ~~(B) population factor number and data source used~~
 - ~~(C) employment factor number and data source used~~

- (D) ~~uncorrected taxable sales factor number and data source used~~
- (E) ~~consumer price index factor number and data source used~~
- (F) ~~a copy of all interim calculations used to reach the adjusted base-year tonnage amount~~
- (G) ~~estimated reporting year generation as calculated using the equations in Section 18797.3.~~

(e) In addition to the information required by this Section, a jurisdiction may also submit in its annual report any other information it wishes the ~~Board~~ Department to consider relating to the base-year waste generation tonnage amounts, adjustment factors, or calculations. The additional information may include a discussion of why the ~~adjustment method disposal rate calculation as described in Section 18797.3~~ may not fully represent a jurisdiction's local conditions, and what additional adjustments would be needed.

(f) If a jurisdiction made an adjustment in its reporting year disposal tonnages because of a regional medical waste treatment facility or regional diversion facility located within its borders, it shall provide the ~~Board~~ Department with documentation demonstrating it meets the criteria specified in PRC section 41782 for making such an adjustment.

(g) If a jurisdiction made an adjustment in its reporting year disposal tonnages because of a disaster, it shall provide the ~~Board~~ Department with documentation demonstrating that:

- (1) the tonnages subtracted resulted from the disaster;
- (2) the jurisdiction implemented to the extent feasible, diversion programs to maximize diversion through reuse, recycling, or composting of disaster-related solid waste; and,
- (3) the tonnages subtracted are consistent with the additional tonnages reported by the facilities where the solid waste was disposed.

(h) A jurisdiction may also provide additional information related to the tons of waste disposed in California including "~~host-assigned~~" waste ~~assigned to them as described in pursuant to Section 18815.9(b)(2)(B)s 18809, 18810, and 18811, or~~. A jurisdiction may also provide additional information related to the tons of **solid waste or green material potential beneficial reuse** exported from California that was reported in the Diversion Recycling and Disposal Reporting System, and was later diverted. The jurisdiction shall describe how this additional information was obtained.

(i) If a jurisdiction's ~~calculations as described in Section 18794.1 above, show its disposal reduction goal~~ has not been met, then a jurisdiction shall discuss in its annual report what possible problems may have prevented it from reaching its goal. Problems may include, but are not limited to:

- (1) ~~base year inaccuracies; calculations of the equivalent per capita disposal rate;~~
- (2) disposal reporting problems;
- (3) changes in a jurisdiction's waste stream beyond the jurisdiction's control; or
- (4) changes in the overall waste management system that may hinder achievement of the disposal reduction goals.

Note:

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41780, 41780.1, 41782, 41813, 41821, 41821.5, and 41850, Public Resources Code.

Editor’s note: Sections 18800-18814.11 were previously proposed to be repealed in the original 45-day notice as well as the first 15-day comment period. The Department is now proposing, in this draft, period, to un-strike this section. Rather than duplicating the regulatory text by inserting the same un-struck text after the struck-through text, the Department is simply un-striking the section. The only text change made to this section was the addition of a sunset provision in section 18800(f) indicating that this article will become inoperative on October 15, 2019. Subsequent to this sunset date, the “Proposed Regulatory Language” (Article 9.25 of Chapter 9 of Title 14 of the California Code of Regulations, commencing on page 91) will enter into force.

TITLE 14.	NATURAL RESOURCES
DIVISION 7.	DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9.	PLANNING GUIDELINES AND PROCEDURES FOR PREPARING AND REVISING COUNTYWIDE INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9.2.	DISPOSAL REPORTING SYSTEM

Section 18800. Scope and Purpose.

- (a) This Article implements sections 41821.5 and 41821.2 of the Public Resources Code.
- (b) Each jurisdiction in California must adopt a Source Reduction and Recycling Element showing how it will meet the diversion goals in section 41780 of the Public Resources Code. Diversion goal achievement is one of the factors that the Board will consider in its biennial review of Source Reduction and Recycling Element implementation pursuant to section 41825 of the Public Resources Code. To determine if it has met the goals, a jurisdiction will need to calculate how much solid waste it has disposed. The Disposal Reporting System in this Article shall be used to estimate the amount of disposal from each jurisdiction. The amount of disposal shall be compared to the maximum disposal tonnages calculated in section 18794.1 of Article 9.0.
- (c) Nothing in this Article shall prevent an agency, district, or a jurisdiction from requiring haulers or operators to supply additional disposal information based upon their own authority to impose requirements on haulers or operators.
- (d) Sections 18802, 18803, 18805, 18806, and 18807 of this Article are repealed. The content of the repealed sections has been modified and reorganized to provide information by type of entity in individual sections as follows:
 - (1) Hauler: Section 18808.
 - (A) Section 18808.4: Hauler Records: Retention, Access, and Investigations
 - (B) Section 18808.5: Identifying Jurisdiction of Origin
 - (C) Section 18808.6: Frequency of Origin Surveys
 - (D) Section 18808.8: Applicability of Alternative Reporting Systems
 - (E) Section 18808.10: Export Reporting Due Dates for a Public Contract
 - (2) Station: Section 18809.
 - (A) Section 18809.4: Station Records: Retention, Access, and

Investigations (B) Section 18809.5: Identifying Jurisdiction of Origin

(C) Section 18809.6: Frequency of Origin Surveys Section 18809.8:
Applicability of Alternative Reporting Systems (E) Section 18809.10:
Disposal Reporting Due Dates for a Station (3) Landfill: Section
18810.

(A) Section 18810.4: Landfill Records: Retention, Access, and Investigations

(B) Section 18810.5: Identifying Jurisdiction of Origin

(C) Section 18810.6: Frequency of Origin Surveys

(D) Section 18810.8: Applicability of Alternative Reporting Systems

(E) Section 18810.10: Disposal Reporting Due Dates for a Landfill (4)

Transformation Facility: Section 18811.

(A) Section 18811.4: Transformation Facility Records: Retention, Access, and Investigations

(B) Section 18811.5: Identifying Jurisdiction of Origin

(C) Section 18811.6: Frequency of Origin Surveys

(D) Section 18811.8: Applicability of Alternative Reporting Systems

(E) Section 18811.10: Disposal Reporting Due Dates for a Transformation Facility

(5) Agency: Section 18812.

(A) Section 18812.4: Agency Records: Retention, Access, and Investigations

(B) Section 18812.5: Identifying Jurisdiction of Origin

(C) Section 18812.6: Frequency of Origin Surveys

(D) Section 18812.8: Applicability of Alternative Reporting Systems

(E) Section 18812.10: Disposal Reporting Due Dates for an Agency

(6) Jurisdiction: Section 18813.

(A) Section 18813.4: Jurisdiction Records: Retention, Access, and Investigations

(B) Section 18813.5: Identifying Jurisdiction of Origin

(C) Section 18813.6: Frequency of Origin Surveys

(D) Section 18813.8: Applicability of Alternative Reporting Systems

(E) Section 18813.10: Disposal Reporting Due Date Information (7)

District: Section 18814.

(A) Section 18814.4: District Records: Retention, Access, and Investigations

(B) Section 18814.5: Identifying Jurisdiction of Origin

(C) Section 18814.6: Frequency of Origin Surveys

(D) Section 18814.8: Applicability of Alternative Reporting Systems

(E) Section 18814.10: Disposal Reporting Due Dates for a District

(e) Sections 18809.2(b), 18809.6(b), 18810.2(b), 18810.6(b), and 18811.6(b) of this Article contain provisions for facilities located in rural cities and counties. Rural cities and counties are defined in sections 40183 and 40184 of the Public Resources Code.

(f) This article shall become inoperative on October 15, 2019, after submission of the second quarter 2019 disposal reports. Material handled after June 30, 2019 shall be reported pursuant to Article 9.25, commencing with section 18815.1.

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41821.2 and 41821.5, Public Resources Code.

Section 18801. Definitions.

(a) For the purposes of this Article, the following terms have the meanings given below.

(1) "Agency" means the local agency responsible for compiling the disposal information from haulers and operators. The county is the agency, unless a region is given the responsibility as part of a regional agreement. "Airspace utilization factor" (AUF) (tons of waste per cubic yard of landfill airspace) means the effective density of waste material in the landfill. The AUF is recorded as the total weight of waste material passing over the landfill scales that is placed in a known volume of landfill airspace in a given time period. The waste portion of the AUF should include only waste material for which payment of fees to the Board is reported.

(2) "Alternative daily cover" has the same meaning as in section 20690 of Title 27 of the California Code of Regulations.

(3) "Alternative intermediate cover" has the same meaning as in section 20700 of Title 27 of the California Code of Regulations.

(4) "Beneficial reuse" has the same meaning as in section 20686 of Title 27 of the California Code of Regulations.

(5) "Board" means the California Integrated Waste Management Board.

(7) "Construction and Demolition (C&D) Debris" has the same meaning as in section 17381(e) of Title 14 of the California Code of Regulations.

(8) "Designated waste" has the same meaning as defined in section 13173 of the California Water Code. (9) "Disaster waste" has the same meaning as "disaster debris" in section 17210.1(d) in Title 14 of the California Code of

Regulations. (10) "Dispatcher" means a person who sends a public contract hauler on a specific route or to specific locations to collect solid waste for delivery to a solid waste facility. A "dispatcher" keeps records on the locations to which haulers are sent to collect and deliver waste.

(11) "District" means a community service district established in accordance with Government Code section 61000 et seq., that provides solid waste handling services or implements source reduction and recycling programs. "District" also includes a sanitary district or a public utility district that provides solid waste handling services or implements source reduction and recycling programs. (12) "Export from California" means export outside the boundaries of the State of California or to Indian country within the boundaries of the State of California, as defined in section 1151 of Title 18 of the United States Code.

(13) "Facility" means a permitted solid waste facility, as defined in section 18720(a)(51) of the California Code of Regulations. "Facility" includes, but is not limited to transfer stations, landfills, and transformation facilities.

(14) "Gatehouse attendant" means a person who processes deliveries from haulers transporting solid waste to a facility and who may be responsible for obtaining jurisdiction of origin information.

(15) "Hauler" means a person who collects solid waste from a solid waste generator, or collects his or her own waste, and transports the waste to a solid waste facility. "Hauler" includes a public contract hauler. "Hauler" does not include a person who transports solid waste from a station to another facility. (16) "Host jurisdiction" means a jurisdiction in which a permitted solid waste facility is located.

(17) "Import from outside California" means import of waste from outside the boundaries of the State of California or from Indian country within the boundaries of the State of California, as defined in section 1151 of Title 18 of the United States Code.

- (18) "In-place waste density" (pounds of waste per cubic yard of waste) means the estimated or measured density of in-place waste material achieved by mechanical or other means in the development of the current lift of the current operating waste cell. "Inert debris" has the same meaning as in section 17381(k) of Title 14 of the California Code of Regulations.
- (20) "Jurisdiction" means a city, county, city and county, or regional agency with responsibility for waste management. This definition is in addition to the definition found in section 18720(a)(33).
- (21) "Load" means the solid waste delivered to a solid waste facility in a single vehicle at one time.
- (22) "Operator" means a person who operates a permitted solid waste facility.
- (23) "Origin survey" or "survey" means a method for determining the jurisdiction(s) of origin for solid waste delivered to a facility.
- (24) "Public contract hauler" means a person who charges for or is paid for collecting solid waste from a solid waste generator and transporting the waste to a solid waste facility. A person involved in a solid waste enterprise or solid waste handling services as defined in sections 49504 and 49505 of the Public Resources Code respectively, and a person who is a franchise hauler meet the definition of a public contract hauler. A "public contract hauler" may collect solid waste from residential, commercial, industrial, or other generators.
- (25) "Quarter" means one of the following four three-month periods in a calendar year: The first quarter begins January 1 and ends March 31. The second quarter begins April 1 and ends June 30. The third quarter begins July 1 and ends September 30. The fourth quarter begins October 1 and ends December 31.
- (26) "Region" means an entity formed pursuant to sections 40970 through 40975 of the Public Resources Code. This definition supersedes the definition found in section 18720(a)(57) of the California Code of Regulations for the purposes of this Article.
- (27) "Soil" includes clean or contaminated soil.
- (A) "Clean (or noncontaminated) soil" means soil that does not contain other materials, or is below designated concentrations of contamination for other materials as allowed pursuant to section 13173 of the California Water Code.
- (B) "Contaminated soil" means soil that:
- (i) contains designated or nonhazardous concentrations, as set forth in Title 23, Chapter 15, Article 1, section 2510 et seq. of the California Code of Regulations, of petroleum hydrocarbons, such as gasoline and its components (benzene, toluene, xylene, and ethylbenzene), diesel and its components (benzene), virgin oil, motor oil, or aviation fuel, and lead as an associated metal; and
 - (ii) has been determined pursuant to section 13263(a) of the Water Code to be a waste that requires regulation by the Regional Water Quality Control Board or Local Oversight Agency.
- (28) "Solid waste" or "waste" has the same meaning as defined in section 40191 of the Public Resources Code.
- (29) "Station" means a permitted solid waste facility utilized to receive solid wastes, temporarily store, separate, convert, or otherwise process the materials in the solid wastes, or to transfer the solid wastes directly from smaller to larger vehicles for transport. "Station" includes permitted transfer or processing stations or facilities, and permitted materials recovery facilities. "Station" does not include permitted transformation facilities or landfills.
- (30) "Track" means to collect origin information and determine tonnage for loads of waste delivered to a facility and to maintain a record of the origin and tonnage information. Data tracked during a quarter

is used to compile quarterly reports. "Waste-to-cover ratio" (estimated) (volume:volume) means the unit-less expression of the proportion of the volumes of waste and cover that comprise a volume of compacted fill material, e.g. 4:1. The cover portion of the waste-to-cover ratio estimate should include only soil or approved daily or intermediate alternative cover that is not considered a waste material, i.e., payment of fees to the Board is not required. The waste portion of the waste-to-cover ratio estimate should include only waste material for which payment of fees to the Board is reported. Authority cited: Section 40502, Public Resources Code. Reference: Sections 41821.2 and 41821.5, Public Resources Code.

Section 18801.1. Use of Soil for Alternative Daily Cover, Alternative Intermediate Cover, or Beneficial Reuse.

- (a) Use of Soil for Alternative Daily Cover, Alternative Intermediate Cover, or Beneficial Reuse. (a) Alternative daily cover does not include the use of clean or contaminated soil segregated prior to receipt by a landfill; however, loads of materials used for alternative daily cover may include small amounts of soil (such as found in construction and demolition waste loads). For the purpose of this Article, amounts of alternative daily cover shall be reported separately from amounts of alternative intermediate cover and from amounts of other beneficial on-site reuse.
- (b) Alternative intermediate cover does not include the use of clean or contaminated soil segregated prior to receipt by a landfill; however, loads of materials used for alternative intermediate cover may include small amounts of soil (such as found in construction and demolition waste loads). For the purpose of this Article, amounts of alternative intermediate cover shall be reported separately from amounts of alternative daily cover and from amounts of other beneficial on-site reuse.
- (c) Beneficial reuse does not include the use of clean or contaminated soil segregated prior to receipt by a landfill; however, loads of materials reused beneficially may include small amounts of soil (such as found in construction and demolition waste loads). For the purpose of this Article, amounts of other beneficial reuse shall be reported separately from amounts of alternative daily cover and from amounts of alternative intermediate cover.
- (d) For the purposes of this Division, clean soil and contaminated soil used as cover or for other beneficial reuse do not count as disposal or diversion.

Authority cited: Section 40502, Public Resources Code.
Reference: Sections 41821.2 and 41821.5, Public Resources Code.

Section 18802. Repealed.

Section 18803. Repealed.

Section 18804. Non-compliance.

- (a) This section outlines the Board's process for handling allegations of non-compliance:
 - (1) If an agency receives written information on specific allegations of non-compliance pursuant to sections 18808.11(a) and (b), 18809.11(a) and (b), 18810.11(a) and (b), 18811.11(a) and (b),

18812.11(a), 18813.11(a) and (b), and 18814.11(a) and (b), it shall forward this information to the Board. The agency shall send this information in writing, with any additional information it has regarding specific allegations of non-compliance, no later than 60 working days after receiving the information. If an agency has its own specific allegations of hauler or operator non-compliance, the agency shall forward the information, in writing, to the Board pursuant to section 18812.11(c).

(2) A hauler, operator, jurisdiction, or district may forward information on specific allegations of agency non-compliance in writing to the Board as set forth in sections 18808.11(c), 18809.11(c), 18810.11(c), 18811.11(c), 18813.11(c), and 18814.11(c).

(3) Board staff shall work with affected parties to investigate and attempt to resolve allegations of non-compliance, including allowing the entity accused of non-compliance a reasonable opportunity to provide relevant information regarding the allegations. If Board staff substantiates the allegations and cannot resolve them, then the Board shall make a determination on the allegations of non-compliance at a public meeting. Based on a finding of non-compliance, the Board may take one or more of the following actions:

(A) notify the affected jurisdictions of the Board's finding of non-compliance,

(B) publish the name of the hauler or operator and the finding of non-compliance for a three-year period, using electronic or print media, or

(C) other actions as the Board deems necessary.

(4) If the Board, based on its own investigation, determines that a hauler, operator, jurisdiction, agency, or district is not complying with the requirements of this Article, the Board may take one of the following actions:

(A) notify the affected jurisdictions of the Board's finding of non-compliance,

(B) publish the name of the hauler or operator and the finding of non-compliance for a three-year period, using electronic or print media, or

(C) other actions as the Board deems necessary.

(5) If an agency, a public contract hauler, or an operator that is a jurisdiction fails to comply with this Article, and that failure prevents the Board from accurately determining the agency's or jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

(b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that operators and haulers comply with the requirements of this Article.

Authority cited: Section 40502 and 41825, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18805. Repealed.

Section 18806. Repealed.

Section 18807. Repealed.

Section 18808. Disposal Reporting Requirements for a Hauler.

(a) Sections 18808.1 through 18808.11 establish the requirements for a hauler as follows:

(1)	Signage for a Hauler	Section 18808.1
(2)	Scales and Weighing Requirements for a Hauler	Section 18808.2
(3)	Training Requirements for a Hauler	Section 18808.3

(4)	Hauler Records: Retention, Access, and Investigations	Section 18808.4
(5)	Identifying Jurisdiction of Origin	Section 18808.5
(6)	Frequency of Origin Surveys	Section 18808.6
(7)	Determining Origin of Waste for a Hauler	Section 18808.7
(8)	Applicability of Alternative Reporting Systems	Section 18808.8
(9)	Public Contract Hauler Export Reports: Content, Timing, and Distribution	Section 18808.9
(10)	Export Reporting Due Dates for a Public Contract Hauler	Section 18808.10
(11)	Non—compliance	Section 18808.11

Authority cited: Section 40502, Public Resources
Code. Reference: Section 41821.5, Public Resources
Code.

Section 18808.1. Signage for a Hauler. (Not applicable)

Section 18808.2. Scales and Weighing Requirements for a Hauler. (Not applicable)

Section 18808.3. Training Requirements for a Public Contract Hauler.

(a) A public contract hauler shall provide training on the disposal reporting system to each vehicle driver, dispatcher, and disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a vehicle driver, dispatcher, and report preparer shall cover the content of this Article as it applies to the employees' job duties.

Authority cited: Section 40502, Public Resources
Code. Reference: Section 41821.5, Public Resources
Code.

Section 18808.4. Hauler Records: Retention, Access, and Investigations.

(a) A hauler shall prepare disposal reporting records and shall:

- (1) Include all information, methods, and calculations required by this Article.
- (2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to facilities and agencies pursuant to sections 18808.7 and 18808.9(a), respectively.
- (3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board.
- (4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies.
- (5) Allow representatives of involved jurisdictions, the agency, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Operators shall only be allowed to inspect records relating to their own operations. A hauler is not required to provide records of a jurisdiction's disposal information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825

of the Public Resources Code.

(A) Upon a request to review records, the hauler shall make the records promptly available for inspection. The hauler shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor.

(B) If copies of specific records are requested, either in lieu of inspection or after inspection, the hauler shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The hauler may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

(C) If a hauler or operator believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the hauler shall inform the Board. The Board shall use the procedures set forth in section 17046 to determine which records, or parts of records, may be inspected.

(b) A hauler shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing.

(c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information. (d) If a public contract hauler that is a jurisdiction fails to comply with this section, and that failure prevents the Board from accurately determining the jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Section 18808.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) A hauler shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board.

(3) A hauler shall identify solid waste imported from outside California by specifying the state, country, or Indian country of origin.

(b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that operators and haulers provide additional jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Code.

Section 18808.6. Frequency of Origin Surveys.

(a) Haulers shall provide jurisdiction of origin information to facility operators during the origin survey period set forth in sections 18809.6, 18810.6, and 18811.6.

Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Section 18808.7. Determining Origin of Waste for a Hauler.

(a) All haulers who are not public contract haulers shall determine the origin of solid waste during the origin survey period required in section 18808.6:

(1) If solid waste in a load is from only one jurisdiction, a hauler shall assign all the waste in that load to that jurisdiction.

(2) If solid waste in a load is from more than one jurisdiction, a hauler shall estimate the tons or percentage of waste from each based on a reasonable method.

(3) A hauler who delivers solid waste to a facility within California shall inform the operator of the jurisdiction(s) of origin. The hauler shall provide this information on jurisdiction of origin to the operator at the time of disposal, unless prior arrangements are made with the receiving operator. In all cases the information shall be provided no later than two weeks after the end of the quarter.

(4) When requested by a receiving operator, a hauler shall inform a receiving operator of the jurisdiction of origin for all material in each load delivered during the entire quarter identified by the receiving operator as potential alternative daily cover, alternative intermediate cover, or other beneficial reuse material based on actual load tonnage. A hauler shall also inform a receiving operator of the type or types of material being supplied.

(b) All public contract haulers shall determine the origin of solid waste during the origin survey period required in section 18808.6 as follows:

(1) If solid waste in a load is from only one jurisdiction, a public contract hauler shall assign all the waste in that load to that jurisdiction.

(2) If solid waste in a load is from more than one jurisdiction, a public contract hauler shall estimate the tons or percentage of waste from each based on a reasonable method which may include adjustments for documented waste density differences, if applicable. The methods that a public contract hauler may use to make this estimate include, but are not limited to:

- (A) the number of bins emptied in each jurisdiction,
- (B) the total capacity of bins emptied in each jurisdiction,
- or (C) the actual waste tons collected in each jurisdiction.

(3) A public contract hauler who delivers solid waste to a facility within California shall provide jurisdiction of origin information to each operator based on company dispatcher records of hauling routes and generator locations, billing records, or other relevant records. The method a public contract hauler uses to provide jurisdiction of origin information shall be reasonably designed to provide the required information in an accurate manner and in a format that is useable by the operator. The methods that a hauler may use to provide this information are:

- (A) Send the jurisdiction(s) of origin information for each load electronically.

(B) For solid waste sent directly to a landfill or transformation facility, provide the information using a multi-part ticket system in which the dispatcher gives the vehicle driver a ticket with the estimated percentage of waste from each jurisdiction in the vehicle driver's route. The dispatcher may use a bar code with origin information on the ticket. The vehicle driver gives the receiving operator a portion of the ticket with origin percentage information and keeps a portion of the ticket for the public contract hauler's records. Provide the information using an alternative method that meets the requirements of this section. (4) The public contract hauler shall provide this information on jurisdiction of origin to the operator at the time of disposal, unless prior arrangements are made with the receiving operator. In all cases the information shall be provided no later than two weeks after the end of the quarter. (5) When requested by a receiving operator, a public contract hauler shall inform a receiving operator of the jurisdiction of origin for all material in each load delivered during the entire quarter that the receiving operator identifies as potential alternative daily cover, alternative intermediate cover, or other beneficial reuse material. The jurisdiction of origin information shall be based on actual daily tonnage. A public contract hauler shall also inform a receiving operator of the type or types of material being supplied.

(6) When requested by a receiving operator, a public contract hauler shall identify each segregated load of C&D debris/inert debris delivered during the entire quarter. The public contract hauler shall also provide the jurisdiction of origin for each load, based on actual daily tonnage.

(7) When requested by a receiving operator, a public contract hauler shall identify each segregated load of designated waste delivered during the entire quarter. The public contract hauler shall inform a receiving operator of the type or types of material being supplied. The public contract hauler shall also provide the jurisdiction of origin for each load, based on actual daily tonnage.

(8) When requested by a receiving operator, a public contract hauler shall identify each segregated load of disaster waste delivered during the entire quarter. The public contract hauler shall also provide the jurisdiction of origin for each load, based on actual daily tonnage.

(9) Pursuant to section 18808.4(a)(2), a public contract hauler shall keep documentation for verification of jurisdiction of origin allocations for each quarter. Upon request, a public contract hauler shall provide an agency with a summary of quarterly jurisdiction allocations.

Authority cited: Section 40502, 41781.3, 41821.5, and 43020, Public Resources Code.

Reference: Section 40508, 41821.5 and 43020, Public Resources Code.

Section 18808.8. Applicability of Alternative Reporting Systems.

(a) An agency may establish alternative requirements with which a hauler must comply as set forth in section 18812.8.

Authority cited: Section 40502, Public Resources

Code. Reference: Section 41821.5, Public Resources

Code.

Section 18808.9. Public Contract Hauler Export Reports: Content, Timing, and Distribution.

(a) For the entire quarter, a public contract hauler who exports solid waste from California shall provide the agency in which the waste originated with the total tons of solid waste exported from each jurisdiction of origin during the quarter. For each jurisdiction allocation, a public contract hauler shall identify the name of the disposal site and the state, country, or Indian country to which the waste was

sent. A public contract hauler shall provide this information by the due dates in section 18808.10.

(b) Upon request by a jurisdiction, a public contract hauler shall provide the jurisdiction with a quarterly report of the tons exported from the jurisdiction by the due dates in section 18808.10. In lieu of sending quarterly information directly to a jurisdiction, a hauler may electronically submit quarterly disposal information to the Board using a format that would allow the Board to make the information available on its web site. Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Section 18808.10. Export Reporting Due Dates for a Public Contract Hauler.

(a) When required by this Article, a public contract hauler shall send a quarterly export report, on the amounts of solid waste exported from California, to each agency in which the exported waste originated. If requested by a jurisdiction, the public contract hauler shall also send a quarterly export report to the jurisdiction as set forth in section 18808.9(b). A public contract hauler shall send the report by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year. A public contract hauler shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18808.4.

Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Section 18808.11. Non-compliance.

(a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. (c) A hauler or operator may inform the Board if an agency fails to comply with this Article. A hauler or operator shall send written information on specific allegations of agency non-compliance to the Board. (d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code. Reference: Section 41821.5, Public Resources Code.

Section 18809. Disposal Reporting Requirements for a Station.

(a) Sections 18809.1 through 18809.11 establish the requirements for a station as follows:

(1)	Signage at a Station	Section 18809.1
(2)	Scales and Weighing Requirements at a Station	Section 18809.2

(3)	Training Requirements for a Station	Section 18809.3
(4)	Hauler Records: Retention, Access, and Investigations	Section 18809.4
(5)	Identifying Jurisdiction of Origin	Section 18809.5
(6)	Frequency of Origin Surveys	Section 18809.6
(7)	Determining Origin of Waste at a Station	Section 18809.7
(8)	Applicability of Alternative Reporting Systems	Section 18809.8
(9)	Station Disposal Reports: Content, Timing, and Distribution	Section 18809.9
(10)	Disposal Reporting Due Dates for a Station	Section 18809.10
(11)	Non—compliance	Section 18809.11

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.1. Signage at a Station.

(a) An operator may post a sign regarding the collection of waste origin information during the origin survey period specified in section 18809.6(a) or (b).

(b) The sign may include the following:

(1) “State law requires information on where your waste is from. Be prepared to provide it to the attendant.” or

(2) “Be prepared to tell the attendant where your waste is from.” or (3) Other wording reasonably similar to the wording in subsection (1) or (2).

(c) The sign may be translated into additional languages, including but not limited to Spanish.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.2. Scales and Weighing Requirements at a Station.

(a) A station shall be equipped with scales if both of the following criteria apply:

(1) the station accepts an annual average of more than 100 tons per operating day or an annual average volume of more than 400 cubic yards of solid waste per operating day, and

(2) the station operates more than 52 days per year.

(b) A station located in a rural city or rural county, as set forth in sections 40183 and 40184 of the Public Resources Code, shall be equipped with scales if both of the following criteria apply: (1) the station accepts an annual average of more than 200 tons per operating day or an annual average volume of more than 800 cubic yards of solid waste per operating day, and (2) the station operates more than 52 days per year.

(c) An operator of a station equipped with scales shall weigh every uncompacted load of solid waste greater than 12 cubic yards. An operator shall also weigh every compacted load of waste. For each uncompacted load less than or equal to 12 cubic yards that is not weighed, an operator shall use volumetric conversion factors to estimate weight as described in subsection (d). If a station's scales are inoperable for a period of time, the operator shall estimate the weight of solid

waste using volumetric conversion factors as described in subsection (d) until the scales are back in operation.

