

TITLE 14. NATURAL RESOURCES
DIVISION 2. DEPARTMENT OF CONSERVATION
CHAPTER 5. DIVISION OF RECYCLING

Legend:

Underline: Proposed Emergency Additions

~~Strikeout~~: Proposed Emergency Deletions

SUBCHAPTER 2. GENERAL REQUIREMENTS

Article 4. General Accounting Requirements

§2090. REPORTS, NOTICES AND CLAIMS SUBMITTED TO THE DIVISION.

(a) Except where specifically provided otherwise, any reports, notices, and claims prepared pursuant to this chapter shall be prepared and submitted in the form designated by the Division. Only reports, notices, and claims in such form and bearing an original signature pursuant to subsection 2090(d)(4) shall be acceptable. The Division shall provide reporting forms to any person upon request.

(b) In lieu of submitting information on report forms provided by the Division, program participants who use Automated Data Processing (ADP) equipment for maintaining records and producing reports, may submit these ADP reports, provided that such reports:

- (1) are consistent with the recordkeeping requirements of these regulations; and
- (2) provide the information in the form and manner required by the Division.

Where magnetic tapes, diskettes, microfilms, or other ADP-produced reports are submitted in lieu of written reports, a representative of the submitting organization shall certify in accordance with subsections (d)(4) and (5) below, that these ADP reports are the actual records or were compiled from the actual records of the program participant.

(c) Except as provided in subsection (b) above, reports, notices, claims, and all applicable supporting data shall be accurate, complete, and typed or legibly handwritten in English using permanent ink. Errors shall be voided only by using a single line through the error. Correction fluid, correction tape or erasures shall not be used for correcting errors on any documentation required by or submitted to the Department.

(d) All reports and claims to support payments to or from the Division shall contain all of the following information:

- (1) The full name, address, and identification number of the entity preparing the report; and
 - (A) For recycling centers, dropoff or collection programs, community service programs and processors, the identification number shall be the certification number designated by the Division.
 - (B) For all other persons, the identification number shall be the Seller's Permit Number as designated by the state pursuant to Revenue and Taxation Code Sections 6066 and 6067.
 - (C) If an entity preparing the report has no certification number or Seller's Permit Number, an identification number shall be obtained from the Division upon written request.
- (2) The name and phone number of a contact person for purposes of the report; and
- (3) The reporting period and date of preparation of the report; and
- (4) The signature and title of the representative of the entity authorized to prepare the report. The signature block shall state that the information in the report or claim is correct to the best knowledge of the person submitting the report or claim; and
- (5) The date and place of the signing of the claim or report.

(e) Failure to comply with any provision of this section, or other reporting requirements of this chapter, shall be grounds for the Division to reject or deny the report, notice or claim or take disciplinary action against the certificate holder pursuant to Section 14591.2(c) of the Act. Any such rejection shall not extend any applicable time period.

(f) In lieu of submitting multiple shipping reports to document transactions between affiliated recycling centers or the receipt of material by a recycling center or processor from a dropoff or collection program, community service program, or curbside program, certified processors and certified recycling centers may apply in writing to the Division for permission to file consolidated shipping reports.

(1) The Division shall approve or deny such requests within 45 days of receipt of the application; and, if the request is approved, a consolidated reporting number shall be issued to the applicant.

(2) The Division shall deny an application to file consolidated shipping reports if the recycling center or processor is not operating in compliance with Section 14538 or Section 14539 of the Act, as applicable.

(3) Upon obtaining written authorization from the Division, processors and recycling centers may consolidate their reporting records onto one shipping report for each delivery to another recycling center or processor and attach a detailed listing of each location's recycling activity for transactions from the effective date of the authorization forward.

(A) Processors and recycling centers shall retain copies of consolidated shipping reports and all supporting documentation.

(B) Consolidated shipping reports shall consist of the following general information, delivery-specific information and information related to totals (see Figure 8 for example):

1. Name and address of the receiving certified administrative office,
2. Certification number,
3. Material type,
4. Shipping report (DR-6 (6/07)) number,
5. Number of shipments,
6. Shipper's certification number,
7. Receipt and log dates, if applicable,
8. Received weight, excluding line breakage, rejected out-of-state containers.
9. Redemption weight,
10. Adjusted redemption weight,
11. Refund value,

12. The redemption weight; and, for plastic, aluminum, and glass, collected by a curbside programs, or a dropoff or collection program that meets the requirements of Section 2850(e), the sorting facility registered curbside program or certified entity eligible for the quality incentive payment shall be identified as either the Shipper (S), or the Receiver (R) in the QIP (Quality Glass Incentive Payment) Box.

