

Proposed Emergency Regulations

California Code of Regulations

Title 14, Division 2, Chapter 5

Certification Requirements

Underline Proposed Permanent Additions

~~Strikeout Proposed Permanent Deletions~~

SUBCHAPTER 2. GENERAL REQUIREMENTS

Article 1. Certification Application Procedures

§ 2010. APPLICANT QUALIFICATIONS.

(a) Any operator of a recycling center, a dropoff or collection program, community service program or a processing facility shall be eligible to apply for certification in the respective category from the Division.

(b) A processor shall meet the requirements and be certified to operate a recycling center in order to receive any payments from the Division for beverage containers purchased by the processor directly from consumers.

(c) Operators certified by the Division must establish and maintain an office in California where records and reports meeting the requirements of Article 3 of subchapter 5 and Article 3 of subchapter 6 of these regulations will be stored and available for inspection at the request of the Division. The office shall be identified on the application for certification as the business address of the operator.

(d) For purposes of Articles 1 and 2 of this subchapter, a new applicant means an applicant, as defined in Section 2000(a)(3) of these regulations, who is not currently certified, and is applying for certification to operate a recycling center or processing facility.

(1) A new applicant shall complete the precertification training and obtain a passing score on the precertification examination as specified in Section 2012(h)(5) of these regulations.

(2) Meeting the requirements of this subsection qualifies a new applicant to apply for certification but does not guarantee certification will be granted by the Division.

(e) For purposes of Articles 1 and 2 of this subchapter, a renewal applicant means an applicant, as defined in Section 2000(a)(3) of these regulations, who is the operator of the recycling center or processing facility, applying for renewal of certification.

(1) A renewal applicant shall complete the precertification training and obtain a passing score on the precertification examination as specified in Section 2012(h)(5) of these regulations.

(2) Meeting the requirements of this subsection qualifies a renewal applicant to apply for certification but does not guarantee certification will be granted by the Division.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14511.7, ~~14514.5~~, 14538, 14539, 14540 and 14553(b), Public Resources Code.

§ 2012. PRECERTIFICATION TRAINING AND EXAMINATION.

(a) New applicants shall complete the precertification training and obtain a passing score on the precertification examination as specified in Section 2012(h)(5) of these regulations. New applicants shall complete the precertification training prior to taking the precertification examination.

(b) Renewal applicants who do not possess a valid application voucher, as described in subsections (l) and (m) of this section, shall complete the precertification training and obtain a passing score on the precertification examination as specified in Section 2012(h)(5) of these regulations. Renewal applicants shall complete the precertification training prior to taking the precertification examination.

(c) Applicants must pre-register for the precertification training and examination no less than five (5) business days prior to the day of the precertification training and examination. Class size may be limited and placement in the selected precertification training and examination class is not guaranteed. Priority will be given to renewal applicants who require a new application voucher to submit their certification renewal application.

(d) The precertification training and examination is open to persons who do not possess an application voucher and to renewal applicants whose application voucher will expire on a date no more than six (6) months from the date of the precertification training.

(e) The precertification training and examination participant shall provide the following information on the day of the precertification training and examination:

(1) A valid Driver License or Identification Card issued by the State of California, or a United States federal or state government issued photo identification;

(2) Legal name which must match the photo identification card provided in (1) above;

(3) Date of birth;

(4) Federal Tax Identification Number (also known as an Employer Identification Number) or Social Security Number;

(5) Residential address;

(6) Mailing address if different from (5) above;

(7) Contact information including the home phone, mobile phone, and e-mail address;

(8) The name, if any, of the organization(s) with which the participant is affiliated;

(9) Website address.

(f) [reserved]

(g) Precertification training and examinations may be held in various locations in California on a monthly basis or more or less frequently as the need dictates.

Precertification training and examinations may be cancelled if five (5) business days prior to a scheduled training class there is not a minimum of five registered participants.

(h) The precertification examination will be administered by Division staff.

(1) The precertification examination will be a timed examination consisting entirely of a written test.

(2) Each precertification examination participant must complete their own examination.

(3) Each precertification examination participant shall sign an agreement to keep the examination material confidential.

(4) A precertification examination participant may be disqualified from the examination if Division staff find cause before, during, or after the examination.

Grounds for disqualification include but are not limited to:

(A) Providing false identification or information;

(B) Removing examination documents from the examination room;

(C) Obtaining assistance during the examination from outside sources;

(D) Leaving the examination room during the examination.

(5) In order to receive a passing score, the precertification examination participant must score at least eighty percent (80%) on the precertification examination.

(i) The Division shall issue confirmation of completion of the precertification training and examination within ten (10) working days of completion of the precertification and examination, including notification of whether or not the participant passed the precertification examination.