(d) For all solid waste that a station operator is allowed to not weigh with scales, the operator shall use reasonable, volumetric conversion factors to estimate the weight of the waste.

Volumetric conversion factors used at a station shall meet the following guidelines:

(1) A volumetric conversion factor for a given vehicle and/or trailer type and/or load type (e.g. C&D debris/inert debris load) shall be derived from the average of actual weight data collected for the vehicle and/or trailer type and/or load type during a seven-day minimum weighing period conducted at least every five years. The operator shall determine individual volumetric conversion factors for all the types of vehicles and/or trailers that haul waste to the station and/or the types of loads hauled to the station. The weight data for each vehicle and/or trailer type and/or load type shall be based on a statistically representative sample of vehicles and/or trailers and/or loads. All volumetric conversion factors for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors shall be included in the station's annual report of disposal reporting methods as set forth in 18809.9(e).

(2) All volumetric conversion factors and supporting calculations and documentation shall be made available for Board staff review upon request pursuant to section 18809.4.

(3) If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to collect new weight data to establish new volumetric conversion factors.

(e) An operator of a station not required to have scales as set forth in subsection (a) or (b) shall estimate the weight of every load of solid waste using reasonable and documented volumetric conversion factors for each type of vehicle and/or trailer that hauls waste to the station and/or each type of load (e.g. C&D debris/inert debris load) hauled to the station. The operator shall identify all volumetric conversion factors for each vehicle and/or trailer type and/or load type and include a description of the method used to determine the conversion factors in the station's annual report of disposal reporting methods as set forth in section 18809.9(e). The operator shall make all documentation of volumetric conversion factors available for review by Board staff upon request. If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to establish new volumetric conversion factors.

(f) An operator is not to required weigh waste if the waste will be weighed at destination landfills and/or transformation facilities. If an operator determines the weight of waste by using scales at destination landfills and/or transformation facilities, the operator shall notify the agency in which the station is located in the annual report of disposal reporting methods as set forth in 18809.9(e)(7). An operator shall maintain a record of the weights obtained at all destination landfills and/or transformation facilities pursuant to section 18809.4.

(g) An operator of a station required to have scales as set forth in subsection (a) or (b) may request an exemption from the requirement to obtain scales if the station operator can demonstrate that circumstances exist that make compliance with this requirement a hardship. An operator shall submit a request for an exemption to the Board as set forth in subsections (i) through (l). An operator shall submit a request for an exemption no later than 150 days after January 1, 2006. If a station becomes subject to the scales requirement as set forth in subsection (a) or (b) after January 1, 2006, an operator shall submit the request for an exemption within 150 days.

(h) An operator of a station required to have scales as set forth in subsection (a) or (b) may submit a request to implement an alternative weighing system (for example, using off-site scales). An alternative weighing system must meet the minimum weighing requirements of this section. Weighing of waste at destination landfills and/or transformation facilities pursuant to subsection (f) does not require Board approval as an alternative weighing system. An operator shall submit a request for an exemption to the Board as set forth in subsections (i) through (l).

(i) A station operator's request for an exemption from obtaining scales or request to implement an alternative weighing system shall include the following minimum information:

(1) station name,

(2) station Solid Waste Information System (SWIS) number, (3) station address,

(4) operator name,

(5) operator mailing address,

(6) operator telephone number,

(7) operator email address, if available,

(8) justification for the proposed exemption or alternative weighing system, such as a lack of electric utilities at the site, geographic remoteness of the site, space constraints at the site, or use of off-site scales,

(9) annual average weight (or annual average volume) of solid waste accepted per day of operation, and (10) volumetric conversion factors to be used to estimate weight.

(j) Prior to submitting a request for an exemption from the scales requirement or a request to implement an alternative weighing system, an operator shall provide at least a 30-day notice of the proposed request to, and accept and respond to comments from applicable parties including:

(1) haulers that dispose of waste at the station, (2) the agency in which the station is located,

(3) jurisdictions that dispose of waste at the station, and

(4) the Local Task Force established pursuant to section 18761 of this Division.

(k) An operator shall send a request for an exemption from the scales requirement or a request to implement an alternative weighing system to Board staff for review. The operator shall also send documentation showing that applicable parties were notified and include a copy of the responses to comments received on the request.

(l) Within 30 working days from receipt of a request, Board staff shall inform the operator, in writing, that the request is complete and accepted for filing, or that the request is deficient and what specific information is still required. Board staff shall approve or disapprove the request within 60 working days from the date the request is deemed complete. The operator may appeal the Board staff determination to the Board.

(m) If subsequent to an approval of an exemption from the scales requirement or a request to implement an alternative weighing system, the Board determines a station no longer meets the criteria of this section, the Board may rescind the approval.

(n) Nothing in this Article shall prevent an operator from weighing more loads than the minimum required by this section as part of its operation. Nothing in this Article shall prevent an agency from

requiring an operator to obtain scales or requiring an operator to weigh more loads than the minimum required by this section, based upon its own authority to impose requirements on that operator.

(o) A station required to have scales as set forth in subsection (a) or (b), that has not requested and received a Board exemption from this requirement or has not received approval of an alternative weighing system, shall be required to obtain and begin operating the scales by January 1, 2007.

(p) If a station becomes subject to the scales requirement as set forth in subsection (a) or (b) subsequent to January 1, 2006, the operator shall obtain and begin operating the scales by January 1 of the year following the year the station became subject to the requirement. The operator may submit a request for an exemption from the scales requirement or a request to implement an alternative weighing system as set forth in subsections (g) through (l).

Authority cited: Section 40502, 418221.5, 43020, and 43021, Public Resources Code.

Reference: Section 40508, 41821.5, 43020, 43021, Public Resources Code.

Section 18809.3. Training Requirements for a Station.

(a) A station operator shall provide training on the disposal reporting system to each gatehouse attendant and disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a gatehouse attendant and report preparer shall cover the content of this Article as it applies to the employees' job duties.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.4. Station Records: Retention, Access, and Investigations.

(a) An operator shall prepare disposal reporting records and shall:

(1) Include all information, methods, and calculations required by this Article.

(2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to facilities and agencies pursuant to sections 18809.9(a) through (c).

(3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board.

(4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies.

(5) Allow representatives of involved jurisdictions, the agency, haulers, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Haulers and operators shall only be allowed to inspect records relating to their own operations. An operator is not required to provide records of a jurisdiction's disposal information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825 of the Public Resources Code.

(A) Upon a request to review records, the operator shall make the records promptly available for inspection. The operator shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor.

(B) If copies of specific records are requested, either in lieu of inspection or after inspection, the operator shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The operator may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

(C) If a hauler or operator believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the operator shall inform the Board. The Board shall use the procedures set forth in section 17046 to determine which records, or parts of records, may be inspected.

(b) An operator shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing.

(c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information. If an operator that is a jurisdiction, fails to comply with this section, and that failure prevents the Board from accurately determining the jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) An operator shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board.

(3) An operator shall identify waste imported from outside California by specifying the state, country, or Indian country of origin.

(b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that operators and haulers provide additional jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.6. Frequency of Origin Surveys.

(a) At all permitted stations, origin surveys shall be conducted continuously, each day of station operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a station located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection (a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June

8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]).

During the standard origin survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted stations, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(d) Origin surveys are not required if:

(1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or a city or county in which a station is located authorizes the station operator to assign all waste tonnage to that city or county.

(e) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.7. Determining Origin of Waste at a Station.

(a) An operator shall determine the origin of all solid waste during the origin survey period set forth in section 18809.6.

(b) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall provide the receiving operator with the jurisdiction of origin for all material in each load delivered during the entire quarter that the receiving operator identifies as potential alternative daily cover, alternative intermediate cover, or other beneficial reuse material. The jurisdiction of origin information shall be based on actual daily tonnage. An operator shall also inform a receiving operator of the type or types of material being supplied.

(c) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall notify the operator of that facility of each load of C&D debris/inert debris delivered during the entire quarter. The operator shall also provide the jurisdiction of origin for each load, based on actual daily tonnage.

(d) When requested by a receiving operator, an operator who sends solid waste to another facility within California shall notify the operator of that facility of each load of disaster waste delivered during the entire quarter. The operator shall also provide the jurisdiction of origin for each load, based on actual daily tonnage.

(e) For all loads not delivered by public contract haulers, an operator shall obtain and maintain a record of the following information:

- (1) the jurisdiction of origin of the waste as set forth in 18809.5, and
- (2) other additional information that the operator has determined will ensure that information provided is accurate.
- (f) An operator shall collect jurisdiction of origin from public contract haulers. The public contract hauler shall provide the jurisdiction of origin as specified in section 18808.7(b).
- (g) If a station accepts solid waste from only one jurisdiction, the operator shall assign the waste to that jurisdiction.
- (h) If an attendant is not present during regular hours of operation, and one cannot be present to obtain jurisdiction of origin information during the survey period, and the operator does not receive origin information from the haulers delivering waste, then the operator shall assign the waste to the jurisdiction in which the station is located by labeling it as "no attendant host assigned" waste. An operator shall determine quarterly percentages of the total waste assigned to a host jurisdiction and report the percentage allocations to each facility to which waste was sent, pursuant to section 18809.9(b)(4). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18809.9(d). If a station accepts solid waste from more than one jurisdiction, the operator shall use the information on the jurisdictions of origin for all solid waste to estimate the percentage of waste from each jurisdiction. The percentage of waste from each jurisdiction shall be based on either the total tons accepted from each jurisdiction, the total tons of solid waste from each jurisdiction after adjusting for diversion at the station, or the total tons from each jurisdiction based on a reasonable method used at the station to allocate waste.
- (i) If solid waste is delivered to the station and information on the jurisdiction of origin is not provided by the delivering hauler or operator during the survey period as specified in this Article, then the operator shall assign the waste percentage to the jurisdiction in which the station is located by labeling it as "host assigned" waste and send written notification to the agency regarding hauler or operator non-compliance as specified in section 18809.11. The operator shall determine quarterly percentages of the total waste assigned to a host jurisdiction and report the percentage allocations to each facility to which waste was sent, pursuant to section 18809.9(b)(4). The operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18809.9(d).

Authority cited: Section 40502, 41821.5, 43020, and 43021, Public Resources Code.

Reference: Section 40508, 41821.5, 43020 and 43021, Public Resources Code.

Section 18809.8. Applicability of Alternative Reporting Systems.

- (a) An agency may establish alternative requirements with which an operator must comply as set forth in section 18812.8.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.9. Station Disposal Reports: Content, Timing, and Distribution.

- (a) Each quarter, an operator who sends solid waste to another facility within California shall provide the operator of that facility with the percentage of waste assigned to each jurisdiction as determined pursuant to section 18809.7. The operator shall provide this information by the due dates in sections 18809.10(a) and (b).

(b) An operator who sends waste to another facility in California shall send a quarterly notification to the agency in which the station is located and to each agency in which a receiving facility is located. An operator shall keep copies of the notification and all supporting documentation used to prepare the notification pursuant to the record keeping requirements in section 18809.4. The operator shall send the notifications by the due dates in section 18809.10. The quarterly notification shall contain the following information:

(1) the station name and Solid Waste Information System (SWIS) number, (2) the reporting quarter and year,

(3) the total tons of solid waste accepted at the station,

(4) the percentage of solid waste from each jurisdiction (including host assigned waste, if applicable), based on either:

(A) the total tons of solid waste accepted from each jurisdiction,

(5) the total tons of solid waste from each jurisdiction after adjusting for diversion at the station, or

(C) the total tons of solid waste from each jurisdiction determined using a reasonable method to allocate waste, the name and Solid Waste Information System (SWIS) number of each facility in California to which waste was sent,

(6) the total initial estimated tons of solid waste sent to each facility,

(7) the total tons of each type of material identified for potential reuse

as: (A) alternative daily cover,

(B) alternative intermediate cover,

and (C) other beneficial reuse,

(8) the total tons of each type of material from each jurisdiction identified for potential reuse

as: (A) alternative daily cover, and

(B) alternative intermediate cover,

(9) the total tons of other material accepted at the station and sent off-site for reuse, recycling, or composting during the quarter, and

(10) a brief summary of the methods used to determine the jurisdictions of origin.

(c) For the entire quarter, an operator who exports waste from California shall provide the agency in which the station is located with the total tons of solid waste exported from each jurisdiction of origin during the quarter. For each jurisdiction allocation, an operator shall identify the name of the disposal site and the state, country, or Indian country to which the waste was sent. An operator shall provide this information by the due dates in section 18809.10.

(d) Upon request by a jurisdiction, an operator shall provide all quarterly information pertaining to the jurisdiction by the due dates in section 18809.10. In lieu of sending quarterly information directly to a jurisdiction, an operator may electronically submit the quarterly disposal information to the Board using a format that would allow the Board to make the information available on its web site. In addition to the information in subsections (b) and (c), a jurisdiction may request:

(1) the total tons of each type of material identified as other potential beneficial reuse material (excluding alternative daily cover and alternative intermediate cover),

(2) the total tons of C&D debris/inert debris,

and (3) the total tons of disaster waste.

(e) An operator shall send an annual report on disposal reporting methods to the agency in which the station is located. An operator shall send the annual report by the due date in section 18809.10. An

operator shall keep a copy of the annual report in the station's records pursuant to section 18809.4. The report shall cover each year beginning on January 1 and ending on December 31 and shall include the following:

- (1) station name and Solid Waste Information System (SWIS) number, (2) operator name,
- (3) operator mailing address,
- (4) operator telephone number,
- (5) operator email address, if available,
- (6) number and type of scales, if applicable,
- (7) notification of the use of scales at destination landfill(s) or transformation facility(ies) to weigh waste sent from the station, pursuant to section 18809.2(f), if applicable,
- (8) all volumetric conversion factors used for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors pursuant to section 18809.2(d)(1) or (e), the frequency of each type origin survey,
- (10) the method(s) of determining jurisdiction of origin, including the questions gatehouse attendants ask haulers,
- (11) the method(s) used to verify origin information, if applicable,
- (12) the method(s) used to track C&D debris/inert debris loads, if applicable, (13) the method(s) used to track disaster waste loads, if applicable, (14) the method(s) of determining jurisdiction allocation amounts including:
 - (A) a description of the method used to determine jurisdiction of origin allocation percentages as reported in subsection (b)(4), and
 - (B) the percentage of annual tons of waste for each jurisdiction that were assigned based on survey week data as allowed in sections 18809.6(b) and (c), and
 - (C) the percentage of the total tons of solid waste sent for disposal or transformation that were based on volumetric conversion factors rather than actual weight measurements,
- (15) any restrictions on which jurisdictions may use the station,
- (16) any differences in station tipping fees based on jurisdiction of origin,
- (17) a listing or description of the computer program(s) or method used to track waste tonnage and origin information, and
- (18) the days and hours of station operation, including all significant variations in the schedule during the reporting year.

Authority cited: Section 40502, 41821.5, 43020, and 43021, Public Resources Code.

Reference: Section 40508, 41821.5, 43020 and 430121, Public Resources Code.

Section 18809.10. Disposal Reporting Due Dates for a Station.

(a) An operator of a permitted station who sends waste to another permitted station in California shall send the operator of that facility the percentage of waste assigned to each jurisdiction for the quarter as set forth in section 18809.9(a). An operator shall send this information by April 30 for the first quarter, July 31 for the second quarter, October 31 for the third quarter, and January 31 for the fourth quarter of the previous year.

(b) An operator of a permitted station who sends waste to a landfill or transformation facility in California shall send the operator of that facility the percentage of waste assigned to each jurisdiction for the quarter as set forth in section 18809.9(a). An operator shall send this information by May 15 for the first quarter, August 15 for the second quarter, November 15 for the third quarter, and February 15 for the fourth quarter of the previous year.

(c) An operator of a permitted station shall send quarterly disposal information to affected agencies as set forth in sections 18809.9(b) and (c). If requested by a jurisdiction, the operator shall also send the quarterly disposal information to the jurisdiction as described in section 18809.9(d). An operator shall send the report by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(1) An operator of a permitted station who sends waste to another facility within California shall send a notification every quarter to the agency in which the station is located and to each agency in which a receiving facility is located as set forth in section 18809.9(b). If a station operator exports waste outside of California, the operator shall send a quarterly report on the amounts of exported waste to the agency in which the station is located as set forth in section 18809.9(c).

(d) An operator of a permitted station shall send an annual report on disposal reporting methods to the agency in which the station is located, as described in section 18809.9(e). An operator shall send this annual report by March 15 for the previous year. A station operator shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18809.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18809.11. Non-compliance.

(a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. (c) A hauler or operator may inform the Board if an agency fails to comply with this Article. A hauler or operator shall send written information on specific allegations of agency non-compliance to the Board. (d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810. Disposal Reporting Requirements for a Landfill.

(a) Sections 18810.1 through 18810.11 establish the requirements for a landfill as follows:

(1)	Signage at a Landfill	Section 18810.1
(2)	Scales and Weighing Requirements at a Landfill	Section 18810.2
(3)	Training Requirements for a Landfill	Section 18810.3

(4)	Landfill Records: Retention, Access, and Investigations	Section 18810.4
(5)	Identifying Jurisdiction of Origin	Section 18810.5
(6)	Frequency of Origin Surveys	Section 18810.6
(7)	Determining Origin of Waste at a Station	Section 18810.7
(8)	Applicability of Alternative Reporting Systems	Section 18810.8
(9)	Landfill Disposal Reports: Content, Timing, and Distribution	Section 18810.9
(10)	Disposal Reporting Due Dates for a Landfill	Section 18810.10
(11)	Non-compliance	Section 18810.11

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.1. Signage at a Landfill.

(a) An operator may post a sign regarding the collection of waste origin information during the origin survey period specified in section 18810.6(a) or (b).

(b) The sign may include the following:

(1) "State law requires information on where your waste is from. Be prepared to provide it to the attendant." or

(2) "Be prepared to tell the attendant where your waste is from." or

(3) Other wording reasonably similar to the wording in subsection (1) or (2).

(c) The sign may be translated into additional languages, including but not limited to Spanish.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5 and 43020, Public Resources Code.

Section 18810.2. Scales and Weighing Requirements at a Landfill.

(a) A landfill shall be equipped with scales if both of the following criteria apply:

(1) the landfill accepts an annual average of more than 100 tons per operating day or an annual average volume of more than 400 cubic yards of solid waste per operating day, and

(2) the landfill operates more than 52 days per year.

(b) A landfill located in a rural city or rural county, as set forth in sections 40183 and 40184 of the Public Resources Code, shall be equipped with scales if both of the following criteria apply:

(1) the landfill accepts an annual average of more than 200 tons per operating day or an annual average volume of more than 800 cubic yards of solid waste per operating day, and (2) the landfill operates more than 52 days per year.

(c) An operator of a landfill equipped with scales shall weigh every uncompacted load of solid waste greater than 12 cubic yards. An operator shall also weigh every compacted load of waste. For each uncompacted load less than or equal to 12 cubic yards) that is not weighed, an operator shall use volumetric conversion factors to estimate weight as described in subsection (d). If a landfill's scales are inoperable for a period of time, the operator shall estimate the weight of solid waste using volumetric conversion factors as described in subsection (d) until the scales are back in operation.

(d) For all solid waste that a landfill operator is allowed to not weigh with scales, the operator shall use reasonable, volumetric conversion factors to estimate the weight of the waste. Volumetric conversion factors used at a landfill shall meet the following guidelines:

(1) A volumetric conversion factor for a given vehicle and/or trailer type and/or load type (e.g. C&D debris/inert debris load) shall be derived from the average of actual weight data collected for the vehicle and/or trailer type and/or load type during a seven-day minimum weighing period conducted at least every five years. The operator shall determine individual volumetric conversion factors for all the types of vehicles and/or trailers that haul waste to the landfill and/or the types of loads hauled to the landfill. The weight data for each vehicle and/or trailer type and/or load type shall be based on a statistically representative sample of vehicles and/or trailers and/or loads. All volumetric conversion factors for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors shall be included in the landfill's annual report of disposal reporting methods as set forth in 18810.9(h).

(2) All volumetric conversion factors and supporting calculations and documentation shall be made available for Board staff review upon request pursuant to section 18810.4.

(3) If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to collect new weight data to establish new volumetric conversion factors.

(e) An operator of a landfill not required to have scales as set forth in subsection (a) or (b), shall estimate the weight of every load of solid waste using reasonable and documented volumetric conversion factors for each type of vehicle and/or trailer that hauls waste to the landfill and/or each type of load (e.g. C&D debris/inert debris load) hauled to the landfill. The operator shall identify all volumetric conversion factors for each vehicle and/or trailer type and/or load type and include a description of the method used to determine the conversion factors used in the landfill's annual report of disposal reporting methods as set forth in section 18810.9(h). The operator shall make all documentation of volumetric conversion factors available for review by Board staff upon request. If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to establish new volumetric conversion factors.

(f) An operator of a landfill required to have scales as set forth in subsection (a) or (b) may request an exemption from the requirement to obtain scales if the landfill operator can demonstrate that circumstances exist that make compliance with this requirement a hardship. An operator shall submit a request for an exemption to the Board as set forth in subsections (h) through (k). An operator shall submit a request no later than 150 days after January 1, 2006. If a landfill becomes subject to the scales requirement as set forth in subsection (a) or (b) after January 1, 2006, an operator shall submit the request for an exemption within 150 days.

(g) An operator of a landfill required to have scales as set forth in subsection (a) or (b) may submit a request to implement an alternative weighing system (for example, using off-site scales). An alternative weighing system must meet the minimum weighing requirements of this section. An operator shall submit a request for an exemption to the Board as set forth in subsections (h) through (k).

(h) A landfill operator's request for an exemption from obtaining scales or request to implement an alternative weighing system shall include the following minimum information:

(1) landfill name,

- (2) landfill Solid Waste Information System (SWIS) number,
 - (3) landfill address,
 - (4) operator name,
 - (5) operator mailing address,
 - (6) operator telephone number,
 - (7) operator email address, if available,
 - (8) justification for the proposed exemption or alternative weighing system, such as a lack of electric utilities at the site, geographic remoteness of the site, space constraints at the site, occasional relief from weighing requirements during periods of time when excessive lines create public health and safety concerns, or use of off-site scales,
 - (9) annual average weight (or annual average volume) of waste accepted per day of operation, and volumetric conversion factors to be used to estimate weight.
- (i) Prior to submitting a request for an exemption from the scales requirement or a request to implement an alternative weighing system, an operator shall provide at least a 30-day notice of the proposed request to, and accept and respond to comments from applicable parties including those listed below. However, nothing in this requirement is intended to allow any of these parties to seek or impose conditions on the requestor for favorable comments, nor does this section give them any authority to approve or disapprove the request.
- (1) haulers that dispose of waste at the landfill, (2) the agency in which the landfill is located,
 - (3) jurisdictions that dispose of waste at the landfill, and
 - (4) the Local Task Force established pursuant to section 18761 of this Division.
- (j) An operator shall send a request for an exemption from the scales requirement or a request to implement an alternative weighing system to Board staff for review. The operator shall also send documentation showing that applicable parties were notified and include a copy of the responses to comments received on the request.
- (k) Within 30 working days from receipt of a request, Board staff shall inform the operator, in writing, that the request is complete and accepted for filing, or that the request is deficient and what specific information is still required. Board staff shall approve or disapprove the request within 60 working days from the date the request is deemed complete. The operator may appeal the Board staff determination to the Board.
- (l) If subsequent to an approval of an exemption from the scales requirement or a request to implement an alternative weighing system, the Board determines a landfill no longer meets the criteria of this section, the Board may rescind the approval.
- (m) All volumetric conversion factor(s) used for the purposes of this Article, shall be the same as the volumetric conversion factor(s) used to determine the number of tons that are subject to the fee pursuant to section 48000 of the Public Resources Code and section 45151 of the Revenue and Taxation Code.
- (n) Nothing in this Article shall prevent an operator from weighing more loads than the minimum required by this section as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to obtain scales or requiring an operator to weigh more loads than the

minimum required by this section, based upon its own authority to impose requirements on that operator.

(o) A landfill required to have scales as set forth in subsection (a) or (b), that has not requested and received a Board exemption from this requirement or has not received approval of an alternative weighing system, shall be required to obtain and begin operating the scales by January 1, 2007.

(p) If a landfill becomes subject to the scales requirement as set forth in subsection (a) or (b) subsequent to January 1, 2006, the operator shall obtain and begin operating the scales by January 1 of the year following the year the landfill became subject to the requirement. The operator may submit a request for an exemption from the scales requirement or a request to implement an alternative weighing system as set forth in subsections (f) through (k).

Authority cited: Section 40502, 41781.3, 41821.5, 43020 and 43021, Public Resources Code.

Reference: Section 40508, 41821.5 42245, 43020 and 43021, Public Resources Code.

Section 18810.3. Training Requirements for a Landfill.

(a) An operator shall provide training on the disposal reporting system to each gatehouse attendant and disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a gatehouse attendant and report preparer shall cover the content of this Article as it applies to the employees' job duties.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.4. Landfill Records: Retention, Access, and Investigations.

(a) An operator shall prepare disposal reporting records and shall:

(1) Include all information, methods, and calculations required by this Article.

(2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to the agency in which the landfill is located pursuant to section 18810.9(c).

(3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board.

(4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies.

(5) Allow representatives of involved jurisdictions, the agency, haulers, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Haulers and operators shall only be allowed to inspect records relating to their own operations. An operator is not required to provide records of a jurisdiction's disposal information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825 of the Public Resources Code.

(A) Upon a request to review records, the operator shall make the records promptly available for inspection. The operator shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor.

(B) If copies of specific records are requested, either in lieu of inspection or after inspection, the

operator shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The operator may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

(C) If a hauler or operator believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the operator shall inform the Board. The Board shall use the procedures set forth in section 17046 to determine which records, or parts of records, may be inspected.

(b) An operator shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing.

(c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information. If an operator that is a jurisdiction, fails to comply with this section, and that failure prevents the Board from accurately determining the jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) An operator shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board.

(3) An operator shall identify waste imported from outside California by specifying the state, country, or Indian country of origin.

(b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that operators and haulers provide additional jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.6. Frequency of Origin Surveys.

(a) At all permitted landfills, origin surveys shall be conducted continuously, each day of landfill operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a landfill located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection (a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless

an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]).

During the standard survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted landfills, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(d) Origin surveys are not required if:

(1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or a city or county in which a landfill is located authorizes the landfill operator to assign all waste tonnage to that city or county.

(e) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.7. Determining Origin of Waste at a Landfill.

(a) An operator shall determine the origin of all solid waste during the origin survey period set forth in section 18810.6.

(b) For every load of solid waste received during the entire quarter, an operator shall record the jurisdiction of origin for all beneficial reuse material accepted. An operator shall also record the types and quantities of material being used as alternative daily, alternative intermediate cover, and other beneficial reuse. Each type of material used for alternative daily cover, alternative intermediate cover, and other beneficial reuse shall be allocated to jurisdictions using a reasonable estimation method. A reasonable method for calculating allocations may include:

(1) Determining each jurisdiction's percentage of each material type accepted and multiplying by:

(A) the total amounts of alternative daily cover used,

(B) the total amounts of alternative intermediate cover used,

and/or (C) the total amounts of other beneficial reuse material used.

(c) For every load received during the entire quarter, an operator shall track the tons of each of the following types of solid waste disposed at the landfill, allocated to each jurisdiction:

(1) C&D debris/inert debris,

(2) designated waste, by material type,

and (3) disaster waste.

(d) For all loads not delivered by public contract haulers, an operator shall obtain and maintain a

record of the following information:

(1) the jurisdiction of origin of the waste as set forth in 18810.5, and

(2) other additional information that the operator has determined will ensure that information provided is accurate.

(e) An operator shall collect jurisdiction of origin from public contract haulers. The public contract hauler shall provide the jurisdiction of origin as specified in section 18808.7(b).

(f) If a landfill accepts solid waste from only one jurisdiction, the operator shall assign all the waste to that jurisdiction.

(g) If an attendant is not present during regular hours of operation, and one cannot be present for the origin survey period set forth in section 18810.6, and the operator does not receive origin information from the haulers delivering waste, then the operator shall assign the waste to the jurisdiction in which the landfill is located by labeling it as "no attendant host assigned" waste. An operator shall report to the agency, the total amounts of solid waste assigned to the host jurisdiction pursuant to 18810.9(c). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18810.9(g). If solid waste is delivered to the facility and information on the jurisdiction of origin is not provided by the delivering hauler or operator as specified in this Article, then the operator shall assign the waste to the jurisdiction in which the landfill is located by labeling it as "host assigned" waste and send written notification to the agency regarding hauler or operator non-compliance as specified in section 18810.11. An operator shall report to the agency, the total amounts of solid waste assigned to the host jurisdiction pursuant to 18810.9(c). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18810.9(g).

