

Enforcement Program Plan

For

Alpine County Health Department

September 12, 2012

ENFORCEMENT PROGRAM PLAN

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Chapter I

Introduction

I. INTRODUCTION

This document represents the solid waste enforcement program for Alpine County and complies with 14 CCR 18077. It represents the program at a single point in time and represents our best estimate of how the program will be directed in the coming year. This Enforcement Program Plan (EPP) is a dynamic document. The plan will be reviewed and revised as needed to reflect new information, changes in regulations, changes in funding, new programs and improvements in old programs.

Alpine County contracts with the California Association of Environmental Health Administrators (CAEHA) for the provision of environmental health services in Alpine County. The contract is administered through the California Association of Environmental Health Administrators, which provides for one part-time Environmental Health Director in Alpine County.

Alpine County was fully designated and certified as a Local Enforcement Agency by the California Integrated Waste Management Board in 1992 (currently Department of Resources Recycling and Recovery (CalRecycle)).

Enforcement policy and procedures permit process and time frames, time frames for permit review, and closure/postclosure requirements shall be conducted in keeping with the PRC, Title 14 and Title 27. The most current version of CalRecycle's "Permit Desk Manual" and the current LEA advisories are hereby adopted as guidance documents and as part of this Enforcement Program Plan.

The Department of Resources Recycling and Recovery maintains a site on the Internet at www.calrecycle.ca.gov. Electronic copies of permit forms, the SWIS inventory for the county, the list of facilities violating State Minimum Standards, a directory of CalRecycle and LEA staff, copies of proposed regulations, LEA advisories, are located at this website.

The Enforcement Program Plan is updated annually to provide the user with adequate and appropriate references as needed.

(revised 8/17/2010)

Chapter II
Certification
Request letter

THE BOARD OF SUPERVISORS
ALPINE COUNTY, CALIFORNIA

P. O. BOX 158
MARKLEEVILLE, CALIFORNIA 96120

April 27, 1992

Mary Coyle, Manager of the LEA Section
California Integrated Waste Management Board
8800 Cal Center Drive
Sacramento, CA 95826

Subject: LEA DESIGNATION AND CERTIFICATION
SUBMITTAL OF DESIGNATION INFORMATION PACKAGE

Dear Ms. Coyle:

Pursuant to Public Resources Code (PRC) Section 43203, the Board of Supervisors of Alpine County respectfully requests the re-designation of the Alpine County Health Department as the sole Local Enforcement Agency (LEA) for the county.

Enclosed for your review and approval is the Designation Information Package.

Should you have any questions regarding this proposal, please contact Bob Karrasch, Alpine County Health Department at (916) 694-2146 at your convenience.

Sincerely,


Eric Jung, Chairman
Board of Supervisors

Chapter III

Designation Information

**NOTICE OF DESIGNATION
OF LOCAL AGENCY
(14 CCR SECTIONS 18051 & 18052)**

<u>Alpine County Health Department</u> (Name of Agency)		
<u>P.O. Box 545</u> (Street Address)		
<u>Markleeville, California</u>	<u>95120</u>	
(City)	(State)	(Zip)
<u>April 28, 1992</u> (Date)		

TO: CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

PLEASE TAKE NOTICE that the Alpine County Health Department has
(Name of Local Agency)
been designated as the local agency in:

The County of Alpine

_____ on April 28, 1992
(County, City, or Special District) (Date)

() Attached is a sheet listing additional jurisdictions.

1. The designation was made in accordance with California Public Resources Code Section 43203, using the following procedure:
 - a. () The local agency was designated by the County Board of Supervisors, and was approved by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county;
 - b. () A joint exercise of powers agreement pursuant to Government Code Section 6500, was formed as referenced in Public Resources Code Section 43203(b);

- c. () The local agency was designated by the _____
_____ since the city
(City)
has decided to designate a separate enforcement
agency;
- d. (xx) The County Board of Supervisors designated the
local agency for the unincorporated areas of the
county.
2. The above designation _____ is _____ in specific accordance
(is) (is not)
with the designation indicated in the County-wide Integrated
Waste Management Plan.
3. The following are exceptions to our territorial jurisdiction
shown in the first paragraph of this NOTICE: (Please
include a map clearly identifying the jurisdictional
boundaries)
_____ No exceptions

4. The name and address of the governing body of this local
agency is:
_____ The Board of Supervisors of Alpine County
_____ (NAME)
Markleeville, California 96120

(Street Address) (City) (State) (Zip Code)
_____ (916) 694-2287
_____ (Telephone Number)
5. Name and address of the hearing panel of this local agency
is/are:
_____ Alpine County Board of Supervisors
_____ (Name(s))
Markleeville, California 96120

(Street Address) (City) (State) (Zip Code)
_____ (916) 694-2287
_____ (Telephone Number)

6. The person responsible for direction, or management, of the local agency and its designated persons are:

Dennis Lampson, Program Manager
~~R. Betto, Health Officer~~

(Name of Local Enforcement Agency Program Manager)

~~619-932-7485~~

~~916-694-2146-~~

(Telephone No.)

James Goodloe, Contact Person

~~R. Karasch, EHS II~~

(Name of Contact Person)

916-694-2146 ~~619-932-7485~~

(telephone No.)

~~algebra@jg@jhr.com~~
~~algebra@jg@jhr.com~~

7. All resolutions and other documents relevant to compliance with Public Resources Code Section 43203, and Title 14 California Code of Regulations Sections 18051 and 18052, have been certified and are enclosed.

8. The undersigned certifies that the designated local agency is not the operating unit for any solid waste handling or disposal operation, solid waste facility, or disposal site in the designated jurisdiction.

9. Attached is a listing of every permitted, closed, abandoned, exempt, illegal, and inactive solid waste facility and disposal site in the local agency jurisdiction.

Signed by Barbara K Jones, Deputy Clerk

for Karen Keebaugh
(Typed or Printed Name)
County Clerk



ALPINE COUNTY HEALTH DEPARTMENT

P.O. Box 545, Markleeville, Ca. 96120 • (916) 694-2146 • Fax (916) 694-2770 • Bear Valley (209) 753-2831

June 24, 1992

HEALTH

Richard D. Botto, M.D.
Health Officer
Pattie Jackson, R.N.
Public Health Nurse
Kathy Snyder, R.N.
Bear Valley Nurse
William Edwards
Control Coordinator
Bob Karrasch, R.S.
Sanitarian
Dennis Lampson, R.S.
Supervising Sanitarian

EMERGENCY MEDICAL SERVICES

Lyn J. Mangiameli, EMT
Coordinator

ADMINISTRATION

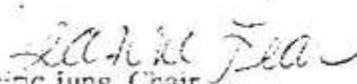
DeAnne Wickenberg
Health Services Coordinator
Elizabeth McGeein
Health Services Assistant

Diane Vlach
LEA Section
Permitting and Compliance Division
California Integrated Waste Management Board
8800 Cal Center Dr.
Sacramento, CA 95826

Dear Ms. Vlach:

There are no incorporated cities existing within Alpine County. Therefore, Alpine County cannot fulfill 14 CCR 1805 (CC) (5) as requested by your board.

Sincerely,


Eric Jung, Chair
Alpine County Board of Supervisors
DeAnne Lear
Administrative Services Coordinator

RESOLUTION OF THE BOARD OF SUPERVISORS,)
COUNTY OF ALPINE, STATE OF CALIFORNIA,)
AUTHORIZING APPOINTING AN)
INDEPENDENT HEARING PANEL FOR THE)
LOCAL ENFORCEMENT AGENCY)
_____)

RESOLUTION NO. R92-24

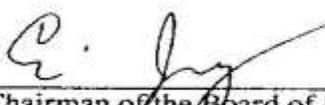
WHEREAS, the County of Alpine operates no landfills in Alpine County and can continue to act as the hearing panel pursuant to California Code of Regulation, Title 14, section 18000 et seq.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Alpine shall appoint itself as the hearing panel in conformance with Public Resources Code section 44800 et seq.

BE IT FURTHER RESOLVED that the Board of Supervisor members shall serve during their tenure on this hearing panel,

APPROVED AND ADOPTED this 5th day of May, 1992, by the following vote of said board:

- AYES: Supervisors Brissenden, Wade, Jung and Bennett
- NOES: None
- ABSENT: Supervisor Jardine
- ABSTAIN:



Eric Jung, Chairman of the Board of Supervisors
County of Alpine, State of California

ATTEST:

KAREN KEEBAUGH, County Clerk and
ex-officio Clerk of the Board of Supervisors

Barbara K Jones
By: Barbara K. Jones, Deputy

APPROVED AS TO FORM:



Henry G. Murdock, County Counsel

RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF ALPINE, STATE OF CALIFORNIA,
AUTHORIZING CREATION OF AN INDEPENDENT
HEARING PANEL IN CONFORMANCE WITH
CALIFORNIA CODE OF REGULATIONS, TITLE 14,
SECTION 18060, AND RESCINDING ALPINE
COUNTY RESOLUTION NO. 92-24

RESOLUTION R99-20

WHEREAS, the County of Alpine operates a solid waste facility in Alpine County and therefore cannot continue to act as the hearing panel pursuant to California Code of Regulations, Title 14, Section 18060.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Alpine, State of California hereby rescinds Resolution No. 92-24, Authorizing Appointing an Independent Hearing Panel for the Local Enforcement Agency.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Alpine, State of California hereby creates an independent hearing panel in conformance with Public Resource Code, Section 44308, consisting of three persons with the following qualifications, who shall serve for a term of two years but not more than two consecutive terms, and who shall be appointed by motion at a regular meeting of the Board of Supervisors:

1. A member of the Alpine County Board of Supervisors or its designee;
2. A technical expert with knowledge of solid waste management;
3. A member of the public at large.

PASSED AND ADOPTED by the Alpine County Board of Supervisors, April 20, 1999 by the following vote:

AYES: Supervisors Donald M. Jardine, Herman Zellmer, Katherine Rakow,
Tom Ward and Chris H. Gansberg, Jr.