(j) Should a precertification examination participant fail to receive a passing score, the participant may retake the precertification examination at a later date, with or without taking the precertification training again, if less than six (6) months have passed since the participant completed the precertification training. When retaking the examination, the participant shall provide the information requested in sections 2012(e)(1) and 2012(e)(2) of this section. If more than six (6) months have passed since the participant completed the precertification training, the participant must complete the precertification training again prior to taking the precertification examination. Participants are allowed to take the precertification training and examination a maximum of three (3) times in a twelve (12) month period.

(k) The Division will issue an application voucher to precertification training and examination participants who complete the precertification training and, no more than six (6) months from the date of the precertification training, obtain a passing score on the precertification examination. The date the participant completed the precertification training will be the effective date of the application voucher.

(l) New applicants shall submit a valid application voucher with the certification application. Renewal applicants shall submit with the renewal application a valid

application voucher that expires on or after the expiration date of the certification being renewed.

(1) Notwithstanding subsection (3) of this section, new application vouchers shall expire five (5) years from the date the precertification training was completed.

(2) Notwithstanding section 2012 (j) of these regulations, application vouchers may be renewed by completing the precertification training and obtaining a passing score on the precertification examination as specified in Section 2012(h)(5) of these regulations. Notwithstanding subsection (3) of this section, renewed application vouchers will expire five (5) years from the expiration date of the previous application voucher as long the name of the person and the operator associated with the application voucher remain the same.

(3) The Division shall deem an application voucher to be invalid six (6) months from the effective date of the application voucher if the person named on the voucher has not used the voucher to apply for and obtain certification.

(m) The certified operator of the recycling center or processing facility must possess a valid application voucher.

(1) The application voucher is valid only for the person named on the application voucher in association with the certified operator and cannot be used in association with another operator;

(2) Should the person named on the application voucher become disassociated with the certified operator named on the certification application, the application voucher becomes invalid as of the date of the disassociation and the operator must obtain a new application voucher no more than ninety (90) calendar days from that date;

(3) The application voucher may be declared invalid by the Division if the certification is revoked.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14538, 14539, 14541, and 14553(a), Public Resources Code.

§ 2015. FILING OF APPLICATIONS FOR CERTIFICATION.

(a) Applications for certification, on a form(s) provided by the Division, shall be accepted and reviewed on a continuous basis as received.

(b) A separate, complete application shall be submitted to request certification to operate each recycling center, dropoff or collection program, community service program and processing facility.

(c) New applicants, as described in Section 2010(d) of these regulations, shall provide all of the following with their certification application:

(1) Federal Tax Identification Number (also known as an Employer Identification Number) or Social Security Number;

(2) Facility Address;

(3) A valid application voucher; and

(4) A completed and signed Readiness Plan as described in Section 2045(d) of these regulations.

(d) Certification applications, submitted by new applicants, that do not meet the requirements in subsection (c) above, shall not be accepted by the Division for review.

(e) Renewal applicants, as described in Section 2010(e) of these regulations shall provide all of the following with their certification application:

(1) Federal Tax Identification Number (also known as an Employer Identification Number) or Social Security Number;

(2) Facility Address;

(3) A valid application voucher that expires on or after the expiration date of the certification being renewed; and

(4) A completed and signed Readiness Plan as described in Section 2045(d) of these regulations.

(f) Certification applications submitted by renewal applicants that do not meet the requirements in subsection (e) above may not be accepted by the Division for review.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14511.7, 14538, 14539 and 14540, Public Resources Code.

§ 2030. REVIEW OF APPLICATIONS.

(a) All applications for certification shall be reviewed by the Division for compliance with these regulations.

(b) The Division shall assess the readiness of all new applicant(s) and periodically conduct field investigations to verify the accuracy of information contained in certification application for new and renewal applicants and explain program requirements.

(c) The Division shall notify the applicant in writing within ~~fifteen (15)~~ thirty (30) working days, of receipt of the application, or receipt of additional information if the application was initially incomplete, that it is either:

- (1) Complete and accepted for further review, or
- (2) Incomplete and the reasons for the incompleteness.

(d) Upon determining that an application is complete, the Division shall notify the applicant in writing within ~~forty five (45)~~ sixty (60) calendar days, that such application is either:

- (1) Approved,
- (2) Approved with a probationary status, or
- (3) Denied and the reasons for denial.

(e) In determining whether the operator is likely to operate in accordance with these regulations, the Division shall review the certification history of the operator and other individuals identified in the application as responsible for the recycling center, processing facility, dropoff or collection program, or community service program operation.

(f) The Division shall review its records to determine whether one or more certified entities have operated within the past five years at the same location that is the subject of an application for certification of a recycling center or processor. If one or more entities have operated at the same location, the Division shall review the certification history of the entity or entities certified at the same location within the past five years and determine whether the operations at the location exhibit, to the Division's satisfaction, a pattern of operation in compliance with the requirements of the California Beverage Container Recycling and Litter Reduction Act, including all relevant regulations adopted thereunder.