(h) If a landfill conducts continuous daily origin surveys as set forth in section 18810.6(a) and accepts solid waste from more than one jurisdiction, then the operator shall assign the waste tonnage based on the actual jurisdiction of origin information reported by haulers and station operators. If a landfill also conducts origin surveys for uncompacted loads of 12 cubic yards or less during at least a one-week per quarter survey period, the operator shall estimate the amount of waste assigned to each jurisdiction as described in subsection (k) and add these tonnage allocations to the tonnage allocations that were based on daily origin survey information.

(i) If a landfill in a rural jurisdiction accepts solid waste from more than one jurisdiction and only conducts origin surveys during one week per quarter as set forth in section 18810.6(b), the operator shall do the following steps in order:

(1) Obtain information on the jurisdiction(s) of origin for each load of solid waste delivered to the landfill on the dates set forth in section 18810.6(b).

Example:

Four loads delivered during the survey

week. Load 1 = 5 tons from City A

Load 2 = 5 tons from City B

Load 3 = 10 tons from City

C Load 4 = 5 tons from City

B

(2) Calculate the tons of solid waste (other than soil used as cover or for other on-site uses) assigned to each jurisdiction during the survey week. The operator shall either add up the amounts accepted from each jurisdiction, or the amounts of solid waste from each jurisdiction after adjusting for

diversion activity at the landfill.

Example:

City A = 5 tons (Load 1)

City B = 10 tons (Load 2 + Load

4) City C = 10 tons (Load 3)

(3) Calculate the percentage of waste assigned to each jurisdiction during the survey week by dividing the tons determined in paragraph (2) by the total tons of waste for the survey period.

Example:

25 tons delivered during the survey week. City A = 5 tons/25 tons = 0.2 (20%)

City B = 10 tons/25 tons = 0.4 (40%)

City C = 10 tons/25 tons = 0.4 (40%)

(4) Calculate the number of tons disposed from each jurisdiction during the quarter by multiplying the percentage from paragraph (3) with the total number of tons of solid waste disposed in each quarter from section 18810.9(a).

Example:

1000 tons disposed during quarter. City A = 0.2 x 1000 tons = 200 tons City B = 0.4 x 1000 tons = 400 tons City C = 0.4 x 1000 tons = 400 tons

(j) If an operator conducts origin surveys of each uncompacted load of solid waste with a volume of 12 cubic yards or less during a one-week survey period each quarter pursuant to section 18810.6(c), then the operator shall calculate the estimated tons of solid waste delivered in these loads from each jurisdiction for the quarter. The calculated tonnage allocations shall be based on the actual origin information reported by haulers during the survey period. The operator shall do the following steps in order.

(1) Obtain information on the jurisdiction(s) of origin for each uncompacted load with a volume of 12 cubic yards or less delivered to the landfill on the dates set forth in section 18810.6(c).

Example:

Four uncompacted loads of 12 cubic yards or less delivered during the survey week. Load 1 = 0.5 ton from City A

Load 2 = 0.5 ton from City

B Load 3 = 0.5 ton from

City C Load 4 = 0.5 ton

from City B

(2) Calculate the tons of solid waste (other than soil used as cover or for other on-site uses) delivered in uncompacted loads of 12 cubic yards or less assigned to each jurisdiction during the survey week. The operator shall either add up the amounts accepted from each jurisdiction, or the amounts of solid

waste from each jurisdiction after adjusting for diversion activity at the landfill.

Example:

City A = 0.5 ton (Load 1)

City B = 1 ton (Load 2 + Load

4) City C = 0.5 ton (Load 3)

(3) Calculate the percentage of solid waste assigned to each jurisdiction during the survey week by dividing the tons determined in paragraph (2) by the total tons of solid waste delivered in uncompacted loads of 12 cubic yards or less during the survey week.

Example:

2 tons delivered in uncompacted loads of 12 cubic yards or less during survey week. City A = 0.5 ton/2 tons = 0.25 (25%)

City B = 1 ton/2 tons = 0.5 (50%)

City C = 0.5 ton/2 tons = 0.25 (25%)

(4) Calculate the number of tons delivered in uncompacted loads of 12 cubic yards or less and disposed from each jurisdiction during the quarter by multiplying the percentages from paragraph (3) with the total tons of solid waste disposed during the quarter that were delivered in uncompacted loads of 12 cubic yards or less.

Example:

100 tons delivered in uncompacted loads of 12 cubic yards or less and disposed during the quarter. City A = 0.25 X 100 tons = 25 tons City B = 0.5 X 100 tons = 50 tons City C = 0.25 X 100 tons = 25 tons

Authority cited: Section 40502, 41781.3, 41821.5 43020 and 43021, Public Resources Code.

Reference: Section 40508, 41821.5, 42245, 43020 and 42021, Public Resources Code.

Section 18810.8. Applicability of Alternative Reporting Systems.

(a) An agency may establish alternative requirements with which an operator must comply as set forth in section 18812.8.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.9. Landfill Disposal Reports: Content, Timing, and Distribution.

(a) The following requirements shall apply to an operator of a permitted landfill:

(1) An operator shall determine the total number of tons of solid waste disposed in each quarter. The tons disposed shall be the same number of tons reported to the Board of Equalization that are subject to the fee pursuant to section 48000 of the Public Resources Code and section 45151 of the Revenue and Taxation Code.

(2) An operator of a facility that does not have to report tons disposed to the Board of Equalization pursuant to section 48007(b) of the Public Resources Codes (as added by Stats. 1999, Chapter 600), is still required to determine the total number of tons of solid waste disposed in each quarter. However, for these facilities, the tons disposed will not have to be reconciled with the tons reported to the Board of Equalization.

(3) An operator of a facility that has been exempted from the fee pursuant to section 48006 of the

Public Resources Code is still required to report the total number of tons of solid waste disposed in each quarter. However, for these facilities, the tons disposed will not have to be reconciled with the tons reported to the Board of Equalization that are subject to the fee.

(b) An operator shall track the total tons of solid waste accepted by the landfill and sent off-site for reuse, recycling, or composting.

(c) An operator shall provide the following quarterly information to the agency in which the facility is located. An operator shall keep copies of the quarterly information and all supporting documentation used to prepare the information pursuant to the record keeping requirements in section 18810.4. An operator shall report, by jurisdiction of origin (including host assigned jurisdiction of origin, if applicable), information on the amounts and types of all solid waste specified in this subsection. The operator shall report:

(1) the facility name and Solid Waste Information System (SWIS) number, (2) the reporting quarter and year,

(3) the total tons of all solid waste and all materials accepted at the facility, excluding soil used on-site, (4) the total tons of waste reused on-site at the facility, separated as follows:

(A) the total tons of each type of alternative daily cover used during the quarter, and

(B) the total tons of each type of alternative intermediate cover used during the quarter,

and (5) the total tons of solid waste disposed at the landfill.

(2) An operator shall provide quarterly summary information to the agency in which the facility is located. The summary information shall include: the total tons of soil used as cover or for other on-site uses during the quarter, (2) the total tons of solid waste accepted by the landfill, excluding soil used on-site, (3) the total tons of solid waste used on-site, separated as follows:

(A) the total tons of each type of alternative daily cover,

(B) the total tons of each type of alternative intermediate cover,

and (C) the total tons of each type of other beneficial reuse material,

(4) the total tons of solid waste sent off-site for reuse, recycling, or composting,

(5) the total tons of solid waste disposed at the landfill,

(6) the total tons reported to the Board of Equalization subject to the fee pursuant to section 48000 of the Public Resources Code and section 45151 of the Revenue and Taxation Code,

(7) either:

(A) the estimated in-place density achieved at the landfill in units of pounds of waste per cubic yard of waste and the estimated waste-to-cover ratio used at the landfill during the quarter, or

(B) the airspace utilization factor (tons of waste per cubic yard of landfill airspace) for the quarter, and

(This information shall be included in the quarterly report so that the Board may accurately calculate the remaining capacity of the landfill as well as regional and statewide remaining capacity. It is not the intent of this section to subject a landfill to a Notice of Violation should it subsequently be determined that these estimates are unknowingly inaccurate.)

(8) a brief summary of the methods used to determine the jurisdictions of origin.

(d) Upon request, an operator shall provide the agency in which the facility is located with a copy of the Integrated Waste Management Fee Return submitted to the Board of Equalization.

(e) The operator shall provide all quarterly information to the agency by the due dates in

section 18810.10.

(f) Upon request by a jurisdiction, an operator shall provide all quarterly information pertaining to the jurisdiction by the due dates in section 18810.10. In lieu of sending quarterly disposal information directly to a jurisdiction, an operator may electronically submit the information to the Board using a format that would allow the Board to make the information available on its web site. In addition to the amounts reported in subsection (c)(3) through (5), a jurisdiction's request for quarterly disposal information may include:

- (1) the total tons of each type of other beneficial reuse material (excluding alternative daily cover and alternative intermediate cover),
- (2) the total tons of C&D debris/inert debris disposed,
- (3) the total tons of each type of designated waste disposed,
- and (4) the total tons of disaster waste disposed.

(g) An operator shall send an annual report on disposal reporting methods to the agency in which the facility is located. An operator shall send the annual report by the due date in section 18810.10. An operator shall keep a copy of the annual report in the facility's records pursuant to section 18810.4. The report shall cover each year beginning on January 1 and ending on December 31 and shall include the following:

- (1) facility name and Solid Waste Information System (SWIS) number,
- (2) operator name,
- (3) operator mailing address,
- (4) operator telephone number,
- (5) operator email address, if available,
- (6) the number and type of scales, if applicable,
- (7) all volumetric conversion factors used for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors pursuant to section 18810.2(d)(1) or (e),
- (8) the frequency of each type of origin survey,
- (9) the percentage of the total tons of disposed waste assigned to each jurisdiction that was based on: (A) origin information collected during a one-week per quarter survey period as allowed in section 18810.6(b) or 18810.6(c), if applicable, and (B) volumetric conversion factors rather than actual weight measurements,
- (10) the method(s) of determining jurisdiction of origin, including the questions gatehouse attendants ask haulers,
- (11) the method(s) used to verify origin information, if applicable,
- (12) any restrictions on which jurisdictions may use the landfill,
- (13) any differences in landfill tipping fees based on jurisdiction of origin,
- (14) a listing or description of the computer program(s) or method used to track waste tonnage and origin information,
- (15) the method(s) used to track the amounts of alternative daily cover, alternative intermediate

cover, and other beneficial reuse materials used at the facility,
(16) the method(s) used to track C&D debris/inert debris loads, if applicable,
(17) the designated waste types accepted and method(s) of tracking designated wastes, if applicable,
(18) the method(s) used to track disaster waste loads, if applicable,
(19) the days and hours of operation, including all significant variations in the schedule during the reporting year, and
(20) either:
(A) the calculated in-place waste density achieved at the landfill (in pounds of waste per cubic yard of waste) and a description of the method used to calculate in-place waste density achieved at the landfill, and the calculated waste-to-cover ratio used at the landfill and a description of the method used to calculate the waste-to-cover ratio(s) used at the landfill or
(B) the airspace utilization factor (tons of waste per cubic yard of landfill airspace) and a description of the method used to calculate the airspace utilization factor.
(This information shall be included in the annual report so that the Board may accurately calculate the remaining capacity of the landfill as well as regional and statewide remaining capacity. It is not the intent of this section to subject a landfill to a Notice of Violation should it subsequently be determined that these estimates are unknowingly inaccurate).
(i) If the Board determines that an operator has inaccurately reported alternative daily cover, alternative intermediate cover, other beneficial reuse, or other diversion tonnage, that should have been reported as disposal, the operator shall revise its reported disposal tonnage to reflect the Board's determination and pay the fee required by section 48000 of the Public Resources Code.
(j) If an operator amends disposal reporting information, the operator is only required to provide the amended information to the agency once per quarter (the operator shall still allow access to records in accordance with section 18810.4). An operator is not required to provide amended disposal information for reporting years once the Board has completed the biennial review cycle for those years pursuant to section 41825 of the Public Resources Code.

Authority cited: Section 40502, 41781.3, 41821.5, 43020 and 43021, Public Resources Code.

Reference: Section 40508, 41821.5, 42245, 43020 and 43021, Public Resources Code.

Section 18810.10. Disposal Reporting Due Dates for a Landfill.

(a) An operator of a landfill shall send a quarterly report to the agency in which the facility is located as described in sections 18810.9(c), (d), and (e), if applicable. If requested by a jurisdiction, the operator shall also send the quarterly disposal information to the jurisdiction as set forth in section 18810.9(g). An operator shall send the report by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year. (b) An operator of a landfill shall send an annual report on disposal reporting methods to the agency in which the facility is located, as described in section 18810.9(h). An operator shall send this annual report by March 15 for the previous year. An operator shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18810.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18810.11. Non-compliance.

(a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. (c) A hauler or operator may inform the Board if an agency fails to comply with this Article. A hauler or operator shall send written information on specific allegations of agency non-compliance to the Board. (d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811. Disposal Reporting Requirements for a Transformation Facility.

(a) Sections 18811.1 through 18811.11 establish the requirements for a transformation facility as follows:

(1)	Signage at a Transformation Facility	Section 18811.1
(2)	Scales and Weighing Requirements at a Transformation Facility	Section 18811.2
(3)	Training Requirements for a Transformation Facility	Section 18811.3
(4)	Transformation Facility Records: Retention, Access, and Investigations	Section 18811.4
(5)	Identifying Jurisdiction of Origin	Section 18811.5
(6)	Frequency of Origin Surveys	Section 18811.6
(7)	Determining Origin of Waste at a Transformation Facility	Section 18811.7
(8)	Applicability of Alternative Reporting Systems	Section 18811.8
(9)	Transformation Facility Disposal Reports: Content, Timing, and Distribution	Section 18811.9
(10)	Disposal Reporting Due Dates for a Transformation Facility	Section 18811.10
(11)	Non—compliance	Section 18811.11

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.1. Signage at a Transformation Facility.

(a) An operator may post a sign regarding the collection of waste origin information during the origin survey period specified in section 18811.6(a) or (b).

(b) The sign may include the following:

(1) “State law requires information on where your waste is from. Be prepared to provide it to the attendant.” or

(2) "Be prepared to tell the attendant where your waste is from."
or (3) Other wording reasonably similar to the wording in subsection
(1) or (2).

(c) The sign may be translated into additional languages, including but not limited to Spanish.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.2. Scales and Weighing Requirements at a Transformation Facility.

(a) An operator of a transformation facility shall weigh every uncompacted load of solid waste greater than 12 cubic yards. An operator shall also weigh every compacted load of waste. For each uncompacted load less than or equal to 12 cubic yards that is not weighed, an operator shall use volumetric conversion factors to estimate weight as described in subsection (b). If a transformation facility's scales are inoperable for a period of time, the operator shall estimate the weight of solid waste using volumetric conversion factors as described in subsection (b) until the scales are back in operation. (b) For all solid waste that a transformation facility operator is allowed to not weigh with scales, the operator shall use reasonable, volumetric conversion factors to estimate the weight of the waste.

Volumetric conversion factors used at a transformation facility shall meet the following guidelines: (1) A volumetric conversion factor for a given vehicle and/or trailer type and/or load type (e.g. C&D debris/inert debris load) shall be derived from the average of actual weight data collected for the vehicle and/or trailer type and/or load type during a seven-day minimum weighing period conducted at least every five years. The operator shall determine individual volumetric conversion factors for all the types of vehicles and/or trailers that haul waste to the transformation facility and/or all types of loads hauled to the facility. The weight data for each vehicle and/or trailer type and/or load type shall be based on a statistically representative sample of vehicles and/or trailers and/or loads.

(2) All volumetric conversion factors for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors shall be included in the transformation facility's annual report of disposal reporting methods as set forth in 18811.9(f). All volumetric conversion factors and supporting calculations and documentation shall be made available for Board review staff upon request pursuant to section 18811.4.

(3) If the Board determines that volumetric conversion factors are not reasonable or adequately supported, the Board may require the operator to collect new weight data to establish new volumetric conversion factors.

(c) An operator of a transformation facility may submit a request to implement an alternative weighing system (for example, using off-site scales). An alternative weighing system must meet the minimum weighing requirements of this section. An operator shall submit a request to implement an alternative weighing system to the Board as set forth in subsections (d) through (g).

(d) A transformation facility operator's request to implement an alternative weighing system shall include the following minimum information:

(1) transformation facility name,

(2) transformation facility Solid Waste Information System (SWIS)

- number, (3) transformation facility address,
- (4) operator name,
- (5) operator mailing address,
- (6) operator telephone number,
- (7) operator email address, if available,
- (8) justification for the alternative weighing system, such as use of off-site scales,
- (9) annual average weight (or annual average volume) of waste accepted per day of operation, and (10) volumetric conversion factors to be used to estimate weight.
- (e) Prior to submitting a request to implement an alternative weighing system, an operator shall provide at least a 30-day notice of the proposed request to, and accept and respond to comments from applicable parties including:
- (1) haulers that dispose of waste at the transformation facility, (2) the agency in which the transformation facility is located,
- (3) jurisdictions that dispose of waste at the transformation facility, and
- (4) the Local Task Force established pursuant to section 18761 of this Division.
- (f) An operator shall send a request to implement an alternative weighing system to Board staff for review. The operator shall also send documentation showing that applicable parties were notified and include a copy of the responses to comments received on the request.
- (g) Within 30 working days from receipt of a request, Board staff shall inform the operator, in writing, that the request is complete and accepted for filing, or that the request is deficient and what specific information is still required. Board staff shall approve or disapprove the request within 60 working days from the date the request is deemed complete. The operator may appeal the Board staff determination to the Board.
- (h) If subsequent to an approval of a request to implement an alternative weighing system, the Board determines a transformation facility no longer meets the criteria of this section, the Board may rescind the approval.
- (i) Nothing in this Article shall prevent an operator from weighing more loads than the minimum required by this section as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to weigh more loads than the minimum required by this section, based upon its own authority to impose requirements on that operator.
- (j) **Authority cited:** Section 40502, Public Resources Code.
Reference: Section 41821.5, Public Resources Code.

Section 18811.3. Training Requirements for a Transformation Facility.

(a) An operator shall provide training on the disposal reporting system to each gatehouse attendant and disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a gatehouse attendant and report preparer shall cover the content of this Article as it applies to the employees' job duties.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.4. Transformation Facility Records: Retention, Access, and Investigations.

(a) An operator shall prepare disposal reporting records and shall:

- (1) Include all information, methods, and calculations required by this Article.
- (2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to the agency in which the transformation facility is located pursuant to section 18811.9(b).
- (3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board.
- (4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies.
- (5) Allow representatives of involved jurisdictions, the agency, haulers, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Haulers and operators shall only be allowed to inspect records relating to their own operations. An operator is not required to provide records of a jurisdiction's disposal information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825 of the Public Resources Code.

(A) Upon a request to review records, the operator shall make the records promptly available for inspection. The operator shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor.

(B) If copies of specific records are requested, either in lieu of inspection or after inspection, the operator shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The operator may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

(b) If a hauler or operator believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the operator shall inform the Board. The Board shall use the procedures set forth in section 17046 to determine which records, or parts of records, may be inspected. An operator shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing.

(c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information.

(d) If an operator that is a jurisdiction, fails to comply with this section, and that failure prevents the Board from accurately determining the jurisdiction's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) An operator shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board.

(3) An operator shall identify waste imported from outside California by specifying the state, country, or Indian country of origin.

(b) Nothing in this Article shall prevent an agency, district, or jurisdiction from enacting ordinances or other measures to ensure that operators and haulers provide additional jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.6. Frequency of Origin Surveys.

(a) At all permitted transformation facilities, origin surveys shall be conducted continuously, each day of facility operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a transformation facility located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection (a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). During the standard survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted transformation facilities, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(1) Origin surveys are not required if: a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or

(2) a city or county in which a transformation facility is located authorizes the facility operator to assign all waste tonnage to that city or county.

(d) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.7. Determining Origin of Waste at a Transformation Facility.

(a) An operator shall determine the origin of all solid waste during the origin survey period set forth in section 18811.6.

(b) During the entire quarter, an operator who sends solid waste to another facility within California shall provide the operator of that facility with the jurisdiction of origin for all material in each load identified by the receiving operator as potential alternative daily cover, alternative intermediate cover, or other beneficial reuse material based on actual daily tonnage. An operator shall also inform a receiving operator of the type or types of material being supplied.

(c) For each load received during the entire quarter, an operator shall track tons of each of the following types of solid waste that underwent transformation, allocated to each jurisdiction:

- (1) C&D debris/inert debris,
- (2) designated waste, by material type,
- and (3) disaster waste.

(d) For all loads not delivered by public contract haulers, an operator shall obtain and maintain a record of the following information:

- (1) the jurisdiction of origin of the waste as set forth in 18811.5, and
- (2) other additional information that the operator has determined will ensure that jurisdiction of origin information provided is accurate.

(e) An operator shall collect jurisdiction of origin from public contract haulers. The public contract hauler shall provide the jurisdiction of origin as specified in section 18808.7(b).

(f) If a transformation facility accepts solid waste from only one jurisdiction, the operator shall assign all the waste to that jurisdiction.

(g) If an attendant is not present during regular hours of operation, and one cannot be present for the origin survey period set forth in section 18811.6, and the operator does not receive origin information from the haulers delivering waste, then the operator shall assign the waste to the jurisdiction in which the facility is located by labeling it as "no attendant host assigned" waste. An operator shall report to the agency, the total amounts of solid waste assigned to the host jurisdiction pursuant to 18811.9(b). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18811.9(e).

(h) If solid waste is delivered to the facility and information on the jurisdiction of origin is not provided by the delivering hauler or operator as specified in this Article, then the operator shall assign the waste to the jurisdiction in which the facility is located by labeling it as "host assigned" waste and send written notification to the agency regarding hauler or operator non-compliance as specified in section 18811.11. An operator shall report to the agency, the total amounts of solid waste assigned to the host jurisdiction pursuant to 18811.9(b). An operator shall also provide information on host assigned waste to a host jurisdiction if requested pursuant to section 18811.9(e).

(i) If a transformation facility that conducts continuous daily origin surveys as set forth in section 18811.6(a) accepts solid waste from more than one jurisdiction, then the operator shall assign the waste based on the actual jurisdiction of origin information reported by haulers and station operators. If a transformation facility also conducts origin surveys for uncompacted loads of 12 cubic yards or less during at least a one-week per quarter survey period, the operator shall estimate the amount of waste assigned to each jurisdiction as described in subsection (k) and add these tonnage allocations to the

tonnage allocations that were based on daily origin survey information.

(j) If a transformation facility in a rural jurisdiction accepts solid waste from more than one jurisdiction and only conducts origin surveys during one week per quarter as set forth in section 18811.6(b), the operator shall do the following steps in order:

(1) Obtain information on the jurisdiction(s) of origin for each load of waste delivered to the facility on the dates set in section 18811.6(b).

Example:

Four loads delivered during the survey

week. Load 1 = 5 tons from City A

Load 2 = 5 tons from City B

Load 3 = 10 tons from City

C Load 4 = 5 tons from City

B

(2) Calculate the tons of solid waste assigned to each jurisdiction during the survey week. The operator shall either add up the tons of solid waste accepted from each jurisdiction, or the amounts of solid waste that underwent transformation from each jurisdiction after adjusting for front-end diversion at the transformation facility.

Example:

City A = 5 tons (Load 1)

City B = 10 tons (Load 2 + Load

4) City C = 10 tons (Load 3)

(3) Calculate the percentage of waste assigned to each jurisdiction during the survey week by dividing the tons from paragraph (2) by the total tons of solid waste for the survey period.

Example:

25 tons delivered during the survey

week. City A = 5 tons/25 tons = 0.2 (20%)

City B = 10 tons/25 tons = 0.4 (40%)

City C = 10 tons/25 tons = 0.4 (40%)

(4) Calculate the number of tons of solid waste that underwent transformation from each jurisdiction during the quarter by multiplying the percentage from paragraph (3) with the total tons of solid waste that underwent transformation in each quarter.

Example:

1000 tons of solid waste underwent transformation during the quarter. City A = 0.2 x 1000 tons = 200 tons City B = 0.4 x 1000 tons = 400 tons City C = 0.4 x 1000 tons = 400 tons

(k) If an operator conducts origin surveys of each uncompacted load of solid waste with a volume of 12 cubic yards or less during a one-week survey period each quarter pursuant to section 18811.6(c), then the operator shall calculate the estimated tons of solid waste delivered in these loads from each jurisdiction for the quarter. The calculated tonnage allocations shall be based on the actual origin information reported by haulers during the survey period. The operator shall do the following steps in order.

(1) Obtain information on the jurisdiction(s) of origin for each uncompacted load with a volume of 12 cubic yards or less delivered to the transformation facility on the dates set forth in section 18811.6(c). Example:

Four uncompacted loads of 12 cubic yards or less delivered during the survey week. Load 1 = 0.5 ton from City A

Load 2 = 0.5 ton from City

B Load 3 = 0.5 ton from

City C Load 4 = 0.5 ton

from City B

(2) Calculate the tons of solid waste delivered in uncompacted loads of 12 cubic yards or less assigned to each jurisdiction during the survey week. The operator shall either add up the tons of solid waste accepted from each jurisdiction, or the amounts of solid waste that underwent transformation from each jurisdiction after adjusting for front-end diversion at the transformation facility.

Example:

City A = 0.5 ton (Load 1)

City B = 1 ton (Load 2 + Load

4) City C = 0.5 ton (Load 3)

(3) Calculate the percentage of solid waste assigned to each jurisdiction during the survey week by dividing the tons determined in paragraph (2) by the total tons of solid waste delivered in uncompacted loads of 12 cubic yards or less during the survey week.

Example:

2 tons delivered in uncompacted loads of 12 cubic yards or less during the survey

week. City A = 0.5 ton/2 tons = 0.25 (25%)

City B = 1 ton/2 tons = 0.5 (50%)

City C = 0.5 ton/2 tons = 0.25

(25%)

(4) Calculate the number of tons delivered in uncompacted loads of 12 cubic yards or less that underwent transformation from each jurisdiction during the quarter by multiplying the percentages from paragraph (3) with the total tons of solid waste that underwent transformation during the quarter that were delivered in uncompacted loads of 12 cubic yards or less.

Example:

100 tons were delivered in uncompacted loads of 12 cubic yards or less and underwent transformation during the quarter.

City A = 0.25 X 100 tons = 25

tons City B = 0.5 X 100 tons = 50

tons City C = 0.25 X 100 tons =
25 tons

Authority cited: Section 40502,
Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.8. Applicability of Alternative Reporting Systems.

(a) An agency may establish alternative requirements with which an operator must comply as set forth in section 18812.8.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.9. Transformation Facility Disposal Reports: Content, Timing, and Distribution.

(a) An operator shall track the total tons of solid waste accepted by the facility and sent off-site for reuse, recycling, or composting.

(b) An operator shall provide the following quarterly information to the agency in which the facility is located. An operator shall keep copies of the quarterly information and all supporting documentation used to prepare the information pursuant to the record keeping requirements in section 18811.4. An operator shall report, by jurisdiction of origin (including host assigned jurisdiction of origin, if applicable), information on the amounts and types of all solid waste specified in this subsection. The operator shall report:

- (1) the facility name and Solid Waste Information System (SWIS) number,
- (2) the reporting quarter and year,
- (3) the total tons of solid waste accepted at the facility,
- (4) the total tons of each type of material from each jurisdiction identified for potential reuse as:
 - (A) alternative daily cover, and
 - (B) alternative intermediate cover,
- (5) the total tons from each jurisdiction that underwent transformation, and

(c) An operator shall provide quarterly summary information to the agency in which the facility is located. The summary information shall include:

- (1) the total tons of solid waste accepted at the facility,
 - (2) the total tons of solid waste identified for potential reuse, separated as follows:
 - (A) the total tons of each type of alternative daily cover,
 - (B) the total tons of each type of alternative intermediate cover, and
 - (C) the total tons of each type of other beneficial reuse material,
 - (3) the total tons of other solid waste sent off-site for reuse, recycling, or composting,
 - (4) the total tons of all solid waste that underwent transformation, (5) the total tons of untreated ash resulting from the transformation process, and
 - (6) a brief summary of the methods used to determine the jurisdictions of origin.
- (d) The operator shall provide the quarterly information in subsections (b) and (c) to the agency by the due dates in section 18811.10.

