

Senate Bill 619 Provides Administrative Penalty Relief for SB 1383 Violations.

Local jurisdictions throughout California are required to implement Senate Bill 1383 (SB 1383, 2016) regulations, that went into effect January 1, 2022. Many jurisdictions preparing to implement the regulations face challenges in response to the COVID-19 pandemic. Governor Newsom signed Senate Bill 619 (SB 619, 2021), into law to support local governments as they further design and implement much needed organic waste recycling programs throughout the State.

SB 619 authorizes the California Department of Resources Recycling and Recovery (CalRecycle) to waive civil penalties if a jurisdiction facing continuous violations submits a Notification of Intent to Comply (NOIC) with the regulatory requirements and implements a plan to correct their violations in a timely manner. Jurisdictions must submit a NOIC to CalRecycle before March 1, 2022, for relief from penalties for minor, moderate, and major violations as defined in 14 CCR § 18997.3 for the 2022 calendar year. The local jurisdiction's governing body must also adopt a resolution adopting the NOIC in writing. Jurisdictions are required to provide a justification for why they will be out of compliance, a list of action items the jurisdiction will take to come into compliance, and a timeline to implement them. The completed NOIC and resolution must include:

- A description, with specificity, of the continuing violations
- A detailed explanation of the reasons, along with supporting documentation, why the local jurisdiction is unable to comply with the SB 1383 regulations
- A description of how the COVID-19 pandemic impacted compliance and
- A description of the proposed actions the local jurisdiction will take to comply within the proposed timeline.

Within 45 business days of receiving the notification and resolution, CalRecycle must notify the local jurisdiction with approval, disapproval with a justification, request for additional information, or commit to a particular timeline for a final decision on approval or disapproval.

On January 13, 2022, and November 18, 2021, CalRecycle hosted statewide webinars to explain the NOIC process. Both webinars included a review of the NOIC form and a question-and-answer session. The recordings and presentations are available on CalRecycle's website provided below.

CalRecycle will periodically update the webpage with new resources for jurisdictions, local education agencies, and non-local entities. CalRecycle has developed a SB 1383 guidance document which covers CalRecycle's enforcement process along with a dedicated website with additional resources and guidance documents on submitting the [Notification of Intent to Comply with SB 1383 Regulations](#).

If you have questions about CalRecycle's Short-Lived Climate Pollutant program or would like additional resources on SB 619, please visit CalRecycle's site on [Enforcement of Organics Waste Collection, Processing, and Diversion from Landfills](#) or

contact the “Organic Waste Methane Emissions Reductions” staff at SLCP.Organics@calrecycle.ca.gov.



Reducing Landfill Waste and Pollution

Photo from CalRecycle Website ([LINK](#))