



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

March 30, 2017

Certified Mail: 7015 0920 0001 7862 6190

The Honorable Ivan Altamirano, Mayor
City of Commerce
2535 Commerce Way
Commerce, CA 90040

Subject: Commerce's Notice of 60-Day Conferring Period for Potential Compliance
Enforcement

Dear Mayor Altamirano:

On March 21, 2017, the Department of Resources Recycling and Recovery (CalRecycle) made a finding that the City of Commerce (City) had Mandatory Commercial Recycling (MCR) law (Public Resources Code (PRC) section 42649-42649.7) program gaps. Based on this finding the City was referred to CalRecycle's Jurisdiction Compliance Unit (JCU), Waste Permitting, Compliance & Mitigation Division, for further investigation regarding meeting the MCR requirements.

The City was notified of the March 21, 2017 action by the Local Assistance and Market Development (LAMD) Branch in a letter sent to Ms. Gina Nila, Deputy Director of Public Works Operations (see attached). The letter stated why an independent review of the City's MCR efforts, by JCU, was going to commence.

The purpose of JCU's independent review is to determine whether the City has complied with Public Resources Code (PRC) Section 42649 et seq. Upon conclusion of this review, CalRecycle will begin the process of considering whether issuance of a compliance order would be appropriate. Jurisdictions that fail to satisfy the conditions of a compliance order could be subject to a fine of up to \$10,000 per day.

This letter initiates the 60-day conferring period required by PRC Section 41825(c). The 60-day conferring period provides both the City and JCU an opportunity to discuss the City's MCR program(s). The conferring period also provides JCU necessary time to:

- Review the City's Electronic Annual Report (EAR) stated progress achieved in implementing its MCR programs, including education, outreach, identification, monitoring, and if applicable enforcement efforts.



- Complete an evaluation of the City's MCR program(s). This evaluation may include field evaluations of the program(s) and/or the facilities processing both recyclables and disposed waste.

The conferring period may last longer than 60 days; however, it must be completed prior to beginning the process to consider the issuance of a compliance order.

A member of JCU will be contacting Ms. Nila to arrange for an initial meeting. If you have any questions, please do not hesitate to contact me at (916) 341-6475.

Sincerely,



Kathleen Marsh
JCU Supervisor
Jurisdiction Compliance Unit
Department of Resources Recycling and Recovery

Attachment: March 22, 2017 JCU 2012-2015 Review Cycle Referral Letter

cc: Gina Nila, Deputy Director, Public Works Operations
Case File