(e) Upon request by a jurisdiction, an operator shall provide all quarterly information pertaining to the jurisdiction by the due dates in section 18811.10. In lieu of sending quarterly disposal information directly to a jurisdiction, an operator may electronically submit the information to the Board using a format that would allow the Board to make the information available on its web site. In addition to the amounts reported in subsection (b)(3) through (5), a jurisdiction's request for quarterly information may include:

- (1) the total tons of each type of material identified as other potential beneficial reuse material (excluding alternative daily cover and alternative intermediate cover),
- (2) the total tons of C&D debris/inert debris that underwent transformation,
- (3) the total tons of each type of designated waste that underwent transformation, and
- (4) the total tons of disaster waste that underwent transformation

(f) An operator shall send an annual report on disposal reporting methods to the agency in which the facility is located. An operator shall send the annual report by the due date in section 18811.10. An

operator shall keep a copy of the annual report in the facility's records pursuant to section 18811.4. The report shall cover each year beginning on January 1 and ending on December 31 and shall include the following:

- (1) the facility name and Solid Waste Information System (SWIS) number, (2) operator name,
 - (3) operator mailing address,
 - (4) operator telephone number,
 - (5) operator email address, if available,
 - (6) all volumetric conversion factors used for each vehicle and/or trailer type and/or load type and a description of the method used to determine the conversion factors in compliance with section 18811.2(b)(1),
 - (7) the frequency of each type of origin survey,
 - (8) the percentage of the total tons of waste that underwent transformation assigned to each jurisdiction that was based on:
 - (A) origin information collected during a one-week per quarter survey period as allowed in section 18811.6(b) or (c), if applicable, and
 - (B) volumetric conversion factors rather than actual weight measurements,
 - (9) the method(s) of determining jurisdiction of origin, including the questions gatehouse attendants ask haulers,
 - (10) the method(s) used to verify origin information, if applicable, (11) any restrictions on which jurisdictions may use the facility,
 - (12) any differences in transformation facility tipping fees based on jurisdiction of origin,
 - (13) a listing or description of the computer program(s) or method used to track waste tonnage and origin information,
 - (14) the method(s) used to track C&D debris/inert debris loads, if applicable,
 - (15) the designated waste types accepted and method(s) of tracking designated wastes, if applicable, (16) the method(s) used to track disaster waste loads, if applicable,
 - (17) the final disposition of ash resulting from the transformation process, including the method of ash diversion, if applicable, and
 - (18) the days and hours of operation, including all significant variations in the schedule during the reporting year.
- (g) If an operator amends disposal reporting information, the operator is only required to provide the amended information to the agency once per quarter (the operator shall still allow access to records in accordance with section 18811.4). An operator is not required to provide amended disposal information for reporting years once the Board has completed the biennial review cycle for those years pursuant to section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.10. Disposal Reporting Due Dates for a Transformation Facility.

- (a) An operator of a transformation facility shall send a quarterly report to the agency in which the

facility is located as described in sections 18811.9(b) and (c). If requested by a jurisdiction, the operator shall also send a quarterly report to the jurisdiction as set forth in section 18811.9(e). An operator shall send the report by May 31 for the first quarter, August 31 for the second quarter, November 30 for the third quarter, and February 28 for the fourth quarter of the previous year.

(b) An operator of a transformation facility shall send an annual report on disposal reporting methods to the agency in which the facility is located, as described in section 18811.9(f). An operator shall send this annual report by March 15 for the previous year. An operator shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18811.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

Section 18811.11. Non-compliance.

(a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. (c) A hauler or operator may inform the Board if an agency fails to comply with this Article. A hauler or operator shall send written information on specific allegations of agency non-compliance to the Board. (d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812. Disposal Reporting Requirements for an Agency.

(a) Sections 18812.1 through 18812.11 establish the requirements for an agency as follows:

(1)	Signage for an Agency	Section 18812.1
(2)	Scales and Weighing Requirements for an Agency	Section 18812.2
(3)	Training Requirements for an Agency	Section 18812.3
(4)	Agency Records: Retention, Access, and Investigations	Section 18812.4
(5)	Identifying Jurisdiction of Origin	Section 18812.5
(6)	Frequency of Origin Surveys	Section 18812.6
(7)	Determining Origin of Waste at a Transformation Facility	Section 18812.7
(8)	Applicability of Alternative Reporting Systems	Section 18812.8
(9)	Agency Disposal Reports: Content, Timing, and Distribution	Section 18812.9
(10)	Disposal Reporting Due Dates for an Agency	Section 18812.10

(11) Non—compliance	Section 18812.11
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Authority cited: Section 40502, [Public Resources Code](#).

Reference: Section 41821.5, [Public Resources Code](#).

18812.1. Signage for an Agency. (Not applicable)

18812.2. Scales and Weighing Requirements for an Agency. (Not applicable)

Authority cited: Section 40502, [Public Resources Code](#).

Reference: Section 41821.5, [Public Resources Code](#).

18812.3. Training Requirements for an Agency.

(a) An agency shall provide training on the disposal reporting system to each disposal report preparer and to other employees who must comply with the requirements of this Article. Training for a report preparer shall cover the content of this Article as it applies to the report preparer's job duties.

Authority cited: Section 40502, [Public Resources Code](#).

Reference: Section 41821.5, [Public Resources Code](#).

18812.4. Agency Records: Retention, Access, and Investigations.

(a) An agency shall prepare disposal reporting records and shall:

- (1) Include all information, methods, and calculations required by this Article.
- (2) Keep quarterly documentation that verifies jurisdiction of origin allocations reported to the Board and jurisdictions pursuant to sections 18812.9(a), (c) and (d).
- (3) Use a reasonable method to gather the information, such as locally required or facility specific reporting forms, electronic systems, or the optional paper or electronic reporting forms developed by the Board.
- (4) Maintain all records for three years in a usable format, such as on electronic media (computer files) or paper copies.
- (5) Allow representatives of involved jurisdictions, haulers, operators, districts, and the Board to inspect the records during normal business hours in a single location within California. Haulers and operators shall only be allowed to inspect records relating to their own operations. An agency is not required to provide records of a jurisdiction's disposal information for reporting years for which the Board has already completed the biennial review cycle for the applicable jurisdiction pursuant to section 41825 of the [Public Resources Code](#).

(A) Upon a request to review records, the agency shall make the records promptly available for inspection. The agency shall respond to the request within ten days, but may indicate that additional time is necessary to make the records available due to time necessary to search for, collect and examine records to respond to the request. In no case shall the inspection be delayed more than an additional 14 days, unless agreed to by the requestor. If copies of specific records are requested, either in lieu of inspection or after inspection, the agency shall respond to the request for copies within ten days, but may indicate that additional time is necessary to make the copies due to time necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the requestor. The agency

may charge a fee to cover the actual cost of copying. In no case shall the fee exceed ten cents per page, unless local public records act requirements establish another rate.

(B) If an agency believes that a records request includes information that has been labeled confidential or proprietary by the entity providing that information as defined in sections 17044 through 17046, the agency shall inform the Board. The Board shall use the procedures set forth in section 17046 to determine which records, or parts of records, may be inspected.

(b) An agency shall respond to requests for clarification regarding their records within ten days. Requests must be specific and clearly stated in writing.

(c) The Board may investigate all information, methods, and calculations pursuant to this Article. If the Board determines that any information is inaccurate, the Board may require corrected information.

(d) If an agency fails to comply with this section, and that failure prevents the Board from accurately determining the agency's level of Source Reduction and Recycling Element implementation, the Board may initiate the process to issue a compliance order as set forth in section 41825 of the Public Resources Code.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) An agency shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, an operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board.

(3) An agency shall identify waste imported from outside California by specifying the state, country, or Indian country of origin.

(b) Nothing in this Article shall prevent an agency from enacting ordinances or other measures to ensure that operators and haulers provide additional jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812.6. Frequency of Origin Surveys.

(a) At all permitted solid waste facilities, origin surveys shall be conducted continuously, each day of facility operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a permitted solid waste facility located in a rural city or county, as defined in sections

40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection

(a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to subsections [e] and [f]). During the standard survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted solid waste facilities, origin surveys of each uncompacted load of waste with a

volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to subsections [e] and [f]).

Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(d) Origin surveys are not required if:

(1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or

(2) a city or county in which a facility is located authorizes the facility operator to assign all waste tonnage to that city or county.

(e) If the standard origin survey weeks in subsections (b) and (c) are not representative of disposal activity or facility operation, an agency may request alternative survey weeks that are representative of local conditions. During the alternative survey weeks, every load of solid waste specified in subsections (b) and (c), shall be surveyed to determine jurisdiction of origin. If an agency selects origin survey weeks in addition to the standard survey weeks, the additional weeks shall not require Board staff approval as alternative survey weeks. Continuous origin surveys of every load of solid waste during each day of facility operation includes and exceeds the standard survey week, and shall not require Board staff approval as alternative survey weeks.

(f) Prior to using alternative survey weeks, the agency shall:

(1) Provide at least a 30-day notice of the proposed weeks to, and accept and respond to comments from:

(A) haulers and operators of facilities within the boundaries of the agency,

(B) jurisdictions that dispose of waste within the boundaries of the agency,

and (C) Local Task Force established pursuant to section 18761 of this Division.

(2) Submit the responses to comments received and the list of alternative survey weeks to the Board for review and approval. Within 30 working days from receipt of this material, Board staff shall inform the applicant, in writing, that the information provided is complete and accepted for filing, or that the application is deficient and what specific information is required. Board staff shall approve or disapprove of the alternative survey weeks within 60 working days from the date the agency submits a completed package. The agency may appeal the Board staff determination to the Board.

(3) Notify all haulers and operators of approval by Board staff prior to the first alternative survey week. (g) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812.7. Determining Origin of Waste for an Agency.

(a) Nothing in this Article shall prevent an agency from requiring an operator to collect additional information to document waste origin from a hauler based upon its own authority to

impose requirements on that operator.

18812.8. Applicability of Alternative Reporting Systems.

(a) An agency shall comply with the system of requirements and performance standards set forth in this Article. To implement the performance standards, an agency may require haulers or operators to follow procedures in addition to those set forth in this Article, if necessary to address local conditions. (b) An agency may set up an alternative reporting system that gathers the required information on the amounts and origins of solid waste, and the amounts and origins of alternative daily cover, alternative intermediate cover, and other beneficial reuse by material type from haulers and operators in a different manner than set forth in sections 18808.7 18808.9, 18809.7, 18809.9, 18810.7, 18810.9, 18811.7 and 18811.9. If a system collects at least the required information, during at least the standard origin survey period set forth in section 18812.6, and the system requires disposal information collected to be reported by the same entities, then the system shall not be considered an alternative system, and shall not require Board staff approval as an alternative system. A system that meets or exceeds all of the minimum requirements using methods specified in this Article, shall not be considered an alternative system, and shall not require Board staff approval as an alternative system. If an agency uses an alternative reporting system, that system shall:

- (1) Provide all the information required by this Article.
 - (2) Provide information as accurate as required by the system in this Article.
 - (3) Provide landfill disposal information consistent with the number of tons reported to the Board of Equalization that are subject to the fee pursuant to section 48000 of the Public Resources Code and section 45151 of the Revenue and Taxation Code.
 - (4) Comply with all the provisions of sections 18804, 18808.4, 18808.5, 18808.10, 18808.11, 18809.4, 18809.5, 18809.10, 18809.11, 18810.4, 18810.5, 18810.10, 18810.11, 18811.4, 18811.5, 18811.10, 18811.11, 18812.4, 18812.5, 18812.9, 18812.10, 18812.11, 18813.4, 18813.5, 18813.9, 18813.10, 18813.11, 18814.4, 18814.5, 18814.9, 18814.10, and 18814.11 of this Article.
- (c) Prior to using an alternative reporting system, the agency shall:
- (1) Provide at least a 30-day notice of the proposed system to, and accept and respond to comments from:
 - (A) haulers and operators of facilities within the boundaries of the agency,
 - (B) jurisdictions within the boundaries of the agency,
 - (C) jurisdictions outside the boundaries of the agency that dispose of waste within the boundaries of the agency, and
 - (D) the Local Task Force established pursuant to section 18761 of this Division.
 - (2) Submit a description of how the alternative system meets the minimum requirements and include a copy of the responses to comments received, to the Board for review and approval. Within 30 working days from receipt of this material, Board staff shall inform the applicant, in writing, that the information provided is complete and accepted for filing, or that the application is deficient and what specific information is still required. Board staff shall approve or disapprove of the alternative system within 60 working days from the date the agency submits a completed package. The agency may appeal the Board staff determination to the Board.
 - (3) Notify all haulers and operators of the approval by Board staff prior to using the alternative

system. (d) If subsequent to approval of an alternative reporting system the Board determines an agency no longer meets the criteria of this section, the Board may rescind the approval.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812.9. Agency Disposal Reports: Content, Timing, and Distribution.

(a) An agency shall use information provided by operators of landfills to determine quarterly totals for the amounts of solid waste specified in this subsection.

(1) For each permitted landfill located within the agency, an agency shall report: (A) the facility name and Solid Waste Information System (SWIS) number,

(B) the reporting year and quarter,

(C) the total tons of soil accepted by the landfill and used as cover or for other on-site uses, (D) the total tons of solid waste accepted at the landfill (excluding soil used on-site),

(E) the total tons of solid waste used on-site, separated as follows: (i) the total tons of each type of alternative daily cover, (ii) the total tons of each type of alternative intermediate cover, and (iii) the total tons of each type of other beneficial reuse material,

(F) the total tons of other solid waste accepted at the landfill and sent off-site for reuse, recycling, or composting,

(G) the total tons of solid waste disposed at the landfill, (H) either:

(i) the estimated in-place density achieved at the landfill in units of pounds of waste per cubic yard of waste and the estimated waste-to-cover ratio used at the landfill, or

(ii) the airspace utilization factor (tons of waste per cubic yard of landfill airspace), and (This information shall be included in the quarterly report so that the Board may accurately calculate the remaining capacity of the landfill as well as regional and statewide remaining capacity. It is not the intent of this section to subject a landfill to a Notice of Violation should it subsequently be determined that these estimates are unknowingly inaccurate.)

(4) a brief summary of the methods used to determine the jurisdictions of origin.

(2) For each permitted landfill, located within the agency, an agency shall report the total tons of solid waste allocated to each region, city, and unincorporated county in California and to each state, country, and Indian country from which waste was imported. When applicable, an agency shall also separately report the total tons of waste that were host assigned to a jurisdiction. The agency shall report:

(A) the tons of all solid waste accepted at each landfill (excluding soil used as cover or for other on-site uses),

(B) the tons of solid waste reused on-site at the landfill, separated as follows:

(i) the tons of each type of alternative daily cover used during the quarter, and

(ii) the tons of each type alternative intermediate cover used during the quarter, and (C) the tons of solid waste disposed at each landfill. Prior to submitting a

quarterly report to the Board, an agency shall verify that the tons of disposal reported by a landfill equal the tons of waste subject to the Integrated Waste Management Fee as reported to the Board of Equalization on the landfill's fee return. If a landfill is not required to report tons disposed to the Board of Equalization as described in sections 18810.9(a)(2) and (3), an agency shall verify that the tons accepted at the facility minus the tons diverted equal the tons reported as disposal. (c) An agency shall use information provided by operators of transformation facilities to determine quarterly totals for the amounts of solid waste specified in this subsection.

(3) For each permitted transformation facility located within the agency, an agency shall report: (A) the facility name and Solid Waste Information System (SWIS) number, (B) the reporting year and quarter, (C) the total tons of all solid waste accepted at each transformation facility, (D) the total tons of solid waste identified for potential reuse, separated as follows: (i) the total tons of each type of alternative daily cover, (ii) the total tons of each type of alternative intermediate cover, and (iii) the total tons of each type of other beneficial reuse material, (E) the total tons of solid waste sent off-site for reuse, recycling, or composting, (F) the total tons of solid waste that underwent transformation, (G) the total tons of untreated ash resulting from the transformation process, and (H) a brief summary of the methods used to determine the jurisdictions of origin.

(4) For each permitted transformation facility located within the agency, an agency shall report the total tons of solid waste allocated to each region, city, and unincorporated county in California and to each state, country, and Indian country from which waste was imported. The agency shall report:

(A) the total tons of all solid waste accepted at each transformation facility, (B) the total tons of each type of material identified for potential reuse as: (i) alternative daily cover, and (ii) alternative intermediate cover, and (C) tons of solid waste that underwent transformation at each facility.

(d) An agency shall use information provided by public contract haulers and station operators to determine quarterly totals for:

(1) tons exported from California from within the agency, and
(2) tons exported from California from within the agency allocated to each region, individual city, or individual unincorporated county. For each tonnage allocation, an agency shall identify the name of the disposal site and the state, country, or Indian country to which the waste was sent.

(e) An agency shall compile this information using an electronic form developed by the Board, the agency's own electronic form that the Board's computer system is capable of converting, or paper forms. In lieu of sending quarterly disposal information directly to a jurisdiction, an agency may electronically submit the information to the Board using a format that would allow the Board to make the information available on its web site. An agency shall send this information to: (1) each California jurisdiction within the agency,

- (2) each California jurisdiction outside the agency that uses a facility within the agency, (3) any region of which the agency is a member, and
- (4) the Board. If an agency does not dispose of solid waste within its boundaries and does not export waste from California from within the agency, the agency shall submit a quarterly report to the Board stating that no waste was disposed within the agency or exported from California from within the agency.
- (f) Each year, an agency shall forward to the Board an annual report on disposal reporting methods from each of the facilities within its boundaries.
- (g) An agency shall provide the required information by the due dates in section 18812.10.
- (h) If an agency receives amended disposal information from a facility operator or a hauler, the agency shall send amended information to the Board and affected jurisdictions according to the schedule set forth in section 18812.10.
- (i) An agency shall keep copies of the information reported pursuant to this section and all supporting documentation used to prepare the information pursuant to the record keeping requirements in section 18812.4. An agency shall also keep a copy of each quarterly station notification received pursuant to section 18809.9(b).
- (j) If a hauler or operator does not provide an agency with required information, then the agency shall send written notification to the Board regarding hauler or operator non-compliance as specified in section 18812.11.

Authority cited: Sections 40502, 41781.3, and 41821.5, Public Resources Code.

Reference: Sections 40508, and 41821.5, Public Resources Code.

18812.10. Disposal Reporting Due Dates for an Agency.

- (a) An agency shall send a quarterly report to the Board and affected local governments, as set forth in section 18812.9. In lieu of sending disposal information directly to a local government, an agency may electronically submit the information to the Board using a format that would allow the Board to make the information available on its web site.
- (1) An agency shall send the quarterly report by July 15 for the first quarter, October 15 for the second quarter, January 15 for the third quarter of the previous year, and April 15 for the fourth quarter of the previous year.
- (2) If an agency receives amended disposal information from a facility operator or a hauler, the agency shall send the Board and each affected jurisdiction an amended report for each affected quarter of the previous year. In an amended report, the agency shall highlight or otherwise identify changes from the prior version. The agency shall send the amended report between April 15 and May 15 for the previous year. An agency may not submit amended disposal information to the Board after May 15 for the previous year, unless Board staff specifically request amended information from the agency. The agency shall send amended information to the affected jurisdictions as the information becomes available throughout the year. An agency may send the required amended information to jurisdictions at the time of the next quarterly reporting due date. An agency is not required to send amended information more frequently than once a quarter. An agency is not required to provide amended disposal information for reporting years once the Board has completed the biennial review cycle for those years pursuant to section 41825 of the Public Resources Code.
- (b) An agency shall forward an annual report on disposal reporting methods from each of the permitted solid waste facilities within its boundaries to the Board. An agency shall forward the reports by April 15

for the previous year. An agency shall respond to requests for clarification regarding jurisdiction of origin allocations as specified in section 18812.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18812.11. Non-compliance.

(a) A hauler or operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year. The agency shall send written information on specific allegations of non-compliance to the Board no later than 60 working days after receiving information from a hauler or operator. The agency shall also send any additional information it has regarding the allegations of non-compliance in writing.

(b) A hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency. The agency shall forward written information on specific allegations of non-compliance to the Board no later than 60 working days after receiving information from a hauler or operator.

(c) An agency shall inform the Board if a hauler or operator fails to comply with this Article by not providing the agency with information required for the preparation of quarterly disposal reports. The agency shall send written information on specific allegations of non-compliance to the Board by July 15 for the first quarter, October 15 for the second quarter, January 15 for the third quarter of the previous year, and April 15 for the fourth quarter of the previous year.

(d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813. Disposal Reporting Requirements for a Jurisdiction.

(a) Sections 18813.1 through 18813.11 establish the requirements for a jurisdiction as follows:

(1)	Signage for a Jurisdiction	Section 18813.1
(2)	Scales and Weighing Requirements for a Jurisdiction	Section 18813.2
(3)	Training Requirements for a Jurisdiction	Section 18813.3
(4)	Jurisdiction Records: Retention, Access, and Investigations	Section 18813.4
(5)	Identifying Jurisdiction of Origin	Section 18813.5
(6)	Frequency of Origin Surveys	Section 18813.6
(7)	Determining Origin of Waste for a Jurisdiction	Section 18813.7
(8)	Applicability of Alternative Reporting Systems	Section 18813.8
(9)	Jurisdiction Disposal Reports: Content, Timing, and Distribution	Section 18813.9

(10)	Disposal Reporting Due Date Information	Section 18813.10
(11)	Non—compliance	Section 18813.11

(b) If a jurisdiction operates as a waste hauler, the jurisdiction shall also meet the hauler requirements specified in sections 18808.1 through 18808.11.

(c) If a jurisdiction operates as a station operator, the jurisdiction shall also meet the station requirements specified in sections 18809.1 through 18809.11.

(d) If a jurisdiction operates as a landfill operator, the jurisdiction shall also meet the landfill requirements specified in sections 18810.1 through 18810.11.

(e) If a jurisdiction operates as a transformation facility operator, the jurisdiction shall also meet the transformation facility requirements specified in sections 18811.1 through 18811.11.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.1. Signage for a Jurisdiction. (Not applicable)

18813.2. Scales and Weighing Requirements for a Jurisdiction. (Not applicable)

18813.3. Training Requirements for a Jurisdiction.

(a) A jurisdiction shall provide training on the disposal reporting system to each report preparer and to other employees who must comply with the requirements of this Article. Training for a report preparer shall cover the content of this Article as it applies to the report preparer's job duties.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.4. Jurisdiction Records: Retention, Access, and Investigations.

(a) If a jurisdiction operates as a hauler, then the jurisdiction shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18808.4.

(b) If a jurisdiction operates as a station operator, then the jurisdiction shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18809.4.

(c) If a jurisdiction operates as a landfill operator, then the jurisdiction shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18810.4.

(d) If a jurisdiction operates as a transformation facility operator, then the jurisdiction shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18811.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.5. Identifying Jurisdiction of Origin.

(a) When required by this Article:

(1) A jurisdiction that operates as a hauler or operator shall identify a jurisdiction by providing its name and specifying whether it is a city, an unincorporated county, or a region.

(2) If expressly allowed by the region, a jurisdiction that operates as a hauler or operator may identify waste from a region formed pursuant to sections 40970 through 40975 of the Public

Resources Code as originating in that region, without specifying the individual cities or unincorporated counties, unless otherwise required by the Board. A jurisdiction that operates as a hauler or operator shall identify waste imported from outside California by specifying the state, country, or Indian country of origin. (b) Nothing in this Article shall prevent a jurisdiction from enacting ordinances or other measures to ensure that operators and haulers provide accurate jurisdiction of origin information.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.6. Frequency of Origin Surveys.

(a) At all permitted solid waste facilities, origin surveys shall be conducted continuously, each day of facility operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a permitted solid waste facility located in a rural city or county, as defined in sections

40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection

(a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). During the standard survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted solid waste facilities, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(d) Origin surveys are not required if:

(1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or

(2) a city or county in which a facility is located authorizes the facility operator to assign all waste tonnage to that city or county.

(e) Nothing in this Article shall prevent an operator from collecting additional information as part of its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.7. Determining Origin of Waste for a Jurisdiction. (Not applicable)

18813.8. Applicability of Alternative Reporting Systems.

(a) An agency may establish alternative requirements with which a jurisdiction must comply as set

forth in section 18812.8.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.9. Jurisdiction Disposal Reports: Content, Timing, and Distribution.

(a) A jurisdiction shall use the information provided by agencies and districts pursuant to this Article to determine the tons of solid waste disposed from January 1 to December 31 in each year. A jurisdiction shall use this disposal amount for the purposes of measuring achievement of the 50% goal. This amount shall be the sum of solid waste from the jurisdiction, including:

- (1) the tons disposed at each permitted landfill,
- (2) the tons that underwent transformation at a permitted solid waste facility in excess of 10% of a jurisdiction's adjusted base-year generation as calculated in section 18797.3, and pursuant to section 41783 of the Public Resources Code,
- (3) potential alternative daily cover, alternative intermediate cover, and other beneficial reuse material which is not used in accordance with the conditions set forth in sections 20690, 20700, and 20685 of Title 27 of the California Code of Regulations, unless it is otherwise diverted, and
- (4) the tons exported from California, minus any portion of the waste that the jurisdiction proves was diverted.

(b) In its annual report to the Board pursuant to section 41821(f) of the Public Resources Code, a jurisdiction shall report the amounts determined pursuant to this section.

(c) In its annual report to the Board, a jurisdiction may also provide additional information related to the tons of waste disposed in California, including "host assigned" waste, or exported from California for disposal. If the jurisdiction provides additional information, the annual report shall describe how it was obtained.

(d) If a jurisdiction operates as a hauler, the jurisdiction shall also meet the reporting requirements specified in section 18808.9.

(e) If a jurisdiction operates as a station operator, the jurisdiction shall also meet the reporting requirements specified in section 18809.9.

(f) If a jurisdiction operates as a landfill operator, the jurisdiction shall also meet the reporting requirements specified in section 18810.9.

(g) If a jurisdiction operates as a transformation facility operator, the jurisdiction shall also meet the reporting requirements specified in section 18811.9.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.10. Disposal Reporting Due Date Information.

(a) An agency is required to send a quarterly report to each affected jurisdiction, as set forth in section 18812.9. Haulers, operators, and districts are required to provide quarterly disposal information as set forth in sections 18808.9, 18809.9, 18810.9, 18811.9, and 18814.9. Disposal information is due according to the following tables:

Table 1: Due Dates for Information to Facilities

Quarter	Information Due from Haulers to Facilities	Information Due from Stations to Other Stations	Information Due from Stations to Landfills and Transformation Facilities	Reports Due from Districts to Facilities
First: Jan. 1–Mar. 31	Apr. 15	Apr. 30	May 15	See section 18814.10
Second: Apr. 1–Jun. 30	Jul. 15	Jul. 31	Aug. 15	See section 18814.10
Third: Jul. 1–Sep. 30	Oct. 15	Oct. 31	Nov. 15	See section 18814.10
Fourth: Oct. 1–Dec. 31	Jan. 15	Jan. 31	Feb. 15	See section 18814.10

Table 2: Reports to Agencies, the Board, and Jurisdictions

Quarter	Notifications Due from Stations to Agencies*	Reports Due from Landfills and Transformation Facilities to Agencies*	Export Reports Due from Haulers and Stations*	Reports Due from Districts to Agencies*	Reports Due from Agencies to the Board and Jurisdictions
First: Jan. 1–Mar. 31	Jun. 15	Jun. 15	Jun. 15	Jun. 15	Jul. 15
Second: Apr. 1–Jun. 30	Sep. 15	Sep. 15	Sep. 15	Sep. 15	Oct. 15
Third: Jul. 1–Sep. 30	Dec. 15	Dec. 15	Dec. 15	Dec. 15	Jan. 15
Fourth: Oct. 1–Dec. 31	Mar. 15**	Mar. 15**	Mar. 15	Mar. 15	Apr. 15 *

*Upon request, reports may be sent to jurisdictions or made available to jurisdictions using the Board’s electronic filing.

*Upon request, reports may be sent to jurisdictions or made available to jurisdictions using the Board’s electronic filing.

**Station, landfill, and transformation facility operators also submit annual reports on facility methods to agencies on this date.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18813.11. Non-compliance.

(a) A hauler or operator that is a jurisdiction shall inform the agency if a hauler or operator fails to comply with this Article by not providing the hauler or operator with information required for the preparation of quarterly disposal reports. The hauler or operator shall send information on specific

allegations of non-compliance, in writing, to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year. A hauler or operator that is a jurisdiction may inform the agency of other non-compliance issues concerning a hauler or operator. The hauler or operator shall send written information on specific allegations to the agency.

(b) A jurisdiction may inform the Board if an agency fails to comply with this Article. A jurisdiction shall send written information on specific allegations of agency non-compliance to the Board.

(d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.5, Public Resources Code.

18814. Disposal Reporting Requirements for a District.

(a) Sections 18814.1 through 18814.11 establish the requirements for a district as follows.

(1)	Signage for a District	Section 18814.1
(2)	Scales and Weighing Requirements for a District	Section 18814.2
(3)	Training Requirements for a District	Section 18814.3
(4)	District Records: Retention, Access, and Investigations	Section 18814.4
(5)	Identifying Jurisdiction of Origin	Section 18814.5
(6)	Frequency of Origin Surveys	Section 18814.6
(7)	Determining Origin of Waste for a Jurisdiction	Section 18814.7
(8)	Applicability of Alternative Reporting Systems	Section 18814.8
(9)	District Disposal Reports: Content, Timing, and Distribution	Section 18814.9
(10)	Disposal Reporting Due Dates for a District	Section 18814.10
(11)	Non—compliance	Section 18814.11

(b) If a district operates as a waste hauler, the district shall also meet the hauler requirements specified in sections 18808.1 through 18808.11.

(c) If a district operates as a station operator, the district shall also meet the station requirements specified in sections 18809.1 through 18809.11.