(g) Reasons for denial of applications may include, but shall not be limited to, any of the following:

(1) Failure to provide information or documentation to complete the application as stipulated in section 2045 and 2055 of these regulations;

(2) The operator is unwilling to accept and redeem all beverage container types;

(3) The recycling center operator does not agree to be open for business at least thirty (30) hours per week, five (5) of which are other than from 9 a.m. to 5 p.m. on Monday through Friday;

(4) The operator's certification history demonstrates outstanding fines, penalties, or audit findings;

(5) The operator's certification history discloses decertification of a recycling center, processing facility, dropoff or collection program, or community service program within the past two-year period;

(6) The operator's certification history demonstrates a pattern of operation in conflict with the requirements of the California Beverage Container Recycling and Litter Reduction Act, including all relevant regulations adopted thereunder; or

(7) For applications for certification of recycling centers or processors, the certification history of one or more entities certified at the same location within the past five years fails to demonstrate to the Division's satisfaction a pattern of operation in compliance with the requirements of the California Beverage Container Recycling and Litter Reduction Act, including all relevant regulations adopted thereunder.

[\(8\) The renewal applicant does not possess a valid application voucher that expires on or after the expiration date of the certification being renewed.](#)

(h) Notwithstanding paragraph (3) of subsection (g) above, the Division may allow the applicant to operate less than 30 hours per week if all of the following conditions are met:

(1) the recycling center will be located in a designated rural region; and

(2) the recycling center will not be located within a convenience zone; and,

(3) the proposed operating hours will not significantly decrease the ability of consumers to conveniently return beverage containers for the refund value to a certified recycling center redeeming all material types.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14511.7, 14538, 14539, 14540, 14541 and 14571, Public Resources Code.

§ 2040. SUBMISSION OF NEW APPLICATIONS.

(a) The occurrence of any one of the following conditions shall require an operator to file a new application with the Division in accordance with section 2045 or section 2055 of these regulations:

- (1) A change in the location of the recycling center or processing facility; or
- (2) A change in the operator of the recycling center, dropoff or collection program, community service program or processing facility; or
- (3) A change in category as defined in section 2000(a)(5) of these regulations; or
- (4) With the exception of an operator who is currently operating under a probationary certification, expiration of the certificate; or
- (5) A change in the type of organization operating the certified entity.

(b) A new application shall be submitted ~~forty five (45)~~ninety (90) calendar days prior to the occurrence of any of the conditions in subsection (a), above.

(c) If a new application is not received ~~and approved~~ by the Division on or before the expiration date of the certificate, the existing certificate shall expire and the operator shall not be eligible for any refund value, administrative fees, processing payments or handling fees from the date of expiration until a new application is approved. The Division shall review all new applications for renewal of certification in the same manner as initial applications.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14511.7, 14518.5, 14538, 14539 and 14541, Public Resources Code.

Article 2. Content of Certification Applications

§ 2045. APPLICATIONS FOR RECYCLING CENTERS AND PROCESSORS.

(a) To be considered complete, applications (see Figures 1, 2, 3, and 4) shall contain the following information:

- (1) The category of certification requested

(2) The ~~contact person~~, business address, mailing address, [e-mail address](#), [website](#) and telephone number of the organization. [The name of the contact person and the following information about the contact person:](#)

[\(A\) Residential address;](#)

[\(B\) Residential phone number;](#)

[\(C\) Mobile phone number;](#)

[\(D\) E-mail address;](#)

[\(E\) A valid Driver License or Identification Card issued by the State of California, or a United States federal or state government issued photo identification;](#)

[\(F\) Date of birth; and](#)

[\(G\) Social Security Number, on a voluntary basis.](#)

(3) The type of organization which is requesting certification.

(A) If the organization is an individual doing or proposing to do business under a different name, the applicant shall provide a copy of any fictitious business name statement.

(B) If the organization is a partnership, the applicant shall provide a copy of the current partnership agreement and any fictitious business name statement.

(C) If the organization is a corporation, the applicant shall provide the corporate number and Articles of Incorporation and name and position of all current corporate officers as filed with the Secretary of State, any fictitious business name statement and the agent for service of process.

(D) If the organization is a corporation from a state other than California, the applicant shall provide a copy of the approved certificate from the California Secretary of State qualifying and authorizing the corporation to transact business in California.

(E) If the organization is a husband and wife co-ownership, the applicant shall provide both names and any fictitious business name statement.

(F) If the organization is a local government agency, the applicant shall provide a copy of the authorizing resolution from the governing board.

(G) If the organization is a limited liability company (LLC), the applicant shall provide a copy of the Articles of Organization and Statement of Information as

filed with the Secretary of State, any operating agreement, any fictitious business name statement, and the agent for service of process.

(H) If the organization is a limited liability company from a state other than California, the applicant shall provide a copy of their certificate from the California Secretary of State authorizing the LLC to transact business in California.

(4) The federal identification number (employer ID number) of the organization.

(5) A history of past and pending certifications requested from the Division.

(6) The name, address, and phone number (if applicable) of the recycling center, or processing facility.