NOES: None

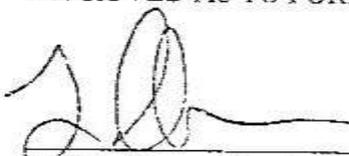
ABSENT: None


Herman Zellmer, Chair, Board of Supervisors,
County of Alpine, State of California

ATTEST:

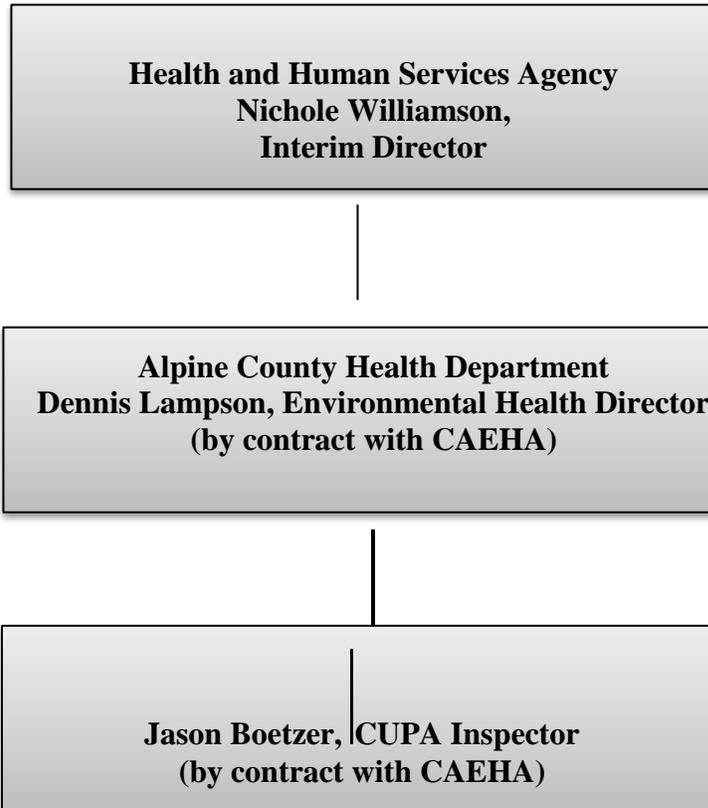

Barbara K. Jones, County Clerk & ex
officio Clerk to the Board of Supervisors,
County of Alpine, State of California
By: Barbara Howard, Deputy

APPROVED AS TO FORM:


E. Alan Turner, County Counsel

ALPINE COUNTY HEALTH & HUMAN SERVICES AGENCY

ENVIRONMENTAL HEALTH



The U.S. Census Bureau in 2009 indicates the total population in Alpine County is 1,041 persons. This is a decrease of 13.8% from April 1, 2000 to July 1, 2009.

There are three communities in Alpine County; Markleeville, Kirkwood, and Bear Valley, where most of the citizens reside.

There are no incorporated cities in Alpine County.

RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF ALPINE, STATE OF CALIFORNIA,
AUTHORIZING DESIGNATING AN
ENFORCEMENT AGENCY TO CARRY OUT THE
PROVISIONS OF THE CALIFORNIA INTEGRATED
WASTE MANAGEMENT ACT OF 1989

RESOLUTION NO. R92-23

WHEREAS, the County of Alpine is required by Sections 43202-03 of the Public Resources Code to designate an enforcement agency to carry out the provisions of the California Integrated Waste Management Act of 1989; and

WHEREAS, the Alpine County Health Department possesses the required capabilities in solid waste enforcement to implement enforcement provisions of the California Integrated Waste Management Act of 1989 and the regulations and ordinances that have been and will be adopted pursuant thereto; and

WHEREAS, the Alpine County Health Department has the technical expertise, staff resources, budget resources, and training to carry out the enforcement program specified by law; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that it hereby approves the designation of the Alpine County Health Department as the enforcement agency for the County of Alpine, pursuant to Sections 43202-03 of the Public Resources Code.

APPROVED AND ADOPTED this 5th day of May, 1992, by the following vote of said board:

AYES: Supervisors Brissenden, Wade, Jung and Bennett

NOES: None

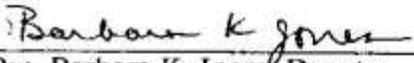
ABSENT: Supervisor Jardine

ABSTAIN:

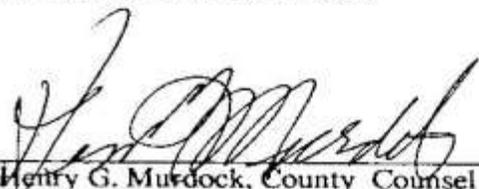

Eric Jung, Chairman of the Board of Supervisors
County of Alpine, State of California

ATTEST:

KAREN KEEBAUGH, County Clerk and
ex-officio Clerk of the Board of Supervisors


By: Barbara K. Jones, Deputy

APPROVED AS TO FORM:


Henry G. Murdock, County Counsel

III-10

RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF ALPINE, STATE OF CALIFORNIA,
AUTHORIZING CREATION OF AN INDEPENDENT
HEARING PANEL IN CONFORMANCE WITH
CALIFORNIA CODE OF REGULATIONS, TITLE 14,
SECTION 18060, AND RESCINDING ALPINE
COUNTY RESOLUTION NO. 92-24

RESOLUTION R99-20

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1. A member of the Alpine County Board of Supervisors or its designee;
2. A technical expert with knowledge of solid waste management;
3. A member of the public at large.

PASSED AND ADOPTED by the Alpine County Board of Supervisors, April 20, 1999 by the following vote:

AYES: Supervisors Donald M. Jardine, Herman Zellmer, Katherine Rakow,
Tom Ward and Chris H. Gansberg, Jr.

NOES: None

ABSENT: None

ATTEST:


Herman Zellmer, Chair, Board of Supervisors,
County of Alpine, State of California


Barbara K. Jones, County Clerk & ex
officio Clerk to the Board of Supervisors,
County of Alpine, State of California
By: Barbara Howard, Deputy

APPROVED AS TO FORM:


E. Alan Turner, County Counsel

INDEPENDENT HEARING PANEL FOR SOLID WASTE

ALPINE COUNTY

Name of Appointee	Date of Appointment	Date Term Expires
Pamela Knorr (Board of Sup.) <i>PO Box 387 Markleeville, CA 96120 530-694-2287</i>	08/04/2009	08/04/2013
Jeannie Lear (technical expertise) <i>45 Woodfords Lane Markleeville, Ca 96120 530-694-2300</i>	3/6/2012	12/31/2015
Terrance Hughes (member at large) <i>1865 Sorrel Lane Gardnerville, NV 89410 775-265-5318</i>	3/6/2012	12/31/2015

Terms for members of the Independent Hearing Panel are 4 years

Chapter IV
Program Goals
& Objectives

IV. PROGRAM GOALS AND OBJECTIVES

The goal of the LEA is to develop and implement a comprehensive program for effective, reliable and economic solid waste enforcement in the county; to ensure that solid waste will be collected, handled and disposed without degrading the environment, adversely affecting public health and safety, or wasting natural resources; to provide consistent interaction and education with the public, solid waste facility operators, integrated waste committees, and the State; to maintain in-house expertise and knowledge of program changes in integrated waste; to promote through education source reduction, reuse, recycling, and composting; and to provide information that will promote change in the public's attitude of neglect towards solid waste as demonstrated by prevalent practices and habits.

LEA objectives are:

To assure that all residential, commercial, and industrial solid wastes are collected, transported, processed, and disposed in a manner that is safe, sanitary and environmentally sound.

To comply with all LEA performance standards and certification maintenance requirements as prescribed in statute, regulations, and this plan.

To provide for enforcement of all applicable Federal, State, and local solid waste enactments.

To ensure that all existing disposal sites, transfer stations, and waste processing facilities and operations are operated by authority of a current solid waste facility permit issued by the local enforcement agency.

To ensure that all permit applications for new solid waste facilities, revisions, or modifications of existing facilities will be processed as prescribed in PRC Division 30, Title 14 and Title 27.

To insure that all solid waste facility permits will be reviewed and, if necessary, revised at least every five years (27 CCR 21640).

In order to attain these goals and objectives staff resources are allocated for the provision of solid waste enforcement activities (including permitting, inspection, complaint investigation and other solid waste enforcement activities). An Environmental Scientist who is an REHS assigned to the county shall function as the dedicated solid waste enforcement person. Specifically, this arrangement is structured to satisfy the provisions of 14 CCR 18072 (Technical Expertise).

Chapter V
Enabling Ordinances
& Resolutions

V. ENABLING ORDINANCES and RESOLUTIONS

The Alpine County Health Department has been designated the Local Enforcement Agency in Alpine County under the authority of the Public Resources Code Section 43203, and the California Code of Regulations Title 14 18051. There are no county or city ordinances that are contrary to this designation.

The Board of Supervisors has made the designation through the following resolutions:

Agency	Resolution #	Resolution Date
Alpine County Board of Supervisors	92-23	5/5/92

The Form 1000 from the Designation Information Package is included in Chapter III of this document and is adopted by reference in this EPP.

The California Integrated Waste Management Board resolution issuing the requested certification and approving this EPP are also adopted by reference as enabling resolutions.

Chapter VI

Solid Waste Enactments

VI. SOLID WASTE ENACTMENTS

The LEA shall enforce the following enactments:

United States Resource and Recovery Act of 1976, Subtitle D, as amended.

State of California, Division 30 and 31 of the PRC

State of California, Division 7 of Title 14 of the CCR.

State of California, Division 2 of Title 27, of the CCR.

Local solid waste ordinances as identified in Attachment B

Alpine County Code, Chapter 13.12

Alpine County Code, Chapter 13.32: Bear Valley Transfer Station

Chapter 13.12 SOLID WASTE COLLECTION

Sections:

13.12.010	Title.
13.12.020	Purpose and intent.
13.12.030	Definitions.
13.12.040	General provisions.
13.12.050	Exemption from receiving service.
13.12.060	Container requirements and specifications.
13.12.070	Disposal of refuse by collector.
13.12.080	Prohibited acts.
13.12.090	Violation—Penalty.

13.12.010 Title.

The ordinance codified in this chapter shall be known as and may be referred to in all proceedings as the “Alpine County Solid Waste Ordinance.” (Ord. 406 § 1, 1981)

13.12.020 Purpose and intent.

The purpose of this chapter is to enact regulations and procedures for the collection, removal and disposal of solid waste in designated wastesheds within Alpine County shown on Exhibit A, attached to the ordinance codified in this chapter, on file in the office of the county clerk and made a part hereof by reference. (Ord. 406 § 2, 1981)

13.12.030 Definitions.

Whenever in this chapter the words or phrases hereinafter in this section defined are used, they shall have the respective meanings assigned to them in the following definitions:

“Collection bins” means those metal receptacles placed on county property or at other locations within the county by the county or the refuse collector for collection of garbage, solid wastes, recyclables and/or refuse.

“Garbage” means all animal and vegetable wastes from household and/or commercial kitchens.

“Nuisance” means anything which:

1. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of the property; and
2. Affects an entire community or neighborhood, or any considerable number of persons; and
3. Occurs during or as the result of the handling or disposal of solid wastes.

“Occupied premises” means any premises upon which any house, building or other structure is constructed or erected and which is occupied and used as a dwelling, place of living, or place of business of any description, and shall include all accessory structures used in connection therewith such as garages, woodsheds, and the like.

“Person” means and includes any person, firm, association, organization, partnership, business trust, joint venture, corporation or company, and includes the United States, the state, the county, districts or any office or agency.

“Refuse collector” means an agent, employee or any person with whom the county shall have duly contracted with to collect and transport solid waste through the streets, alleys or public ways of the county.