(d) If a district operates as a landfill operator, the district shall also meet the landfill requirements specified in sections 18810.1 through 18810.11.

(e) If a district operates as a transformation facility operator, the district shall also meet the transformation facility requirements specified in sections 18811.1 through 18811.11.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.1. Signage for a District.

(a) If a district operates as a station operator, the district may also meet the provisions specified in section 18809.1.

(b) If a district operates as a landfill operator, the district may also meet the provisions specified in section 18810.1. If a district operates as a transformation facility operator, the district may also meet the provisions specified in section 18811.1.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.2. Scales and Weighing Requirements for a District.

(a) If a district operates as a station operator, the district shall also meet the requirements specified in section 18809.2.

(b) If a district operates as a landfill operator, the district shall also meet the requirements specified in section 18810.2.

(c) If a district operates as a transformation facility operator, the district shall also meet the requirements specified in section 18811.2.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.7. Determining Origin of Waste for a District.

(a) If a district operates as a waste hauler, the district shall also meet the requirements specified in section 18808.7.

(b) If a district operates as a station operator, the district shall also meet the requirements specified in section 18809.7. If a district operates as a landfill operator, the district shall also meet the requirements specified in section 18810.7.

(c) If a district operates as a transformation facility operator, the district shall also meet the requirements specified in section 18811.7.

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41821.2 and 41821.5, Public Resources Code.

18814.3. Training Requirements for a District.

(a) If a district operates as a waste hauler, the district shall also meet the hauler training requirements specified in section 18808.3.

(b) If a district operates as a station operator, the district shall also meet the station training requirements specified in section 18809.3.

(c) If a district operates as a landfill operator, the district shall also meet the landfill training requirements specified in section 18810.3.

(d) If a district operates as a transformation facility operator, the district shall also meet the transformation facility training requirements specified in section 18811.3.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.4. District Records: Retention, Access, and Investigations.

(a) If a district operates as a hauler, the district shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18808.4.

(b) If a district operates as a station operator, the district shall prepare and retain disposal reporting

records and allow affected entities access to the records as set forth in section 18809.4.

(c) If a district operates as a landfill operator, the district shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18810.4. (d) If a district operates as a transformation facility operator, the district shall prepare and retain disposal reporting records and allow affected entities access to the records as set forth in section 18811.4.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.5. Identifying Jurisdiction of Origin.

(a) If a district operates as hauler, the district shall identify a jurisdiction of origin as set forth in section 18808.5. If a district operates as station operator, the district shall identify a jurisdiction of origin as set forth in section 18809.5.

(b) If a district operates as landfill operator, the district shall identify a jurisdiction of origin as set forth in section 18810.5.

(c) If a district operates as transformation facility operator, the district shall identify a jurisdiction of origin as set forth in section 18811.5.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.6. Frequency of Origin Surveys.

(a) At all permitted solid waste facilities, origin surveys shall be conducted continuously, each day of facility operation, for every load, except as described in subsections (b), (c), and (d).

(b) An operator of a permitted solid waste facility located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin surveys as specified in subsection (a) or may conduct origin surveys during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). During the standard survey weeks, every load of solid waste shall be surveyed to determine jurisdiction of origin.

(c) At all permitted solid waste facilities, origin surveys of each uncompacted load of waste with a volume of 12 cubic yards or less may be conducted as specified in subsection (a) or may be conducted during the following standard survey weeks each year: March 8 through March 14, June 8 through June 14, September 8 through September 14, and December 8 through December 14 (unless an agency has received Board approval to use alternative weeks pursuant to sections 18812.6[e] and [f]). Daily origin surveys shall be conducted for all other loads as specified in subsection (a).

(d) Origin surveys are not required if:

(1) a facility is located in a Board-approved region, the region has authorized the operator to assign all waste tonnage to the region, and the Board does not otherwise require the region to assign waste to the individual cities or unincorporated counties of the region, or

(2) a city or county in which a facility is located authorizes the facility operator to assign all waste tonnage to that city or county.

(e) Nothing in this Article shall prevent an operator from collecting additional information as part of

its operation. Nothing in this Article shall prevent an agency from requiring an operator to conduct origin surveys more frequently or to collect additional information, based upon its own authority to impose requirements on that operator.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.8. Applicability of Alternative Reporting Systems.

(a) An agency may establish alternative requirements with which a district must comply as set forth in section 18812.8.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.9. District Disposal Reports: Content, Timing, and Distribution.

(a) If a district operates as a waste hauler, the district shall also meet the reporting requirements specified in section 18808.9.

(b) If a district operates as a station operator, the district shall also meet the reporting requirements specified in section 18809.9.

(c) If a district operates as a landfill operator, the district shall also meet the reporting requirements specified in section 18810.9.

(d) If a district operates as a transformation facility operator, the district shall also meet the reporting requirements specified in section 18811.9.

Authority cited: Section 40502, Public Resources Code.

Reference: Sections 41821.2 and 41821.5, Public Resources Code.

18814.10. Disposal Reporting Due Dates for a District.

(a) If a district operates as a waste hauler, the district shall submit disposal reports according to the due dates set forth in section 18808.10.

(b) If a district operates as a station operator, the district shall submit disposal reports according to the due dates set forth in section 18809.10.

(c) If a district operates as a landfill operator, the district shall submit disposal reports according to the due dates set forth in section 18810.10.

(d) If a district operates as a transformation facility operator, the district shall submit disposal reports according to the due dates set forth in section 18811.10.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

18814.11. Non-compliance.

(a) A district that operates as a waste hauler or facility operator shall inform the agency if a hauler or operator fails to comply with this Article by not providing the district with information required for the preparation of quarterly disposal reports. The district shall send written information on specific allegations of non-compliance to the agency by June 15 for the first quarter, September 15 for the second quarter, December 15 for the third quarter, and March 15 for the fourth quarter of the previous year.

(b) A district that operates as a waste hauler or operator may inform the agency of other non-compliance issues concerning a hauler or operator. The district shall send written information on specific allegations to the agency.

(c) A district that operates as a waste hauler or operator may inform the Board if an agency fails to comply with this Article. A district shall send written information on specific allegations of agency non-compliance to the Board.

(d) Allegations of non-compliance shall be handled in accordance with the process set forth in section 18804.

Authority cited: Section 40502, Public Resources Code.

Reference: Section 41821.2 and 41821.5, Public Resources Code.

TITLE 14. NATURAL RESOURCES
DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY
CHAPTER 9. PLANNING GUIDELINES AND PROCEDURES FOR PREPARING, REVISING, AND AMENDING COUNTYWIDE OR REGIONAL INTEGRATED WASTE MANAGEMENT PLANS
ARTICLE 9.25. RECYCLING AND DISPOSAL REPORTING SYSTEM
SECTIONS 18815.1-18815.13.

Section 18815.1 Scope and Purpose.

- (a) This Article implements the reporting system set forth in sections 41821.5 through 41821.8 of the Public Resources Code.
- (b) Nothing in this Article shall prevent a government entity from requiring a reporting entity to supply additional information on activities related to disposal, diversion, composting or recycling based upon their its own separate authority granted by ~~Public Resources Code~~ section 41821.5(g) of the Public Resources Code, or based upon local ordinances, franchise terms or other agreements.
- (c) The Department shall maintain the confidentiality of information in reports submitted to the Department as required by section 18815.12 of the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code], section 40062 of the Public Resources Code, and Title 14 of California Code of Regulations [Division 7, Chapter 1, Article 4 (commencing with section 17041)].
- (d) In order to protect data quality, ensure timely reporting, and expedite the reporting process, especially when material is flowing between several reporting entities, the Department will serve as a central repository of information that is required to be reported ~~to~~ by reporting entities. ~~transfer/processors to disposal facilities.~~
- (e) If a person is required to report based on the criteria in section 18815.3~~(b)~~ of this Article, then the person shall report using the reasonable methods outlined in section 18815.9 of this Article and comply with the applicable requirements for:
- (1) Haulers in section 18815.4 of this article,
 - (2) Transfer/processors in section 18815.5 of this article,
 - (3) Disposal facilities in section 18815.6 of this article,
 - (4) ~~Recyclers and composters~~ Recycling and composting facilities and operations in section 18815.7 of this article, or
 - (5) ~~Brokers and transporters~~ Transporters and brokers in section 18815.8 of this article.
- (f) **This article does not prescribe operational practices unrelated to reporting, permitting requirements for facilities, or an activity's status in relation to recycling goals or diversion mandates.**

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.2 Definitions.

- (a) For the purposes of this Article, the following terms have the meanings given below.
- (1) "Alternative daily cover" or "ADC" has the same meaning as in section 20690 of Title 27 of the California Code of Regulations.

- (2) “Alternative intermediate cover” or “AIC” has the same meaning as in section 20700 of Title 27 of the California Code of Regulations.
- (3) “Automobile dismantler” has the same meaning as in section 17402.5(c)(1) of this division. This does not include automobile shredders, as defined in section 17402.5(c)(2) of this division.
- (4) “Automobile shredder” or “Metal shredder” has the same meaning as in section 17402.5(c)(2) of this division. This does not include automobile dismantlers, which has the same meaning as in section 17402.5(c)(1) of this division.
- (5) ~~(3)~~ “Beneficial reuse” has the same meaning as in section 20686 of Title 27 of the California Code of Regulations and occurs at disposal facilities. Beneficial reuse does not include the use of clean or contaminated soil segregated prior to receipt by a landfill. For the purposes of this section, beneficial reuse includes waste-derived materials used for:
- (A) ADC
- (B) AIC
- (C) Construction, for example, final cover, foundation layer, liner operations layer, leachate and landfill gas collection systems, fill, road base, wet weather operations pads, and access roads.
- (D) Landscaping and erosion control, for example, soil amendments for erosion control, dust suppression, and landscaping, and stormwater protection.
- (6) ~~(4)~~ “Biosolids” means sewage sludge that has been treated to meet the land application standards for heavy metal concentrations, and pathogen and vector control as specified in Subparts B and D of Part 503 of Title Chapter 40 of the Code of Federal Regulations-part 503.
- (7) ~~(5)~~ “Broker” is defined as means a person who takes legal ownership of a control of material from a reporting entity in California and determines the destination of the material. ~~sells, transfers, or exchanges materials.~~ When used in this article, material “sent to” or “received by” a broker does not require physical possession or legal ownership of the material, but, rather, means that the broker gains control of the material as described above. Brokers are not haulers, disposal facilities, transfer/processors, recyclers, or composters. A person that arranges or facilitates the sale or transfer of materials, but does not take determine the destination of the material-legal ownership of the materials, is not a broker.
- (8) “Business-to-business post-industrial recycling” means a recycling activity that:
- (A) Meets all of the following conditions:
- (i) A commercial generator generates materials as a by-product of an industrial or manufacturing process.
- (ii) The commercial generator separates the material at the source of generation.
- (iii) The commercial generator sells or transfers the material directly to a recycler in a business-to-business relationship, and
- (iv) The recycler produces an ~~end~~ intermediate product equivalent to a specification grade raw material for use by end users.
- (B) And does not include materials from the following sources:
- (i) Residential generators,
- (ii) Curbside collection of recyclables,
- (iii) Collection implemented pursuant to mandatory commercial recycling requirements section 42649 et seq. of the Public Resources Code,

- (iv) Scavengers or collectors who did not generate the materials.
 - (v) Collection of post-consumer materials.
 - (vi) Commercial generators that do not directly generate the material as a result of an industrial or manufacturing process but whose recycling or reuse activities result in the accumulation of the material or.
 - (vii) **Contract Haulers**, operations or facilities that are required to have an RDRS registration number.
- (9) ~~(6)~~ “Carpet” has the same meaning as defined in section 42971(d) of the Public Resources Code.
- (10) ~~(7)~~ “Chipping and grinding facility or operation” is a recycling facility, and has the same meaning as in sections 17862.1 of this division, and section 17383.3 of this division for construction and demolition ~~CD~~ wood debris-related operations, or section 17852(a)(12) of this division.
- (11) ~~(8)~~ “Commercial Sector” means businesses, industries, institutions, public organizations, school districts and universities, and multifamily residences of five or more units.
- (12) ~~(9)~~ “Compost” has the same meaning as defined in section 17896.2(a)(4) of this division. For the purposes of these regulations, compost is considered an ~~end~~ intermediate product after it has achieved acceptable metal concentrations, pathogen reduction, and physical contamination levels as required by sections 17868.2, 17868.3, and 17868.3.1 of this division.
- (13) ~~(10)~~ “Composting operation” or “composting facility” has the same meaning as “compostable material handling operation” or “composting facility” as defined in section 17852(a)(12) of this division, and includes in-vessel digestion as regulated in section 17896 of this division. A person operating a “composting operation” or “composting facility” is referred to as a “composter” in these regulations.
- (14) ~~(11)~~ “Construction and demolition/inert debris” or “CDI” means any combination of construction and demolition debris as defined in section 17381(e) of this division and inert debris as defined in section 17381(k) of this division.
- (15) ~~(12)~~ “Contact information” means name, mailing address, physical address, phone number, and e-mail address.
- (16) ~~(13)~~ “Contract Hauler” means any person, whether through a franchise or private contract, material hauled by any person, including franchised haulers and private contract haulers, paid to collect and move material from a generator to a reporting entity, ~~end user, end user, and/or~~ a destination outside of the state. Any material ~~delivered~~ **transported** by a contract hauler is referred to as “contract-hauled” in these regulations.
- (17) “Conveyance system” means a method designed to move material from one facility or operation to another facility or operation on the same site. Examples of a conveyance system include, but are not limited to, conveyor belts, pipes, tubes, and heavy equipment, such as a front-end loader.
- (18) ~~(14)~~ “Department” means the California Department of Resources Recycling and Recovery ~~or CalRecycle.~~
- (19) ~~End Product” means a waste material derived product that has been processed — beyond simple baling, or size reduction for ease of transport — to a level so that it:~~
- (A) ~~Either replaces or substitutes a virgin material in a manufacturing or construction process, or replaces fuels, including, but not limited to, plastic pellets, paper pulp, metal ingots, biogas, syngas, biofuels, pet food, animal feed, or~~

- ~~(B) Is wood chips that meet the standards for use in playgrounds, landscaping, erosion control, biomass facilities, or~~
- ~~(C) Is compost, or~~
- ~~(D) Is a suitable homogeneous mixture used for direct land application or fill, such as aggregate or crushed miscellaneous base, or organics including biosolids.~~
- ~~(19)(15) “Designated waste” has the same meaning as in section 13173 of the California Water Code.~~
- ~~(20)(16) “Disaster debris” has the same meaning as in section 17210.1(d) of this division.~~
- (21) “Direct-hauled” means material sent directly to a transfer/processor or disposal facility from either a generator or another reporting entity that is not a transfer/processor.**
- (22) ~~(21)(17)~~ “Disposal” has the same meaning as section 40192 of the Public Resources Code, but does not include lawful land application that complies with section 17852(a)(24.5) of this division, or EMSW conversion of tires or biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.**
- (23) ~~(22)(18)~~ “Disposal facility” is defined as means a facility where the disposal of solid waste occurs, including but not limited to:**
- ~~(A) Landfills,~~
 - ~~(B) Engineered municipal solid waste conversion facilities,~~
 - ~~(C) Transformation facilities, and~~
 - ~~(D) Inert debris and CDI disposal facilities as specified in sections 17388.4 and 17388.5 of this division.~~
- (24) ~~(23)(20)~~ “End user” is defined as means a person who uses a material, as defined in this section, or manufactures with end products. End users are categorized within the following categories:**
- (A) “Manufacturing and Packaging”.** This includes, but is not limited to, ~~an end user that a person who takes end products from a reporting entity and~~ uses the material to produce consumer products, industrial products, pet or animal feed, or packaging. It also includes ~~an end user that a person who takes finished compost from a reporting entity and blends, packages, bags or distributes it to consumers. Manufacturers who produce consumer or industrial products with recycled content and do not transfer or sell intermediate products to other entities are “end users”, not reporting entities.~~
 - (B) “Fuel consumers”.** This includes, but is not limited to, ~~an end user that a person who takes or uses material, including, but not limited to, biomass or tires, derived for use as fuel from a reporting entity.~~ Biomass conversion is a “fuel consumer end use”. **EMSW conversion of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility is a “fuel consumer end use”.** A “transformation facility” as defined in subsection (a)(61) that is not considered an “EMSW facility” as defined in section 40131.2(b) of the Public Resources Code is not a “fuel consumer”.
 - (C) “Material consumers”.** This includes, but is not limited to, ~~an end user that a person who takes a material derived product or chemical an intermediate product derived from organics or recyclables from a reporting entity for general consumer distribution or retail, such as compost or wood chips, fertilizers, and crushed glass, from a reporting entity or uses it as an ordinary consumer would.~~
 - (D) “Construction end users”.** This includes, but is not limited to, ~~an end user that a person who takes a material from a reporting entity and uses it in construction.~~

- (E) “Land Application”. This includes, but is not limited to, ~~an end user that~~ a person who takes an organics intermediate product from a reporting entity and uses it for land application.
- (F) “Inert debris fill”. This includes, but is not limited to, ~~an end user that~~ a person who takes inert debris from a reporting entity and uses it for engineered fill.
- (25) ~~(24)(21)~~ “Engineered municipal solid waste conversion” or “EMSW conversion” has the same meaning as defined in section 40131.2 of the Public Resources Code. **For the purposes of this article, EMSW conversion of solid waste shall be reported pursuant to section 18815.6(a) of this article, with the exception of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.****
- (26) ~~(25)(22)~~ “Food waste” and “food waste” is organic solid waste and has the same meaning as “food material” as defined in section 17852(a)(20) of this division, and “Food waste” excludes “agricultural material” and “agricultural by-product material” as defined in sections 17852(a)(4.5 and 5) and 17852(a)(5) of this division. “Food waste” does not include food redirected to edible food recovery organizations, food banks, direct animal feeding, or other applications that meet the definition of “reuse” as defined in subsection (a)(52).**
- (27) ~~(26)(23)~~ “Food waste self-hauler” is means a person that who generates and transports hauls, utilizing its their own employees and equipment, more than an average of one cubic yard or more per week, or 6,500 pounds or more per quarter of its their own food waste to a location or facility that is not owned and operated by that person. A person that who self-hauls food waste but does not meet the criteria of a to be considered a “food waste self-hauler” is a “self-hauler”, and not a “food waste self-hauler”.**
- (28) ~~(27)(24)~~ “Furniture” is defined as means large, bulky objects used to enhance a residence, business, or other space for living or working. This includes, including but is not limited to, couches, chairs, dressers, tables, desks, and bed frames. Furniture does not include mattresses, as defined by section 42986(g) of the Public Resources Code.**
- (29) ~~(28)(25)~~ “Generator” is defined as means a person whose activities result in the initial creation of solid waste, organics, or recyclable material.**
- (30) ~~(29)(26)~~ “Glass” means a hard, brittle, usually transparent nonhazardous substance commonly made from sand heated with chemicals. This includes, but is not limited to, whole or crushed materials derived from: clear or colored containers with or without California Redemption Value, flat glass, and automotive glass.**
- (31) ~~(30)(27)~~ “Government entity” is means an entity identified in section 40145 of the Public Resources Code or an entity formed pursuant to section 40976 of the Public Resources Code.**
- (32) ~~(31)(28)~~ “Hauler” is defined as means a person who collects solid waste, organics or recyclable material from a generator and delivers it to a reporting entity, end user, or a destination outside of the state. “Hauler” includes public contract haulers, private contract haulers, food waste self-haulers, and self-haulers. A person who transports material from a reporting entity to another person is a transporter, not a hauler.**
- (33) ~~(32)~~ “Intermediate product” means a material or feedstock derived from organics or recyclables that:**
- (A) Either replaces or substitutes for a virgin material in a manufacturing, construction, or agricultural process, including, but not limited to, plastic pellets, plastic flake, paper pulp, crushed/baled/shredded metal, and glass cullet, or**

- (B) Replaces or substitutes for a virgin material in the production of energy, including but not limited to **tires that have been separated from other solid waste prior to EMSW conversion, biomass that has been separated from other solid waste prior to EMSW conversion**, biomass at a biomass conversion facility, or
- (C) Is wood chips that meet the standards for use in playgrounds, landscaping, erosion control, and by biomass conversion facilities, or
- (D) Is compost, or
- (E) Is a suitable homogeneous mixture used for direct land application or fill, such as aggregate or crushed miscellaneous base, or organics, including biosolids and biochar.
- (34)** ~~(33) (29)~~ “Jurisdiction of origin” means the place where a material is initially generated. For places located within California, this means a city, county, city and county, or regional agency with responsibility for waste management, formed pursuant to sections 40970 through 40975 of the Public Resources Code. For places located in states or territories of the United States other than the State of California, jurisdiction of origin means the state, territory, or tribal lands in which a material was generated. For places located in a country other than the United States of America, jurisdiction of origin means the country or tribal lands in which a material was generated.
- (35)** ~~(34) (30)~~ “Land application” has the same meaning as in section 17852(a)(24.5) of this division, and includes biosolids applied under the purview of the ~~U.S. EPA~~ United States Environmental Protection Agency, ~~or~~ the statewide waste discharge requirements, **also known as a general order**, or individual waste discharge requirements issued by a ~~Regional~~ **Water Quality Control Board. A person who applies “compost” as defined in subsection (a)(12) is a “material consumer” end user as defined in subsection (a)(24)(C).**
- (36)** ~~(35)~~ “Maintenance District Yard” means a transfer/processor that has been issued a Solid Waste Identification System (SWIS) number by the Department, and is directly operated by a municipality, sanitation district, county, state, or federal public works or sanitation agency, including the United States Forest Service. A “maintenance district yard” also means an **unpermitted** facility or operation whose primary purpose is to receive waste collected from road maintenance activities, such as sweeping public thoroughfares, litter abatement, and maintaining street trees.
- ~~(35) “Permitted Landfill” has the same meaning as defined in section 18720(a)(50).~~
- (37)** ~~(36) (31)~~ “Material(s)” means solid waste, recyclables, organics, ~~or~~ as well as ~~end~~ intermediate products derived ~~therefrom~~ from these materials. “Mixed materials” is a combination of different material types.
- (38)** ~~(37) (32)~~ “Metal” means iron, steel, tin, aluminum, copper, and their alloys, including scrap metal and products made of these metals, like containers, building materials, and plumbing materials.
- (39)** ~~(38) (33)~~ “Organics” ~~is defined as~~ means material originated from living organisms and their metabolic waste products. This includes, ~~including~~ but is not limited to, food, “agricultural material” as defined in section 17852(a)(5) of this subdivision, “agricultural by-products material” as defined in section 17852(a)(4.5) of this subdivision, green ~~waste~~ material, landscape and pruning waste, nonhazardous lumber and dimensional wood, manure, compostable paper, digestate, biosolids, and biogenic sludges; and any product manufactured

or refined therefrom from these materials, including compost, and wood chips, ~~biofuels, and biogas.~~

- (38) ~~“Recyclable material” means a material that is managed through recycling facilities and operations, and includes any material that does not meet the definition of an end product.~~
- (40) ~~(39)(34)~~ “Paper” means all types of paper products including pulp, corrugated cardboard, newspaper, office paper, magazines, catalogs and directories, and other composite paper products such as food and beverage cartons and containers.
- (41) ~~(40)(36)~~ “Person” has the same meaning as defined in section 40170 of the Public Resources Code.
- (42) ~~(41)(37)~~ “Plastic” means a synthetic material made from a wide range of carbon-containing polymers, which can be used to make rigid and flexible plastic products, ~~including This includes, but is not limited to, packaging, such as {bags, bottles, caps, clamshells, containers, cups, films, and lids}; household and bulky rigid items, such as {buckets, crates, toys, and tubs}; agricultural products, such as {drip tape, film, and greenhouse covers}; and other products, such as {electronics housing, carpet fibers, and automobile plastics, and bioplastics}.~~
- (43) ~~(42)(39)~~ **“Recycle” or “recycling” has the same meaning as defined in section 40180 of the Public Resources Code.** ~~means a series of processes that ultimately result in the production of intermediate products utilizing materials recovered or discarded by a generator has the same meaning as defined in section 40180 of the Public Resources Code. A person who engages in recycling is referred to as a “recycler” in these regulations. Recycling does not include “reuse” as defined in subsection (a)(52). For the purposes of reporting under this article, persons that are not exempt as set forth in section 18815.3(c) of this article who engage in the following activities shall register and report those activities as recyclers, as set forth in sections 18815.3(b)(4) and 18815.7 of this article: Recycling includes but is not limited to the processes below:~~
- (A) ~~For recyclable materials such as paper, glass, metal, and plastics, this includes but is not limited to sorting, cleaning, baling, shredding, pulping, crushing, cullet making, smelting, flaking, and pelletizing.~~
 - (B) ~~For organics that are not composted, recycling includes, but is not limited to, treating wastewater treatment treatment, producing mulch mulching, or chipping and grinding.~~
 - (C) ~~For CDI, recycling includes, but is not limited to, sorting, crushing, grinding, shredding, sizing, or other processing.~~
 - (D) ~~For other products including furniture, carpet, white goods and textiles, this includes but is not limited to sorting, baling, crushing, cutting, shearing, deconstructing, and removing components from products for recycling (not resale or reuse).~~
- (44) ~~(43)~~ “Recycling and disposal reporting system” or “RDRS” means the Department’s electronic system for reporting pursuant to this article.
- (45) ~~(44)(40)~~ “Recycling and disposal reporting system number” or “RDRS number” means the number assigned to a reporting entity upon registration with the Department’s electronic Recycling and Disposal Reporting System.
- (46) ~~(45)(41)~~ **“Recycling Facility or Operation” or “Recycler” is defined as** means any facility or operation that recycles material, as defined in this article. ~~accepts, separates, or processes materials for recycling and Recycling facilities or operations include entities that meets the definition of “Recycling Center” set forth in section 17402.5(d) of this division. This also~~

includes chipping and grinding operations, and CDI recycling centers as described in section 17381.1 of this division.

- (47)** ~~(46)(42)~~ “Report” means the quarterly report submitted to the Department by a reporting entity.
- (48)** ~~(47)(43)~~ “Reporting entity” is defined as means a person who engages in reportable activities. A “reporting entity” is required to register and report pursuant to **section 18815.3 of this article.** A “reporting entity” ~~also means a person who is required to reports~~ on material handling activities pursuant to section 18815.4 through section 18815.8 of this article, as applicable, ~~within including~~ the following reporting entity categories:
- (A) Haulers
 - (B) Transfer/processors
 - (C) Recycling and composting facilities and operations
 - (D) Disposal facilities
 - ~~(E) Transporters and brokers~~ Brokers and transporters
- (49)** ~~(48)(44)~~ “Reporting period” or “Quarter” is defined as means the time period in for which a report must be submitted to the Department. The four reporting periods or four quarters in each calendar year are:
- (A) Reporting Period 1 – January 1 to March 31
 - (B) Reporting Period 2 – April 1 to June 30
 - (C) Reporting Period 3 – July 1 to September 30
 - (D) Reporting Period 4 – October 1 to December 31
- (50)** ~~(49)(45)~~ “Residential sector” is defined as means single-family residences and multifamily residences of less than 5 units.
- (51)** ~~(50)(46)~~ “Residual” has the same meaning as defined in section 17402.5(b)(1) of this division.
- (52)** ~~(51)(47)~~ “Resale for Reuse” means selling a used object or material again, to a person ~~an end user~~ who will use it either for its original purpose or for a closely-related purpose, not as a raw material, but without significantly altering the physical form of the object or material. This does not include beneficial reuse.
- (53)** ~~(52)~~ “Reuse” means the utilization of an object or material again by a person for its original purpose or for a closely-related purpose, not as a raw or intermediate material, but without significantly altering the physical form of the object or material.
- (54)** “Sent” means sold or transferred. “Sent” is further defined as the collection, transportation or delivery of material by a person to or from a generator, reporting entity, or an end user.
- (55)** ~~(53)(48)~~ “Self-hauler” is defined as means a person who hauls ~~solid waste, organics or recyclable~~ material they have generated to another person. “Food waste self-haulers” are a type of self-hauler.
- (56)** ~~(54)(49)~~ “Site” means the location of a facility or operation that has one physical address or assessor parcel number, or multiple adjacent addresses or assessor parcel numbers, that contains one or more facilities, operations, or activities.
- (57)** ~~(55)(50)~~ “Solid waste” has the same meaning as defined in section 18720(a)(40) of this chapter.
- (58)** ~~(56)(51)~~ “Source sector” means one of these three sources from which solid waste is generated:
- (A) Contract-hauled single-family residential (e.g., houses),
 - (B) Contract-hauled commercial/multi-family residential (e.g., businesses and apartments), or

(C) Self-hauled (e.g., hauled by a generator). “Disaster debris” and “designated waste” disposal shall be assigned to the “self-hauled” source sector.

(59) ~~(57)(52)~~ “Textiles” means items made of natural or synthetic thread, yarn, fabric, or cloth, including clothing, fabric trimmings, and draperies, but ~~not including~~ excluding carpet.