(7) The physical location of the facility in relation to the nearest cross street.

(8) The name, address and phone number of the owner or leaseholder, if applicable, of the facility premises.

(A) If the applicant owns the property, a current mortgage statement or a current tax bill which specifically identifies the organization name and the facility location.

(B) If applicant is leasing, renting, or operating on donated space, a signed copy of a current lease, rental agreement or written permission from the property owner or leaseholder who has authority to determine use of the specific property shall be provided.

(C) If the applicant purchased the recycling center or processing facility business, the name of the person(s) from whom it was purchased.

(9) Processors shall provide the actual days and hours open for business if a regular schedule is maintained or, if a regular schedule is not maintained, processors shall indicate that they transact business by appointment only. This is for informational purposes only and does not subject processors to the fine and penalty provisions of the Act.

(10) Recycling centers shall provide the actual days and hours open for business.

(A) For recycling centers which are staffed, "actual days and hours open for business" shall be those days and hours where staff are scheduled to be present and do not include lunch breaks.

(B) For recycling centers which consist of reverse vending machines, "actual days and hours open for business" shall include all of the following:

1. The days and hours when the machine is scheduled to be in operation, and
2. The days and hours when beverage containers which are odd-sized or made from materials other than aluminum, glass and plastic will be redeemed, and
3. The days and hours when any beverage containers not accepted by the reverse vending machine will be redeemed by the host dealer.

(11) With the exception of recycling centers which meet the criteria for grandfathering and processors, acknowledgment that the organization agrees to accept and redeem all types of redeemable beverage containers.

(12) For recycling centers, a general description of the methods used to collect, store and/or cancel redeemed beverage containers. This shall include, but is not limited to, the types of equipment and/or receptacles used and the staffing.

(13) For recycling centers, the organization shall indicate if applying as a rural region recycler or a nonprofit convenience zone recycler.

(14) Recycling centers which consist of reverse vending machines shall specify a method for redeeming empty beverage containers which are odd-sized, made from materials other than aluminum, glass and plastic, or otherwise not accepted by the reverse vending machine. In determining whether the method is acceptable, the Division shall consider, but not be limited to, the following:

- (A) Convenience to the public,
- (B) Volume of containers sold, and
- (C) Size and shape of containers.

(15) For processors, the type(s) of beverage container which will be accepted.

(16) Processors shall describe which of the acceptable methods prescribed in section 2000(a)(4) of these regulations will be used to cancel redeemable beverage containers.

(17) The name, residence address, including city and zip code, and residence phone number of the applicant. Programs operated by limited liability companies, corporations or governmental agencies are exempt from this provision.

(18) For an organization seeking certification of a recycling center located on federal land, a written authorization from an authorized agent of the federal government which will allow inspectors from the Division to enter the federal property for the purposes of conducting audits and unannounced inspections of the recycling center, pursuant to section 2125 of these regulations.

(19) For organizations requesting certification to operate a grandfathered facility, evidence that the recycling center was in operation on January 1, 1986, and the types of beverage containers accepted on that date.

(20) The application voucher number and the name of the person on the application voucher.

(b) The application shall be submitted on a form entitled, "Certification Application, Recycling Centers and Processors," ~~DOR 6/93 6, Rev. 10/99~~ provided by the Division and signed by the applicant under penalty of perjury. The signature block shall contain an affidavit that the information in the application is true and that the organization agrees to operate in compliance with the Act and these regulations.

(1) If the organization is a partnership, the application shall be signed by each partner.

(2) If the organization is a firm, association, corporation, county, city, public agency or other governmental entity, the application shall be signed by the chief executive officer or the individual with authority to legally bind said entity to a contract.

(3) If the organization is ~~a husband and wife co-ownership~~ owned by a married couple, the application shall be signed by ~~both the husband and wife~~ each spouse.

(4) If the organization is a limited liability company, the application shall be signed by a managing member, Executive Officer, or other designated member with the authority to legally bind the limited liability company to a contract.

(5) The applicant shall provide ~~the drivers license number~~ a valid Driver License or Identification Card issued by the State of California, or a United States federal or state government issued photo identification of the applicant for identification purposes.

(6) The applicant shall provide the following:

(A) Registry ID, issued by the Division, of the applicant;

(B) Date of birth of the applicant;

(C) E-mail address of the applicant;

(D) Mobile phone number of the applicant;

(E) The application voucher number and the name of the person on the application voucher.

(c) An organization seeking certification to operate a recycling center as a nonprofit convenience zone recycler shall provide written documentation showing that its organization was established under Section 501(c) or 501(d) of Title 26 of the United States Code.

(d) The applicant shall prepare and submit with the certification application a Readiness Plan which shall demonstrate the applicant's ability to meet the conditions necessary to successfully operate a recycling center or processing facility.

