



Regulatory Advisory

Construction & Demolition/Inert (CDI) Debris Processing Regulations – Adopted by California Integrated Waste Management Board

This advisory reviews the provisions that exclude from permit requirements certain operations that recycle inert materials

Title 14, Division 7, Chapter 3, Article 5.9, Section 17381.1

Section 17381.1 – This section specifies types of operations that are not subject to the regulation. This means no permits, fees, or reporting are required. However, local lead agencies may still inspect a site, and subject it to regulation if certain conditions are not met.

The section excludes from regulation two types of operations:

- (1) CDI Recycling Centers - allows for a mix of C&D and inert debris.
- (2) **Inert Debris Recycling Center** - allows only for **Type A inert debris**. This type of site is of most interest to aggregate, ready mix, or asphalt producers that recycle concrete and asphalt. It is the focus of remaining discussion in this document.

Type A inert debris includes concrete, fully cured asphalt, glass, fiberglass, asphalt or fiberglass roofing, brick, slag, ceramics, plaster, and clay products.

To qualify as an Inert Debris Recycling Center, an operation must meet four criteria.

- (1) Material must be **source separated**.
- (2) **Residual** waste must be less than 10% by weight of the amount of debris at the site.
- (3) **Putrescible** wastes must be less than 1% by volume of debris at the site.
- (4) Adhere to **storage limits** of 6 months for unprocessed material and 18 months for processed material.

However, there is an exception that says the storage limits do not apply to Type A Inert Debris Recycling Centers located on these three areas:

- (1) **Inert debris engineered fill operation** – disposal activity exceeding one year in duration in which fully cured asphalt, uncontaminated concrete, brick, ceramics, clay and clay products, which may be mixed with rock and soil, are spread on land in lifts and compacted under controlled conditions to achieve a uniform and dense mass capable of supporting structural loading as necessary or having other characteristics appropriate for an end use approved by all governmental agencies having jurisdiction (e.g., roads, building sites, or other improvements) where an engineered fill is required to facilitate productive use of the land.
- (2) **Inert debris Type A disposal facility** – a site where only Type A inert debris is disposed to land. Inert debris Type A disposal facilities do not include inert debris engineered fill operations.
- (3) **Material production facility** – a facility that primarily handles raw materials to produce a new product that is a *rock product operation (i.e., an “aggregate” operation), a hot mix asphalt plant, or a concrete, concrete product, or a Portland cement product manufacturing facility*. This is the provision of most interest to aggregate, ready mix, and asphalt producers.

Even if an operation is not located at one of these three areas, the regulation provides several other means to be excluded from the storage limit requirements for a Type A Inert Debris Recycling Center:

- Operations with a **financial assurance** approved by the Board.
- **Lead agencies** may extend the storage limit requirements at their discretion if there is a land use entitlement that specifies a time limit for storage of materials.
- **Operators** may submit a plan to the lead agency to request longer storage periods, if there is no health, environmental, or safety threat.

For more information, go to the following links.

<http://www.calrecycle.ca.gov/Laws/Regulations/Title14/ch3a59a.htm>

<http://www.calrecycle.ca.gov/condemo/#Reuse>

<http://www.calrecycle.ca.gov/condemo/Materials/default.htm>