(60) ~~(58)(53)~~ “Tire-derived rubber” means rubber from the processing of waste tires as defined in section 42807 of the Public Resources Code.

(61) ~~(59)(54)~~ “Ton”, also referred to as “short ton” or “net ton”, means 2,000 pounds ~~(lbs)~~. Weight of material shall be reported as handled.

(62) ~~(60)(55)~~ “Transfer/processor” ~~means~~ has the same meaning as “Transfer/processing facilities” and “transfer/processing operations,” as defined in sections 17402(a)(30-31) of this division, as well as CDI processing operations and facilities as defined in sections 17383.5 through 17383.8 of this division, which receive, temporarily store, convert, process, and transfer materials for recycling, composting, or disposal, but do not meet the requirements of a “Recycling Center” set forth in in section 17402.5(d) of this division.

(63) ~~(61)(56)~~ “Transformation Facility” has the same meaning as in section 40201 of the Public Resources Code.

(64) ~~(62)(57)~~ “Transporter” ~~is defined as~~ means a person who takes legal ownership physical possession **and control**, and determines the destination of ~~solid waste, organics, recyclable material, or end~~ intermediate products from a reporting entity, and transports those materials to another person inside or outside the state in California, or a person who acts as an exporter. ~~A person who collects and moves material from a generator to another person is a hauler, is not a transporter. A driver employed or contracted by a reporting entity to deliver material(s) to a destination specified by the contracting reporting entity is not a transporter, unless they take legal ownership of the material.~~

~~(58) “Waste derived material” means material sent to a facility for disposal, which the facility separates for another use.~~

(65) ~~(63)(59)~~ “Wastewater treatment plant” has the same meaning as in section 3671 of Title 23 of the California Code of Regulations. For the purposes of these regulations, it is a recycling facility.

(66) ~~(64)(60)~~ “White and brown goods” means discarded major appliances and small home appliances of any color, including, but not limited to, washing machines, clothes dryers, water heaters, stoves, ~~and~~ refrigerators, microwaves, and toasters.

(b) The material category and type definitions herein are meant to be illustrative, and not intended to be an exhaustive listing of all materials, grades, or specifications.

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.3 Registration, Reporting and Exemptions.

(a) ~~(b) Except as provided in subsection (c), a person~~ **A reporting entity meeting the criteria in subsection (b) shall register and report on the materials or mixtures or combinations thereof listed in subsection (1). Entities are not required to register and report for their activities listed in subsection (c) of this section. if they meet both of the following criteria: A reporting entity shall**

~~register and obtain at least one RDRS number per activity on each site they operate, if they meet both of the following criteria:~~

~~(1) The following material categories and associated definitions in section 18815.2(a) of this article are provided as examples of the types of materials upon which a person would be required to register and report. They are not intended to be definitive or supersede definitions elsewhere. The person, other than a generator, recycles, sells, transfers, processes, composts, or disposes any of the following materials or mixtures thereof, after the materials are discarded by a generator:~~

- ~~(A) Carpet~~
- ~~(B) Construction and demolition/inert debris~~
- ~~(C) Furniture excluding mattresses~~
- ~~(D) Glass excluding cathode ray tube glass~~
- ~~(E) Metal~~
- ~~(F) Organics~~
- ~~(G) Paper~~
- ~~(H) Plastic~~
- ~~(I) Solid waste~~
- ~~(J) Textiles~~
- ~~(K) Tire-derived rubber or fuels~~
- ~~(L) White and brown goods~~

~~(2) The materials listed in subsection (c)(9) shall not be reported or included in the tonnage thresholds for determining reporting status. The person recycles, sells, transfers, chips and grinds, processes, composts, or disposes 100 tons or more of any combination of recyclable material, organics, or solid waste the materials listed in subsection (a)(1) in a quarter, for all activities on the same site by that person, or is one of the following:~~

- ~~(A) An active permitted disposal facility.~~
- ~~(B) A food waste self hauler who hauls 12 or more cubic yards, or 6,000 lbs of food waste per quarter.~~
- ~~(C) A person who delivers organics for direct land application in excess of 50 tons per quarter in accordance with section 17852(a)(24.5).~~
- ~~(D) A person who exclusively processes CDI in excess of 2,500 tons per quarter.~~
- ~~(E) A person who composts any amount of organics and is not excluded per section 17855 for composting operations or section 17896.6 for in-vessel digestion operations.~~
- ~~(F) A wastewater treatment plant.~~

~~(b) The following entities shall register and report under this article for the materials they handle listed in subsection (a)(1):~~

~~(1) Permitted disposal facilities that dispose or beneficially reuse any tonnage with a Registration, Standardized, or Full Permit, including, but not limited to:~~

- ~~(A) Solid waste landfills,~~
- ~~(B) Engineered municipal solid waste (EMSW) conversion facilities,~~
- ~~(C) Transformation facilities,~~
- ~~(D) Inert debris Type A/Type B disposal facilities,~~
- ~~(E) CDI waste disposal facilities,~~
- ~~(F) Industrial waste co-disposal facilities, and~~
- ~~(G) Waste tire disposal facilities.~~

~~(2) Haulers, including, but not limited to:~~

- (A) Contract haulers who haul 100 tons or more of materials described in subsection (a)(1) out-of-state per quarter.
 - (B) Contract haulers who ~~deliver~~ haul 50 tons or more of organics for direct land application in excess of 50 tons per quarter in accordance with section 17852(a)(24.5) of this division, and
 - (C) "Food waste self-haulers" as defined in section 18815.2(a)(26)(27) of this article who haul over 12 cubic yards, or 6,000 pounds, of food waste per quarter.
- (3) Transfer/processing facilities and operations, including Enforcement Agency Notification, Registration, Standardized, and Full Permit, that exclusively transfer or process 2,500 or more tons of CDI per quarter, or transfers or processes 100 tons or more of other materials described in subsection (a)(1) per quarter, including, but not limited to:
- (A) Contaminated soil operations,
 - (B) Inert debris processing facilities Type A,
 - (C) Inert debris processing facilities Type B,
 - (D) Inert debris type a processing operations,
 - (E) Nonhazardous ash transfer/processing operations,
 - (F) Small volume CDI debris processing operations,
 - (G) Medium volume CDI debris processing facilities,
 - (H) Large volume CDI debris processing facilities,
 - (I) Limited volume transfer/processing operations,
 - (J) Small volume transfer stations,
 - (K) Medium volume transfer/processing facilities,
 - (L) Large volume transfer/processing facilities,
 - (M) Secondary material processing facilities and operations,
 - (N) Glass container processing operations,
 - (O) Direct transfer facilities, and
 - (P) Sealed container transfer operations, and
 - (Q) Mixed waste processing facilities, and material recovery facilities, that require a solid waste facilities permit.**
- (4) Recycling facilities and operations, including: those that exclusively process CDI and sell or transfer 2,500 or more tons of CDI per quarter; or recycle sell or transfer 100 tons or more of other materials described in subsection (a)(1) per quarter. This includes, but is not limited to:
- (A) A recycler that handles business-to-business post-industrial materials, but also handles materials that do not meet the criteria in section 18815.2(a)(8) of this article,
 - (B) Material recovery facilities that do not require a solid waste facilities permit,
 - (C) Recycling centers,
 - (D) Wastewater treatment plants,
 - (E) Paper pulpers,
 - (F) Textile fiber reclaimers,
 - (G) Plastic reclaimers, shredders, grinders, flakers, and pelletizers,
 - (H) Metal shredders, sorters, and processors,
 - (I) Glass cullet manufacturers/beneficiators,
 - (J) Beverage container recycling program recyclers or processors,
 - (K) Carpet collectors and recyclers,
 - (L) Construction, demolition & inert debris (CDI) recyclers,
 - (M) Construction and demolition recyclers,
 - (N) Inert debris recyclers,

- (O) Chipping and grinding facilities or operations,
- (P) Medium volume construction and demolition wood debris chipping and grinding facilities,
- (Q) Construction and demolition wood debris chipping and grinding operations, and
- (R) Automobile shredders.
- (5) ~~Permitted~~ Composting facilities and operations as defined in section 18815.2(a)(13) of this article that ~~process~~ sell or transfer 100 tons or more of materials described in subsection (a)(1) per quarter and are not excluded by section 17855 of this subdivision for composting operations or by section 17896.6 of this subdivision for in-vessel digestion operations, including, but not limited to:
 - (A) ~~Composting~~ Compostable material handling facilities and operations
 - (B) Composting research operations
 - (C) In-vessel digestion facilities and operations
- (6) Brokers/transporters who sell or transfer 100 tons or more of materials described in subsection (a)(1) per quarter for which they control and determine its destination.
- (c) ~~(a)~~ The following are not required to register or report under this Article, for their activities as:
 - (1) An end user, including but not limited to:
 - (A) Asphalt plants or concrete or Portland cement manufacturing facilities,
 - (B) Biomass conversion facilities,
 - (C) Glass bottle, container, fiberglass, or construction material producers other than those included in subsection (b),
 - (D) Inert Debris Engineered Fill Operations,
 - (E) Metal foundries,
 - (F) Metal smelters,
 - (G) Paper converting plants,
 - (H) Paper mills,
 - (I) Plastic injection molders, blow molders, and extruders, and
 - (J) Rendering plants, and
 - (K) EMSW conversion facilities that exclusively convert tires or biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility.
 - (2) A generator who is not a food waste self-hauler as defined in section 18815.2(a)(26)(27) of this article,
 - (3) A recycler who only recycles what materials they have generated, A person that generates, processes, and uses material all on the same site, and
 - (4) A thrift store, automobile dismantler, building supply reclaimer or reuser, and any other person whose primary business is resale for reuse of an object or material without significantly altering the physical form of the object or material that who meets one of the following criteria:
 - (A) Revenues associated with resale for reuse exceeds revenues associated with recycling or composting activities, or
 - (B) Tons associated with resale for reuse exceeds total tons associated with recycling or composting activities.
 - (5) A wastewater treatment plant that:
 - (A) Only sends material to other wastewater treatment plants, or
 - (B) Does not sell or transfer organic feedstock or intermediate products off-site.
 - (6) A Maintenance District Yard as defined in section 18815.2(a)(35)(36) of this article,
 - (7) An Emergency Transfer/Processing Operation,

- (8) An Emergency CDI Processing Operation.
- (9) A persons who exclusively handles:
- (A) Household Hazardous Waste,
 - (B) Hazardous waste and universal waste,
 - (C) Electronic waste,
 - (D) Medication and sharps,
 - (E) Used oil,
 - (F) Paint,
 - (G) Mattresses, and
 - (H) Business-to-business post-industrial materials, as defined in section 18815.2(a)(8) of this article. Business-to-business post-industrial recyclers shall self-certify that they are exempt from registration and reporting utilizing RDRS,
 - (I) Non-hazardous secondary materials excluded from solid waste pursuant to Part 40 of the U.S. Code of Federal Regulations section 241.4, and**
 - (J) Materials that are reused as defined in section 18815.2(a)(53) of this article.**
- (10) A broker or transporter who only moves or facilitates transactions of material from a reporting entity, but does not determines the destination of the material,
- (11) A person who collects material from a generator and delivers the material directly to an end user inside the state, unless the person is a contract hauler hauling material to land application pursuant to section 18815.4(d)(1) of this article, and
- (12) A contract hauler who hauls solid waste to a reporting entity inside the state. A contract hauler shall provide information to the reporting entity pursuant to section 18815.4 of this article, and
- (13) A recycler who exclusively uses material for their own end use and does not sell or transfer reportable material.**
- ~~(d) (e) For a facility site engaged in with multiple activities, regardless of ownership, on the same site:~~
- (1) Each disposal facility and transfer/processor located on the same site shall register for a separate RDRS number and file a separate report that provides information specific to each that facility.
 - (2) All recycling and composting facilities or operations owned operated by the same person and located at the same site may register for a single RDRS number and file a single report that aggregates information on materials sent from all recycling and composting activities pursuant to section 18815.9(h) of this article.
 - (3) Each recycling and composting facility or operation not owned operated by the same person and located at the same site shall register for a separate RDRS number and file a separate report that provides information specific to that facility.
 - ~~(3) Each disposal facility or transfer/processor co-located with recycling/composting activities above the reporting thresholds described in section 18815.3(b)(2) of this article shall register for a separate RDRS number and file a separate report.~~
 - (4) For determining registration status or reporting status for an individual reporting period entity, a reporting entity must shall account for all cumulative tons across all activities conducted at the site by this reporting entity, pursuant to section 18815.3(b)(2) the lowest applicable tonnage threshold provided in subsection (b) of this Article. If any single activity is subject to reporting reportable material handling activity, or the cumulative tonnages of multiple aggregated activities, exceeds the applicable tonnage threshold in section 18815.3(b)(2) subsection

- ~~(a)(2)(b)~~, the reporting entity ~~must~~ shall report all **reportable** activities conducted ~~at the site by~~ this reporting entity.
- ~~(5) A Reporting entities entity who engages in multiple activities at on the same site must shall~~
~~inform the Department in their its report of all reportable activities occurring at the site each~~
~~quarter.~~
- (5) A recycling or composting facility or operation operated by the same person and located on the same site as a transfer/processing facility or operation may register and report under the RDRS registration number of the transfer/processing facility or operation. The reporting transfer/processor shall report pursuant to section 18815.9(h)(4) of this article.**
- (6) A recycling or composting facility or operation operated by the same person and located on the same site as a disposal facility may register and report under the RDRS registration number of the disposal facility. The reporting disposal facility shall report pursuant to section 18815.9(h)(5) of this article.**
- ~~(e) (d)~~ A reporting entity operating on ~~November December 1, 2018~~ **April 1, 2019** shall register by ~~November 30 December 31, 2018~~ **April 30, 2019**.
- ~~(f) (e)~~ A reporting entity ~~that~~ **who** begins operation, or changes activities such that reporting is required, after ~~November December 1, 2018~~ **April 1, 2019** shall register within 30 days of being subject to these reporting requirements, and begin reporting for the following quarter.
- ~~(g) (f)~~ A reporting entity ~~that~~ **who** becomes permanently inactive, or closes, or no longer meets the reporting requirements outlined in section 18815.3(b) shall notify the Department within 30 days and request that their RDRS registration status become permanently inactivated.
- ~~(h) (g)~~ **A reporting entity that who** has registered and has an RDRS number, but ~~their~~ **whose** activities have permanently changed such that they no longer meet the reporting requirements outlined in this section, ~~it~~ may request that the Department permanently inactivate ~~its~~ **their** RDRS registration. In that request, the reporting entity shall demonstrate to the Department that ~~it~~ **they** no longer should be registered. The burden of proof shall be on the reporting entity. The Department shall act on a request within 60 days. A reporting entity shall continue to report until and unless the Department permanently inactivates the RDRS registration. For example, a reporting entity whose activities have changed such that ~~it~~ **they** now exclusively engages in the handling of materials described in subsection ~~(b)(2)(c)(9)~~, such as business-to-business post-industrial materials, ~~it~~ **they** may request that the Department permanently inactivate ~~its~~ **their** RDRS registration status.
- ~~(i) (g)~~ A reporting entity that is registered but has cumulative tonnages below reporting thresholds for a reporting period shall notify the Department ~~it has~~ **they have** nothing to report for the reporting period.
- ~~(j) (h)~~ ~~In its report, a~~ A reporting entity shall comply with the applicable requirements specified in ~~provide information, as set forth in~~ sections 18815.4 through 18815.8 of this ~~A~~ article, ~~on all materials composted, recycled, beneficially reused at a landfill, disposed or sent to end user.~~
- ~~(k) (i)~~ A reporting entity ~~that~~ **who** transfers, sells or sends ~~end~~ intermediate products to an end user shall report on the tons of material aggregated by end user category for each region as set forth in this subsection. ~~End uses which are located on the same site as the reporting entity are reportable shall be included in the report pursuant to section 18815.9 of this article.~~
- (1) Regions shall be reported as follows:**
- (A) End users located within California shall be reported by county.**
- (B) End users located in the United States, but outside California, shall be reported by state.**

- (C) End users located outside the United States shall be reported by country or tribal lands.
- (2) Reporting entities shall report end user categories as defined in section 18815.2(a)(20)(23)(24) of this Article.
- (3) ~~In those instances where persons acquire end products directly at the reporting entity's site, the reporting entity shall report them as end users in the county where the site is located.~~ A reporting entity may aggregate end users in small vehicles (automobiles, pickups, and small trailers) who pick up material from their facility or operation and assign them to the county in which the site is located.
- ~~(j) A reporting entity that transfers, sells, or sends materials to another reporting entity shall provide information for each individual reporting entity, including RDRS number, contact information, materials and tonnages. Reporting entities that send material to transfer/processors, recyclers, composters, brokers, or disposal facilities outside the state of California, shall provide information for each individual recipient, including contact information, materials and tonnages.~~
- (l) ~~(k)~~ **If a reporting entity sends material to a person and cannot determine if the person is an end user inside or outside California, a reporting entity inside California, or a recycler or composter outside California** ~~person receiving material does not have a RDRS number, and the reporting entity cannot determine that the person is an end user,~~ then the reporting entity shall:
- (1) Report the individual tonnages and materials as if the receiver is a reporting entity, and
 - (2) Supply the Department with contact information for that person in their report.
- (m) Reporting entities shall commence filing reports using RDRS for the reporting period beginning ~~January 1, 2019~~ **July 1, 2019**.
- (n) ~~(h)~~ A registered reporting entity shall file a report for each reporting period using the Department's ~~electronic reporting system~~ RDRS, and ensure that the information they submit ~~generate and are responsible for providing,~~ **other than that which was provided by a third party,** is accurate, complete, and entered electronically.
- (1) A reporting entity shall use information available at the time the report is due. If the reporting entity has not received the required information from a person, either directly or through RDRS, then the reporting entity shall submit all available information in ~~its~~ **their** report to the Department and identify the reporting entities who have not provided them with the required information.
 - (2) If a reporting entity identifies an error in a previously submitted report, then ~~they~~ **they** shall correct the error and notify the Department within 10 business days, **unless additional time is necessary to correct the error. In no case shall the corrections be delayed more than an additional 14 days, unless agreed to by the Department.**
 - (3) Each report to the Department shall include:
 - (A) The contact information and RDRS number of the person submitting the report;
 - (B) The contact information and RDRS number, if applicable, of each person or reporting entity receiving materials from the reporting entity, with the exception of: ~~material sent to end users that may be aggregated by category and region as specified in subdivision (i) of this subsection;~~
 - (i) Material that may be aggregated by category and region as specified in subsections (k) and (l).**
 - (C) The information required by sections 18815.4-18815.9 of this Article, as applicable.
 - (4) If the day of a reporting deadline is a weekend or holiday, a reporting entity shall submit the report on the next business day.

- (o) ~~(m)~~ A reporting entity shall designate a person who has signature authority to submit the report.
- (p) ~~(n)~~ If the Department has reason to believe that a person has not registered or reported as required by this article, ~~has information that a person does not meet the requirements to not register or report based on the requirements set forth in subsection (a) of this section,~~ then the burden of proof shall be on that person to demonstrate otherwise, through documentation such as business records, receipts, invoices, or similar records. At the time that the Department requires a person to provide evidence that ~~it is~~ **they are** not required to register or report, the Department shall provide a written description of the information that has caused the Department to believe that the person is required to register and report. Nothing in this requirement is intended to require the Department to identify the name or other identifying information regarding any individual(s) who have ~~complained about~~ **provided information indicating the person may be required to report.** Nothing in this section precludes the Department from the following: inspecting a business to verify that it is conducted in a manner that meets the provisions of this subsection, or from taking any appropriate enforcement action pursuant to this ~~a~~ Article.

Authority cited: Sections, 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6, Public Resources Code.

Section 18815.4 Reporting Requirements for Haulers.

- (a) A self-hauler shall provide the jurisdiction of origin for all material delivered to each transfer/processor or disposal facility. A self-hauler does not have to report to the Department, unless ~~it is~~ **they are** a food waste self-hauler.
- (b) ~~(a)~~ "Food waste self-haulers", as defined in section 18815.2(a) ~~(26)~~ **(27)** of this article, shall report to the Department the tons of food waste sent ~~for recycling or composting to each person or end user category~~ as follows:
- (1) To a reporting entity **inside California**, report the tons ~~by~~ **of each** material type, pursuant to section 18815.9 of this article, ~~sent to each person~~ and their contact information and RDRS number, ~~if applicable.~~
 - (2) To an end user **inside or outside California**, report the tons of each material type, pursuant to section 18815.9 of this article, sent to each end user category, by region, pursuant to section 18815.3(k) of this article.
 - (3) To a recycling or composting facility or operation outside California, report the tons of each material type, pursuant to section 18815.9 of this article, by region, pursuant to section 18815.3(l) of this article.**
 - (4) To each transfer/processor or disposal facility outside California, report the total tons of each material type, pursuant to section 18815.9 of this article, sent to each person, and their contact information.**
- (c) ~~(b)~~ A contract hauler shall provide the following information to a receiving reporting entity for all tons delivered, using the ~~reasonable~~ methods in section 18815.9 of this article. A hauler shall provide the information at the time of delivery, unless both the hauler and receiving facility have **previously** agreed to periodic reports in lieu of providing information at the time of delivery. In all cases, the hauler shall provide the information to the receiving reporting entity within 30 days of the end of the reporting period.

- (1) ~~For solid waste, or mixed materials containing a significant amount of solid waste, organics, or recyclable material hauled:~~
- (A) ~~A hauler shall provide the jurisdiction of origin for all material delivered sent to each broker or transporter, transfer/processor or disposal facility; and~~
 - (B) ~~If requested by a broker or transporter, transfer/processor or disposal facility, then a hauler shall provide the source sector for all material delivered to each broker or transporter, transfer/processor, or disposal facility, in tons or by percentage using the methods provided in section 18815.9 of this Article.~~
 - (C) ~~A hauler shall provide jurisdiction of origin and source sector for solid waste delivered to a broker.~~
- (d) ~~(e)~~ A contract hauler who takes material directly from a generator and hauls it to land application or to a person outside of the state shall report to the Department. In ~~its~~ **their** report to the Department, a contract hauler shall provide the following information for tons hauled, using the reasonable methods described in section 18815.9 of this Article:
- (1) ~~Directly from a generator to land application or another end user inside or outside the state, the tons of each material type sent to each end user category by region pursuant to section 18815.3(h)(k) of this Article.~~
 - (2) Directly from a generator to a person outside of the state:
 - (A) ~~For solid waste, the total tons by jurisdiction of origin for all material sent to each person for disposal to a disposal facility or transfer/processor, and their person's contact information, and an estimate of the overall source sector tons or percentages for waste sent to each person.~~
 - (B) For green material sent to each transfer/processor or disposal facility for potential beneficial reuse, the total tons by jurisdiction of origin, and the contact information of the receiving facility.**
 - (C) For non-green material sent to each transfer/processor or disposal facility for potential beneficial reuse, the total tons by material type pursuant to section 18815.9, and the contact information of the receiving facility.**
 - (D) For disaster debris and designated waste sent to each transfer/processor or disposal facility, the total tons of each stream, and the contact information of the receiving facility.**
 - (E) ~~(B) For organics or recyclable material sent to recycling or composting facilities or operations, the tons of each material type sent to each by region person, and the person's contact information.~~
 - (F) ~~(C) To end users, the tons of each material sent to each end user category by region pursuant to section 18815.3(k) of this article.~~
 - (3) ~~A hauler shall submit their its~~ their report to the Department by the following due dates for each reporting period:
 - (A) Reporting period 1 due April 30,
 - (B) Reporting period 2 due July 31,
 - (C) Reporting period 3 due October 31, and
 - (D) Reporting period 4 due January 31.
- (e) ~~(d)~~ For the purposes of RDRS reporting, the Department shall not require a hauler to submit information on specific collection locations or customers when providing jurisdiction of origin,

material type or source sector information to other reporting entities or to the Department as part of a quarterly report.

- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
- (2) The Department may ~~request~~ **require a hauler to submit** this information in lieu of an audit, or as part of an audit **or administrative proceeding**.

Authority cited: Sections 40401, 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6 Public Resources Code.

Section 18815.5 Reporting Requirements for Transfer/Processors.

(a) In ~~its~~ **their** report to the Department, a transfer/processor shall provide the following information, using the ~~reasonable~~ methods in section 18815.9 of this Article:

- (1) For all tons accepted:
 - (A) From another transfer/processor ~~or disposal facility~~, report the tons of ~~material~~ **each of the following streams: solid waste, disaster debris, designated waste, green material potential beneficial reuse, and all other potential beneficial reuse, and all other material accepted for transfer or processing** accepted from each facility and the ~~delivering~~ **sending** facility's contact information, and RDRS number, if applicable.
 - (B) ~~From haulers, brokers, transporters, recyclers, composters, and disposal facilities collectively all haulers collectively (including those bringing waste from recyclers, composters, and brokers or transporters),~~ **For direct-hauled material**, report the total aggregated tons **of each of the following streams: solid waste, disaster debris, designated waste, green material potential beneficial reuse, and all other potential beneficial reuse, all other material accepted for transfer or processing** accepted. **The tonnages for solid waste and green material potential beneficial reuse shall be further divided by jurisdiction of origin.**
 - ~~(C) As specified in section 18815.9(b) and section 18815.9(d) of this article, transfer/processors may request periodic reports from haulers, which provide jurisdiction of origin for solid waste and green material potential beneficial reuse, and source sector for the materials they haulers deliver.~~
 - (C) Include accepted residuals generated by a recycling or composting facility or operation that is reporting under the same RDRS number as a transfer/processing facility or operation pursuant to section 18815.3(d)(4) of this article in the total tons accepted as direct-hauled, pursuant to paragraph (B), assigning the tons to the jurisdiction within which the site is located.**
- (2) For all tons sent ~~for potential recycling or composting, inside or outside of California to~~ **recyclers, composters, brokers, transporters, or end users** pursuant to section 18815.9 of this article:
 - (A) ~~To a recycling or composting facility or operation not on the same site,~~ **with a different RDRS number inside California,** ~~or to a broker or transporter,~~ report the tons by material

- type, pursuant to section 18815.9(a) of this article, ~~sent to each person~~ and their contact information and RDRS number, if applicable.
- (B) To an end user, report the tons of each material type, pursuant to section 18815.9(a) of this Article, sent to each end user category by region pursuant to section 18815.3(4)(k) of this Article.
- (C) To a broker or transporter:
- (i) In cases where the final destination of the material is ~~known~~ **determined** by the reporting transfer/processor, report pursuant to subsections (a)(2)(A), ~~and (a)(2)(B), and (a)(2)(E).~~
- (ii) In cases where the final destination of the material is not ~~known~~ **determined** by the reporting transfer/processor, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
- (D) To a recycling or composting facility or operation ~~with the same RDRS number on the same site,~~ report pursuant to section 18815.9(h) of this article.
- (E) To a recycling or composting facility or operation outside California, report the tons of each material type by region.**
- (3) ~~For solid waste, mixed materials, commingled recyclables or residuals all tons sent to transfer/processors or disposal facilities inside or outside of California of each of the following streams: recycling and composting, solid waste, disaster debris, designated waste, green material potential beneficial reuse, and all other potential beneficial reuse to a disposal facility, sent to each transfer/processor, broker or transporter, or disposal facility, inside or outside of California:~~
- (A) ~~To each transfer/processor or disposal facility, r~~Report the total tons of each stream sent to each person, and their contact information and RDRS number, if applicable.
- ~~(B) To a broker or transporter:~~
- ~~(i) In cases where the final destination of the waste is known by the reporting transfer/processor, report pursuant to subsection (a)(3)(A).~~
- ~~(ii) In cases where the final destination of the waste is not known by the reporting transfer/processor, report tons of solid waste sent to each broker or transporter and their contact information and RDRS number, if applicable.~~
- ~~(B) (b) Report the percentage of materials solid waste and green material potential beneficial reuse sent which originated from each sending facility received from each transfer/processor; and the total percentage of materials that were direct-hauled pursuant to subsection (a)(1)(B) sent which originated from all haulers collectively. The percentage that was direct-hauled pursuant to subsection (a)(1)(B) shall be further divided into the jurisdictions of origin of solid waste and green material potential beneficial reuse.~~
- ~~(A) The percentage that originated from all haulers shall be further divided into the jurisdictions of origin of the materials solid waste and green material potential beneficial reuse.~~
- ~~(B) The percentage that originated from all haulers shall be further divided into source sectors, using methods described in section 18815.9(c) of this Article. Source sector shall be reported to the department as a facility wide estimate.~~
- (C) For all tons of solid waste, ~~the~~ the percentage that originated from all haulers was direct-hauled pursuant to subsection (a)(1)(B) shall be divided into source sectors, using methods described in section 18815.9(c) of this Article. Source sector shall be reported to the department as a facility-wide estimate.**

~~(4) For disaster debris sent for disposal to a disposal facility inside or outside of California, report the total tons sent to each facility by jurisdiction of origin, and the facility's contact information, and RDRS number, if applicable the entity has one.~~

~~(5) For designated waste sent for disposal to a disposal facility inside or outside of California, report the total tons sent to each facility by jurisdiction of origin, and the facility's contact information, and RDRS number, if applicable the entity has one.~~

~~(D) (6) For all other material sent for potential beneficial reuse to a landfill or other transfer/processor inside or outside of California, report the tons sent to each facility by material type pursuant to section 18815.9(a)(3) of this Article, and the facility's contact information and RDRS number, if applicable. Green waste material sent for potential beneficial reuse at a landfill shall be reported in tons by jurisdiction of origin pursuant to subsection (a)(3)(C).~~

(E) For material sent for recycling to each transfer/processor or disposal facility with a different RDRS number inside California, report the tons by material type, and the facility's contact information and RDRS number, if applicable.