13. Total payments,
14. Total received weight, excluding line breakage, rejected out-of-state containers.
15. Total redemption weight claimed,
16. Total adjusted redemption weight,
17. Total refund value,
18. Total payments.

(4) The Division shall revoke authorization to file consolidated shipping reports if the recycling center or processor is not operating in compliance with Section 14538 or Section 14539 of the Act, as applicable.

EXAMPLE

EXAMPLE

CONSOLIDATED SHIPPING REPORT (Detail Form)

RECEIVING CERTIFIED ADMINISTRATIVE OFFICE

NAME: _____ 1 _____

MATERIAL TYPE: _____ 3 _____

ADDRESS: _____

SHIP REPORT #: _____ 4 _____

OF SHIPMENTS: _____ 5 _____

CERT.#: _____ 2 _____

SHIPPER CERT #	RECEIPT & LOG DATES	RECEIVED WEIGHT	REDEMPTION WEIGHT	ADJUSTED REDEMPTION WEIGHT	REFUND VALUE	QGIP	TOTAL PAYMENTS
6	7	8	9	10	11	12	13
TOTALS:		14	15	16	17		18

NOTE: If payments made to recyclers were reduced due to the redemption weight exceeding the received weight by more than 2.5%, indicate the received weight as the adjusted redemption weight and record the corresponding reduced refund value.

Figure 8.

EXAMPLE

EXAMPLE

CONSOLIDATED SHIPPING REPORT (Detail Form)

RECEIVING CERTIFIED ADMINISTRATIVE OFFICE

NAME: _____ 1 _____

MATERIAL TYPE: _____ 3 _____

ADDRESS: _____

SHIP REPORT #: _____ 4 _____

OF SHIPMENTS: _____ 5 _____

CERT.#: _____ 2 _____

SHIPPER CERT #	RECEIPT & LOG DATES	RECEIVED WEIGHT	REDEMPTION WEIGHT	ADJUSTED REDEMPTION WEIGHT	REFUND VALUE	QIP	TOTAL PAYMENTS
6	7	8	9	10	11	12	13
TOTALS:		14	15	16	17		18

NOTE: If payments made to recyclers were reduced due to the redemption weight exceeding the received weight by more than 2.5%, indicate the received weight as the adjusted redemption weight and record the corresponding reduced refund value.

Figure 8.

SUBCHAPTER 5. PROCESSORS

Article 3. Accounting and Reporting Requirements

§2425. REPORTING.

The processor initially receiving material from recycling centers, curbside programs, dropoff or collection programs, or community service programs shall prepare and submit to the Division the report described in this section.

(a) The report shall be submitted monthly or, at the option of the processor, up to eight times per calendar month. The reporting periods for the month must cover from the beginning to the end of the calendar month and not overlap any days.

(1) All reports shall be submitted no later than the 10th day after the last day of the reporting period.

(2) Processors shall be allowed to submit no more than four supplemental processor invoices per material type, per original processor invoice, provided each is submitted no later than forty-five (45) days from the following events:

(A) The due date of the original processor invoice that the supplemental processor invoice covers, if it is for new shipping reports not previously submitted with the original processor invoice being supplemented; or

(B) The date appearing on the Notice of Denial (NOD) if the reports were previously denied or if the reports are a combination of new shipping reports not previously submitted with the original processor invoice and previously denied shipping reports.

(3) Processors shall be allowed to submit no more than two amended processor invoices per material type, per original processor invoice, provided each is submitted no later than ninety (90) days after the due date of the original processor invoice being amended.

(4) Nothing herein shall limit the Division's authority to accept an amended processor invoice which will result in money being owed to the State of California.

(b) The report shall contain the following information, by material type, in addition to the general requirements for reporting contained in section 2090 of these regulations.