“Solid waste” or “refuse” means all putrescible and nonputrescible solid and semisolid wastes including garbage, rubbish, industrial wastes, demolition and construction wastes, abandoned vehicles or parts thereof, discarded home and industrial appliances, and other discarded solid or semisolid materials.

“Wasteshed area” means that area described as within Exhibit A, attached to the ordinance codified in this chapter and on file in the office of the county clerk, said areas known as: Area 1, Markleeville/ Woodfords; Area 2, Bear Valley; and Area 3, Kirkwood. (Ord. 594 § 1, 1996; Ord. 406 § 3, 1981)

13.12.040 General provisions.

A. All occupied premises in the county which fall within the wasteshed areas shall have refuse service as herein specified and for said service, charge shall be collected as per the schedule adopted by county ordinance.

B. Collection, removal and disposal of solid waste may be performed by the public works department, its authorized representative, or any person with whom the county has entered into or may enter into contract with, or franchise to, for the collection and disposal of refuse; and it is declared to be unlawful for any other person to remove or convey or cause or permit to be removed or conveyed any solid waste upon or along any public street or alley or other public place in the county, other than his own refuse.

C. All refuse accumulated on occupied premises shall be removed at least once a week or oftener, if necessary.

D. All garbage accumulated in hotels, boardinghouses, restaurants, fresh fruit markets, public and private campgrounds and other like places shall be removed at least once every three days or oftener, unless the county issues in writing permission to remove same less often. (Ord. 406 § 4(A)-(D), 1981)

13.12.050 Exemption from receiving service.

A. The owner or tenant of any premises not needing solid waste collection because of vacancy, absence or other reason, must notify both the county health officer and the refuse collector before charges for collection service are discontinued. The county health officer shall cause periodic inspections to be made of any premises from which regular refuse collection has been discontinued, and if it is found that solid waste is produced and any unsanitary condition exists thereon, regular refuse collection shall be commenced therewith.

B. In the event any person, firm or corporation may elect to dispose of such refuse as may accumulate on any specific property or location, the same may be done provided that such disposal complies with the sanitary provisions of this chapter and is approved by the health officer.

C. A charge shall be collected from occupants of all occupied premises within the unincorporated areas of the county which lie within the designated wasteshed areas for services rendered except as in this chapter specifically otherwise provided. The charges

for services under this chapter shall be paid to the franchise holder in a manner acceptable to the franchiser and the county. (Ord. 406 § 5, 1981)

13.12.060 Container requirements and specifications.

A. All solid waste produced, created, in the unincorporated areas of the county which lie in the watershed areas shall be deposited in a container or containers and must be of a type approved by the county, equipped with suitable handles, a tight-fitting cover, and be watertight.

B. Every person in possession, charge or control of any place, premises in or from which garbage is created, produced or accumulated shall provide a sufficient number of containers, of sufficient capacity to hold all solid waste generated on such place or premises between the time of successive collections by the county or its authorized collector. All solid waste generated on said premises shall be placed in such containers.

C. Except as provided hereinafter, each such container shall have a capacity not to exceed thirty-two gallons; it shall not be filled in such a manner as to exceed a gross weight of seventy-five pounds. All waste receptacles shall be placed on the premises so as to be readily accessible for removing and emptying by the refuse collector. No solid waste receptacle with the exception of those placed by a government agency, shall be placed or kept in or on any public street, sidewalk, footpath or other public place.

D. Containers serving commercial or industrial establishments or multiple dwellings may have a capacity of one cubic yard or more. Each container shall be of a design approved by the county health officer. Such container shall not be filled in such a manner as to exceed a gross weight of five hundred twenty-five pounds per cubic yard. (Ord. 406 § 7, 1981)

13.12.070 Disposal of refuse by collector.

The refuse collector shall dispose of all solid waste in a place and manner that have the approval of the county board of supervisors. All solid waste, once collected, becomes the property of the refuse collector to dispose of as he sees fit, provided that the manner of disposal does not conflict with this chapter. (Ord. 406 § 6, 1981)

13.12.080 Prohibited acts.

A. It is unlawful for any person, firm or corporation in any manner to interfere with the collection, removal or disposal of refuse by the authorized refuse collector.

B. No person owning or occupying any building lot or premises in the county shall suffer, allow or permit to collect and remain on said lots or premises, refuse of any kind, providing, however, that this provision shall not be construed as interfering with buildings under construction.

C. No person, firm or corporation shall dump, place or bury on any lots, land, street or alley, or in any water or waterway, or elsewhere within the county, any solid waste condemned by the health department or its authorized representatives.

D. No person, firm or corporation shall burn refuse of any kind on any street, alley, park, waterway or public place within the area of the county.

E. It is unlawful:

1. To leave any garbage or refuse, including, but not limited to, any food, food wrappers or containers, boxes, recyclables, cosmetics such as toothpaste or lotion, or any other substance which creates a nuisance or which may reasonably be expected to

attract bears or other animals at or near collection bins within all areas of the county of Alpine unless placed within a secured collection bin.

2. To place anything in a collection bin so that the cover cannot be securely replaced, or the structure securely closed.

3. For any person placing refuse and/or garbage in a collection bin to fail to secure the lid or cover on the collection bin after opening the bin.

F. Subsection E of this section shall not apply to private garbage cans not exceeding forty gallons on premises which are occupied by single-family residential use. (Ord. 594 §§ 2, 3, 1996; Ord. 406 § 4(E)-(H), 1981)

13.12.090 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the County Jail for a term not to exceed six months, or by both such fine and imprisonment. (Ord. 406 § 8, 1981)

Chapter 13.32 BEAR VALLEY TRANSFER STATION

Sections:

[13.32.010](#) Purpose.

[13.32.020](#) Definitions.

[13.32.030](#) Prohibited activities.

[13.32.040](#) Enforcement.

[13.32.050](#) Violation—Penalty.

13.32.010 Purpose.

A. The purpose of this chapter is to establish rules and regulations for the efficient operation of the Bear Valley transfer station and to protect the public safety. This chapter will apply within the jurisdiction of county service area #1, as established by the Alpine County board of supervisors.

B. The Bear Valley transfer station is operated under a use permit issued by Alpine County and under a facility permit issued by the California Integrated Waste Management Board and is subject to regulation by those agencies. The cost of operation of the transfer station is provided through an assessment of the single-family residences and secondary dwelling units within the jurisdiction of county services area #1. (Ord. 679 § 1 (part), 2007; Ord. 565 § 1, 1994)

13.32.020 Definitions.

For the purposes of this chapter:

Single-family dwelling, secondary dwelling, multiple-family dwelling, and commercial are as defined in Chapter 18.08 and elsewhere in this code.

“Hazardous waste” is as defined by state law, rule and regulation, and include, but are not limited to: paint, solvents, oils, batteries, paint thinners, cleaning fluids, antifreeze, pesticides, insecticides.

“Recyclable materials” is as defined by state law, rule and regulation and as designated in the Source Reduction and Recycling Element adopted by Alpine County submitted to the California Integrated Waste Management Board under the requirements of Assembly Bill 939.

“Residential household solid waste” means various materials disposed of by single-family dwellings and second-family dwelling occupants through normal household activities, and excluding household hazardous waste, construction debris, fixtures, furniture, carpeting, vehicle parts, tires, rocks, dirt, cement, stumps, natural vegetation, animal carcasses and similar materials.

“Condominium solid waste” means various materials disposed of by occupants of multiple-family dwellings through normal occupancy activities, and excluding household hazardous waste, construction debris, fixtures, furniture, carpeting, vehicle parts, tires, rocks, dirt, cement, stumps, natural vegetation, animal carcasses and similar materials.

“Commercial solid waste” means various materials disposed of by commercial operators resulting from commercial and industrial activities, including, but not limited to, construction debris, fixtures, furniture, vehicle parts, tires, food waste, packaging, and excluding household hazardous waste, rocks, dirt, cement, stumps, natural vegetation, animal carcasses and similar materials.

“Natural vegetation” means naturally occurring vegetation materials, including pine needles, leaves, branches, bark, grasses, shrubs and brush, and specifically excluding tree stumps, milled lumber of any nature, any naturally occurring material that has been treated, any materials utilized in construction and other types of solid waste defined in this section.

“Bear Valley transfer station” means thirty-yard, metal drop-box, transportable facility located on Creekside Road, Bear Valley for disposal of household solid waste, excluding household hazardous waste.

“Recycling facilities” means facilities, i.e., bins, huts, containers, provided for the collection and transport of recyclable materials, located at transfer site in Bear Valley and at other appropriate locations throughout the Bear Valley community, as determined by county.

“Burn pile site” means specific site which may be designated from time to time by county for the incineration of natural vegetation, as defined in this section, for the purposes of fuel load reduction in compliance with California Public Resources Code Section 4291. (Ord. 679 § 1 (part), 2007; Ord. 565 § 2, 1994)

13.32.030 Prohibited activities.

A. The right to deposit solid waste in the Bear Valley transfer station is restricted to participants in the transfer station assessment and their guests and others in lawful occupancy of the improved property, specifically single-family dwellings and secondary dwellings, located within the jurisdiction of Alpine County service area #1, upon which the assessment is levied. Commercial operators, condominium owners and their guests or occupants, and persons living outside of the boundaries of Alpine County service area #1, are specifically prohibited from depositing solid waste, of any type or nature, in the Bear Valley transfer station.

B. No person authorized to utilize the Bear Valley transfer station shall deposit or dispose of any materials other than household solid waste, as defined in this chapter, in the Bear Valley transfer station.

C. Disposal or deposit of household hazardous waste, or any hazardous waste as defined by state or federal law, in the Bear Valley transfer station, recycling facilities or anywhere within the boundaries of Alpine County service area #1, unless under the direct supervision of a program in conformance with state law, is specifically prohibited.

D. Disposal, deposit, leaving or abandonment of any waste materials of any type or nature by anyone around or near the Bear Valley transfer station, or within the jurisdiction of Alpine County service area #1, is prohibited.

E. Disposal, deposit, leaving or abandonment of any waste materials other than natural vegetation at, around or near a burn pile area which may be designated by county, or within the jurisdiction of Alpine County service area #1, is prohibited. The right to deposit natural vegetation materials at any county-designated burn site is specifically limited to the residents of county service area #1 for purposes of fuel load reduction in compliance with California Public Resources Code Section 4291.