(1)The applicant shall demonstrate preparedness in the following areas of responsibility and provide any applicable dollar amounts or information. The Readiness Plan shall contain at a minimum the following information:

(A) Projected startup costs for expenditures such as local government permit fees and licenses, land, construction, and initial operating costs;

(B) Projected monthly expenses for expenditures such as labor, taxes and fees, equipment and capital, and overhead;

(C) Projected monthly revenues for earnings such as sale of scrap, payments from processors in addition to CRV payments, or potential grants; and

(D) Projected financing to operate successfully including sufficient cash flow to cover costs during slower business cycles.

Authority: Sections 14530.5(b) and 14536(b), Public Resources Code. Reference: Sections 14514.7, 14515.6, 14538, 14539, 14540 and 14571(a), (b) and (d), Public Resources Code.

SUBCHAPTER 3. PROCESSORS

Article 2. Notification Requirements

§ 2405. NOTIFICATION REQUIREMENTS.

(a) Notwithstanding the requirements of section 2040 of these regulations, certified processors shall notify the Division in writing ten (10) calendar days prior to any of the following events:

- (1) Change of name under which the processing facility is doing business,
- (2) Change of business or mailing address or phone number of operator,
- (3) Separation from parent company, if applicable,
- (4) Merger with another company,
- (5) Dissolution of the organization type identified in the application for certification,
- (6) Change in the type of redeemable beverage containers accepted,
- (7) A change in the method a processor is using to cancel containers,
- (8) Any change in a processor's status as a beneficiator as defined in section 2000(a)(3.1) of these regulations and Section 14503.6 of the Act.
- (9) A change in the agent for service of process, if applicable,
- (10) Any change in hours of operation, as presented in the application for certification or

subsequent notification to the Division, during which certified operators and curbside programs can deliver beverage containers to the processing facility. Processors who do not maintain regular hours are exempt from this subsection, and nothing in this subsection shall result in processors being subject to the fine and penalty provisions of the Act,

- (11) A change in the type of organization,
- (12) Change in the name of the contact person for the operator,
- (13) Change in corporate officers, if applicable,
- (14) Change in the name of organization,
- (15) Any change in business ownership.

(b) A processor who intends to be decertified shall submit a written notification to the Division, which includes the proposed effective date.

(c) Within five (5) calendar days of the date the processing facility began purchasing empty beverage containers, the operator of the processing facility shall notify the Division in writing of the actual date the processing facility began purchasing empty beverage containers by submitting the Operation Date Card. The Operation Date Card

shall contain the date of operation and confirmation that the operator obtained all applicable local, county, state, and federal authorization, permits and licenses required for operation of the processing facility at that location. The Operation Date Card shall be signed by the operator under penalty of perjury.

(d) Should the person named on the application voucher become disassociated with the operator of the processing facility, the operator shall notify the Division in writing, within ten (10) calendar days of the change.

Authority: Section 14536(b), Public Resources Code. Reference: Section 14503.6, 14539 and 14575, Public Resources Code.

SUBCHAPTER 6. RECYCLING CENTERS

Article 1. Requirements for Recycling Centers

§ 2505. NOTIFICATION REQUIREMENTS.

(a) Notwithstanding the requirements of section 2040 of these regulations, certified recycling centers shall notify the Division in writing ten (10) calendar days prior to any of the following events:

- (1) Change of name under which the recycling center is doing business,
- (2) Change of business address, mailing address or phone number of operator,
- (3) Separation from parent company, if applicable,
- (4) Merger with another company,
- (5) Discontinuance of operation,
- (6) Dissolution of the organization type identified in the application for certification,
- (7) Change in the type of redeemable beverage containers accepted,
- (8) Any change in the hours of operation as presented in the application for certification or by subsequent notification to the Division,
- (9) For recycling centers which consist of reverse vending machines, a change in the method approved by the Division for redeeming empty beverage containers which are odd-sized, made of materials other than aluminum, glass, and plastic, or otherwise not accepted by the reverse vending machine,
- (10) Change in the agent for service of process, if applicable,

- (11) Change in the type of organization,
- (12) Change in the name of the contact person for the operator,
- (13) Change in corporate officers, if applicable,
- (14) Change in the name of the organization,
- (15) Any change in business ownership.

(b) Within five (5) calendar days of the date the recycling center began redeeming empty beverage containers, the operator of the recycling center shall notify the Division in writing of the actual date the recycling center began redeeming by submitting the Operation Date Card. The Operation Date Card shall contain the date of operation and confirmation that the operator obtained all applicable local, county, state, and federal authorization, permits and licenses required for operation of the recycling center at that location. The Operation Date Card shall be signed by the operator under penalty of perjury. Failure to do so or to provide an accurate date will result in denial of handling fee payments for the months the operator failed to notify, or provide an accurate date to, the Division.

(c) The operator of a supermarket site shall notify the Division in writing, within ten (10) working days, of the closure of the supermarket or dealer where the recycling center is located.

(d) The operator of a certified recycling center who intends to be decertified shall submit a written notification to the Division, which includes the proposed effective date.

