



DEPARTMENT OF CONSERVATION

DIVISION OF RECYCLING - INVESTIGATIONS BRANCH

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To: All Certified Recyclers and Processors

Subject: Purchase Limits and Completion of Shipping Reports

Eligible Consumer Purchase Limits

Recyclers are reminded that it is a violation to pay refund value for any material, covered by the Act, exceeding specific amounts, when purchased from any person, operation, or entity not certified by the Division. Please refer to Title 14 of the California Code of Regulations (14CCR), Section 2535(f), which states:

“A certified recycler shall not pay the refund value to, or claim refund value for any material received from any person, operation, or entity who is not certified by the Division, delivering a load of material in excess of 500 pounds of aluminum or plastic beverage containers, or 2,500 pounds of glass beverage containers, per day.”

Paying or claiming California Refund Value (CRV) on beverage containers (aluminum, plastic, and glass) transported in a single vehicle in excess of these limits is prohibited. Circumvention of this prohibition by “splitting” the sale of the material between or among individuals is also prohibited. Certified recyclers are not allowed to pay any refund value to persons for loads over the consumer limits or for loads that are “split” to avoid the limits. Only consumer loads of qualifying material less than the current purchase limits are eligible for CRV payment.

A load presented to a recycling center in a single vehicle, no matter how many occupants are in the vehicle, represents “one” load of material. An example of this would be a single vehicle with four occupants coming into a recycling center with a load of 1,000 pounds of used-aluminum beverage containers (UBCs) for sale. The load is considered one load that is above the consumer limit, which cannot be split into four separate loads and documented on four separate receipts. A recycling center may pay scrap value only on this load.

Scrap material transactions must be documented in accordance with the receipting requirements administrated by the Division. 14CCR, Section 2525(h) states:

“The recycling center shall prepare and retain a receipt setting forth the information required by subsection (b) of this section for all scrap transactions. In addition, the receipt shall indicate whether the load consisted of rejected containers, line-breakage containers, or out-of-state beverage containers.”

Additionally, CRV or scrap only UBC loads purchased in excess of 250 pounds must be maintained on a separate list. Such lists must be sent to the Division weekly pursuant to 14CCR, Section 2530(i).

A certified recycler may not pay or claim CRV on any material the recycler knows or with reasonable diligence should have known comes from a source out of the state. See Public Resources Code (PRC), Section 14538(b). A certified recycler may not pay or claim CRV on any material that has been canceled, any rejected containers, or any line breakage containers. See PRC Section 2110 (a).

Recycler Completion of Shipping Reports

Recyclers are further reminded that it is the responsibility of the certified entity shipping materials to another certified entity to prepare the top portion of the DR-6 report prior to the shipment. This is required by 14CCR, Section 2530, which states, in part:

“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 subsection (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. The shipping report (DR-6) for a load of beverage containers must accompany the load when it is delivered to another certified entity.

- (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.

Recycling centers that are shipping materials to other recyclers or processors are prohibited from allowing the receiver of the material to fill out their shipping reports. The shipping recycling center will be held solely responsible and liable for any errors or discrepancies in the recycler portion of the shipping report and may be assessed civil penalties. Again, it is the responsibility of the shipping recycler to fill out the top portion of the shipping report (DR-6).

Violations of the above regulations may result in civil penalties up to \$1,000.00 per separate violation. Revocation proceedings will be pursued against any certified participant who flagrantly or intentionally violates the above regulations.

If you have any questions or need additional clarification on the Division's position, please call the Investigations Branch at (916) 324-5392.

Sincerely,

Dennis P. Stone, Chief
Investigations Branch