(F) For material sent for recycling to each transfer/processor or disposal facility outside California, report the tons by material type and region.

~~(b) A transfer/processor shall observe report to the Department by the following due dates for each reporting period:~~

- ~~(1) Reporting period 1 due May 31,~~
- ~~(2) Reporting period 2 due August 31,~~
- ~~(3) Reporting period 3 due November 30, and~~
- ~~(4) Reporting period 4 due February 28.~~

~~(c) With the exception of haulers reporting entities who fail to provide required information, for the purposes of RDRS reporting, the Department shall not require a transfer/processor to submit information on the identities of individual haulers (except for haulers who fail to provide required information), or end users when providing jurisdiction of origin, material type, or source sector information to the Department as part of its their report. The Department shall not require a transfer/processor to submit information on the identities of individual end users when providing material type or region to the Department as part of its their /report.~~

- ~~(1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.~~
- ~~(2) The Department may request require a transfer/processor to submit this information in lieu of an audit or as part of an audit or administrative proceeding.~~

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6 Public Resources Code.

Section 18815.6 Reporting Requirements for Disposal Facilities.

(a) All active permitted disposal facilities must shall report each quarter to the Department. In its their report to the Department, a disposal facility shall provide the following information for all tons disposed, with the exception of tires and biomass that have been separated from other solid waste prior to receipt by an EMSW conversion facility, using the reasonable methods in section 18815.9 of this Article:

- (1) ~~For solid waste~~ all tons received for disposal from a transfer/processor, report the tons of **each stream material disposed, including solid waste, disaster debris, and designated waste** from each transfer/processor, and their contact information and RDRS number, if applicable.
 - (2) ~~For solid waste~~ all **direct-hauled material, report the total aggregated tons of each of the following streams: solid waste, disaster debris, and designated waste. tons received for disposal directly from haulers, brokers, transporters, recyclers, composters, and other disposal facilities collectively (for waste generated by the reporting entity); all haulers collectively (including those bringing waste from recyclers, composters, and brokers or transporters):**
 - (A) Report the total tons of solid waste disposed from each jurisdiction of origin.
 - (B) Report an estimate of the aggregated tons, or overall percentage, from each source sector, using methods described in section 18815.9(c) of this article.
 - (C) ~~As specified in section 18815.9 of this article, disposal facilities may request periodic reports from haulers, which provide jurisdiction of origin and source sector information for the materials they deliver.~~
 - (3) For direct-hauled disaster debris not commingled with other solid waste, report the total tons disposed from each jurisdiction of origin.
 - (4) For direct-hauled designated waste not commingled with other solid waste, report the total tons disposed from each jurisdiction of origin.
 - (5) **Include accepted residuals generated by a recycling or composting facility or operation that is reporting under the same RDRS number as a disposal facility pursuant to section 18815.3(d)(5) of this article in the total tons accepted as direct-hauled, pursuant to paragraph (2), assigning the tons to the jurisdiction within which the site is located.**
- (b) In its report to the Department, a disposal facility shall provide the following information for all tons sent off-site, using the ~~reasonable~~ methods in section 18815.9 of this ~~Article~~. **If materials are created, separated, or recovered as a result of on-site activities, then they are considered as having been generated by the disposal facility.**
- (1) ~~For materials~~ **solid waste generated on-site, (such as ash), and sent to a another reporting entity or an end user disposal facility or transfer/processor disposal facility, broker, or transporter** inside or outside of California, report the total tons **sent for disposal or potential beneficial reuse by material type sent to each facility by material type, pursuant to section 18815.9(a) of this article**, and the facility's contact information and RDRS number, if applicable.
 - (2) ~~For material recovered generated by the disposal facility, and sent for potential recycling or composting recycling and composting activities on site do not surpass the reporting thresholds set forth in section 18815.3(b)(2), then report the tons sent pursuant to section 18815.9 of this article for tons sent:~~
 - (A) ~~For To a~~ **each recycling or composting facility or operation not on the same site with a different RDRS number, or for recycling at each transfer/processor with a different RDRS number** inside or outside of California, by material type, pursuant to section 18815.9(a) of this article, ~~sent to each person~~ and their contact information and RDRS number, if applicable.
 - (B) To an end user, by each end user category by region as defined in section 18815.3(k) of this article, and by material type, pursuant to section 18815.9(a)(2) of this article.
 - (C) To a broker or transporter:

- (i) In cases where the final destination of the material is ~~known~~ **determined** by the reporting disposal facility, report pursuant to subsections (b)(2)(A) and (b)(2)(B).
- (ii) In cases where the final destination of the material is not ~~known~~ **determined** by the reporting disposal facility, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
- (D) To a recycling or composting facility or operation **with the same RDRS number on the same site**, report pursuant to section 18815.9(h) of this article.
- (E) **To a recycling or composting facility or operation outside California, or for recycling at each transfer/processor with a different RDRS number outside California, report the tons of each material type by region.**
- ~~(3) If production of end products on site does not surpass the reporting thresholds set forth in section 18815.3(b)(2), then report the tons of end products sent to each end user category by region, pursuant to section 18815.3(i) by material type pursuant to section 18815.9(a).~~
- ~~(4) If a disposal facility sorts, recycles, or composts material above the reporting thresholds set forth in section 18815.3(b)(2), then the recycling and composting activities shall be reported pursuant to the Recycling and Composting Operations requirements set forth in section 18815.7 of this Article, under a separate RDRS number.~~
- ~~(3) (5) If a disposal facility receives material that it cannot or chooses not to dispose and sends and directly transfers that material to a transfer/processor or another disposal facility person inside or outside of California, then that material is not considered as having been generated on-site. The sending disposal facility shall register and report on that material according to the requirements for transfer/processors in section 18815.5 of this article.~~
- (c) In its report to the Department, a disposal facility shall provide the following information for all tons accepted for beneficial reuse, using the ~~reasonable~~ methods in section 18815.9 of this Article:
 - (1) For waste-derived material accepted for beneficial reuse from a transfer/processor ~~or another disposal facility~~, report the tons of each material ~~used~~ accepted for use from each transfer/processor ~~or disposal facility~~, and their contact information and RDRS number, if applicable as follows:
 - (A) Report the total tons of each material type accepted for use as ADC.
 - (B) Report the total tons of each material type accepted for use as AIC.
 - (C) Report the total tons of each material type accepted for use in construction, ~~which includes final cover, foundation layer, liner operations layer, leachate and landfill gas collection systems, fill, road base, wet weather operations pads, and access roads.~~
 - (D) Report the total tons of each material type accepted for use in landscaping and erosion control, ~~which includes soil amendments for erosion control, dust suppression, and landscaping.~~
 - (2) For **direct-hauled green waste** material accepted for beneficial reuse ~~from haulers, brokers, transporters, recyclers, composters, and disposal facilities~~: all haulers collectively (including those bringing waste from recyclers, composters, and brokers or transporters):
 - (A) Report the total tons by jurisdiction of origin of each material type accepted for use as ADC.
 - (B) Report the total tons by jurisdiction of origin of each material type accepted for use as AIC.
 - (C) Report the total tons by jurisdiction of origin of each material type accepted for use in ~~used~~ for construction, ~~which includes final cover, foundation layer, liner operations layer,~~

- ~~leachate and landfill gas collection systems, fill, road base, wet weather operations pads, and access roads.~~
- (D) ~~Report the total tons by jurisdiction of origin of each material type accepted for use in used for landscaping and erosion control, which includes soil amendments for erosion control, dust suppression, and landscaping.~~
- (3) For ~~direct-hauled~~ waste-derived material, other than green ~~waste~~ material, accepted for beneficial reuse ~~from haulers, brokers, transporters, recyclers, composters, and disposal facilities (for material generated by the reporting entity); all haulers collectively (including those bringing waste from recyclers, composters, and brokers or transporters);~~
- (A) ~~Report the total tons of each material type accepted for use as ADC.~~
- (B) ~~Report the total tons of each material type accepted for use as AIC.~~
- (C) ~~Report the total tons of each material type accepted for use in used for construction, which includes final cover, foundation layer, liner operations layer, leachate and landfill gas collection systems, fill, road base, wet weather operations pads, and access roads.~~
- (D) ~~Report the total tons of each material type accepted for use in used for landscaping and erosion control, which includes soil amendments for erosion control, dust suppression, and landscaping.~~
- ~~(4) Disposal facilities shall report beneficial reuse material types as approved by the enforcement agency, which include, but are not limited to:~~
- ~~(A) Sludge and sludge derived materials,~~
- ~~(B) Ash and cement kiln dust materials,~~
- ~~(C) Contaminated sediment, dredge spoils, foundry sands, energy resource exploration, and production wastes,~~
- ~~(D) Compost materials,~~
- ~~(E) Processed construction and demolition wastes and materials,~~
- ~~(F) Treated auto shredder waste, and~~
- ~~(G) Other material types approved for beneficial reuse by the enforcement agency.~~
- (d) A disposal facility shall ~~observe~~ report to the Department by the following due dates for each reporting period:
- (1) Reporting period 1 due June 30,
 - (2) Reporting period 2 due September 30,
 - (3) Reporting period 3 due December 31, **and**
 - (4) Reporting period 4 due March 31.
- (e) **With the exception of reporting entities who fail to provide required information,** ~~for the purposes of RDRS reporting, the Department shall not require a disposal facility to submit information on the identities of individual reporting entities haulers (except for haulers who fail to provide required information) when providing jurisdiction of origin, material type, or source sector information to the Department as part of a quarterly report. The Department shall not require a disposal facility to submit information on the identities of individual end users when providing material type or region to the Department as part of its report.~~
- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may ~~request~~ **require** that a disposal facility submit this information in lieu of an audit, or as part of an audit **or administrative proceeding.**

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6 Public Resources Code.

Section 18815.7 Reporting Requirements for Recycling and Composting Facilities and Operations.

- (a) In its report to the Department, a recycling or composting facility or operation shall provide the following information for all tons handled, using the reasonable methods described in section 18815.9 of this Article:
- (1) For materials sent for disposal or potential beneficial reuse to a each transfer/processor, broker, transporter, or disposal facility with a different RDRS number inside or outside of California, report the total tons of each material type, pursuant to section 18815.9(a)(~~2~~) of this Article, sent to each person and their contact information and RDRS number, if applicable.
 - (2) For materials sent for potential recycling or composting to a recycler, or composter to each recycling or composting facility or operation with a different RDRS number, or for recycling at each transfer/processor with a different RDRS number not on the same site, broker, or transporter inside or outside of California, report the tons of each material type, pursuant to section 18815.9(a) of this article, sent to each person and their contact information and RDRS number, if applicable.
 - (3) For materials sent for potential recycling or composting to a recycling or composting facility or operation with the same RDRS number on the same site, report pursuant to section 18815.9(h) of this article.
 - (4) For end intermediate products sent to end users inside or outside of California, report the tons of each material type, pursuant to section 18815.9(a) of this Article, sent to each end user category by region pursuant to section 18815.3(~~(h)~~)(k) of this Article.
 - (5) For materials sent to a broker or transporter, report:
 - (A) In cases where the final destination of the material is known determined by the reporting recycling or composting facility or operation, report pursuant to subsections (a)(1), (a)(2), and (a)(3) (a)(4), and (a)(6) as applicable.
 - (B) In cases where the final destination of the material is not known determined by the reporting recycling or composting facility or operation, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each broker or transporter and their contact information and RDRS number, if applicable.
 - (6) **For materials sent to each recycling or composting facility or operation outside California, or for recycling at a transfer/processor outside California, report the tons of each material type by region.**
- (b) A recycling or composting facility or operation is not required to report on material sold for reuse or transferred for reuse.
- (c) A recycler who handles business-to-business post-industrial materials, but also handles materials that do not meet the criteria in section 18815.2(a)(8) of this article, shall:
- (1) Report as a recycler pursuant to this section for all materials that do not meet the criteria for business-to-business post-industrial recycling, and
 - (2) Not include information or tonnages associated with the business-to-business post-industrial materials recycled as defined in section 18815.2(a)(8) of this article.
- (d) ~~(b)~~ A recycling or composting facility or operation shall observe report to the Department by the following due dates for each reporting period:

- (1) Reporting period 1 due May 31,
- (2) Reporting period 2 due August 31,
- (3) Reporting period 3 due November 30, and
- (4) Reporting period 4 due February 28.

(e) ~~(c)~~ **With the exception of other reporting entities,** for the purposes of RDRS reporting, the Department shall not require a recycling and composting facility or operation to submit information on the identities of individual end users, suppliers, or customers, ~~(with the exception of other reporting entities),~~ when providing material type information to the Department as part of a quarterly report.

- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
- (2) The Department may ~~request~~ **require that a recycler/composter submit** this information in lieu of an audit, or as part of an audit **or administrative proceeding.**

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6 Public Resources Code.

Section 18815.8 Reporting Requirements for Brokers and Transporters~~Transporters and Brokers.~~

~~(a) A person who does not take legal ownership of materials and does not decide the destination for the material, but merely facilitates a sale or transfer, is not required to report the transaction to the Department.~~

(a) ~~(b)~~ In **its** ~~their~~ report to the Department, a ~~transporter or broker~~ broker or transporter shall provide the following information for all tons of material for which they determined the destination ~~they legally possess,~~ using the reasonable methods described in section 18815.9 of this ~~a~~ Article:

- (1) For materials sent for disposal or potential beneficial reuse to ~~a~~ **each** transfer/processor, ~~or disposal facility, broker, or transporter~~ inside or outside of California, report the total tons of each material type, pursuant to section 18815.9(a) of this ~~a~~ Article, ~~sent to each person or facility~~ and their contact information and RDRS number, if applicable.
- (2) For materials sent **to each recycling or composting facility or operation, or for recycling at each transfer/processor with a different RDRS number** ~~for recycling or composting to recycler, or composter, broker, or transporter~~ inside or outside of California, report the tons of each material type, pursuant to section 18815.9(a) of this article, ~~sent to each person or facility~~ and their contact information and RDRS number, if applicable.
- (3) For ~~end~~ intermediate products sent to end users inside or outside of California, report the tons of each material type, pursuant to section 18815.9(a) of this ~~a~~ Article, sent to each end user category by region pursuant to section 18815.3~~(j)~~(k) of this ~~a~~ Article.
- (4) For materials sent to another broker or transporter:
 - (A) In cases where the final destination of the material is ~~known~~ **determined** by the reporting broker or transporter, report pursuant to subsections (a)(1), (a)(2), and (a)(3), as applicable.
 - (B) In cases where the final destination of the material is not ~~known~~ **determined** by the reporting broker or transporter, report tons of each material type, pursuant to section 18815.9(a) of this article, sent to each receiving broker or transporter and their contact information and RDRS number, if applicable.

(5) To each recycling or composting facility or operation outside California, or for recycling at each transfer/processor with a different RDRS number outside California report the tons of each material type by region.

- (b) ~~(e)~~ A ~~transporter or broker~~ broker or transporter shall ~~observe~~ report to the Department by the following due dates for each reporting period:
- (1) Reporting period 1 due May 31,
 - (2) Reporting period 2 due August 31,
 - (3) Reporting period 3 due November 30, **and**
 - (4) Reporting period 4 due February 28.
- (c) ~~(d)~~ **With the exception of other reporting entities,** ~~f~~For the purposes of RDRS reporting, ~~with the exception of other reporting entities or out-of-state entities,~~ the Department shall not require a ~~transporter or broker~~ broker or transporter to submit information on the identities of customers or destinations ~~(with the exception of other reporting entities), or end users~~ when providing ~~jurisdiction of origin, material type, or source sector~~ information to the Department as part of a quarterly report.
- (1) A jurisdiction is not precluded from requiring this information through franchise agreements, contracts, local ordinances, section 41821.5(g) of the Public Resources Code, or other authority it may have.
 - (2) The Department may ~~request~~ **require that a broker/transporter submit** this information in lieu of an audit, or as part of an audit **or administrative proceeding.**

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5 and 41821.6 Public Resources Code.

Section 18815.9 Reasonable Methods.

- (a) When required by this ~~A~~ article, a reporting entity shall use the following methods to report material types:
- (1) ~~With the exception of food waste self-haulers, recycling and composting facilities and operations, and potential beneficial reuse material, a~~ reporting entity shall report all material ~~sent for disposal, including residuals, sent to a disposal facility as solid waste. A reporting entity~~ **and is not required to further sort or characterize this material. Recycling and composting facilities and operations shall report by material type pursuant to paragraph (2) of this subsection for residuals and separated materials sent to a disposal facility. The material type for potential beneficial reuse material shall be reported pursuant to paragraph (3) of this subsection.**
 - (2) A reporting entity shall report ~~recyclable materials, organics, and end products~~ at the level of segregation ~~of the material at the time it they was~~ sold or transferred, as follows:
 - (A) A reporting entity shall report a homogeneous material or individual grade of material as that individual material type, for example, HDPE, aluminum, concrete, or mulch.
 - (B) A reporting entity shall report combinations of various materials within a single material category based on industry standards, for example, ferrous metals, mixed glass, mixed paper, or rigid plastics. A reporting entity is not required to further sort or characterize this material.

- (C) A reporting entity shall report mixed materials from several categories as mixed materials or commingled recyclables **based on industry standards**. A reporting entity is not required to further sort or characterize this material.
- (D) A reporting entity shall report solid waste mixed with other materials as solid waste. A reporting entity is not required to further sort or characterize this material.**
- (3) A reporting entity shall:
- (A) Report all ADC and AIC by the following material types:
- (i) Ash and cement kiln dust materials,
 - (ii) Construction and demolition wastes and materials,
 - (iii) Compost materials, **which include residuals left over from the composting process,**
 - (iv) Green material,
 - (v) Contaminated sediment, dredge spoils, foundry sands, energy resource exploration, and production wastes,
 - (vi) Processed construction and demolition wastes and materials,
 - (vii) Shredded tires,
 - (viii) Sludge and sludge-derived materials,
 - (ix) Treated automobile shredder waste, and
 - (x) Other material types approved for beneficial reuse by the enforcement agency, **such as materials left over after the material recovery process**. The reporting entity shall specify the approved material type in ~~its~~ **their** report to the Department.
- (B) Report all materials used for construction, landscaping, and erosion control on site by material type, pursuant to subsection (a)(2).
- (C) Not include tons of clean or contaminated soil used as cover material or for other uses at a landfill.
- (b) When required by this Article, a reporting entity shall use the following methods to determine jurisdiction of origin for material sent to disposal **or for green material beneficial reuse**:
- (1) A hauler shall provide the jurisdiction ~~or~~ of origin information at the time of delivery, unless both the hauler and receiving facility have agreed to periodic reports in lieu of providing information at the time of delivery. The hauler shall provide the periodic report to the receiving reporting entity within 30 days of the end of the reporting period. The hauler shall use any of the following sources of information to estimate the percentage of solid waste from each jurisdiction:
- (A) Actual tons collected from each jurisdiction.
 - (B) Total volume of bins emptied from each jurisdiction.
 - (C) Billing records for customers in each jurisdiction.
 - (D) Company dispatcher records of hauling routes and generator locations.
- ~~(2) A transfer/processor or disposal facility:~~
- ~~(A) With an gatehouse attendant present during business hours shall ask all haulers of incoming loads persons bringing materials for the jurisdiction of origin, unless they receive that information via periodic reports from haulers.~~
 - ~~(B) Without an gatehouse attendant present during business hours may use billing or property records to determine jurisdiction of origin for that material. If billing or property records are not available or not representative of material disposed, then the reporting entity shall assign the solid waste to the jurisdiction where the reporting entity is located.~~
 - ~~(C) Without an gatehouse attendant present during business hours That does not have sufficient staff to ask about each incoming load, and is located in a rural city or county, as defined in sections 40183 and 40184 of the Public Resources Code, may conduct origin~~

~~surveys no less frequently than once per reporting period and for at least one week in duration. During the survey weeks, the reporting entity shall survey every load of solid waste to determine jurisdiction of origin. Jurisdiction percentages obtained during survey week shall be applied to tonnages for the entire reporting period.~~

- (2) **A transfer/processor or disposal facility shall determine the jurisdiction of origin for each load of material accepted by asking each person bringing materials at the time of delivery, using periodic reports from the entities delivering materials, or using methods to capture the information on each load as it arrives, unless it meets one of the following criteria:**
- (A) **A transfer/processor or disposal facility without a gatehouse attendant present during all business hours shall collect jurisdiction of origin information on each load for all hours in which an attendant is present. If a gatehouse attendant is not present during all business hours for at least one week during the quarter, then a facility shall additionally conduct an origin survey no less frequently than once per reporting period and for at least one week in duration. During the survey week(s), the facility shall survey every load of material received to determine the jurisdiction of origin. A facility shall apply the jurisdiction percentages obtained during survey week to tonnages that have not been assigned to a jurisdiction of origin in the reporting period.**
- (B) **A transfer/processor or disposal facility without a gatehouse attendant present during any business hours that only accepts material from specified jurisdictions may assign the solid waste to those jurisdictions based on facility usage agreements and restrictions, property records or other records that are representative of the jurisdiction breakdown of the material received.**
- (C) **A transfer/processor or disposal facility without a gatehouse attendant present during any business hours that has no representative basis for determining jurisdiction of origin may assign the solid waste to the jurisdiction in which the facility is located.**
- (3) ~~A transfer/processor shall determine jurisdiction of origin for material sent for disposal solid waste and green material potential beneficial reuse sent to a disposal facility~~ **or another transfer/processor** based on allocations of inbound materials. A transfer/processor may adjust the allocations of inbound percentages from facilities or haulers, based on facility-specific practices such as:
- (A) Tracking and sorting individual loads,
- (B) Segregating the flows from different jurisdictions, or
- (C) Gathering other relevant information on the composition and recoverability of the materials from each facility or jurisdiction.
- (4) **A recycler, composteur, broker, transporter, or disposal facility shall provide the jurisdiction of origin for all solid waste or green material potential beneficial reuse sent to each transfer/processor or disposal facility. The jurisdiction of origin of this material shall be the jurisdiction within which the recycler, composteur, or disposal facility is located. For brokers and transporters, the jurisdiction of origin shall be the jurisdiction within which the reporting entity supplying the material is located.**
- (c) When required by this Article, a **transfer/processor or disposal facility** ~~reporting entity~~ shall estimate the overall tonnages or percentages from each source sector for materials sent for disposal, using any of the following methods:
- (1) Assigning source sector based on truck type, such as:
- (A) Small vehicles, such as {automobiles, pickups and small trailers}, and flat beds as “self-hauled.”
- (B) Side loaders as “contract-hauled single-family residential.”
- (C) Front loaders and rear loaders as “contract-hauled commercial/multi-family.”

- (2) Assigning source sector by using billing records, such as:
 - (A) Cash accounts as “self-hauled.”
 - (B) Accounts with jurisdictions or their haulers for residential routes as “contract-hauled single-family residential.”
 - (C) Accounts with jurisdictions or their haulers for commercial routes as “contract-hauled commercial/multi-family.”
- (3) Using periodic reports from contract haulers on the source sectors of their routes. A transfer/processor or disposal facility may request but not require periodic reports from a hauler.
- (4) Asking all incoming loads if they are bringing waste from residential routes, commercial routes or as a self hauler, including disaster debris and designated waste.
- (5) Assigning disaster debris and designated waste as “self-hauled.”**
- (6) Assigning residual disposal from, and material sent by, recyclers, composters, brokers, transporters and disposal facilities to the “self-hauled” source sector.**
- (d) If asked for information on source sector, then a **contract** hauler shall provide the information at the time of delivery, unless both the **contract** hauler and receiving facility have **previously** agreed to periodic reports in lieu of providing information at the time of delivery. In these cases, a **contract** hauler shall provide the periodic report to the receiving reporting entity within 30 days of the end of the reporting period. When providing source sector information, a hauler shall use any of the following methods to estimate the overall tonnages or percentages of disposal from each source sector sent to the receiving facility:
 - (1) Assigning source sector by truck type as follows, such as:
 - (A) Side loaders as “contract-hauled single-family residential.”
 - (B) Front loaders and rear loaders as “contract-hauled commercial/multi-family.”
 - (2) Assigning source sector by using billing records as follows such as:
 - (A) Accounts with jurisdictions for residential routes as “contract-hauled single-family residential.”
 - (B) Accounts with jurisdictions for commercial routes as “contract-hauled commercial/multi-family.”
 - (C) Accounts with businesses and apartments as “contract-hauled commercial/multi-family.”
 - (3) Assigning source sector by using dispatcher records of hauling routes, total bin volumes from each source sector, or total weights from each source sector.
 - (4) Disaster debris and designated waste shall be assigned to the “self-hauled” source sector.**
- (e) If a **transfer/processor or disposal facility lacks an attendant and** reporting entity is unable to estimate source sector using one of the methods in this section, then the reporting entity shall **assign all tonnage to the sector that makes up most of the delivered material based on operator observations of the site traffic or material disposed**—submit to the Department a request to use an alternative method. The Department shall review proposals for alternative methods and either approve or disapprove of the method within 90 days.
- (f) If a method in this section is used, then inaccuracies or errors in source sector reporting shall not be subject to penalties pursuant to section 18815.10 of this ~~A~~ article.
- (g) When required by this ~~A~~ article, a reporting entity shall use the following methods to report tonnages:
 - (1) A reporting entity that uses ~~scales~~ certified scales to measure a transaction by weight shall use that measurement, and not an estimate based on volume, when compiling and submitting ~~its~~ **their** report to the Department.

- (2) A reporting entity that does not use certified scales, but uses non-certified scales to measure a transaction by weight shall use that measurement, and not an estimate based on volume, when compiling and submitting ~~its~~ **their** report to the Department.
- (3) ~~(2)~~ A reporting entity shall use scales to measure tons, unless they meet one of the following exceptions:
- (A) If a transfer/processor or disposal facility records self-haul loads by volume, then it may estimate disposal tonnages using volume to weight conversion factors. **If a transfer/processor or a disposal facility records self-haul loads by vehicle size and/or type, then it may estimate the disposal tonnages using weight estimates for each vehicle size and/or type.**
- (B) If a transfer/processor weighs total inbound contract-hauled tons and the total tons sent to disposal, then it may use the difference in weight to estimate self-haul sector.
- (C) If a transfer/processor accepts an annual average of less than 100 tons of material per operating day, or less than 200 tons per operating day if located in a rural city or county, as set forth in sections 40183 and 40184 of the Public Resources Code, then it may use volume to weight conversion factors, or report tonnages weighed at the receiving facility.
- (D) If a ~~recycler (including CDI recyclers) or composter~~ **reporting entity** sells or transfers materials, **other than solid waste**, based on volume, then ~~they~~ **it** ~~they~~ may use material-specific volume to weight conversion factors to estimate tons.
- ~~(E) If a reporting entity creates end products which are liquids or gases, then they shall use material-specific conversion factors to estimate tons.~~
- (E) When required by subsection (h), a reporting entity, who sends material to another reporting entity **with a different RDRS number** located on the same site using a conveyance system without scales, shall estimate and report tonnages transferred by using volume to weight conversion factors, flow rates, belt scales, or another method approved by the Department.
- (4) ~~(3)~~ A disposal facility may use volume to weight conversion factors under the following conditions:
- (A) The disposal facility does not have access to scales and does not receive more than 4,000 tons of solid waste per year from contract-haulers, not including disaster ~~waste~~ debris.
- (B) The disposal facility is located in an area prone to inclement weather for three or more months of the year, which would not allow for the adequate operation and maintenance of scales.
- (C) The disposal facility is so remote that the availability of an electric utility to power the scales is prohibitive.
- (5) ~~(4)~~ A reporting entity shall indicate in their report if conversion factors were used to estimate tons, retain documentation on the basis and usage of any volume to weight conversion factors, and update the factors every three (3) years. The Department may require a reporting entity to revise the factors and reports if the Department determines that volumetric conversion factors are not satisfactory.
- (h) Tonnages of material transferred within ~~or between~~ a reporting entity or **between reporting** entities located on the same site shall be recorded and reported as described below. Refer to subsection ~~(g)(2)~~ of this article for situations in which volume-to-weight conversion factors are allowed to estimate material tonnages.
- (1) ~~Recycling and composting~~ Except as provided in subsections (h)(4) and (h)(5), facilities and operations reporting with the same RDRS number and located on the same site are not required to report the tonnages of material transferred between each facility or operation to the

~~Department. The reporting entity responsible for the off-site sale or transfer of the aggregated material shall report the appropriate tonnages to the Department.~~

- ~~(2) A reporting entity who sends separated recyclables or separated organics to another reporting entity with a different RDRS number located at the same site with the same operator is not required to report the tonnages of separated recyclable or separated organic material transferred between each facility or operation to the Department. The reporting entity responsible for the off-site sale or transfer of the aggregated material shall report the appropriate tonnages to the Department.~~
- ~~(3) A reporting entity who sends mixed recyclables or mixed organics to another reporting entity with a different RDRS number located at the same site for additional processing shall record tonnages transferred. The reporting entity shall report this information on on-site material transfers to the Department.~~
- ~~(4) A reporting entity who sends solid waste to a transfer/processor or disposal facility located at the same site shall record tonnages transferred. The reporting entity shall report this information on on-site material transfers to the Department.~~
- (3) A reporting entity who sends **solid waste or** material for potential beneficial reuse at a **transfer/processor or** disposal facility **with a different RDRS number** located at the same site shall ~~record tonnages transferred. The reporting entity shall~~ report this information ~~on on-site material transfers~~ to the Department **in the same manner as though it were sent off-site.**
- (4) **A transfer/processor shall include the tons of solid waste generated on-site by recyclers and composters under the same RDRS number and accepted by the transfer/processor in the total tons accepted pursuant to section 18815.5(a)(1)(D) of this article.**
- (5) **A disposal facility shall include the tons of solid waste generated on-site by recyclers and composters under the same RDRS number and accepted by the disposal facility in the total tons accepted pursuant to section 18815.6(a)(5) of this article.**
- (i) ~~(h)~~ In **its** their report to the Department, a reporting entity shall identify which methods set forth in this section they used in the preparation of the report.
- (j) When required by this article, a reporting entity shall categorize material sent to each person or end user category into one or more of the following streams, and report to the Department in the manner described below:
 - (1) Solid waste disposal, which requires jurisdiction of origin, source sector, and RDRS number and contact information of the receiving facility or operation, if applicable. Recyclers, composters, and food waste self-haulers shall additionally report material type pursuant to subsection (a).
 - (2) Disaster debris disposal, which requires RDRS number and contact information of the receiving facility or operation, if applicable.
 - (3) Designated waste disposal, which requires RDRS number and contact information of the receiving facility or operation, if applicable.
 - (4) Green material potential beneficial reuse, which requires jurisdiction of origin, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (5) Non-green material potential beneficial reuse, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (6) Recycling and composting, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.
 - (7) Broker or transporter, which requires material type, and RDRS number and contact information of the receiving facility or operation, if applicable.

