



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • WWW.CALRECYCLE.CA.GOV • (916) 322-4027
P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812

FILED
IN THE OFFICE OF

2013 MAY -7 PM 1:58

April 25, 2013

Debra M. Cornez, Director
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Re: CTU2012-1126-01

Dear Ms. Cornez:

This letter is in response to a Petition for Determination submitted to your office by Mr. Bill Gausewitz on November 26, 2012. That petition challenges a notice issued by CalRecycle on May 13, 2011, which deals with, as you have characterized it, "suspicious volumes of recycling materials."

CalRecycle has reviewed the petition, the notice in question, and the additional documentation accompanying the petition. The notice in question was not intended to be used as a rule of general applicability, but rather as information to regulated entities regarding existing laws and regulations. To the extent that the May 13, 2011, notice was used as the basis for imposing discipline upon a recycling center, that action by CalRecycle was improper. Henceforth, CalRecycle will not use the May 13, 2011, notice as a basis for imposing discipline upon entities regulated by CalRecycle.

I make this certification in accordance with Section 280 of Title 1 of the California Code of Regulations. Also in accordance with Section 280 of Title 1 of the California Code of Regulations, copy of this certification has been sent to Mr. Gausewitz.

If you have any questions or concerns, please contact Adam Tauber, Supervising Attorney at (916) 323-6888.

Sincerely,

Caroll Mortensen
Director
CalRecycle

Enclosures

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE
2013 APR 25 PM 3:33
OFFICE OF
ADMINISTRATIVE LAW

