

§ 18995.4. Enforcement by a Jurisdiction.

14 CA ADC § 18995.4 BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

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Title 14. Natural Resources

Division 7. Department of Resources Recycling and Recovery

Chapter 12. Short-Lived Climate Pollutants

Article 14. Enforcement Requirements

14 CCR § 18995.4

§ 18995.4. Enforcement by a Jurisdiction.

(a) With the exception of violations of the prohibited container contaminants provisions in Section 18984.5(a), which a jurisdiction shall enforce through the notice provisions of Section 18984.5(b), for violations of this chapter occurring on or after January 1, 2024, the jurisdiction shall take enforcement action as set forth in this section.

(1) The jurisdiction shall issue a Notice of Violation requiring compliance within 60 days of the issuance of that notice.

(2) Absent compliance by the respondent within the deadline set forth in the Notice of Violation, the jurisdiction shall commence an action to impose penalties pursuant to Article 16 of this chapter.

(b) The jurisdiction may extend the compliance deadlines set forth in a Notice of Violation issued pursuant to Subdivision (a) if it finds that extenuating circumstances beyond the control of the respondent make compliance within the deadlines impracticable. For purposes of this section, extenuating circumstances are:

(1) Acts of God such as, earthquakes, wildfires, flooding, and other emergencies or natural disasters;

(2) Delays in obtaining discretionary permits or other government agency approvals; and

(3) Deficiencies in organic waste recycling capacity infrastructure or edible food recovery capacity, and the relevant jurisdiction is under a Corrective Action Plan pursuant to Section 18996.2 due to those deficiencies.

(c) A Notice of Violation shall include the following information:

(1) The name(s), or account name(s) if different, of each person or entity to whom it is directed.

(2) A factual description of the violations of this chapter, including the regulatory section(s) being violated.

(3) A compliance date by which the operator is to take specified action(s).

(4) The penalty for not complying within the specified compliance date.

Note: Authority cited: Sections 40502, 43020, 43021 and 42652.5, Public Resources Code. Reference: Section 42652.5, Public Resources Code; and Section 39730.6, Health and Safety Code.

HISTORY

1. New section filed 11-3-2020; operative 1-1-2022 pursuant to Public Resources Code section 42652.2(a)(6) (Register 2020, No. 45).

This database is current through 9/24/21 Register 2021, No. 39

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