F. Participation in recycling programs available through facilities provided to the Bear Valley community is available to all residents and commercial operators within the jurisdictional boundaries of Alpine County service area #1, under the terms and conditions set forth by the program operators and the county. Special event, temporary and seasonal operators may apply to the board of directors of county service area #1 for the authorization to participate in the recycling opportunities available at the Bear Valley transfer station or may be required to provide recycling programs independently through the county special use permit process, depending on the type and volume of materials anticipated. (Ord. 679 § 1 (part), 2007; Ord. 565 § 3, 1994)

13.32.040 Enforcement.

The Alpine County sheriff's department will provide enforcement of the provisions of this chapter. (Ord. 565 § 4, 1994)

13.32.050 Violation—Penalty.

Violation of this chapter is a misdemeanor, subject to the provisions set forth in Chapter 1.16 of this code. Every person giving information leading to the arrest and conviction of any person for a violation of this chapter is entitled to a reward therefor. The amount of the reward for each such arrest and conviction will be fifty percent of the fine levied against and collected from the person who violated the provisions of this chapter. The amount of collected fine to be paid under this provision will be paid prior to any distribution of the fine that may be prescribed by law. Any penalty effected under the provisions of this chapter will be in addition to, and not in lieu of, any fine or penalty provided by state and/or federal law. (Ord. 565 § 5, 1994)

Chapter VII
facility & Vehicle
Type lists

INVENTORY OF FACILITIES AND VEHICLES FOR ALPINE COUNTY

<u>TYPE</u>	<u>ALPINE CO.</u>
LANDFILLS	0
TRANSFER STATIONS	0
LIMITED VOLUME T.S. EXEMPT SITES	2
CLOSED SITES	3
ILLEGAL SITES	0
ABANDONED SITES	0
INACTIVE SITES	0
VEHICLES	6
TOTALS	11

ACTIVE PERMITTED SITES

SWIS# : 02-AA-0003
FACILITY OR SITE NAME : BEAR VALLEY LIMITED VOLUME TRANSFER STATION
SITE LOCATION : CREEKSIDE DRIVE, BEAR VALLEY, CA
PROPERTY OWNER : ALPINE COUNTY
OPERATOR : ALPINE COUNTY, DEPT. OF PUBLIC WORKS
EMERGENCY PHONE NUMBER: 530-694-2140

SWIS# : 02-AA-0009
FACILITY OR SITE NAME : KIRKWOOD PUD LIMITED VOLUME TRANSFER STATION
SITE LOCATION : 33540 LOOP ROAD, KIRKWOOD, CA
PROPERTY OWNER : KIRKWOOD PUD
OPERATOR : KIRKWOOD PUD
EMERGENCY PHONE NUMBER: 209-258-4444

:

CLOSED SITES

SWIS# : 02-CR-0001
FACILITY OR SITE NAME : FREDRICKBERG BURN DUMP
SITE LOCATION : 1160 EMIGRANT TRAIL
PROPERTY OWNER : U.S.F.S.
OPERATOR : U.S.F.S.
EMERGENCY PHONE NUMBER: 775-882-2766.

SWIS# : 02-CR-0002
FACILITY OR SITE NAME : GROVER HOT SPRINGS BURN DUMP
SITE LOCATION : HOT SPRINGS ROAD
PROPERTY OWNER : CALIFORNIA STATE PARKS, DEPT. PARKS AND RECREATION
OPERATOR : CALIFORNIA STATE PARKS, DEPT. PARKS AND RECREATION
EMERGENCY PHONE NUMBER: 530- 694-2248

SWIS# : 02-CR-0004
FACILITY OR SITE NAME : TURTLE ROCK PARK
SITE LOCATION : 50 DIAMOND VALLEY ROAD, MARKLEEVILLE, CA
PROPERTY OWNER : ALPINE COUNTY, DEPARTMENT OF PUBLIC WORKS
OPERATOR : ALPINE COUNTY, DEPARTMENT OF PUBLIC WORKS
EMERGENCY PHONE NUMBER: 530-694-2140

.....

:

WASTE DISPOSAL COMPANIES SERVING ALPINE COUNTY

Company	Telephone Number	Contact Person
Aces Inc. P.O. Box 321 Pine Grove, CA 95665 (2 vehicles serving Kirkwood Ski Area)	209-296-2237	Paul Molinelli, Jr.
S.E.I. Disposal P.O. Box 8 Arnold, CA 95223 (2 vehicles Serving Bear Valley area)	209-795-1532	Rick Downey
Douglas Disposal 1504 Hwy 395 Gardnerville, NV (2 vehicles serving Markleeville and Woodfords areas)	775-782-5713	Carol Sesser Jeff Tillman

FIVE YEAR PERMIT REVIEW FOR ALPINE COUNTY SOLID WASTE FACILITIES

FACILITY

DATE OF LAST
5 YEAR REVIEW

DUE

No solid facilities in Alpine County require five-year permit reviews.

Chapter VIII

Time Task Analyses

**Alpine County Time Task Analysis
Fiscal Year 2012-2013**

Facility or Operation Type	Number	Frequency	Hours	Total Hours
Disposal Sites				
Active MSW Landfill	0	12	4	0
Active Ash Monofill	0	12	3	0
Closed Ash/Wood Waste Monofill	0	1	2	0
Closing Ash/Wood Waste Monofill	0	4	3	0
Closed MSW Landfill	0	4	2	0
Closed MSW Landfill	0	1	2	0
Closed Burn Dump	0	4	2	0
Closed Burn Dump	3	1	2	6
Inactive Ash/ Wood Waste Monofill	0	2	2	0
Abandoned Disposal Site	0	1	3	0
Abandoned Disposal Site	0	4	3	0
Illegal Disposal Site	0	4	3	0
	0		0	0
Transfer/Processing Stations				
Large Volume Transfer Station	0	12	4	0
Medium Volume Transfer Station	0	12	4	0
Limited Volume Transfer Station	2	4	3	24
Composting & Processing Sites				
Compost Facility	0	12	3	0
Compost Facility - Seasonal	0	6	1	0
Compost Operation	0	4	1	0
Research Compost Operation	0	4	1	0
Chip & Grind Operation	0	4	1	0
Construction Demolition Inert Sites				
Small Vol CDI Processing Operation	0	4	1	0
Solid Waste Vehicles				
Collection Vehicles	6	1	0.5	3
Transfer Vehicles	0	1	0.5	0
Site Assessments				
	0	1	20	0
Inspection and Investigation Total Hours:				33
Site Enumeration List Total:		5		
Sites Under Assessment:				

Review and Comment: Includes plan review, consultations, and preparation of reports and written comments relative to all application documents. This does not include consultations with operators on regulatory compliance or the permitting process.

Document Type	Projected Number	Hours	Total Hours
New full permits	0	0	0
New tier permits	0	20	0
Permit revisions	0	40	0
Permit re-issue & JTD review	0	20	0
Permit review reports	0	30	0
Final Closure plan review - MSW landfill	0	80	0
Closure plan review - wood waste landfill	0	20	0
Corrective action plan	0	10	0
Monitoring well permit/construction/destruction	0	5	0
CEQA document - lead agency	0	40	0
CEQA document - responsible agency	0	20	0
Local agency referrals	0	1	0
CIWMB permit hearings	0	48	0
Postclosure land use change	0	40	0
RFI Amendment	0	20	0
Transfer of permit	0	5	0
Draft document review	0	10	0
Review and Comment Totals:			0

Enforcement Actions: Includes investigation, document preparation, ownership research, case work-up, and follow-up inspection for complaints, and facilities and operations.

Action	Projected Number	Hours	Total Hours
Complaints			
Household - ordinance violations	0	2.25	0
Roadside nuisance dumping	0	1.5	0
Facilities and Operations			
Stipulated Compliance Agreement	0	20	0
Notice and Order	0	40	0
Abatement Order	0	20	0
Notice of Violation	0	5	0
Nuisance Dump Sites			
Nuisance dump monitoring	0	6	0
Nuisance dump case development	0	5	0
Strategic plan Phase I GPS & Phase II	0	80	0
Enforcement Actions Total Hours:			0

Training and Education: Includes field training, educational symposia, formal updates in solid wastemanagement, industry practices, permitting and enforcement, compliance with CEQA, and health and safety.

Subject	Number of Staff	Frequency	Hours	Total Hours
CIWMB training & workshops	1	2	18	36
CEHA Symposium	0	1	24	0
CIWMB field training	0	1	24	0
Health & Safety refresher	1	1	8	8
Facility operations	0	1	24	0
Literature review	0	20	2	0
Local training events	0	2	8	0
Hazardous materials refresher	0	1	8	0
CIWMB/LEA Conference	0	1	40	0
SWANA seminar	0	1	72	0
<u>Training and Education Total Hours:</u>				44

Administration: Includes time allocated for supervisory activities, LEA certification maintenance, fiscal management, partnership with CIWMB and Northern LEAs, assistance to governing bodies and operators, and program management.

Activity	Staff or Number	Frequency	Hours	Total Hours
EPP update & evaluation	1	1	24	24
Program management	0	20	2.5	0
Enforcement grant	1	1	30	30
Special projects - cleanup grants	0	2	50	0
Roadside cleanup program	0	12	2.5	0
CIWMB assistance	1	6	2	12
CIWMB document review	1	6	1.5	9
RWQCB assistance	0	3	1	0
Assistance other agencies	0	6	0.8	0
Program development	0	1	30	0
Accounting, billing, budgeting, etc.	1	1	20	20
<u>Administration Total Hours:</u>				95

Meetings: Includes public, official, staff, manager, and LEA meetings.

Activity	Number of Staff	Frequency	Hours	Total Hours
Staff meetings	1	12	0.5	6
Program manager meetings	0	12	1	0
LEA program meetings	0	12	2	0
Environmental health unit meetings	0	12	1	0
CIWMB/LEA Round Table meetings	1	2	14	28
Illegal Disposal Workgroup	0	0	0.0	0.0
Northern LEA TAC meetings	0	0	12	0.0
Northern Region EAC representation	0	4	14	0.0
Meetings Total Hours:				34

Office Support: Includes fiscal assistance, database management, personnel supervision, clerical support, director, and program supervision.

Activity	Number of Staff	Total Hours
Supervision	0.00	0
Fiscal assistance	0.02	35.0
Clerical & office support	0.02	35.0
Office Support Total Hours:		70.0

Enforcement Program Total Hours

Inspection and Investigation	33	
Review and Comment	0	
Enforcement Action	0	
Training and Education	44	
Administration	95	
Meetings	34	
Office Support	70	
Program Total Hours:		276

Program Staffing Requirements:

276.0	hours
1,760.0	hours per staff
0.15	staff positions

Chapter IX

Staff Technical Expertise

IX. STAFF TECHNICAL EXPERTISE

Staff Member	% of Time Spent
<u>Dennis Lampson</u> , , Director Environmental Health Registered Environmental Health Specialist (H&SC 106600) REHS# 3400	90
<u>Support Staff</u>	10

The above registered staff members are certified per 14 CCR 18072 to perform enforcement, inspection, and permitting duties and responsibilities for the LEA.

LEA review of documents or reports generated pursuant to engineering requirements of PRC Division 30 and 14 CCR Division 7 that are beyond the technical abilities of LEA staff shall be performed by a private or public contracted consultant or by CalRecycle staff as provided for in 14 CCR 18072(a)(3)(B).