(c) A summary of the processor's transactions during the period covered by the report, including all of the following information:

(1) The total weight of all material, including empty beverage containers received by the processor; and

(2) The total weight of empty beverage containers received, and the refund value, and applicable administrative and processing payments paid for such material by material type; and

(3) The computation and amount of the total processing payment due for the reporting period; and

(4) The computation and amount of the total administrative fee due for the period; and

(5) Total payments requested from the Division for the period. These payments are computed as the sum of the total reported refund value, the administrative fees due, and the processing payments due; and

(6) A statement indicating whether the materials which are the subject matter of the report are "for recycling" or "not for recycling."

(d) Each report shall also include copies of the shipping reports for the period of the report. The total number of shipping reports included shall be specified.

(e) Each report shall also contain a shipping report prepared by the processor for each shipment of materials received from any curbside program, dropoff or collection program, or community service program, and a shipping report for each shipment of materials received from a recycling center that has been prepared by the recycling center and completed by the processor. Each report shall include all of the following information:

- (1) The name, address, and identification number or certification number, of the entity shipping the material to the processor, as well as the name and telephone number of a contact person; and
- (2) The name and the certification number of the processor receiving the material; and
- (3) The date the material was received and the material type covered by the report; and
- (4) The received weight, excluding line breakage, rejected containers, and out-of-state containers; and
- (5) The redemption weight; and, for plastic, aluminum, and glass, collected by a curbside programs, or a dropoff or collection program that meets the requirements of Section 2850(e), the ~~sorting facility~~ registered curbside program or certified entity eligible for the quality incentive payment shall be identified as either the Shipper (S), or the Receiver (R) in the QGIPQIP (Quality ~~Glass~~-Incentive Payment) Box.
- (6) The refund value paid; and
- (7) The total administrative fees paid, when applicable; and
- (8) The processing payments paid; and
- (9) The printed name, title and signature of the shipper or an authorized representative of the shipper and date signed; and
- (10) The weight ticket number; and
- (11) The shrinkage deduction taken, if any; and
- (12) The printed name, title and signature of an authorized representative of the processor and the date signed.

(f) Additionally, each certified processor shall submit a Scrap Value Purchases Survey Form DOR – SV (10/00) report for purchases of beverage container material types every month. The DOR – SV (10/00) Scrap Value Purchases Survey Form shall be submitted to the Division no later than the 10th day of the month following the month of the report. The DOR – SV (10/00) Scrap Value Purchases Survey Form must be submitted regardless of whether or not purchases occurred in the applicable time period. In addition to the general requirements for reporting contained in section 2090 of these regulations, the DOR – SV (10/00) Scrap Value Purchases Survey Form shall contain all of the following information, if applicable:

- (1) The processor's name, address and certification number, physical address, including city, phone number and date prepared; and,
- (2) The month covered by the report; and
- (3) The total weight, in tons, of each beverage container material type purchased, even if zero, from nonaffiliated sellers, excluding beverage container material types received in a form mixed with other beverage material types or material types not covered by the Act, in each of the following categories: certified recycling centers, dropoff or collection programs, community service programs, processors, registered curbside programs, any certified and non-certified entities; in the case of glass, beneficiating and nonbeneficiating processors shall be reported separately; and,
- (4) The total weight, in tons, of each beverage container material type received from affiliates and/or subsidiaries. Beverage container material that processors receive in a form mixed with other beverage container material types and/or material types not covered by the Act, whether from affiliates or nonaffiliates, shall be reported with the affiliated transaction after the material has been sorted and the received weight determined.
- (5) The total net payment for the reported total monthly weight, in tons, for each beverage container material type purchased, by the reporting processor from nonaffiliated sellers in each of the categories listed in item 3 above; and
- (6) For glass only, the monthly total weight, in tons, of purchased beverage container material types by color; and the monthly total weight of color sorted or mixed glass purchased from any non-affiliated beneficiating or nonbeneficiating processor; and
- (7) For plastic, the monthly total weight in tons, of purchased beverage containers material types, by each plastic resin code type (1 through 7); and
- (8) The printed name and signature of an authorized representative of the reporting processor.

(g) Processors purchasing materials directly from more than one curbside program, dropoff or collection program, or community service program may apply to the Division to request the use of alternative methods for preparing the corresponding shipping reports. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for alternative methods to be accepted, they must be based on reasonable allocation methods.

