

REQUEST FOR ACTION

To: Lorraine Van Kekerix, Branch Chief
Waste Evaluation and Enforcement Branch
Department of Resources Recycling and Recovery

From: _____
Trevor O'Shaughnessy, Manager
Jurisdiction, Product and Tire Enforcement Section
Waste Evaluation and Enforcement Branch

Hearing Date: May 15, 2012

Decision Subject: Consideration of the Completion of Compliance Order IWMA BR07-03 for the City of Downey, County of Los Angeles

Action By: May 15, 2012

Summary of Request:

The City of Downey (City) has reported to the Department of Resources Recycling and Recovery (CalRecycle) its successful completion of all the requirements of Compliance Order IWMA BR07-03 (Compliance Order). By fully implementing the Local Assistance Plan (LAP) and Source Reduction and Recycling Element (SRRE) programs, the City has made all reasonable and feasible efforts to fulfill the City's diversion requirements. The City intends to continue to implement, monitor, and improve all programs as necessary to continue meeting the City's diversion requirements.

The law requires CalRecycle to hold a public hearing to determine if the City has complied with the Compliance Order.

Recommendation:

Based on analysis of the LAP implementation and documentation that the Compliance Order requires, staff supports a finding that the City of Downey has successfully completed all of the requirements of Compliance Order IWMA BR07-03.

Approving the completion of the City's Compliance Order will commence the transfer of the City from the Jurisdiction and Product Compliance Unit back to the Local Assistance and Market Development Branch. The Local Assistance and Market Development Branch will review the City

in the next two-year cycle, which commences with the submission of the 2013 annual report, and will continue to monitor the City's program implementation. This will provide the Department with the ability to monitor the City's overall efforts of continued program implementation. This does not impact the Department's ability to exercise its option to review the City's efforts at any time, should an independent compliance review by the Jurisdiction and Product Compliance Unit be warranted (PRC Section 41825(b)).

Deputy Director Action:

On the basis of the information, analysis and findings presented in both the Public Hearing, and the Hearing Item and related attachments, I hereby find that the City of Downey has completed Compliance Order IWMA BR07-03, and is no longer subject to administrative penalties relative to this Compliance Order.

Dated:

Lorraine Van Kekerix, Branch Chief
Waste Evaluation and Enforcement Branch
Department of Resources Recycling and Recovery