The consultant shall have, as required, staff that meet the definitions contained in 27 CCR, 20164.

- Certified Engineering Geologist
- Registered Civil Engineer
- Registered Geologist
- Soil Engineer

At such time that the LEA has the need for a consultant, a RFP will be prepared for distribution. The RFP shall state the purpose of consultant contract. The consultant awarded the contract shall demonstrate the following:

- Technical expertise as required in Certification types "A", "B", "C" and "D," as appropriate.
- Absence of conflict of interest as described in 14 CCR, 18072.

Any report, opinion, analysis, or other deliverable provide to the LEA through the contract shall be affirmed, or denied by the LEA. Money has been set aside in the health department operating budget for this purpose.

To access CalRecycle staff for review of technical documents pursuant to 14 CCR 18072 the LEA should submit a request letter to the CalRecycle. The request letter should specifically state what portions of the document require CalRecycle staff review and should state when the review is needed.

The County Counsel and County District Attorney shall provide legal counsel to Alpine County staff.

Chapter X

Operating Budget

**ALPINE COUNTY LEA BUDGET
FISCAL YEAR 2012-2013**

<u>SALARIES & BENEFITS:</u>	
REGULAR SALARIES	15,593
SUPPORT STAFF	1,155
<hr/>	
TOTAL SALARIES & BENEFITS:	16,748
<u>SERVICE & SUPPLIES:</u>	
TELEPHONE	1000
EQUIPMENT MAINTENANCE	200
COMPUTER EQUIPMENT	400
MEMBERSHIPS	200
OFFICE EXPENSE	3000
PROFESSIONAL SERVICES	
CONTRACT SERVICES	
RENTS/LEASES	
SMALL TOOLS & SUPPLIES	
SPEC. DEPT. EXPENSE	
EDUCATION/TRAINING	500
TRAVEL	500
UTILITIES	
EQUIPMENT	
POLICY ITEM REQUESTS	
OPERATING TRANSFERS OUT	
CCS - TREATMENT SERVICES	
<hr/>	
TOTAL SERVICES & SUPPLIES	5,800
INDIRECT COSTS	
HSA ADMIN	
A-87 COSTS	
<hr/>	
TOTAL INDIRECT COSTS	0
<hr/>	
TOTAL DEPARTMENT	22,548

REVENUES BY FUND SOURCE	LEA
FEDERAL REVENUE	0
STATE REVENUE	15,500
LOCAL REVENUES	0
CONTRACT REVENUE	0
TRANSFERS IN FROM TRUST	
REALIGNMENT	7,048
TOTAL REVENUES	22,548
NET COUNTY GENERAL FUND	0

Chapter XI

Staff Training Procedures

XI. STAFF TRAINING PROCEDURES

The Local Enforcement Agency practices networking and cooperates with all public and private entities at the Federal, State and local levels on issues that involve integrated waste management. Environmental health staff has experience and responsibility in all environmental health program areas, which allows and necessitates effective cross training. Staff training includes general enforcement procedures which are provided to all staff and specific enforcement techniques for the solid waste enforcement program. The staff training program is closely coordinated with State and local agencies and includes general enforcement and surveillance practices.

- Networking between, public works, health, planning, and fire departments, sheriff's office, county counsel and the district attorney's office is practiced to encourage cooperation and provide expertise in related fields at the local level.
- Networking at the State National level is an integral part of training. Agencies involved are the Regional Water Quality Control Board, Air Pollution Control District, California Division of Forestry, Department of Fish and Game, California Integrated Waste Management Board, and the Department of Toxic Substances Control, U. S. Forest Service and the Bureau of Land Management.

Specific training is as follows:

General Staff

Each Environmental Health Specialist shall be given an overview of the Solid Waste Enforcement Program. This overview will orient the staff to the goals and objectives of the enforcement program. Each inspector will be familiar with the basics of enforcement required in the PRC, 14 CCR and 27 CCR.

Training shall include discussion of:

- Enforcement Program Plan
- Local ordinances
- Local relationship to CalRecycle, the Air Board, the SWRCB and the RWQCB
- Closed, Illegal and Abandoned Sites (<http://www.calrecycle.ca.gov/SWFacilities/CIA/>)
- Department policies on solid waste
- Injury Illness Prevention Plan
- PRC, 14 CCR, 27 CCR as they pertain to solid waste enforcement
- Program status at the State and local level

General staff training will be conducted in-house at regularly scheduled staff meetings. In-house training will be performed according to a lesson plan. Guest speakers such as CalRecycle staff will be invited to speak and address issues.

Training in other environmental health programs that correlate with solid waste (such as emergency response, health and safety training in other program areas such as underground tank

inspections, and training in the use of monitoring equipment and data evaluation) provides valuable information that can be used in solid waste enforcement. This type of training is routinely provided to environmental health staff.

LEA Staff

New LEA staff members shall become thoroughly familiar with each of the following:

- Enforcement Program Plan
- Local ordinances
- Local relationship to CalRecycle, the Air Board, the SWRCB and the RWQCB
- Closed, Illegal and Abandoned Sites (<http://www.calrecycle.ca.gov/SWFacilities/CIA/>)
- Department policies on solid waste
- LEA Advisories (<http://www.calrecycle.ca.gov/LEA/Advisories/>)
- Injury Illness Prevention Plan
- Permit Toolbox (<http://www.calrecycle.ca.gov/PermitToolbox/>)
- PRC, 14 CCR, 27 CCR as they pertain to solid waste
- Program status at the State and local level

Each LEA shall also become familiar with the resources available at the CalRecycle website, (<http://www.calrecycle.ca.gov>).

The specified Environmental Health Specialist for solid waste shall have specialized training in solid waste management. This person will represent the county at CalRecycle sponsored round-tables, seminars and workshops. This person will participate in conferences, seminars, and university courses on wastes, waste disposal, and ground and surface water waste-related issues as needed to develop the required level of expertise in solid waste enforcement. This person will be required to keep abreast of new technologies and legislation that pertain to the program. This person will be trained in all areas of solid waste as specified in 14 CCR 18075.

The Director of Environmental Health shall prepare a training plan for both the general staff and the LEA staff..

Certifications of training courses shall also be kept in training records.

Chapter XII
Permitting & Closure/Post
closure Procedures

XII. PERMITTING AND CLOSURE/POSTCLOSURE PROCEDURES

General

The LEA shall utilize the Permit Tool box at (<http://www.calrecycle.ca.gov/PermitToolbox/>) as a current reference and guide for permitting and permit review activities.

LEA advisories relevant to permitting and permit review are LEA Advisories #24, #25, #27, #39, #47, #52, and #57.

This section addresses procedures utilized for permitting and closure/post closure activities. These procedures are based on pertinent sections of Division 30 of the PRC and 27 CCR Division 2. The most current copy of the regulation shall be utilized. Time frames shall not deviate from PRC Division 30 or 27 CCR Division 2. Wherever possible the LEA will utilize the permit processing filing dates suggested by CalRecycle staff.

LEA duties and responsibilities for permitting or closure and post closure are enumerated in 14 CCR 18082.

Permit activities for a Solid Waste Operation or Facility include the following categories:

New Facility Permit	27 CCR 21570, 21650, and 14 CCR Section 18208 and 18209
Revised Facility Permit	27 CCR 21640 and 21650 and 14 CCR 18208
Change of Owner, Operator or Address	27 CCR 21630, 21670
Tiered Permits	14 CCR 18100-18105.11
Preliminary Closure and Post closure Maintenance Plan	27 CCR, Chapter 4, Subchapter 4
Final Closure and Post closure Maintenance Plan	27 CCR, Chapter 4, Subchapter 4
Permit Modification	Mentioned in PRC 44009 and 44014, the regulations to support permit modification have not been written.
Permit Review	27 CCR 21640 and 21675

New or Revised Full Solid Waste Facility Permit

An application package shall be submitted to the LEA. The content of the application package is specified in 27 CCR 21570 and shall include, if required, for the subject facility:

1. Completed Joint Application Form
2. Complete and correct Report of Facility Information (RFI), in the case of disposal sites this will be a Report of Disposal Site Information (RDSI), or an RDSI in the form of a Joint Technical Document (JTD).
3. California Environmental Quality Act compliance information.
4. Any CEQA Mitigation Monitoring Implementation Schedule
5. A statement indicating that the facility is either identified in the county wide siting element; the non disposal facility element, or in the Source Reduction and Recycling Element; or, the facility is not required to be identified in any of these elements pursuant to PRC Section 50000.5.
6. For disposal sites completeness determination for preliminary or Final Closure/Post closure Maintenance Plan.
7. For disposal sites, current documentation of acceptable Financial Assurance Mechanism.
8. For disposal sites, current documentation of compliance with operating liability requirements.
9. Land Use and/or Conditional Use Permits

Permit Processing for full Solid Waste Facility Permits

Permit processing regulations are covered under 27 CCR 21650.

1. The LEA will as a courtesy, and to facilitate timely review by CalRecycle staff, submit draft RFIs and draft JTDs to CalRecycle staff for review and comment as soon as the applicant is willing to release them. The LEA will work with the applicant so that, whenever possible, permit application packages will be submitted to provide as much time as possible for CalRecycle staff review.
2. Upon receipt the LEA shall stamp the application package with the date of receipt.
3. The application must be reviewed for completeness as prescribed in PRC Division 30 and 27 CCR 21650 within 30 days of receipt.
4. If the application is accepted, a copy of the application form shall be forwarded to the CalRecycle and RWQCB if applicable, within five days of acceptance as complete.
5. If the application is rejected, the applicant, the CalRecycle and the RWQCB, if applicable, shall be notified within five days of rejection.
6. The application shall be evaluated against the relevant requirements of 27 CCR 21570. Be aware that the portions of these documents that are required to be prepared by a civil engineer or other licensed professional must be reviewed by a like professional. CIWMB staff can perform this review at the request of the LEA (14 CCR 18072).
7. The LEA will, whenever possible, submit a draft permit package to CalRecycle for review and comment.
8. No later than 55 days after the application package has been accepted as complete the LEA shall mail to the CalRecycle (PRC 44007, 27 CCR 21650):
 - A proposed permit with proposed terms and conditions.
 - An accepted application package.
 - A certification from the LEA that the application package is complete and correct.
 - Documentation of applicant compliance with RWQCB requirements.

- Any written public comment received.
 - An LEA finding that the permit is consistent with CEQA.
 - A permit review completed by the LEA within the last five years.
9. At the time the proposed permit is submitted to the CalRecycle a copy shall be submitted to the RWQCB (if applicable), the applicant and any person that has requested a copy. The copy of the proposed permit provided to the applicant shall be accompanied by a form for a request for a hearing before the hearing panel.
 10. Upon compliance with CEQA, 27 CCR and CalRecycle concurrence, the LEA shall issue the permit (PRC 44014 and 27 CCR 21663). Copies of the issued permit shall be sent to the applicant within 15 days and to the CalRecycle.
 11. The LEA may deny a permit in any of the cases set forth in PRC, Section 44300 or 14 CCR 18209. If the permit must be denied, the LEA shall notify the applicant of the denial and provide a form for a request for a hearing. A copy shall be sent to the CalRecycle. The LEA shall hold a public hearing in accordance with the procedures set forth in PRC 44310.
 12. Issuance or denial of a permit must occur within 120 days of the LEA determination that the application is complete (PRC 44008).