(2) An application for an alternative allocation method shall be denied if:

(A) The received weight of the material purchased by an entity from the processor is not used to calculate allocations to the curbside programs, dropoff or collection programs, or community service programs; or

(B) The processor does not ensure that the weight of rejected containers, line breakage, and out-of-state containers is not included in the allocated weight (this does not require a physical separation); or

(C) The processor does not account for each incoming load of material; or

(D) The processor does not inspect incoming material to verify that it is eligible for refund value payments, as specified in section 2401.

(3) Processors may file a formal appeal by writing the Assistant Director for Recycling within thirty (30) calendar days after the receipt of a notice denying an application requesting an alternative method for shipping report preparation. Appeals submitted after this time period shall be rejected. All written appeals shall include:

(A) A copy of the notice denying the allocation method;

(B) A detailed explanation of why the determination was in error; and,

(C) Any other documentation that supports the appeal.

(4) A written decision on the appeal shall be sent to the processor within seven (7) calendar days of the receipt of the appeal.

(h) Processors purchasing commingled glass from a certified dropoff or collection program including a “waste reduction facility”, a certified community service program, or a registered curbside program, shall visually inspect every load delivered to determine eligibility for refund value and the level of contamination in the load. If a load presented to a processor is eligible for refund value and has residual or other contamination, the processor shall reduce the load for shrinkage. If a load has a residual or other contamination level of greater than 10% by weight, and the load is otherwise eligible for refund value, the receiving processor shall request an alternative method of preparing the shipping report for payment. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for the alternative method to be accepted, it must:

(A) Be based on a recycled glass cleaning process that produces cullet which meets the American Society for Testing and Materials standard specification for waste glass as a raw material for the manufacture of glass as specified in Section 2000(a)(3.1)(A).

(B) Clearly state:

1. That the received weight, for beverage container redemption purposes, shall be determined from the cullet produced in (A) above.

2. That the redemption weight shall be determined using the applicable commingled rates and the received weight from 1.

3. That, if a sampling procedure will be used to determine the received weight of contaminated loads from each entity, the sampling procedure must be included with the request for an alternative method of preparing the shipping report.

(2) An application for an alternate method will be denied if:

(A) The total weight of all contaminated materials received at the facility is not recorded.

(B) All material received at this facility is not inspected for the presence of out-of-state, rejected, or line breakage containers and this weight excluded from shipping reports.

(C) Records accurately supporting both cullet sold and residual or contaminated material disposed of or used for an alternative market is not made available to Department staff upon request.

(D) The method does not clearly account for the weight of empty beverage containers for each certified dropoff or collection program including a “waste reduction facility”, certified community service program, or registered curbside program from which the processor receives this material.

(3) When used in this subsection, "waste reduction facility" means a dropoff or collection program certified by the Department, which separates beverage container material types from mixed waste.

Authority: Sections 14530.5, 14536, and 14536.1, Public Resources Code. Reference: Sections 14504, 14515.5, 14518.5, 14519.5, 14537, 14539, 14549.1, 14550, 14552, 14552.51, 14575 and 18015, Public Resources Code.

SUBCHAPTER 6. RECYCLING CENTERS

Article 3. Accounting and Reporting Requirements

§2530. REPORTING.

Recycling centers shall prepare and submit all of the following reports in accordance with the general requirements for reporting of section 2090 of these regulations.

(a) A shipping report for each delivery (of material subject to the Act) between:

(1) the recycling center and any other recycling center; or

(2) the recycling center and the processor; or

(3) the recycling center and a dropoff or collection program, community service program or curbside program, as provided in subdivision (f), below.

(b) The shipping recycling center shall indicate on the shipping report all information listed under subsection 2530(e)(1) through (6), provide the shipping report containing this information to the person receiving the shipment and shall retain a completed copy; the shipping report shall accompany the material shipped, except as noted in (1) below. For shipments to processors, the recycling center shall receive a copy of the completed shipping report from the processor upon payment, pursuant to section 2430(a)(1) of these regulations.

(1) In the case of glass, recyclers may add up the daily summaries until total weight is equal to received weight and claim the corresponding redemption weight and refund value. In such cases, a shipping report need not accompany the load.

(c) The shipping report shall be based upon any receipts or log entries prepared pursuant to section 2525 above, or any shipping reports for material received by recycling centers from other recycling centers.

(d) Copies of any shipping reports for material received by a recycling center from other recycling centers, dropoff or collection programs, community service programs, or curbside programs, shall be appended to the shipping report prepared pursuant to this section.