(e) The operator of a supermarket site shall notify the Division in writing, within five (5) calendar days, if the recycling center is moved within the supermarket or dealer parking lot. Nothing in this section is intended to require a recycling center to report to the Division movement related to the emptying of recycling equipment.

(f) Should the person named on the application voucher become disassociated with the operator of a certified recycling center, the operator shall notify the Division in writing, within ten (10) calendar days of the change.

Authority: Section 14536(b), Public Resources Code. Reference: Section 14515.6, 14526.6, 14538, 14571(d), and 14585, Public Resources Code.

Certification Application

RECYCLING CENTERS & PROCESSORS



Mail to: Department of Conservation • Division of Recycling • Certification Section
801 K Street • MS 15-59 • Sacramento, CA 95814-3533
Questions? Call: (916)324-8598

Instructions

- Print In Ink Or Type.
- Submit A Separate Form For Each Location Or Category.
- Indicate N/A For Any Items Which Are Not Applicable.

Office Use Only

App. # **A** _____
 Certification No. _____
 5 year Probationary: Expiration _____

OPERATOR INFORMATION

1) **Category of Certification**
 (Check One)
 Recycling Center Processor

2) Contact Person _____
 First _____ Middle _____ Last _____ Title _____
 Organization Name _____
 Business Address _____ Fictitious Business Name, if applicable _____
 Address _____ City _____ County _____ State _____ Zip Code _____
 Mailing Address _____
 Address _____ City _____ County _____ State _____ Zip Code _____
 Telephone Number (____) _____ (____) _____
 _____ Fax _____

3) **Type Of Organization**
 (Check one box)
 a. Individual
 b. Partnership: ___ General or ___ Limited **Submit copy of current partnership agreement.**
 c. Corporation: **Number as filed with Secretary of State** _____ **Submit Articles of Incorporation and list of current corporate officers.**
 ___ Profit or ___ Nonprofit (Select one)
 ___ Domestic or ___ Foreign (Select one) **If foreign, submit copy of certificate from California Secretary of State.**
Agent for service of process _____
 d. Limited Liability Company: **Submit Articles of Organization, Statement of Information and operating agreement.**
 ___ Domestic or ___ Foreign (Select one) **If foreign, submit copy of certificate from California Secretary of State.**
Agent for service of process _____
 e. Husband and Wife Co-Ownership: **Name of Spouse** _____
 f. Local Government Agency ___ City ___ County ___ City & County ___ Other **Submit governing board resolution authorizing this application.**
 g. Federal Agency: ___ Military Installation ___ National Park ___ Other Federal Property _____
 h. Other (Explain): _____

4) Submit a copy of the fictitious business name statement, if applicable
 5) Federal ID # (Employer ID#) _____
Corporations, partnerships and other organizations with paid employees must provide a Federal ID#.

Type Of Organization (Continued)

Figure 2

- 6) Are you, your spouse, your partner, or any corporate officer **currently certified** by the Department of Conservation, Division of Recycling, in any category? Yes No
If YES, Certification Number(s) _____
- 7) Have you, your spouse, your partner, or any corporate officer **ever been certified** by the Department of Conservation, Division of Recycling, in any category? Yes No
If YES, Certification Number(s) _____
- 8) Do you, your spouse, your partner, or any corporate officer have additional **pending applications** with the Department of Conservation, Division of Recycling, in any category? Yes No
- 9) Have you, your spouse, your partner, or any corporate officer ever had a certificate **denied, suspended, or revoked** by the Department of Conservation, Division of Recycling, in any category? Yes No
- 10) Do you speak English? Yes No
If NO, which language is spoken? _____

FACILITY INFORMATION

11) _____
 Name of Facility _____ () _____
 Facility Telephone Number, If Applicable

Facility Address _____

City _____ County _____ State _____ Zip Code _____

12) Identify the nearest cross street to the facility: _____

13) Property Ownership: Own Lease Rent Donated Space Other (specify): _____
Submit a copy of the current tax or mortgage statement, or current rental/lease agreement or written use agreement from the owner or leaseholder authorizing use of the property for a recycling business. The document must identify the operator and the facility address (as stated in item 11).

Name of Property Owner/Leaseholder _____ () _____
 Telephone Number

Address _____ City _____ State _____ Zip Code _____

14) Has the facility or program **ever been operated** by a different certified operator or under a different facility name in any category? Yes No

- a. Former facility name, if applicable: _____
- b. Former operator name, if applicable: _____
- c. Former certification number, if known: _____

15) What will be the facility's actual days and hours of operation?