Specific site evaluation as to short and long term environmental impacts, damage, and proposed mitigation shall be accomplished through review of CEQA documents, any engineering documents, and the guidance found in the Permit Toolbox (<http://www.calrecycle.ca.gov/PermitToolbox/>). Any anticipated adverse environmental consequences of a specific design and operation of a facility must be minimized and mitigated. Each mitigation measure must be evaluated for validity in order to protect the environment (PRC 44012, and 14 CCR 18208).

A list of pending applications shall be maintained at the LEA office. A written notice of an application shall be mailed to each person that has requested such notice (27 CCR 21660).

Hearings (PRC 44310)

- An applicant can request a hearing before the Hearing Panel by filing with the LEA a "Request for a Hearing" form within 15 days of being notified of a permit action. Appeals can be due to:
 - Denial of a permit
 - Contesting the terms and conditions of the proposed permit.
- The LEA shall, within fifteen days of receipt of request for a hearing, provide written notice to the person filing the request notifying the person of the time, date, and place of the hearing.
- The person requesting the hearing shall supply a statement of issues requiring a hearing at least 20 days prior to the date of the hearing.
- A hearing shall be conducted before the Hearing Panel and in accordance to PRC 44310.

Change of Owner, Operator or Address

Regulations no longer require permit revision for change of owner operator and/or address (27

CCR 21630, 21670).

- Owners or operators must notify the LEA at least 45 days before a change in ownership or address.
- The new owners or operators must demonstrate to the LEA and the CalRecycle that they can meet all permit and RFI requirements, including financial assurances.

Regulatory Tier Requirements

Regulatory tiers are intended to simplify permitting and regulatory requirements for those solid waste facilities and operations that by their nature pose fewer threats to public health and the environment. Conditions beyond the standard conditions specified in the regulations may not be added to tiered permits. This means that if LEAs wish to apply site specific requirements they must work within the planning process of the county (by adding conditions to a conditional use permit). Tiers are established in the Regulatory Tier Requirements, 14 CCR 18100-18105.11. The chapters of Title 14 that regulate specific solid waste activities “slot” what operations and facilities belong in each tier.

- Excluded Tier (14 CCR 18102):
 - Excluded activities may involve solid waste, but they are excluded from regulation.
- Notification Tier (14 CCR 18103):
 - The notification tier applies to solid waste operations. Operations are not permitted, but they are regulated and inspected by the LEA.
 - Inspection frequencies for the notification tier are specified in the regulations that slot specific solid waste activities.
 - An “Enforcement Agency Notification Form” is in Attachment E.
- Registration Permits (14 CCR 18104):
 - Solid waste activities that are slotted into the registration permit tier are facilities and must obtain permits and must be inspected on a monthly basis.
 - Permit processing and review requirements are specified (14 CCR 18104.2).
 - A permit application and permit form is available and must be used, see Attachment E.
- Standardized Permit (14 CCR 18105):
 - Solid waste activities that are slotted into the standardized permit tier are facilities and must obtain permits and must be inspected on a monthly basis.
 - Permit processing and review requirements are specified (14 CCR 18105.2).
 - A permit application and permit form is available and must be used see Attachment E.

Permit Review (PRC 44015, 27 CCR 21640 and 21675)

- Every permit shall be due for review five years after its date of last issuance.
- The LEA shall notify the operator to apply for a permit review no less than 180 days before it is due.

- If, upon review, the LEA determines that a revision is not required, it shall give notice of the decision to the CalRecycle. The review of the permit should be conducted according to the provisions in the Permit Toolbox (<http://www.calrecycle.ca.gov/PermitToolbox/>) and LEA Advisories #21, #24, and #52.
- If the LEA, upon review, determines that a significant change has taken place or is about to take place, a revised permit shall be required. Notice of the decision shall be sent to the CalRecycle and the operator.

Preliminary and Final Closure/Postclosure Maintenance Plans

LEA responsibilities are specified in 14 CCR 18082.

- As a part of the permit application, permit review process and revised permitting process for every facility, the LEA must assure that the following documents are current:
 - Preliminary closure/postclosure maintenance plans (27 CCR 21790, 21825)
 - Final Closure/Postclosure maintenance plans for landfills anticipating closure within five years (27 CCR 21800, 21830)
 - Estimates of closure/postclosure costs (27 CCR 21820, 21840)
 - Financial assurance is the responsibility of the CalRecycle (27 CCR Chapter 6).
- The LEA is responsible for reviewing the preliminary and final closure plan and the preliminary and final postclosure maintenance plan. See 27 CCR 21860 for plan review and processing requirements. Be aware that the portions of these documents that are required to be prepared by a civil engineer or other licensed professional must be reviewed by a like professional. CalRecycle staff can perform this review at the request of the LEA (14 CCR 18072).
- Closure/postclosure plans are submitted to the LEA, the Regional Water Quality Control Board and the local air district.
- After review of the plan, the LEA and the RWQCB must submit approval letters to the CalRecycle (27 CCR 21860).
- The CalRecycle must review the plan and issue an approval letter or refuse to issue an approval letter within 30 days of receipt of the LEA and RWQCB approval letters (27 CCR 21860).

Closure (27 CCR 21870)

- Closure shall not commence until there is an approved closure and postclosure maintenance plan for the facility.
- On the day that closure commences, the SWFP for the site is null and void. During closure the site is governed by the Closure Plan.
- The LEA is responsible for ongoing inspections of closure activities and approval of minor changes from closure plan specifications. CalRecycle staff inspect as is necessary to authorize release of financial assurances.

Records, LEA Requirements

- See PRC 44209 and 14 CCR 18020 for LEA record keeping requirements
- Facility records and documents are maintained in the LEA office, using a facility numbering

system that identifies the County, the City and the facility. Facility numbers are assigned by the CalRecycle.

- Minimum facility files contain the following:
 - Facility Application
 - Report of Facility Information
 - Facility Permit
 - Inspection Records
 - Complaints
 - Legal Actions
 - General Correspondence
- Minimum vehicle files include the following:
 - Number and types of vehicles
 - Complaints
 - Correspondence
 - Legal Actions
 - Inspection Records
- A current list of maintained facility files must be made available for public inspection upon request. All files and their contents shall be retained for as long as the facility or disposal site physically exists and until such time that discard approval is given by the CalRecycle.
- A separate and current chronological log of enforcement and legal action shall be maintained as a file. The log shall include the following information:
 - Facility or site name
 - Address
 - Facility Number
 - Action type
 - Date issued
 - Outcome of action

Chapter XIII
Inspection and Enforcement
Procedures

ALPINE COUNTY LOCAL ENFORCEMENT AGENCY

PROCEDURE FOR ADMINISTERING LEGAL ENFORCEMENT OF SOLID WASTE REGULATIONS

1. Pursuant to Title 14, Section 18084 (c)

- a. 60 days before the correction date, the LEA shall send a letter to the Landfill Operator stating the violation to be corrected and remind the operator of the due date. This reminder shall provide additional notice that enforcement action will be taken if the correction is not made by the due date. The LEA shall send a copy of the letter to County Counsel.
- b. 30 days before the correction date, the LEA shall send a second letter to the Landfill Operator stating the violation to be corrected and the compliance date. This letter will advise the operator that enforcement action will be taken if the correction is not made when due. This letter will further advise the operator that a copy of the letter is being forwarded to the Office of the County Counsel. The LEA shall send a copy of the letter to County Counsel.
- c. The LEA will schedule a meeting with the Office of the County Counsel to brief that office on the nature and scope of the violations that have not been corrected and the history of the Landfill Operator.
- d. If the violation has not been resolved by the correction date, the LEA shall make a written request to County Counsel, requesting implementation of enforcement action.
- e. Upon receipt of letter from LEA requesting enforcement action, County Counsel will send a letter to the Landfill Operator advising the Landfill Operator of the violation/s and notice the operator that the county seek administrative civil penalties pursuant to 30PRC, Section 45011(a) (1) unless there is immediate compliance. This notice will further advise the operator that enforcement action must be initiated pursuant to Title 14 CCR Section 18084(c) within thirty days of the date the request from the LEA was received. LEA and County Counsel will schedule a meeting with the operator to discuss the noncompliance if deemed reasonable and appropriate to obtain compliance.
- f. Upon Landfill Operator's continued failure to perform as required, County Counsel will set the matter before the Board of Supervisors to obtain approval to initiate legal or administrative action to impose civil penalties and any other available and appropriate remedies as provided for by law. This matter will be presented to the Board of Supervisors no later than sixty (60) days following the mailing of the notice prescribed in section d., above if the Landfill Operator has not corrected the pending violation(s).

XIII. INSPECTION AND ENFORCEMENT PROCEDURES

Inspections

General

- The duties and responsibilities of an LEA pertaining to inspections are enumerated at 14CCR Section 18083
- The purpose of a field inspection is to determine if the facility is operating under the terms and conditions of the facility permit and operating within state minimum standards. Through the inspection process and enforcement of the State Minimum Standards for handling and disposal of solid waste the LEA can assure that public health and safety and the environment are being adequately protected by the site operator.
- CalRecycle LEA Advisories #15, #23, and #54 provide guidance in the inspection of transfer stations and landfills. Be aware that these advisories were published prior to the adoption of 27 CCR and many of the regulation sections cited are now incorrect although the content of the sections is often unchanged.
- An inspector shall become familiar with an operation or facility before the field inspection by doing the following:
 - Review the current operating permit and RFI or JTD
 - Become familiar with the facility map.
 - Become familiar with the facility file.
 - Review WDRs.
 - Consult with other agencies.
 - Review the LPHSS Fixed Facility Hazard Appraisal Form
- Before going into the field the inspector should check all health and safety and monitoring equipment to insure good working order. A list of protective equipment for LEAs may be found in Attachment B. The inspector must determine the appropriate inspection form for the site, operation or facility that is being inspected. See Attachment D for copies of each inspection forms that current at the time this EPP was assembled.
- When scheduling an inspection, allow for enough time to adequately evaluate the facility. An inspector should determine the days and times to inspect that will give the inspector the best perspective of the operations. Inspections should normally be scheduled when the facility is open. At least some inspections should begin before the site starts daily operations or end after the site has ceased daily operations so that the application of daily cover can be assessed.
- Inspections should be unannounced and take place at irregular dates and times of the day.
- In the course of the facility inspection, the inspector should take every effort to avoid regulatory overlap. Regulatory overlap is the regulation of the same condition by two or more agencies. If the inspector has concerns regarding site conditions that are regulated by another jurisdiction, the condition should be noted on the inspection report and a copy of the report mailed to the appropriate regulatory agency.
- Inspectors should always wear appropriate personal protective gear and make their presence known to the operator upon arrival.