(e) Except as provided for in subsection (f) below, a separate shipping report shall be prepared for each material type and shall include all of the following information:

(1) The name, address, and certification number of the recycling center shipping the material as well as the name and telephone number of a contact person; and

(2) The name and certification number of the recycling center or processor receiving the material; and

(3) The period and the material type covered by the report; and

(4) The following information based upon the information contained in the receipts and logs and the received shipping reports:

(A) The redemption weight of the material.

(B) The total refund value.

(5) The number of attached shipping reports which pertain to material included in the shipment.

(6) The printed name, title and signature of an authorized representative of the recycling center and the date signed.

(f) For material received by the recycling center from a dropoff or collection program, community service program or curbside program, the recycling center shall prepare a separate shipping report for each material type and provide a copy of the completed shipping report to the shipping dropoff or collection program, community service program or curbside program. Shipping reports prepared pursuant to this subsection shall contain all of the following information:

- (1) The name, address, certification or identification number for the entity shipping the material, as well as the name and telephone number of a contact person; and
- (2) The name and certification number of the recycling center receiving the material; and
- (3) The date the material was received and the material type covered by the report; and
- (4) The received weight, excluding rejected containers, line breakage, and out-of-state containers; and
- (5) The refund value paid; and
- (6) The printed name, title and signature of the shipper or an authorized representative of the shipper and the date signed; and
- (7) The printed name, title and signature of an authorized representative of the recycling center and the date signed; and
- (8) The weight ticket number; and
- (9) The shrinkage deduction taken, if any.

(10) The redemption weight; and, for plastic, aluminum, and glass, collected by a curbside programs, or a dropoff or collection program that meets the requirements of Section 2850(e), the ~~sorting facility~~ registered curbside program or certified entity eligible for the quality incentive payment shall be identified as either the Shipper (S), or the Receiver (R) in the QGIPQIP (Quality ~~Glass~~-Incentive Payment) Box.

(g) For material received by a recycling center from another recycling center, the receiving recycling center shall ensure that all the information specified in subsection 2530(f)(1) through (8) is recorded on the report and provide a copy of the completed shipping report to the shipping recycling center.

(h) To obtain handling fees, only those recycling centers eligible for such fees, as described in section 2516, shall submit a Handling Fee Application Form (Form DR-14 (1/00)) to the Division for the calendar month for which handling fees are being claimed. The Form DR-14 (1/00) shall be postmarked no later than the first day of the second month following the reporting month. Forms postmarked after this date, and incorrectly completed forms, will be denied for payment and the handling fee will be forfeited for that calendar month. Forfeiture for that calendar month will not affect eligibility for subsequent months. There shall be a separate Form DR-14 (1/00) completed for each supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler which shall include all of the following information in addition to that required by section 2090 of these regulations:

- (1) The calendar month and year covered by the report; and
- (2) The name, and mailing address of the recycling center; and
- (3) The name and telephone number of a contact person; and
- (4) The certification number of the supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler; and,
- (5) A change of mailing address, ownership or a closing of the supermarket site recycling center, nonprofit convenience zone recycler, or rural region recycler; and
- (6) The weight, to the nearest tenth of a pound, of empty beverage containers, by material type, redeemed by that recycling center, at that supermarket site, nonprofit convenience zone recycler, or rural region recycler, only from consumers delivering that material during the hours the recycling center was open for business. This weight shall be taken from the receipts and logs of that recycling center for that calendar month; and,
- (7) The signature and title of an authorized representative of the recycling center in accordance with subsections 2090(d)(4) and (5) of subchapter 2 of these regulations; and
- (8) The date the application was signed.

(i) Each recycling center shall maintain a separate list of all purchases of more than 250 pounds of aluminum beverage containers. Such list (or legible copies of the receipts) shall be sent to the Division weekly and shall

contain all of the following information, taken from the receipt prepared pursuant to section 2525(a) of these regulations:

- (1) The receipt number for the transaction; and
- (2) The name of the person selling the material; and
- (3) The additional identifying information of the person selling the material; and
- (4) The name, address, and certification number of the recycling center submitting the list; and
- (5) The transaction date; and
- (6) The pounds purchased on the receipt; and
- (7) The total amount paid.

