Illegal Dumping Workshop

Important Statutes and Enforcement Tips

Hazardous Materials

25189.5(b) H&S-illegal disposal

-disposal of hazardous waste

-at unauthorized point

-knew or reasonably should have known

Hazardous Materials

25189.6 H&S-illegal disposal with unreasonable risk of fire,explosion, serious injury or death

Example: neighbor dispute, gasoline

Hazardous Materials

Transportation- 25189(c)H&S

Treatment or storage-25189.5(d)H&S

Example: soil

Burning or incinerating w/o permit-25189.7H&S

What Is Hazardous Waste?

<u>Dumped or abandoned</u>

Household cleaners

Car batteries

Antifreeze

What Is Hazardous Waste?

- Gas cans
- Pesticides
- Pool chemicals
- Meth lab components
- Compressed gas cylinders

Medical Waste-118340 H&S

- Dispose, treat, store, transport or cause the above
- In an unauthorized manner
- Misdemeanor for large generator(hospital)
- 17200 B&P

17200 B&P

- Unlawful Business practice
- Civil filing by DA
- Unlawful, unfair or fraudulent business practice

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500
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300
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100
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374.3(h)

- Place,deposit, dump or cause to be placed, deposited or dumped
- Waste matter
- Commercial quantities

When to Involve Other Agencies

- Water way/ streambed
  - Santa Ana Regional Water Board/Colorado River Basin Regional Water Board
  - Fish and game
- Hazardous materials

When to call the DA

Big case

Complicated case

Search Warrant needed

17200B&P

Commercial Quantities

Waste generated in trade, business, profession or occupation

<u>OR</u> in excess of one cubic yard

Waste Matter

Discarded, used or leftover substance

Includes(but not limited to): trash, refuse, container, packaging, cigarettes, construction material, dead animal carcass, object likely to injure or traffic hazard.

NO
DUMPING
AUG 8 2003

What to Cite-Misdemeanors

374.3(h)PC

Document and photograph

Example: 3 strikes case

What To Cite-Misdemeanors

374.7 PC-discharge to water way etc.
What qualifies-very broad

23114(a) VC- Spilling loads on highway

117555H&S-Street Highway or place
public admitted

What to Cite- Misdemeanors

Waste Tires-42850.1 Public Resources Code

- Intentional violation of code
- 10 or more tires require registration and any vehicle violation cite 31560VC(infraction)
- Minor waste tire facility-42835PRC(500+)
- Major waste tire facility-42825 PRC(5,000+)

What to Cite-Infractions

374.3 PC

23112VC

Local county or city ordinances