Evidence Gathering

- Evidence includes all field notes, inspection checklists, SWIS forms, photographs, drawings, and maps taken or made by the inspector on the day of the inspection. All such evidence should be kept in the control of the inspector.
- During the inspection, all violations should be documented with photographs. Note on each print or slide the date, facility name, facility number, and inspector.

Exit Interview

An exit interview should be scheduled with the operator and/or site administrator to discuss the

inspection findings. The inspection report should be signed, if possible, to indicate receipt of the document. However, if no one is available, or if the report is too complex to complete in the field, the report may be mailed. Make an indication on the report that the report was mailed on a specific date. Also, in this circumstance, follow up contact should be made with the owner/operator to discuss the report.

Inspection Report

- The objective of the report is to clearly and concisely document all relevant information obtained during the inspection and exit interview.
- The inspector shall complete a SWIS inspection form for each visit to a solid waste facility. Each violation and area of concern shall be explained briefly and concisely. The SWIS form "Record of Inspection" (see Attachment D) shall be used for pages necessary beyond the first page.
- The inspection report shall be given to the operator when the operator signs the report or mailed to the operator no more than 30 days after the inspection.
- Inspection reports shall be forwarded to the CalRecycle no more than 30 days after the inspection.
- If the inspection is in response to a complaint, the results of the investigation are provided the complainant by mail or telephone.

Frequency of Inspection (14 CCR 18083)

<u>Facility Type</u>	<u>Inspection Frequency</u>
Active, inactive facilities, illegal sites	Monthly
Active operations	Quarterly or at the frequency stipulated in the applicable regulation
Closed, abandoned or exempt sites	Quarterly or at the inspectin frequency stipulated in the applicable regulation
Receipt of permit application	As necessary
Receipt of complaint	within 5 working days
Receipt of emergency notification	Immediately
Refuse collection vehicles	No required inspection frequency, should be inspected at least once each year.

Disposal Site Inspection

- The inspector should refer to LEA Advisory 54.
- An inspector should always wear personal protective equipment as prescribed. Where landfill gas may be encountered or when the inspector is unfamiliar with the site, a landfill gas meter should be carried.
- There are three major areas covered by the State Minimum Standards for disposal sites. These are the working face, the site perimeter, and the access road-attendant-office area. The State Minimum Standards are defined in 27 CCR 20164.
- The SWIS form for the facility type being inspected should be used as a check sheet throughout the inspection. Use of this form will insure that all areas of the State Minimum

Standards have been addressed. The LEA should also carry a map or plan of the site and note where violations or other site conditions of concern are located.

- LEA Advisory #54 provides a good general guidance document for interpreting the regulations against site conditions. Remember that this advisory is several years old. Most of the regulation sections and some of the regulatory language cited are out of date. Always review the current law or regulation before citing an area of concern or a violation.
- The working face is evaluated for about 20 standards. The inspector shall observe the working face from a safe position.
- An inspector should walk or drive the entire site perimeter. Never go where it might be dangerous. Where possible, go to the lowest point of the facility, since this is the most likely place for leachate to appear. Be aware that low spots are also the most likely to harbor gas accumulations.
- The inspector must review the operating record for the facility. The operating record is often located away from the site. The inspector should insure that key site personnel are available for the record review and for interviewing.

Transfer/Processing Operations and Facilities Inspection

The regulations relating to transfer stations and operations begin at 14CCR 17400 and extend through 14 CCR 17419.2. There are three primary categories of transfer/processing stations, Limited Volume Operations (less than 60 yards or 15 tons per day), Medium Volume Transfer/Processing Facilities (15 tons to less than 100 tons per day) and Large Volume Transfer/Processing Facilities (100 tons or more per day).

LEA Advisory #23 provides a good general guidance document for interpreting the regulations against site conditions. Remember that this advisory is several years old. Most of the regulation sections and some of the regulatory language cited are out of date. Always review the current law or regulation before citing an area of concern or a violation.

LEA Advisory #58 discusses the “Three part test” relating to Transfer/Processing Facilities and Operations.

- Limited Volume Operations (14 CCR 17403.3)
 - Refer to LEA Advisory 23 for inspection of these facilities.
 - These sites are in the notification tier are considered operations and do not require permits.
 - Operating standards for limited volume transfer stations are found at in 14 CCR sections 17400 through 17414. Inspections of limited volume transfer stations must be at least quarterly (14 CCR 17403.3).
 - The inspector should walk the entire perimeter of the transfer station. Station personnel should be interviewed if present.
 - A record review should also be conducted to confirm that waste volumes do not exceed the limits for this tier, to confirm that the operation meets the required waste removal frequencies and to review the log of special occurrences.
- Medium Volume Transfer/Processing Facilities (14 CCR 17403.6)
 - Refer to LEA Advisory 23 for inspection of these facilities
 - These facilities require permits but may be issued Registration Permits.
 - These sites are considered facilities and require monthly inspections.
- Large Volume Transfer/Processing Facilities (14 CCR 17403.7)

- These facilities require full permits.
- These sites require monthly inspections.

Closed Site Inspection

- Each closed site should be evaluated using the guidelines set forth in LEA Advisory No. 56 and the information on the CalRecycle website at <http://www.calrecycle.ca.gov/leacentral/CIA/>
- LEA Advisory #51 provides guidance regarding post closure land use.
- Inspection frequencies for closed sites vary according to the type of facility and the potential threat to public health and safety and the environment. The minimum inspection frequency for closed sites is once a year. CalRecycle staff will consult with the LEA to determine the appropriate inspection frequency.
- Inspections must be reported on form CalRecycle #188.
 - Use a Closed Site Inspection Report (CalRecycle-55) for sites that closed prior to Article 2 closure standards.
 - Use a Closed Facility Inspection Report (CalRecycle-56) for sites that are subject to Article 2 closure standards.
- Site inspections should look for damaged cover, leachate, illegal dumping or other signs that the site is threatening public health and safety or the environment. Site inspections should also note changes or potential changes in land use on or near the site.

Composting Operations and Facilities

The regulations relating to compostable materials handling for facilities and operations are at 14 CCR Chapter 3.1 (Sections 17850-17870).

Collection Vehicle Inspection

- Each vehicle should be evaluated on an annual basis for compliance with 14 CCR 17332 Regulation of Operators, 14 CCR 17333 Operator Qualifications, 14 CCR 17334 Ownership of Waste Material, 14 CCR 17341 Equipment Construction, 14 CCR 17342 Equipment Safety, 14 CCR 17343 Equipment Parking, 14 CCR 17344 Identification of Operator and 14 CCR 17345 Inspection of Equipment.

Enforcement Actions

Note: The regulations pertaining to enforcement actions by the LEA are at 14 CCR Chapter 5, Article 4 (Enforcement by EA), Article 5 (Enforcement by Board), and Article 5.1 (Inventory of Solid Waste Facilities Which Violate State Minimum Standards), beginning with Section 18302.

These regulations are very prescriptive. No enforcement action shall be taken without review of the appropriate sections of Title 14. If there are conflicts between an LEA Advisory or this EPP, the regulations must, of course, prevail.

LEA duties and responsibilities for enforcement are described at 14 CCR 18084.

LEA Advisory No. 38 is a comprehensive reference that should be utilized whenever the LEA is deciding what constitutes an appropriate enforcement action. CAUTION, this Advisory was drafted before the adoption of Title 27, so some title references have changed. Be sure to check

regulation section numbers before citing them.

A log of enforcement actions must be maintained by the LEA (14 CCR 18020).

“Appropriate actions” by the LEA must be taken to correct violations identified during the inspection. What form an “appropriate action” by an LEA may take is dependent on the nature of the violation. Violations can be categorized as operational, emergency, permit, or closure/postclosure (14 CCR 18084).

- Operational violations, pursuant to 14 CCR, Division 7, Chapter 3, and 27 CCR, Division 2, chapter 3, and Division 30 PRC, are violations of minimum operating standards relating to daily site operations such as daily cover, grading, and litter control.
- Emergency Violations (14 CCR 18306) that present an imminent threat to public health or safety or the environment. These may include leachate flowing off-site, evidence of gas migrating towards occupied structures, or an underground fire. Immediate action in the form of a cease and desist order is required by PRC 45005.
- Permit violations occur when the operator is violating the terms and conditions of the solid waste facility permit or operating a solid waste facility without a permit. Common permit violations include exceeding the permitted tonnage, operating outside the permitted area, accepting waste type not authorized by the permit. Facilities operating without a permit must receive a cease and desist notice (PRC 44002, 44004 and 45005)
- Closure/postclosure violations pursuant to PRC Division 30. Part 4, Chapter 2, Articles 3 and 4, Part 5, and 27 CCR Division 2 occur when the facility is not in compliance with the closure/postclosure plan.

The LEA may take the following enforcement actions:

Informal actions

1. Compliance Meeting

An informal LEA scheduled meeting, with the operator(s) and/or owner(s), and the appropriate regulatory agency(ies) to discuss the specific violations and compliance methods. All parties at this meeting should agree to a specific corrective measures schedule. It should be made clear that this meeting's failure may result in further enforcement action(s). This meeting shall be scheduled when deemed necessary to achieve corrective actions. This meeting can be used for operational, permit, and closure/postclosure violations.

2. "Show Cause" Office Hearing

A local administrative hearing, requesting attendance by the violator, to provide an opportunity to present evidence of compliance to avoid further enforcement procedures. The legal agent for the LEA should be present at this meeting.

Formal actions

1. Inspection

A notice is mailed or issued to the operator and owner at the time of inspection using the Solid Waste Inspection System (SWIS) inspection form. It identifies lack of satisfactory compliance, areas of concern, which if continued have the potential of becoming a violation, and actual violations and required corrective actions. This notice should be signed by the facility owner or operator at the time of inspection whenever possible. If the notice is mailed it must be sent no later than 30 days from the date of inspection.

2. Notices and Orders

- a. Orders (14 CCR 304.1 (a)) may include any of the following:
 - Corrective action order.
 - Cease and desist order.
 - Compliance order.
- b. Notices (14 CCR 304.1 (b)) may include any of the following:
 - Notice that failure to comply will result in the EA contracting for corrective action.
 - Notice that the EA may impose a civil penalty.
 - Notice that the EA is imposing civil penalties.
 - Notice that the EA may petition Superior Court for an injunction.
 - Notice that the EA may bring action in Superior Court to impose civil penalties.
 - Notice that the EA may take action to suspend or revoke permit.
3. Emergency Actions (14 CCR 18306)
4. Actions to Suspend or Revoke a Permit (14 CCR 18307)
5. Listing as a Non-Complying Facility (14 CCR 18360)

Complaints and Complaint Investigations

- Complaints and complaint investigations regarding solid waste sites shall be handled as set forth in 14 CCR Sections 18301 through 18303.
- Written or verbal complaints that solid waste facilities are the source of health or environmental hazards or a public nuisance are accepted and investigated by the LEA. Complaints are promptly investigated when the possibility of immediate health or safety hazard is apparent.
- Complaint and investigation results are recorded on complaint forms. Verified complaints may result in the issuance of official notice and/or abatement order. Inspection or search warrants are obtained when entry onto the property is refused.