(j) Recycling centers purchasing materials directly from more than one curbside program, dropoff or collection program, or community service program may apply to the Division to request the use of alternative methods for preparing the corresponding shipping reports. The Division shall consider each proposed alternative method and issue a written approval or denial within forty-five (45) calendar days.

(1) In order for alternative methods to be accepted, they must be based on reasonable allocation methods.

(2) An application for an alternative allocation method shall be denied if:

- (A) The received weight of the material purchased by an entity from the recycling center is not used to calculate allocations to the curbside programs, dropoff or collection programs, or community service programs; or
- (B) The recycling center does not ensure that the weight of rejected containers, line breakage, and out-of-state containers is not included in the allocated weight (this does not require a physical separation); or
- (C) The recycling center does not account for each incoming load of material; or
- (D) The recycling center does not inspect incoming material to verify that it is eligible for refund value payments, as specified in section 2501.

(3) Recycling centers may file a formal appeal by writing the Assistant Director for Recycling within thirty (30) calendar days after the receipt of a notice denying an application requesting an alternative method for shipping report preparation. Appeals submitted after this time period shall be rejected. All written appeals shall include:

- (A) A copy of the notice denying the allocation method;
- (B) A detailed explanation of why the determination was in error; and,
- (C) Any other documentation that supports the appeal.

(4) A written decision on the appeal shall be sent to the recycling center within seven (7) calendar days of the receipt of the appeal.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14526.6, 14538, 14549.1, 14571.9 and 14585, Public Resources Code.

SUBCHAPTER 11.5. QUALITY GLASS INCENTIVE PAYMENTS

Article 1. General Requirements

~~§2850. QUALITY GLASS INCENTIVE PAYMENTS~~

~~—(a) The Division may pay a quality glass incentive payment, as determined by the Division, to any entity certified pursuant to the Act for glass which is collected by curbside programs and color sorted and substantially free of contamination. Payments shall be made directly to the certified entity that color-sorts the glass beverage containers for recycling.~~

~~—(b) For glass beverage containers that are color sorted prior to completion of the Shipping Report (DR 6 (11/05)), the eligible sorting facility shall be identified on the Shipping Report, as specified in Sections 2425(e), or 2530(f) and the Shipping Report (DR 6 (11/05)) shall constitute the claim for the quality glass incentive~~

payment.

~~—(c) For glass beverage containers that are color sorted subsequent to completion of the Shipping Report Form, the certified entity that claims a quality glass incentive payment for color sorted glass shall submit a Quality Glass Incentive Payment Claim Form (DOR 56 (11/05)) to the Division for each calendar month in which the quality glass incentive payment is being claimed. To be eligible to submit Quality Glass Incentive Payment Claim Forms (DOR 56 (11/05)), the sorting facility shall submit a request and receive approval from the Division for authorization to submit claims.~~

~~(1) The request for authorization must include the methodology developed by the sorting facility to attribute the color sorted glass beverage container materials to the types of programs from which they were received to ensure that glass materials collected by sources other than curbside programs are excluded from the amount claimed for quality glass incentive payments.~~

~~(2) The Division shall notify the applicant in writing within (15) working days of receipt of the application, or receipt of additional information if the application was initially incomplete, that it is either:~~

~~(A) Complete and accepted for further review, or~~

~~(B) Incomplete and the reasons for the deficiency.~~

~~—(3) The Division shall review and consider each request for authorization to submit claims for quality glass incentive payments for post shipping report color sorted glass materials and issue a written approval or denial within forty five (45) calendar days from receipt of the complete and accepted request. Upon approval, the authorization to submit claims for quality glass incentive payments for post shipping report color sorted glass materials, as specified in Section 2850(c), shall be valid for a period of three (3) years from the date of approval, or until such time as the authorization is surrendered by the sorting facility, or suspended or revoked by the Division.~~

~~—(4) Reasons for denying a request for authorization, or for suspending or revoking an approved authorization may include, but shall not be limited to any of the following:~~

~~—(A) The sorting facility does not ensure that mixed color glass received from entities other than curbside programs are excluded from the claim;~~

~~—(B) The sorting facility does not account for each incoming load of mixed color glass;~~

~~—(C) The claim for quality glass incentive payment is not based on the color sorted weight;~~

