



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

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NOTICE

May 13, 2011

To: All Certified Recycling Centers

Subject: Certified Recycling Center Responsibility to Prevent Illegal Payment of CRV

California's Beverage Container Recycling Program is a great success. In order for that success to continue, the Department of Resources Recycling and Recovery (CalRecycle) depends on you. It has always been the responsibility of certified recycling centers to prevent the illegal redemption of ineligible material. You and your employees are the first line of defense against fraud in this program, and certified recyclers may be subject to penalties for failure to carry out this duty.

CalRecycle would like to point out some of your specific responsibilities under the California Beverage Container Recycling and Litter Reduction Act (Act) and CalRecycle's regulations. If you know or have reason to believe that beverage container material being sold to you came from out-of-state or is otherwise ineligible material, the Act and regulations require you as a certified recycling center to refuse to purchase the material as CRV.

The following list includes, but is not limited to, a variety of indicators that the beverage container material being presented to you is not from a legitimate source.

- Large quantities of used beverage containers delivered in rental trucks.
- Large quantities of used beverage containers delivered in bags that have been pre-weighed and labeled with the associated weight.
- Individuals switching license plates outside or near recycling centers before entering the recycling center.
- Individuals sorting their loads to remove unlabeled out-of-state beverage containers.
- Individuals with large loads of beverage containers that split their loads into multiple transactions, or do not sell their entire load.
- Individuals redeeming large loads of material in amounts and frequencies that are not typical of consumers.
- Individuals or entities redeeming large amounts of beverage containers many times in one week or month.
- One vehicle being used to deliver large loads many times in one day or week that is driven by many different individuals.
- Vehicles with out-of-state plates driven by individuals redeeming quantities not typical of consumers.
- Redemption of previously baled material.
- Redemption of large quantities of aluminum beverage containers that have been extremely flattened to minimize transportation costs from out-of-state.



Additional Items to Note:

- It is illegal for recyclers to facilitate the splitting of large loads to circumvent the consumer daily load limit or 250-pound reporting requirement.
- Any amount of out-of-state containers in a load deems the entire load ineligible.
- Inaccurate or fabricated vehicle or driver license information on consumer purchase receipts cause the transaction to be invalid.
- A valid driver license number and state of issuance, vehicle license number and state of issuance, or a California Identification Card number are the only acceptable forms of identification for compliance with 14CCR 2525 (a)(7). Identification cards from foreign consulates are not valid for this purpose.

If you encounter one or more of the indicators listed above and pay CRV for the load, you may be held responsible for knowingly redeeming non-CRV material. ***Knowingly paying CRV for ineligible material is a crime. (Public Resources Code § 14591, Penal Code § 487). If you are found to have paid CRV on ineligible material, the penalties may include the loss of your certification, fines, and/or imprisonment.***

If you know of a recycling center that is currently making or facilitating illegal payments of CRV, or if you are approached by individuals wanting to redeem out-of-state used beverage containers or previously redeemed materials, please contact the CalRecycle, Recycling Enforcement Branch, Investigations Section office for your respective area:

Northern California - Walt Scherer at (916) 445-9919 Walt.Scherer@CalRecycle.ca.gov

Southern California - Joe Preciado at (951) 782-4121 Joe.Preciado@CalRecycle.ca.gov

Or call the CalRecycle's Toll-Free Fraud Hotline at 1-866-CAN-LOAD (226-5623).

In addition, enclosed you will find a poster CalRecycle developed to inform individuals that attempting to redeem out-of-state beverage containers for CRV is a crime. The poster also includes the Toll-Free Fraud Hotline phone number listed above to report this type of activity. Additional posters, including a Spanish language version, can be downloaded and printed from CalRecycle's webpage at the following link:

<http://www.calrecycle.ca.gov/BevContainer/Fraud/default.htm>

CalRecycle encourages you to place this poster in a location(s) at your recycling center(s) where it will easily be seen by your customers as a way to assist in our combined efforts to combat beverage container recycling fraud.

If you have any questions regarding this notice, please feel free to contact the Recycling Enforcement Branch at (916) 324-5392 or the CalRecycle Legal Office at (916) 327-0089.

Sincerely,

John Halligan, Branch Chief
Recycling Enforcement Branch
Compliance and Enforcement Division