(Must identify am/pm.)

| Business hours: | | Hours closed for lunch: | |
|------------------------|------------------------------------|------------------------------------|--|
| Mon | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Tues | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Wed | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Thurs | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Fri | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Sat | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |
| Sun | ___ a.m. / p.m. to ___ a.m. / p.m. | ___ a.m. / p.m. to ___ a.m. / p.m. | |

If using reverse vending machine(s):

- 24 hours/7 days a week for:** Aluminum Glass Plastic
 Bimetal

RECYCLING CENTERS ONLY

- 16) Is this facility located on federal land? Yes No
If yes, submit authorization for State Inspectors to enter property.
- 17) Do you agree to inspect loads of empty beverage containers in accordance with the regulations? **All partners, both husband and wife co-owners must initial.**
 Yes No Your **original** initials _____
- 18) Do you agree to accept and redeem all type(s) of redeemable beverage containers at the facility? **All partners, both husband and wife co-owners must initial.**
 Yes No Your **original** initials _____
- 19) Are you requesting "grandfathered" status for your facility? Yes No
 If yes, which material types do you accept? Aluminum Glass Plastic Bimetal
Provide proof of operation as of January 1, 1986.
- 20) Number of Staff: Self _____ Others _____
- 21) Describe the methods used to collect and store redeemed beverage containers:
 Igloos Bins Trailers Reverse vending machines Carts Bales Pickup truck/Van/Auto
 Other (Explain): _____
- 22) If using reverse vending machine(s), indicate the proposed method for redeeming beverage containers which are not accepted by the machine(s).
 In-store redemption: Name and address of store: _____
 On-site attendant Other (Explain): _____
- 23) Are you applying for certification as a Nonprofit Convenience Zone Recycler? Yes No
If yes, provide proof of Nonprofit Tax Exempt status.
- 24) Are you applying for certification as a Rural Region Recycler? Yes No

PROCESSORS ONLY

- 25) Which redeemable beverage containers will be **accepted** at the facility? Aluminum Glass Plastic Bimetal
- 26) Indicate the method(s) to be used to cancel each type of redeemable beverage container by container type.
- | Aluminum | Glass | Plastic | Bimetal |
|---|---|--|--|
| <input type="checkbox"/> Shredding | <input type="checkbox"/> Crushed to uniform size acceptable by willing user | <input type="checkbox"/> Shredded | <input type="checkbox"/> Densification |
| <input type="checkbox"/> Densification to 30 lbs./cu. ft. | <input type="checkbox"/> Exported from State | <input type="checkbox"/> Exported from State | <input type="checkbox"/> Shredding |
| <input type="checkbox"/> Exported from State* | <input type="checkbox"/> Delivered to end-user | <input type="checkbox"/> Delivered to end-user | <input type="checkbox"/> Milling |
| <input type="checkbox"/> Delivered to end-user* | <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Nuggetting |
| <input type="checkbox"/> Other: _____ (Specify) | | | <input type="checkbox"/> Exported from State |
| *Containers must first be densified to 15 lbs./cu. ft. | | | <input type="checkbox"/> Delivered to end-user |
- 27) Do you agree to purchase redeemed beverage containers from any requesting certified recycler? Yes No
All partners, both husband and wife co-owners must initial. Your **original** initials _____
- 28) Do you transact business by appointment only? Yes No
If No, complete item #15 on page 2 of this application.

DECLARATION AND SIGNATURES

- 29) a. I agree to operate the facility in compliance with the California Beverage Container Recycling and Litter Reduction Act, including all relevant regulations contained in Chapter 5 of Division 2 of Title 14 of the California Code of Regulations
- b. I declare under penalty of perjury under the laws of the State of California that all information on this application and supporting documents is true and correct and that I am authorized to sign this application.

Note: Please refer to note below (*) for information on who is eligible and required to sign this form.

Executed at _____ City _____ County _____ State _____ ON _____ (Month/ Day/Year)

Signature _____ Title _____

Printed Name _____ Residence Phone(____) _____

Residence Address _____ Address _____ City _____ State _____ Zip Code _____

Social Security # ** _____ California Driver License # _____

Executed at _____ City _____ County _____ State _____ ON _____ (Month/ Day/Year)

Signature _____ Title _____

Printed Name _____ Residence Phone(____) _____

Residence Address _____ Address _____ City _____ State _____ Zip Code _____

Social Security # ** _____ California Driver License # _____

Executed at _____ City _____ County _____ State _____ ON _____ (Month/ Day/Year)

Signature _____ Title _____

Printed Name _____ Residence Phone(____) _____

Residence Address _____ Address _____ City _____ State _____ Zip Code _____

Social Security # ** _____ California Driver License # _____

Executed at _____ City _____ County _____ State _____ ON _____ (Month/ Day/Year)

Signature _____ Title _____

Printed Name _____ Residence Phone(____) _____

Residence Address _____ Address _____ City _____ State _____ Zip Code _____

Social Security # ** _____ California Driver License # _____

Attach Additional Sheet if Necessary.

* Who must sign affidavit: For Individuals-the applicant; Partnerships-each partner; Husband & Wife Co-ownerships-both husband & wife; Corporations, Limited Liability Companies, Government or Public Agencies-persons with authority to legally bind said entity to a contract (e.g., Executive Officer, Managing Member).

