

**DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 323-3836 • WWW.CALRECYCLE.CA.GOV**October 4, 2013****NOTICE****TO: All Program Participants****SUBJECT: Beverage Container Recycling Program Changes**

There are significant changes to the operation of the California Beverage Container Recycling Program pursuant to Chapter 356, Statutes of 2013 (SB 96) which may affect you as a program participant. The information below explains the effects of this newly enacted statute. Please know that CalRecycle will be actively communicating implementation plans and schedules over the course of the next several months. Our goal is to ensure stakeholders are apprised and aware of the state's progress in adopting these changes so that you can inform and educate your customers, constituents, operators, and stakeholders about these new program elements. Your assistance is greatly appreciated and will ensure the program's continued success.

Recycling Centers' CRV Payments (Segregated Loads Only)

The most immediate program change concerns the elimination of the commingled rate at recycling centers. Under this new law, Public Resources Code Section 14572(a), certified recycling centers shall no longer pay commingled rates for aluminum, glass, PETE, or HDPE loads of beverage containers from consumers. Effective November 1, 2013, recycling centers must pay segregated rates only and only for loads of CRV-eligible containers.

The law change does **not** affect commingled rates for curbside programs, certified drop-off or collection programs, or community service programs. CalRecycle will continue to reimburse these programs using commingled rates.

CalRecycle is committed to assisting recycling centers to comply with this mandate. Therefore, recycling centers will be receiving material including a poster for display at recycling centers to inform consumers that CRV will only be paid for segregated loads of eligible materials. This poster will be available in English and Spanish. If you have questions regarding this issue, please contact Mike Miller at (916) 323-0713 or Mike.Miller@CalRecycle.ca.gov. Written comments may be sent via mail to 801 K Street, MS 17-24, Sacramento, CA 95814, or via facsimile to (916) 445-0645.



Certification

Currently, certification is required for all processors and recyclers in order to be eligible for reimbursement of California Refund Value (CRV) and other program payments. Under the new law, CalRecycle will be adopting changes to the certification requirements and the certification process.

In order to be certified, all new and renewal applicants, will need to complete pre-certification training and meet additional requirements prescribed by CalRecycle (for example, obtaining a passing score on an examination).

The timelines for CalRecycle's review of applications have been extended. Under the new law, applications for certification shall be reviewed by CalRecycle for completeness within 30 (previously 15) working days of receipt. If it deems an application complete, CalRecycle shall approve or deny the application within 60 (previously 45) calendar days.

CalRecycle will adopt emergency regulations outlining the new certification requirements and revised certification process. Certification applications submitted on and after January 1, 2014, will be subject to the new requirements. Certification applicants may submit applications consistent with current requirements until December 31, 2013. However, applications submitted on or before December 31, 2013, but determined by CalRecycle to be incomplete as of January 1, 2014, will be subject to the new requirements.

For questions and/or additional information regarding certification, please contact the Certification Unit at (916) 324-8598 or Margo.Wildman@CalRecycle.ca.gov.

DORIIS Use

Currently program participants can submit required reports either electronically, using Division of Recycling Integrated Information System (DORIIS) or on paper. The new law (PRC Section 14553[b]) will require program participants to use DORIIS exclusively for shipping reports (DR 6), handling fee claims (DR 14), and processor invoices (DR 7). This change will be effective starting January 1, 2014. Beverage distributors and manufacturers will also be required to use DORIIS to submit their reports. Information, guidance, and training will be provided over the next several months to assist with this transition.

Please visit www.CalRecycle.ca.gov/BevContainer/Recyclers for training schedules and locations.

For questions and/or additional information on required use of DORIIS or how to become a DORIIS user, please contact Tabatha Chavez (916) 327-4401 or Tabatha.Chavez@CalRecycle.ca.gov.

Training and Technical Assistance

CalRecycle shall provide pre-certification training and assistance to participants. This training will help prepare attendees to meet certification requirements, become knowledgeable regarding program requirements, and be better prepared for successful participation in the Program. CalRecycle also will increase Training and Technical Assistance to recyclers and processors needing or desiring additional assistance. Please watch for notice of training locations, dates, and topics at www.CalRecycle.ca.gov/BevContainer/Recyclers/.

For questions and/or additional information on Training and Technical Assistance, please contact Margo Wildman at (916) 327-88111 or Margo.Wildman@CalRecycle.ca.gov.

Enforcement

CalRecycle and our partners at Department of Justice, Attorney General's Office, and the California Department of Food & Agriculture continue to combat fraud and other program abuse. The new law (PRC Section 14591[a]) expands existing authority to assess fines on any person convicted of a violation of any regulation adopted pursuant to the Beverage Container Recycling and Litter Reduction Act. This change enhances the state's ability to respond to illegal and fraudulent activity in a variety of different areas.

If you have questions or need additional information regarding Enforcement, please contact John Halligan (916) 323-3263 or John.Halligan@CalRecycle.ca.gov.

Electronic Mailing Lists

CalRecycle has established electronic mailing lists for program participants to receive program change updates. These lists are based on the email address we have on file

for you or your organization. If you have not already received an email from us, please signup to receive these notifications at:

Beverage manufacturers and distributors -

<http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=128>

Recyclers and Processors -

<http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=129>

Beverage Container Recycling Program Listserv (General) -

<http://www.calrecycle.ca.gov/Listservs/Subscribe.aspx?ListID=132>.

Public Meetings

The Department will be conducting workshops and rulemaking on the implementation of the SB 96 changes. A meeting to discuss the implementation of the SB 96 changes is scheduled for October 16, 2013 from 9:00 a.m. to 10:30 p.m. in the Sierra Hearing Room, 1101 I Street, Sacramento CA 95814.

The first workshop on proposed regulations (Certification, DORIIS, Segregated Payments, and Enforcement) is on October 24, 2013 from 9:00 a.m. to 12:00 p.m. in the Sierra Hearing Room, 1101 I Street, Sacramento CA 95814.

Please watch for notice of additional proceedings at <http://calrecycle.ca.gov/Calendar/>.

If you have questions or need additional information regarding the workshops, please contact Carmen Boylen (916) 323-4248 or Carmen.Boylen@CalRecycle.ca.gov