- (8) End user, which requires material type by end user category and region pursuant to section 18815.3(k) of this article. Reporting entities are not required to provide the contact information of individual end users in their reports to the Department.
- (9) If the person to whom material was sent is located outside California, and is not obligated to report to the Department, a reporting entity is not required to provide the contact information of that person to the Department for material streams described in paragraphs (6) and (7) of this subsection.
- (10) Except for material sent to a broker, transporter, or end user, if a reporting entity is unsure or does not know into which stream a material being sent should be categorized, they shall report that material stream based on the following defaults:
 - (A) For material sent to a transfer/processor or disposal facility, report pursuant to paragraph (1) of this subsection.
 - (B) For material sent to a recycler or composter, report pursuant to paragraph (6) of this subsection.

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.10 Procedure for Imposing Civil Liabilities.

- (a) The Department shall impose administrative civil penalties authorized by sections 41821.5 through 41821.8 of the Public Resources Code in accordance with the procedures set forth in this section.
- (b) Prior to initiating any enforcement proceeding, the Department shall notify a reporting entity in writing of any ~~potential~~ ~~alleged~~ failure to comply with this ~~Article~~ and its implementing statute. The notification will include all of the following:
 - (1) A description and dates of the ~~potential~~ ~~alleged~~ compliance failures.
 - (2) A compliance deadline that allows for reasonable time to remedy.
 - (3) Any potential penalties that may be assessed if the compliance deadline is not met.
 - (4) If the alleged violation or compliance failure is corrected by the deadline, then no further enforcement will be pursued by the Department.
 - (5) If there are extenuating circumstances, then the Department can extend the compliance deadline.
- (c) Civil penalties may be imposed as set forth in Penalty Table I as follows:
 - (1) ~~The number of violations~~ **Each violation** shall be multiplied by the number of days the ~~business~~ reporting entity was in violation. The number of days the violation occurred will begin one day after the compliance deadline the Department issued in its written notification of an ~~potential~~ ~~alleged~~ failure to comply to the reporting entity. If the ~~infraction~~ **violation** is not corrected ~~per~~ pursuant to subsection (b), then the following table applies:

Penalty Table I. All ~~finer~~ **penalties** are per day the ~~person~~ **reporting entity** is in violation.

<u>Authority</u>	<u>Description of Violation</u>	<u>1st Offense Violation</u>	<u>2nd Offense Violation</u>	<u>3rd and subsequent Offense Violation (s)</u>

Public Resources Code 41821.5(d)	Any <u>person reporting entity</u> who fails to submit information on time as required by this <u>Article</u> .	\$500	\$1,000	\$5,000
Public Resources Code 41821.5(d)	Any <u>person reporting entity</u> who refuses to submit information required by this <u>Article</u> .	\$1,000 – \$5,000	\$1,000 - \$5,000	\$5,000
Public Resources Code 41821.5(e)	Any <u>person reporting entity</u> who knowingly or willfully files a false report or any <u>person reporting entity</u> who alters, cancels, or obliterates entries in the records for the purpose of falsifying the records as required by this <u>Article</u> .	\$500 - \$10,000	\$2,500 - \$10,000	\$5,000- \$10,000
Public Resources Code 41821.5(e)	Any <u>person reporting entity</u> who refuses to allow the Department or any of its representatives to inspect or examine records as required by this <u>Article</u> .	\$500- \$2,500	\$2,500- \$5,000	\$5,000
Public Resources Code 41821.5(e)	Any <u>person reporting entity</u> who fails to keep any records for inspection as required by this <u>Article</u> .	\$500	\$500 - \$2500	\$1,000 - \$5,000

(d) Once a potential penalty range from Penalty Table I is determined, the Department shall take the following factors into consideration in determining the total penalty amount to be requested in an Administrative Accusation:

- (1) Whether the violation(s) were intentional.
- (2) Whether the violation(s) demonstrate a chronic pattern of non-compliance with the regulations set forth in this Article.
- (3) Whether the violation(s) were due to circumstances beyond the reasonable control of the person reporting entity or were unavoidable under the circumstances.
- (4) Whether the person reporting entity acted in good faith to comply, including correcting the violation(s) in a timely manner.
- (5) Whether the violation(s) were voluntarily and promptly reported to appropriate authorities prior to the commencement of an investigation by the enforcement agency.
- (6) The circumstances, extent, and gravity of any violation(s).

(e) The Administrative Accusation may be served on the respondent by the following means:

- (1) Personal service.
- (2) Substitute service by using the same service procedures as described in section 415.20 of the Code of Civil Procedure.
- (3) Certified Mail: For respondents who are registered with the Department's electronic RDRS system, the mailing address(es) or addresses provided at the time of registration will be used. Proof of service of the Administrative Accusation shall be the certified mail receipts or registered mail receipts proving the accusation and accompanying materials were sent to respondent by certified mail or registered mail. For other respondents that have not provided addresses to the

Department, certified mail or registered mail pursuant to the procedures indicated in the Administrative Procedure Act at section 11505(c) of the Government Code applies.

- (f) In any case in which it is determined that more than one reporting entity is responsible and liable for a violation, each reporting entity may be held jointly and severally liable for an administrative civil penalty.
- (g) Reports ~~regarding jurisdiction of origin~~ shall be based on the information provided to a reporting entity at the time the report is due. The Department shall not hold reporting entities liable for incomplete or inaccurate ~~reports regarding jurisdiction of origin information~~ information provided by a hauler or other third party, ~~if the reporting entity identifies the hauler that failed to provide data or provided incorrect data, as required by section 18815.3(l) of this Article.~~ If a reporting entity is aware that a third party has failed to provide information or has provided incorrect information, then the reporting entity shall identify the third party and the alleged error or omission, as required by section 18815.3(p)(n)(1) of this article. **To the extent the Department identifies an impact of incomplete or inaccurate information reported by a hauler or other third party on a specific jurisdiction, the Department shall notify that jurisdiction.**

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.11 Record Retention Requirements for a Reporting Entity.

- (a) A reporting entity shall retain a copy of all reports and supporting records that were used in creating those reports at ~~its~~ **their** place of business for five (5) years.
- (b) As applicable to ~~your~~ **the** type of reporting entity, ~~R~~records to be retained shall include, but are not limited to:
 - (1) The specific generator locations of a load of solid waste to verify the jurisdiction of origin for disposed waste.
 - (2) Bills of lading, receipts, monthly billing statements to any person transferring material, and contact information for those entities.
 - (3) Daily log entries prepared by the reporting entity detailing the acceptance, transport, or delivery of material, the associated amounts, sources, material types, jurisdictions of origin, and the associated dates.
 - (4) Weight tags for individual haulers, transfer or other loads that identify the hauler, vehicle, vehicle type, quantity and unit of measure, date, waste type, and jurisdiction of origin of material delivered, transported, or received.
 - (5) All base data, methods and calculations used to derive information in a report.
- (c) A reporting entity shall maintain the documentation described in this section in a usable format, either electronically or on paper.

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.12 Confidentiality of Reports and Records and Record Review Requirements for a Reporting Entity.

- (a) A reporting entity shall provide access to the records required by this Article to any authorized representative of the Department upon request.
- (b) If the Department requests copies of specific records either prior to, in lieu of, or after an inspection, then a reporting entity shall provide the copies within ten business days, unless additional time is necessary to search for, collect, and examine records to respond to the request. In no case shall the copies be delayed more than an additional 14 days, unless agreed to by the Department.
- (c) A reporting entity shall provide records to the Department electronically, and in a format that will allow effective review, such as searchable portable document format (PDF), spreadsheet, or other searchable format.
- (d) Pursuant to section 41821.5(g)(7) of the Public Resources Code, a reporting entity may redact the records subject to inspection or copying by the Department before inspection or submittal, to exclude confidential pricing information contained in the records, such as contract terms and conditions, including information on pricing, credit terms, volume discounts, and other proprietary business terms.
- (e) Pursuant to section 41821.5(g)(1) of the Public Resources Code, the records maintained by a reporting entity to support a report shall be confidential and shall not be subject to disclosure by the Department under the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code].
- (f) Pursuant to section 41821.5(i) of the Public Resources Code, a reporting entity may designate information as trade secret and request that the records provided to the Department in accordance with this section may be exempt from disclosure. The Department will review the request as provided in Public Resources Code section 40062 and implementing regulations.
- (g) For purposes of this Article, whether retained by a reporting entity or submitted to the Department as part of a report required by this Article or as part of an audit or in lieu of an audit, the following types of records shall be deemed to be confidential and not subject to disclosure **by the Department**, whether or not the record is identified as such by the person furnishing the information to the Department, without the need to follow the procedure set forth in section 17046(c):
 - (1) Weight tickets,
 - (2) Customer lists,
 - (3) Pricing or similar financial data, or
 - (4) Any other information, from which the identity of any account, customer, vendor, buyer, supplier, end user, or other source or transferee of recyclable material may be reasonably ascertained, such as name, address, or other identifying information.
- (h) Pursuant to section 41821.6 of the Public Resources Code, in order to ensure that records required pursuant to this Article are accurate and properly maintained, in addition to inspecting all relevant records, the Department may conduct audits, perform site inspections, observe facility operations, and otherwise investigate the recordkeeping and reporting of persons subject to the requirements of this Article. Any records, reports, notes, studies, drawings, schematics, photographs, or trade secrets, as defined in section 3426.1 of the Civil Code, obtained, produced, or created by the Department in connection with or arising from such audits, inspections, or observations are confidential and shall not be subject to disclosure under the California Public Records Act [Chapter 3.5 (commencing with section 6250) of Division 7 of Title 1 of the Government Code]. They also shall also be deemed confidential and not subject to disclosure according to subsection (g).

- (i) Government entity requests for inspections or records shall be subject to the provisions of Public Resources Code section 41821.5(g) and shall not be subject to the Department's compliance procedures outlined in 18815.10, 18815.11 and 18815.12 of this Article.

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

Section 18815.13 Complaints Regarding Non-Compliance.

- (a) In their quarterly report to the Department, a reporting entity shall inform the Department of specific allegations of non-compliance by another reporting entity who fails to provide them with the information required by this Article. The reporting entity shall provide the relevant and specific details for each occurrence reported.
- (b) In their quarterly report to the Department, a reporting entity shall inform the Department if ~~it~~ **has they have** evidence suggesting the information provided to it by another reporting entity, as required by this article, is inaccurate. The reporting entity shall provide the relevant and specific details for each occurrence reported.
- (c) Affected or involved parties who are not reporting entities, such as jurisdictions, may report specific allegations of non-compliance by a reporting entity. The party reporting the alleged non-compliance shall identify the reporting entity and the facts upon which ~~that~~ their allegation is based ~~upon~~ so the Department may investigate appropriately.

Authority cited: Sections 40502, and 41821.5(c), Public Resources Code, Reference: Sections 41821.5, 41821.6, 41821.7, 41821.8, 41821.9, Public Resources Code.

TITLE 27	ENVIRONMENTAL PROTECTION
DIVISION 2	SOLID WASTE
CHAPTER 3.	CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL SITES
SUBCHAPTER 4.	CRITERIA FOR LANDFILLS AND DISPOSAL SITES
ARTICLE 1.	CIWMB - OPERATING CRITERIA
SECTION 20510.	CIWMB - DISPOSAL SITE RECORDS. (T14: SECTION 17258.29, 17636, 17637, 17638, 17639)

(a) Each site operator shall maintain records of weights or volumes accepted in a form and manner approved by the EA. Such records shall be submitted to the EA upon request, accurate within 10 percent and adequate for overall planning purposes and forecasting the rate of site filling.

(b) Each site operator shall maintain records of excavations that may affect the safe and proper operation of the site or cause damage to adjoining properties.

(c) Each site operator shall maintain a daily logbook or file of the following information: fires, landslides, earthquake damage, unusual and sudden settlement, injury and property damage accidents, explosions, receipt or rejection of unpermitted wastes, flooding, and other unusual occurrences.

(d) Each site operator shall maintain a record of personnel training as required in section 20610.

(e) Each site operator shall maintain a copy of written notification to the EA, local health agency, and fire authority of names, addresses, and telephone numbers of the operator or responsible party of the site as required in section 20615.

(f) Disposal site records, including MSWLF unit records, shall be available for inspection by authorized representatives of the EA, the local health agency, and the ~~CIWMB~~ Department during normal business hours and retained near the site in an operating record or in an alternative location approved by the EA.

~~(g) Each site shall maintain records for the Disposal Reporting System as required by Title 14 California Code of Regulations section 18800 et seq. Each operator shall maintain records in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18815.1 et seq. The records shall be available for inspection as authorized by that article during normal business hours and retained in the operating record near the site or in an alternative location approved by the Local Enforcement Agency.~~

Note:

Authority cited: Section 40502 Public Resources Code.

Reference: Sections 43020, 43021 and 43103, Public Resources Code.

TITLE 27	ENVIRONMENTAL PROTECTION
DIVISION 2	SOLID WASTE
CHAPTER 3.	CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL SITES
SUBCHAPTER 4.	CRITERIA FOR LANDFILLS AND DISPOSAL SITES
ARTICLE 2.	ALTERNATIVE DAILY COVER MATERIAL AND BENEFICIAL REUSE
SECTION 20686.	BENEFICIAL REUSE

Beneficial reuse of solid wastes at a solid waste landfill shall include, but not be limited to, the following: alternative daily cover, alternative intermediate cover, final cover foundation layer, liner operations layer, leachate and landfill gas collection system, construction fill, road base, wet weather operations pads and access roads, and soil amendments for erosion control and landscaping. Alternative daily cover reuse shall comply with the requirements of section 20690. Alternative intermediate cover reuse shall comply with the requirements of section 20700. Other beneficial reuse shall comply with the following requirements:

- (a) Beneficial reuse shall be restricted to those solid wastes appropriate for the specific use and in accordance with engineering, industry guidelines, or other standard practices specified in the Report of Disposal Site Information as required by section 21600(b)(6).
- (b) Beneficial reuse shall be restricted to quantities of solid wastes no more than necessary to meet the minimum requirements of (a). Should the ~~CIWMB Department~~ determine that an owner or operator violated this standard, the owner or operator shall revise the applicable reports to reflect the overuse as disposal, and pay the required ~~Board of Equalization (BOE)~~ California Department of Tax and Fee Administration (CDTFA) disposal tipping fees for the amount of overuse.
- (c) Storage and handling of solid waste and derived materials for beneficial reuse shall be conducted in a manner to protect public health and safety and the environment, and to control vectors, fires, odors, and nuisances.
- (d) The owner or operator shall maintain a record of beneficial reuse in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, Section 18800 18815.1 et seq. The records shall be available for inspection by authorized representatives of the EA, the local health agency, and the ~~CIWMB Department~~ during normal business hours and retained in the operating record near the site or in an alternative location approved by the EA.

Note:

Authority cited: Sections 40502, 41781.3, 43020, 43021, 43030 and 43103, Public Resources Code.

Reference: Sections 40508, 42245, 43020 and 43021, Public Resources Code; and Title 40 Code of Federal Regulations Section 25

TITLE 27	ENVIRONMENTAL PROTECTION
DIVISION 2	SOLID WASTE
CHAPTER 3.	CRITERIA FOR ALL WASTE MANAGEMENT UNITS, FACILITIES, AND DISPOSAL SITES
SUBCHAPTER 4.	CRITERIA FOR LANDFILLS AND DISPOSAL SITES
ARTICLE 2.	CIWMB - DAILY AND INTERMEDIATE COVER
SECTION 20690.	CIWMB - ALTERNATIVE DAILY COVER. (T14: SECTION 17682, 17258.21(B))

(a) General Requirements

(1) Alternative materials of alternative thickness for daily cover (other than at least six inches of earthen material) for municipal solid waste landfill units may be approved by the EA with concurrence by the CIWMB Department, if the owner or operator demonstrates that the alternative material and thickness control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment.

(2) Alternative daily cover alone, or in combination with compacted earthen material, shall be placed over the entire working face at the end of each operating day or at more frequent intervals to control vectors, fires, odors, blowing litter, and scavenging without presenting a threat to human health and the environment. For the purposes of this section, the operating day shall be defined as the hours of operation specified in the solid waste facility permit, and may extend for more than 24 hours if operations are continuous. Waste-derived alternative daily cover shall be processed prior to spreading and compacting on the working face and applied and compacted to ensure that all exposed waste is completely covered by ADC and that there are no open voids within the cover material or in contact with the underlying wastes. Waste materials used as ADC that already meet the grain-size specifications of these regulations, or an alternative grain size approved by the EA and CIWMB Department pursuant to this section, need not be processed if the EA determines that the material as received at the landfill is adequate to perform the functions of daily cover and meets the appropriate specifications.

(3) Should the application of alternative daily cover become impracticable or contribute to conditions hazardous to public health and safety and the environment, the owner or operator shall terminate such use and revert to the use of compacted earthen cover material in accordance with section 20680. For the purposes of this section, impracticable conditions are those which make placement of alternative daily cover difficult due to adverse climatic or other conditions such that the performance requirements of (a)(2) cannot be met.

(4) The owner or operator shall place compacted earthen material over the entire working face at the end of any operating day preceding a period of time greater than 24 hours when the facility is closed, unless procedures as required by the EA are in place to ensure that the requirements of (a)(2) and (a)(3) are met. A stockpile of earthen cover material and required equipment shall be available to ensure a corrective response to violation of (a)(2) and (a)(3). Whenever an EA determines that an application of ADC is not meeting the requirements of this standard, the EA may direct the operator to immediately cover the ADC with soil. The continuing use of ADC that has been determined by the EA as not meeting the requirements of this section may become the basis for the EA to take enforcement action to seek compliance with the requirements of this section.

(5) The owner or operator shall maintain a record of waste derived alternative daily cover in accordance with Title 14, California Code of Regulations, Division 7, Chapter 9, Article 9.25, section 18800 et. Seq

Section 18815.1 et. seq. The records shall be available for inspection by authorized representatives of the EA, the local health agency, and the CIWMB Department during normal business hours and retained in the operating record near the site or in an alternative location approved by the EA.

(6) For waste classification, composition, and liquid percolation requirements of alternative daily cover, refer to the SWRCB requirements set forth in section 20705.

(7) Waste derived materials used as alternative daily cover shall be restricted to quantities no more than necessary to meet the performance requirements of (a)(2), or as specified in subdivision (b) of this section. Should the CIWMB Department determine after consulting with the EA that an owner or operator violated this standard, the owner or operator shall revise the applicable reports to reflect the overuse as disposal, and pay the required ~~Board of Equalization (BOE)~~ California Department of Tax and Fee Administration (CDTFA) disposal tipping fees for the amount of overuse. EAs shall not be responsible for making such determinations.

(8) Compost, co-compost, and chemically fixed sewage sludge and water treatment sludge only, that meet the performance standards for cover material, shall be limited to up to 25 percent of landfill cover materials or landfill cover extenders as required under Public Resources Code (PRC) section 42245. For the purposes of this section, "chemically fixed sewage sludge" means solid and semisolid residue generated during the treatment of domestic sewage. The 25 percent limit shall apply on a quarterly basis to the total daily and intermediate cover or cover extender use. For the purposes of this section, landfill cover extenders shall mean compost, co-compost, or chemically fixed sewage sludge blended or mixed with soil.

(9) Storage and handling of waste derived materials at the landfill for use as alternative daily cover shall be conducted in a manner to protect public health and safety and the environment, and to control vectors, fires, odors, blowing litter, scavenging, and nuisances.

(10) The EA shall apply this section to disposal facilities other than municipal solid waste landfill units as necessary to control vectors, fires, odors, blowing litter, scavenging, and nuisances without presenting a threat to human health and the environment. This requirement shall also apply to municipal solid waste landfills which qualify for a delay in the general compliance date or additional flexibility as specified in 40 CFR Part 258.

(11) The owner or operator shall implement a program described in the Report of Disposal Site Information as required by section 21600(b)(6) to minimize contamination of alternative daily cover with wastes not included within the individual alternative daily cover material types specified in subdivision (b) of this section and wastes that would conflict with the performance requirements of (a)(2).

(b) Specific Requirements

All types of ADC must be approved by the EA in writing prior to use at solid waste landfills as consistent with Title 27, California Code of Regulations, section 21570 through section 21686. Proposed uses of alternative daily cover materials not specified shall be subject to site-specific demonstration projects approved by the EA with concurrence by the CIWMB Department to establish suitability as daily cover. Unless otherwise specified in this section, alternative daily cover use by blending listed materials other than using side-by-side on the working face, or layering on top of one another listed materials, shall require site-specific demonstration projects approved by the EA with concurrence by the CIWMB Department as required by subsection (a)(1). Site-specific demonstration projects are not required for the following materials used as specified and in accordance with subdivision (a) of this section:

(1) Geosynthetic Fabric or Panel Products (Blankets).

(A) Geosynthetic blanket products shall be removed from the waste and the waste shall be covered with new waste or approved cover materials within 24 hours of product placement, unless the product is intended to be nonreusable, or has been approved by the EA for continuous use beyond 24 hours.

(2) Foam Products.

(A) Foam products shall not be applied when there is precipitation or when there is a local forecast of greater than 40% chance of precipitation within 8 hours of application time in the vicinity of the landfill.

(B) Foam products shall be covered with waste or other approved cover materials within 72 hours of application, unless a shorter time period is required by the EA to meet the requirements of (a)(2) and (a)(3) of this section.

(3) Processed Green Material.

(A) For the purposes of this section, processed green material means any plant material that is either separated at the point of generation, or separated at a centralized facility that employs methods to minimize contamination. Green material includes, but is not limited to, yard trimmings, untreated wood wastes, paper products, and natural fiber products. Green material does not include treated wood waste, mixed demolition or mixed construction debris, manure, or plant waste from the food processing industry, alone or blended with soil. Processed green material may include varying proportions of wood waste from urban and other sources and shall be ground, shredded, screened, source separated for grain size, or otherwise processed.

(B) Green material used for alternative daily cover shall be processed prior to being applied to the working face unless the green material to be used as alternative daily cover already meets the grain size specifications. Prior to spreading and compacting on the working face, processed green material shall comply with a grain size specification by volume of 95 percent less than 6 inches. Alternative processing and grain size specification requirements may be approved by the EA if the EA determines that the alternative meets the performance requirements of (a)(2) and (a)(3) of this section and the CWMB Department concurs.

(C) Processed green material shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches.

(D) Processed green material placed as cover shall not be exposed for greater than 21 days.

(4) Sludge and Sludge-Derived Materials.

(A) Public contact with sludge or sludge-derived materials, either alone or blended with soil, ash, processed green material, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall be prohibited. This prohibition shall apply to staging, processing, tipping, and cover placement areas.

(B) Sludge or sludge-derived materials, either alone or blended with soil, processed green material, ash, or stabilization agents such as lime, lime kiln dust, or cement kiln dust, shall form a compacted material which can be placed without forming open voids or causing material to be tracked off the working face area.

(C) Sludge or sludge-derived materials shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches.

(5) Ash and Cement Kiln Dust Materials.

(A) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents, shall form a compacted material which can be placed without forming open voids or causing material to be tracked off the working face area. For the purposes of this section, ash means the nonhazardous residue

from the combustion of material or the hazardous residue that may be managed as a nonhazardous waste in accordance with Title 22 California Code of Regulations sections 66260.200(f) or 66260.210.

(B) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents shall be used as alternative daily cover in a manner to minimize the creation of dust.

(C) Ash and Cement Kiln Dust, either alone or blended with earthen material or stabilization agents, shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 12 inches.

(6) Treated Auto Shredder Waste.

(A) Auto shredder waste shall be treated pursuant Title 22, California Code of Regulations, section 66268.106(a)(1).

(B) Treated auto shredder waste used for alternative daily cover shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 24 inches.

(7) Contaminated Sediment, Dredge Spoils, Foundry Sands, Energy Resource Exploration and Production Wastes.

(A) Contaminated sediment, dewatered dredge spoils, foundry sands, or processed energy resource exploration and production wastes shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 12 inches. Such materials shall form a compacted material that can be placed without forming open voids or causing material to be tracked off the working face area.

(8) Compost Materials.

(A) Except as provided in (b)(8)(B) of this section, compost shall meet the environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7.

(B) Public contact shall be precluded from cover staging, processing, tipping, and placement areas for compost that does not meet the environmental health standards of Title 14, California Code of Regulations, Division 7, Chapter 3.1, Article 7.

(C) Compost materials shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than or equal to 12 inches. Compost materials shall comply with a grain size specification by volume of 95 percent less than 6 inches.

(9) Processed Construction and Demolition Wastes and Materials.

(A) Processed construction and demolition wastes and materials shall be ground, pulverized, shredded, screened, source separated, or otherwise processed, alone or mixed with soil in a manner to provide a compacted material free of open voids when applied to meet the performance requirements as alternative daily cover.

(B) Processed construction and demolition wastes and materials used as alternative daily cover shall be restricted to the following materials: rock, concrete, brick, sand, soil, ceramics, cured asphalt, lumber and wood, wood products, roofing material, plastic pipe, plant material when commingled from construction work, and fines derived from processing the above materials.

(C) Construction and demolition wastes shall be processed prior to being applied to the working face. Prior to spreading and compacting on the working face, these materials shall comply with a grain size specification by volume of 95 percent less than 12 inches and 50 percent less than 6 inches as determined by the EA. The ~~CIWMB~~ Department shall provide technical assistance in making this determination if requested by the EA. Alternative processing and grain size specification requirements

may be approved by the EA if the EA determines that the alternative meets the performance requirements of (a)(2) and (a)(3) of this section and the ~~CWMB~~ Department concurs.

(D) Construction and demolition wastes shall be restricted to a minimum compacted thickness of 6 inches and average compacted thickness of less than 18 inches.

(10) Shredded Tires.

(A) Shredded tires used as daily cover alone or mixed with soil shall be shredded such that 50% by volume is smaller than 6 inches in length and no individual pieces are greater than 12 inches in length.

(B) Shredded tires used as alternative daily cover without admixed soil shall not be applied when there is precipitation or when there is a local forecast of greater than 40% chance of precipitation within 8 hours of application time in the vicinity of the landfill.

(11) Spray Applied Cementitious Products

(A) Such products shall not be applied when there is a local forecast of greater than 40 percent chance of precipitation within 8 hours of application time in the vicinity of the landfill.

Note:

Authority cited: Sections 40502, 41781.3, 43020, 43021, 43030 and 43103, Public Resources Code.

Reference: Sections 40508, 42245, 43020 and 43021, Public Resources Code; and Title 40 Code of Federal Regulations Section 258.21.