~~—(D) The sorting facility fails to maintain inventory records that show shipped and received materials by color; and,~~

~~—(E) The sorting facility has been found to be in violation of any provision of the Act, or any regulations adopted pursuant to the Act.~~

~~(5) A sorting facility may request reconsideration of a denial, suspension, or revocation of an authorization by submitting a written request for reconsideration to the Division within thirty (30) calendar days of being served with a denial, revocation, or suspension of an authorization to submit claims for quality glass incentive payments for post shipping report color sorted glass materials. All written requests shall include:~~

~~—(A) A copy of the notice denying the authorization to submit claims for quality glass incentive payments for post shipping report color sorted glass materials;~~

~~—(B) A detailed explanation of the grounds for reconsideration; and,~~

~~—(C) Any other documentation that supports the request.~~

~~(6) A written decision on the request for reconsideration shall be sent to the sorting facility within twenty (20) calendar days of the receipt of the request.~~

~~(7) To be eligible for payment, the Quality Glass Incentive Payment Claim Form (DOR 56 (01/02)) must be postmarked no later than the first day of the second month following the reporting month. Claims postmarked after this date or incomplete claims may be denied payment. A separate claim shall be completed by each certified entity.~~

~~(8) Each Quality Glass Incentive Payment Claim Form (DOR 56 (01/02)) must include all of the following information:~~

~~—(A) The month for which the claim is submitted;~~

~~—(B) The facility name, mailing address, and certification number of the entity submitting a claim for~~

quality glass incentive payments;

~~—(C) The name and phone number of a contact person;~~

~~—(D) The redemption weight to tenths of tons of color sorted glass claimed;~~

~~—(E) The signature and title of an authorized representative; and~~

~~—(F) The date the report was signed by the authorized representative under penalty of perjury.~~

~~—(d) The quality glass incentive payment may be denied or reduced if the Division has prevailed against the certified entity in a civil or administrative action and money is owed to the Division as a result of the action.~~

~~—(e) For the purpose of Section 14549.1 of the Act and these regulations, the following definitions shall apply:~~

~~(1) “Color sorted glass” means glass that has been sorted into flint, amber, or green fractions, and would be acceptable to a beneficiating processor.~~

~~(2) “Substantially free of contamination” means glass that has been substantially cleaned of non-glass contaminants.~~

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14549.1 and 14552, Public Resources Code; and Section 15376, Government Code.

SUBCHAPTER 11.5. QUALITY INCENTIVE PAYMENTS

Article 1: General Requirements

§2850. QUALITY INCENTIVE PAYMENTS

- (a) The Division may pay a quality incentive payment to any registered curbside program or entity certified pursuant to the Act and subject to the availability of funds, for empty glass, plastic and aluminum beverage containers collected by either a registered curbside program or a dropoff or collection program, consistent with the quality specifications adopted by the Division below.
- (1) A Quality Incentive Payment shall be made for empty glass beverage containers, that meet the requirements in Section 14549.1 (c) (1) (A) and (B) of the Act.
- (2) A quality incentive payment shall be made for empty plastic beverage containers sorted by resin type (PETE #1, HDPE #2, V #3, LDPE #4, PP #5, PS #6, and OTHER #7) that meet the requirements of Section 14549.1 (c) (2) (A) of the Act. The resin sorted and cleaned empty plastic beverage containers must meet the “Commercial Guideline Baled Recycled Plastic Standard,” as specified in the most current “Scrap Specifications Circular” published by the Institute of Scrap Recycling Industries (ISRI).
- (3) A quality incentive payment shall be made for empty aluminum beverage containers that meet the requirements of Section 14549.1 (c) (3) (A) and (B) of the Act. The sorted and cleaned empty aluminum beverage containers must follow the guidelines for post-consumer aluminum can scrap as specified in the most current “Scrap Specifications Circular” published by the Institute of Scrap Recycling Industries (ISRI).
- (b) For empty beverage containers that meet the quality specifications, pursuant to subsection 2850 (a) (1), (2), and (3), prior to completion of the Shipping Report (DR-6 (06/07)), the registered curbside program or certified entity shall be identified on the Shipping Report (DR-6 (06/07)), as specified in Sections 2425(e) or 2530(f), and the Shipping Report (DR-6 (06/07)) shall constitute the claim for the quality incentive payment.
- (c) For empty beverage containers that meet the quality specifications, pursuant to subsection 2850 (a) (1), (2), and (3), subsequent to the completion of the Shipping Report (DR-6 (06/07)), the processor that claims a quality incentive payment for empty beverage containers shall submit a Quality Incentive Payment Claim Form (DOR 56 (06/07)) to the Division for each calendar month in which the quality

incentive payment is being claimed. To be eligible to submit a Quality Incentive Payment Claim Form (DOR 56 (06/07)), the processor that sorts and/or cleans the empty beverage container material shall submit a request and receive approval from the Division for authorization to submit claims.