Vehicle List Inspection Frequency for County of Alpine
9/15/2012

Section 18083. LEA Duties and Responsibilities for Inspections.

(a) Pursuant to Public Resources Code Division 30, Parts 4 and 5, and 14 CCR Division 7, Chapters 3 and 5, 27 CCR, Division 2, Subdivision 1 (§20005 et seq.), and its EPP, the LEA/EA shall inspect and investigate solid waste collection, handling, and storage, solid waste facilities, operations and disposal sites and equipment to verify compliance with the state minimum standards, solid waste facilities permits, and related state solid waste laws and regulations within their purview for the protection of the environment and the public health.

(8) pursuant to the EPP, for solid waste handling and collection equipment.

Solid Waste Handling and Collection equipment are inspected on the following basis:

Monthly

Quarterly

Annually

X If Complaint Received

X Other- Upon request or during routine inspections.

Chapter XIV
Site Assessment & Corrective
Action Procedures

XIV. SITE ASSESSMENT AND CORRECTIVE ACTION PROCEDURES

Site investigation assessment and corrective action procedures pertain to all facilities whether permitted, illegal, inactive, abandoned, or closed. Site investigation procedures for closed, illegal, and abandoned sites are outlined in LEA Advisory No. 3.

1. Site Identification

- Determine facility or site name
- Location or legal description of facility or site
- Property owner's name, address and phone number
- Determine operator's name, address, and phone number
- Status of site
- Activity of site

This information shall be provided to the best of your knowledge and presented on a prescribed worksheet.

2. Site Survey

A reconnaissance of the facility to gather information based upon visual observation. This visual observation can be documented through photographs, monitoring equipment, and collecting samples from leachate, runoff, monitoring wells.

3. Site Assessment

The site assessment is the conclusion made regarding the condition of the site. The conclusion is based on all available information, including the following:

Records search to determine what is happening or what has happened at the site, quantities of waste accepted, types of wastes accepted and the extent of the site.

Aerial photograph interpretation. Note that soil surveys may be printed on old aerial surveys and can provide some limited documentation of historic sites.

Evaluation of lab analysis results.

4. Corrective Actions

Corrective actions are those actions necessary to abate a condition to protect health, safety and the environment. Corrective actions are based upon the severity of the condition. The condition may be causing or threatening to cause a hazard, pollution or nuisance. Corrective actions are typically undertaken by the property owner or operator and frequently involve other regulatory agencies. The LEA should consider each of the following factors prior to undertaking corrective action:

- A. Based on the site assessment, make the commitment to proceed with Corrective Action or request the CalRecycle to proceed with corrective action as prescribed in PRC 45014.

- B. Complete, or order the property owner to complete, a waste characterization study which goes beyond the site survey. This study addresses what is in the site by amount and types of waste and the extent of the site.
- C. Evaluate all pertinent remedial actions and prepare a remediation plan. Remedial action must be validated both for feasibility and economics.
- D. Implement a remedial action plan. The implementation schedule should be conducted in a timely manner.
- E. Establish a monitoring program to determine the extent of the problem or the effectiveness of a remediation program. The monitoring program may need revision after reevaluation of findings and/or new information. The remediation plan may need revision if monitoring indicates that the remediation plan is not successful in abating the condition of hazard, pollution, or nuisance.

Chapter XV

Attachments

XV. ATTACHMENTS

A. PROTECTIVE EQUIPMENT LIST

B. LEA FORMS

C. MISCELLANEOUS

-Reading guide for Inventory of Solid Waste Facilities Violating State Minimum Standards

**Recommended Health and Safety Gear for Inspections
of Municipal Solid Waste Landfills**

<p>Strongly Recommended by Board Staff for Field Work at Disposal Sites</p>	<ol style="list-style-type: none"> 1) Hard hat 2) Steel-toed and steel-shanked rubber boots 3) First aid kit 4) Safety vest 5) Flashlight 6) Safety glasses, clear or tinted 7) Engineers notebook (or functional equivalent) 8) CGI (landfill gas monitor) 9) Bar hole punch
<p>Additional Field Gear Recommended by Board Staff for Inspections at Disposal Sites</p>	<ol style="list-style-type: none"> 1) Binoculars 2) Camera 3) Equipment bag 4) Rain gear 5) Coveralls 6) Water cooler 7) Windbreaker 8) Dust mask 9) Ear plugs 10) Sun block 11) Tyvek 12) Draeger tubes
<p>Recommended Supplies</p>	<ol style="list-style-type: none"> 1) Batteries (for camera, flashlight) 2) Boot insoles 3) Boot socks 4) Gloves (leather and disposable) 5) Hand cleaner 6) Insect repellent 7) Plastic bags

Forms

The LEA Central internet site which has a link to all of the forms listed below.

- [CIA Disposal Sites](#)
- [Closure](#)
- [Enforcement](#)
- [Equipment Loan](#)
- [Financial Assurances](#)
- [Inspection](#)
- [Inspection Report Order Form](#)
- [Permit Finding](#)
- [Permitting](#)
- [SWIS Data Entry](#)
- [Tire Facilities](#)
- [Tire Haulers](#)
- [Three-Part Test](#)

These forms are available at the following internet site:

<http://www.cacreecycle.ca.gov/LEACentral/Forms/default.htm>

Introduction/Reading Guide for the *Inventory of Solid Waste Facilities Violating State Minimum Standards*

The following is intended as background and guidance when reading the California Integrated Waste Management Board's (Board) *Inventory of Solid Waste Facilities Violating State Minimum Standards*. The Board is required to update and publish the inventory twice annually pursuant to Public Resources Code (PRC) Section 44104.

What is the inventory? The inventory is a list of solid waste facilities in the State of California, which are violating the state minimum standards for solid waste handling and disposal. State minimum standards regulate the design and operation of solid waste facilities in order to protect public health and safety and the environment.

How does a facility get placed on the inventory? Three steps must be taken as part of due process in placing a facility on the inventory.

Step One: A local enforcement agency (LEA) documents, in two consecutive monthly inspection reports, violations of one or more standards identified as "state minimum standards" for solid waste handling and disposal in Title 14 or Title 27, California Code of Regulations (14 CCR or 27 CCR).

Step Two: When Board staff note at least one violation for two consecutive months, they send a letter to the operator of the facility. The letter notifies the operator of the Board's intent to place the facility in the inventory if the violations are not corrected within 90 days of receipt of the notice. These letters are referred to as "notices of intent" or NOIs.

Step Three: On or after the 90th day subsequent to the operator's receipt of the NOI, if one or more of the violations noticed have not been corrected as documented in an inspection report submitted by the LEA, then Board staff will send another letter to the operator, telling them that their facility has been placed on the inventory. Letters telling an operator that a facility is on the inventory are referred to as "inclusion letters." Board staff may consult with the LEA verbally before sending out either an NOI or an inclusion letter to make sure that each is based on accurate and up-to-date information.

Following are explanations of the data in each of the columns on the inventory:

Column	Explanation
1	Indicates the local enforcement agency jurisdiction the facility is in.
2	Indicates the solid waste information system (SWIS) number assigned to a facility. SWIS is an information database on solid waste activities conducted in the State of California maintained by the Board.
3	Indicates facility name, which generally includes the type of facility.
4	Indicates the 14 CCR and/or the 27 CCR section number that is being violated as a state minimum standard. Standards defined as state minimum standards under 27 CCR Section 20164, and/or those listed under 14 CCR Chapter 3 are considered state minimum standards for purposes of the inventory. For disposal facilities there may be a 14 CCR regulation number followed by a forward slash and then a 27 CCR number. In those cases a facility was placed in the inventory under the 14 CCR regulation number before the effective date (July 18, 1997) of the equivalent 27 CCR regulation number.
5	Indicates the name of the standard being violated. Again, some entries will have two regulation names for the same reason they have two regulation numbers as is explained above for column 4.
6	Describes any administrative enforcement action the local enforcement agency (LEA) has taken to get the operator to correct the violation(s) for which the facility is on the inventory. The minimum enforcement response dictated by PRC § 44106 is development of a compliance schedule to be followed by the operator to ensure. A compliance schedule is used to ensure that diligent progress is made in correcting the violations. Another common action type is the issuing of a formal enforcement order. This may take the form of a notice and order (N&O) which unilaterally orders the operator to correct each violation by a date certain, and puts them on notice that failure to comply may result in more serious enforcement actions such as fines or some type of court action. A stipulated order of compliance and agreement (STIP) is similar to a N&O, except that it embodies an agreement between the operator and the LEA to take certain actions by a specified date(s), rather than a unilateral order to do so. This type of action also includes more serious enforcement remedies that the LEA may take if the operator should fail to abide by the agreement.
7	Indicates final compliance date specified by the LEA in the administrative enforcement action it took for correction of each standard being violated. If the LEA did not address the particular standard in the action it took, or it took no action at all, then the entry in the column will be blank.
8	Contains information regarding the status of the operator's and LEA's efforts to correct the violation(s) for which a facility remains listed.

One of the goals of the Board's *Strategic Plan* is to ensure compliance with waste management statutes and regulations and maximize protection of public health and safety and the environment. One of the strategies the Board is committed to for achieving the goal is to reduce the number of solid waste facilities on the inventory for short-term violations, as of January 1997, by 25% by the year 2001. The Board established an overall goal of eliminating all facilities from the inventory by targeting technical assistance efforts on all listed facilities. In January of 1997, there were 47 facilities on the inventory, 26 of which were for short-term violations. The last update was in September 1997. At that time there were 30 facilities on the inventory. Twelve of the 30 facilities on the inventory in this update were included for short-term violations. Going from 26 short-term violators in January 1997 down to the current 12

represents a reduction of 54% in the reporting period. The other 18 facilities currently listed on the inventory are for long term gas violations. Eight of those facilities currently have operational gas extraction systems in place and are expected to be able to fully correct the violation before the next update.

Should an interested reader like to request more information regarding one of the sites on the inventory, they should call the Board's Permitting and Inspections Branch at (916) 255-2285.

**Solid Waste Facilities
Home Page**

LEA Central Home



California Integrated Waste Management Board
Solid Waste Facilities Management Branch
(714) 449-5331
pwillman@ciwmb.ca.gov

Last updated: April 3, 1998

<http://www.ciwmb.ca.gov/pe/inventory/invintro.htm>