** Providing the Social Security Number is voluntary in accordance with the Privacy Act of 1974 (PL 93-579). This information is used for applicant identification purposes. Authority: California Beverage Container Recycling and Litter Reduction Act (Public Resources Code Section 14500 et seq.).

FOR INFORMATION ONLY

What other recyclable material(s) do you collect or accept?

- | | | | | | |
|---|--------------------------------------|---|--|--|--------------------------------------|
| <input type="checkbox"/> Newsprint | <input type="checkbox"/> White Paper | <input type="checkbox"/> Computer Paper | <input type="checkbox"/> Cardboard | <input type="checkbox"/> Construction/Demolition | <input type="checkbox"/> Styrofoam |
| <input type="checkbox"/> Other Aluminum | <input type="checkbox"/> Scrap Metal | <input type="checkbox"/> Other Glass | <input type="checkbox"/> Other Plastic | <input type="checkbox"/> Telephone Books | <input type="checkbox"/> Magazines |
| <input type="checkbox"/> Auto Batteries | <input type="checkbox"/> Used Oil | <input type="checkbox"/> Yard Waste | <input type="checkbox"/> Oil Filters | <input type="checkbox"/> Tin Cans | <input type="checkbox"/> Tires |
| <input type="checkbox"/> Mixed Paper | <input type="checkbox"/> Steel | <input type="checkbox"/> Copper | <input type="checkbox"/> Iron | <input type="checkbox"/> Toner Cartridges | <input type="checkbox"/> Other _____ |

EMERGENCY

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See Instructions on reverse)

ENDORSED FILED
 For use by Secretary of State only

2013 DEC 20 PM 3:34

STD. 400 (REV. 01-2013)

| | | | |
|------------------|---------------------------------|--------------------------|--|
| OAL FILE NUMBERS | NOTICE FILE NUMBER Z- | REGULATORY ACTION NUMBER | EMERGENCY NUMBER 2013-1210-01E |
|------------------|---------------------------------|--------------------------|--|

| | |
|--|-------------|
| For use by Office of Administrative Law (OAL) only | |
| NOTICE | REGULATIONS |

Jenna Bowen
 JENNA BOWEN
 SECRETARY OF STATE

| | |
|---|-----------------------------|
| AGENCY WITH RULEMAKING AUTHORITY Department of Resources Recycling and Recovery | AGENCY FILE NUMBER (if any) |
|---|-----------------------------|

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

| | | | | | |
|---|--|---------------------------|------------------------|-------------------------------|-----------------------|
| 1. SUBJECT OF NOTICE | | TITLE(S) | FIRST SECTION AFFECTED | 2. REQUESTED PUBLICATION DATE | |
| 3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other | | 4. AGENCY CONTACT PERSON | | TELEPHONE NUMBER | FAX NUMBER (Optional) |
| OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn | | ACTION ON PROPOSED NOTICE | | NOTICE REGISTER NUMBER | PUBLICATION DATE |

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

| | |
|--|--|
| 1a. SUBJECT OF REGULATION(S) Certification Regulations | 1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) |
|--|--|

| | |
|---|---|
| 2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related) | |
| SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) | ADOPT 2012 |
| | AMEND 2010, 2015, 2030, 2040, 2405, 2505, 2045 |
| TITLE(S) 14 | REPEAL |

| | | | |
|--|--|---|---|
| 3. TYPE OF FILING | | | |
| <input type="checkbox"/> Regular Rulemaking (Gov. Code 511346) | <input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code 511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. | <input type="checkbox"/> Emergency Readopt (Gov. Code, 511346.1(h)) | <input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, 5100) |
| <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code 511349.3, 11349.4) | <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, 511346.1) | <input type="checkbox"/> File & Print | <input type="checkbox"/> Print Only |
| <input checked="" type="checkbox"/> Emergency (Gov. Code, 511346.1(b)) | | <input type="checkbox"/> Other (Specify) | |

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, 544 and Gov. Code 511347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, 511343.4, 11346.1(d); Cal. Code Regs., title 1, 5100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code 511343.4(a))

Effective on filing with Secretary of State

\$100 Changes Without Regulatory Effect

Effective other (Specify) **January 1, 2014**

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM 56660)

Fair Political Practices Commission

State Fire Marshal

Other (Specify)

| | | | |
|---|---|-----------------------|---|
| 7. CONTACT PERSON Sharon Siozon | TELEPHONE NUMBER (916) 322-1760 | FAX NUMBER (Optional) | E-MAIL ADDRESS (Optional) sharon.siozon@calrecycle.ca.gov |
|---|---|-----------------------|---|

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

| | |
|---|-------------------------|
| SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Elliot W. Block</i> | DATE 11/26/13 |
| TYPED NAME AND TITLE OF SIGNATORY Elliot Block, Chief Counsel | |

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

DEC 20 2013

Office of Administrative Law