- (1) The request for authorization must include the methodology developed by the processor to attribute the empty beverage containers to the types of programs from which they were received to ensure that empty beverage containers collected by sources other than curbside programs, or dropoff or collection programs are excluded from the amount claimed for quality incentive payments.
 - (2) The Division shall notify the applicant in writing within fifteen (15) working days of receipt of the application, or receipt of additional information if the application was initially incomplete, that it is either:
 - (A) Complete and accepted for further review; or
 - (B) Incomplete and the reasons for the deficiency.
 - (3) The Division shall review and consider each request for authorization to submit claims for quality incentive payments for post shipping report empty beverage containers and issue a written approval or denial. Upon determining that an application is complete, the Division shall notify the applicant in writing within forty-five (45) calendar days that such application is either:
 - (A) Approved; or
 - (B) Denied and the reasons for denial.

Upon approval, the authorization to submit claims for quality incentive payments for post shipping report empty beverage containers shall be valid for a period of three (3) years from the date of approval, or until such time as the authorization is surrendered by the processor, or suspended or revoked by the Division.
 - (4) Reasons for denying a request for authorization, or for suspending or revoking an approved authorization may include, but shall not be limited to any of the following:
 - (A) The processor does not ensure that empty beverage containers received from entities other than curbside programs or dropoff or collection programs are excluded from the claim;
 - (B) The processor does not account for each incoming load of empty beverage containers;
 - (C) The claim for quality incentive payment is not based on the sorted and/or cleaned weight for the material type; and
 - (D) The processor fails to maintain inventory records that show sorted, shipped and received materials; and,
 - (E) The processor has been found to be in violation of any provision of the Act, or any regulations adopted pursuant to the Act.
 - (5) A processor may request reconsideration of a denial, suspension, or revocation of an authorization by submitting a written request for reconsideration to the Division within thirty (30) calendar days of being notified of a denial, revocation, or suspension of an authorization to submit claims for quality incentive payments. All written requests shall include:
 - (A) A copy of the notice denying the authorization to submit claims for quality incentive payments;
 - (B) A detailed explanation of the grounds for reconsideration; and
 - (C) Any other documentation that supports the request.
 - (6) A written decision on the request for reconsideration shall be sent to the processor within twenty (20) calendar days of the receipt of the request.
- (d) To be eligible for payment, the Quality Incentive Payment Claim Form (DOR 56 (06/07)) must meet the following requirements:
- (1) Postmarked no later than the first day of the second month following the reporting month. Claims postmarked after this date or incomplete claims may be denied payment. A separate claim shall be completed by each processor; and
 - (2) Each Quality Incentive Payment Claim Form (DOR 56 (06/07)), must include all of the following information:
 - (A) The month for which the claim is submitted;

- (B) The material type;
- (C) The facility name, mailing address, and certification number of the processor submitting a claim for quality incentive payments.
- (D) The name and phone number of a contact person;
- (E) The redemption weight to tenths of tons of empty beverage container materials claimed;
- (F) The signature and title of an authorized representative; and
- (G) The date the report was signed by the authorized representative under penalty of perjury.
- (e) The quality incentive payment may be denied or reduced if the Division has prevailed against the registered curbside program or certified entity in a civil or administrative action and money is owed to the Division as a result of the action.
- (f) For the purpose of Section 14549.1 of the Act and these regulations, the following definitions apply:
 - (1) “Color sorted glass” means glass that has been sorted into flint, amber, and green fractions, and would be acceptable to a beneficiating processor.
 - (2) “Substantially free of contamination” means glass that has been substantially cleaned of non-glass contaminants.

Authority: Sections 14530.5(b) and 14536, Public Resources Code. Reference: Sections 14549.1 and 14552, Public Resources Code.