

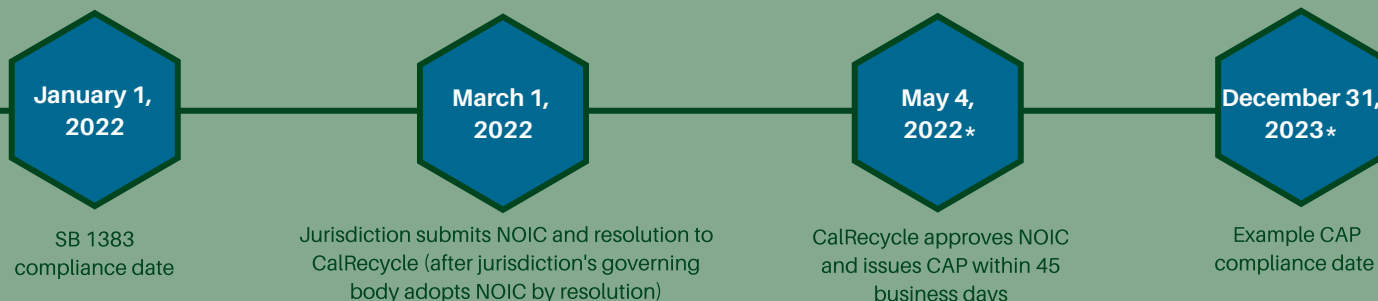
SB 619 and SB 1383 Non-Compliance Remedies Comparison

Understanding the Notification of Intent to Comply (NOIC) and Corrective Action Plan (CAP) process

SB 619: The Basics

- ☑ SB 619 allows jurisdictions to submit a NOIC and resolution to CalRecycle by March 1, 2022 if it will not be compliant with the SB 1383 regulations.
- ☑ For violations that commence during the 2022 calendar year and continue into the 2023 calendar year, administrative civil penalties may begin accruing on and after January 1, 2023 and will be waived if a jurisdiction complies with its CAP.
- ☑ If a jurisdiction does not implement the proposed actions and schedule described in the approved NOIC, then CalRecycle may revoke its approval and impose administrative civil penalties for violations occurring during the 2022 calendar year retroactive to the date of violation.

SB 619 NOIC Compliance Process Example Timeline



SB 1383 Compliance Process Example Timeline



*The CAP compliance date indicated above (December 31, 2023) was arbitrarily selected for visual purposes. CalRecycle may establish any maximum compliance deadline in a CAP that it determines to be necessary and appropriate under the circumstances for the correction of the regulation violation.

**This date of the compliance evaluation and assessment of a NOV (March 1, 2022) was arbitrarily selected for visual purposes. The following dates in the SB 1383 compliance process are hypothetical dates based off the arbitrary compliance evaluation date.



Potential Benefits of SB 619 NOIC



A jurisdiction is not required to demonstrate a "substantial effort" to be eligible for a CAP through the NOIC process. This differs from the SB 1383 compliance process.



CalRecycle will waive administrative civil penalties for the 2022 calendar year for violation(s) disclosed in a jurisdiction's approved NOIC, if the jurisdiction implements the proposed action(s) to remedy the violation(s) in accordance with the timeline in the NOIC. This would particularly benefit a jurisdiction facing continued "major violations" after January 1, 2022.

Helpful Hints



This summary is based on HF&H's best current understanding of the compliance processes for both SB 1383 and SB 619. We recommend consulting your CalRecycle LAMD representative before deciding to submit a NOIC.



CalRecycle has published tools to provide guidance on the SB 1383 compliance process and the SB 619 NOIC application process. The SB 1383 document can be found [here](#) and the SB 619 NOIC document can be found [here](#).

Have questions? HF&H is here to help!

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