



# **BEVERAGE CONTAINER PROGRAM REGULATIONS INITIAL WORKSHOP**

**October 24, 2013**



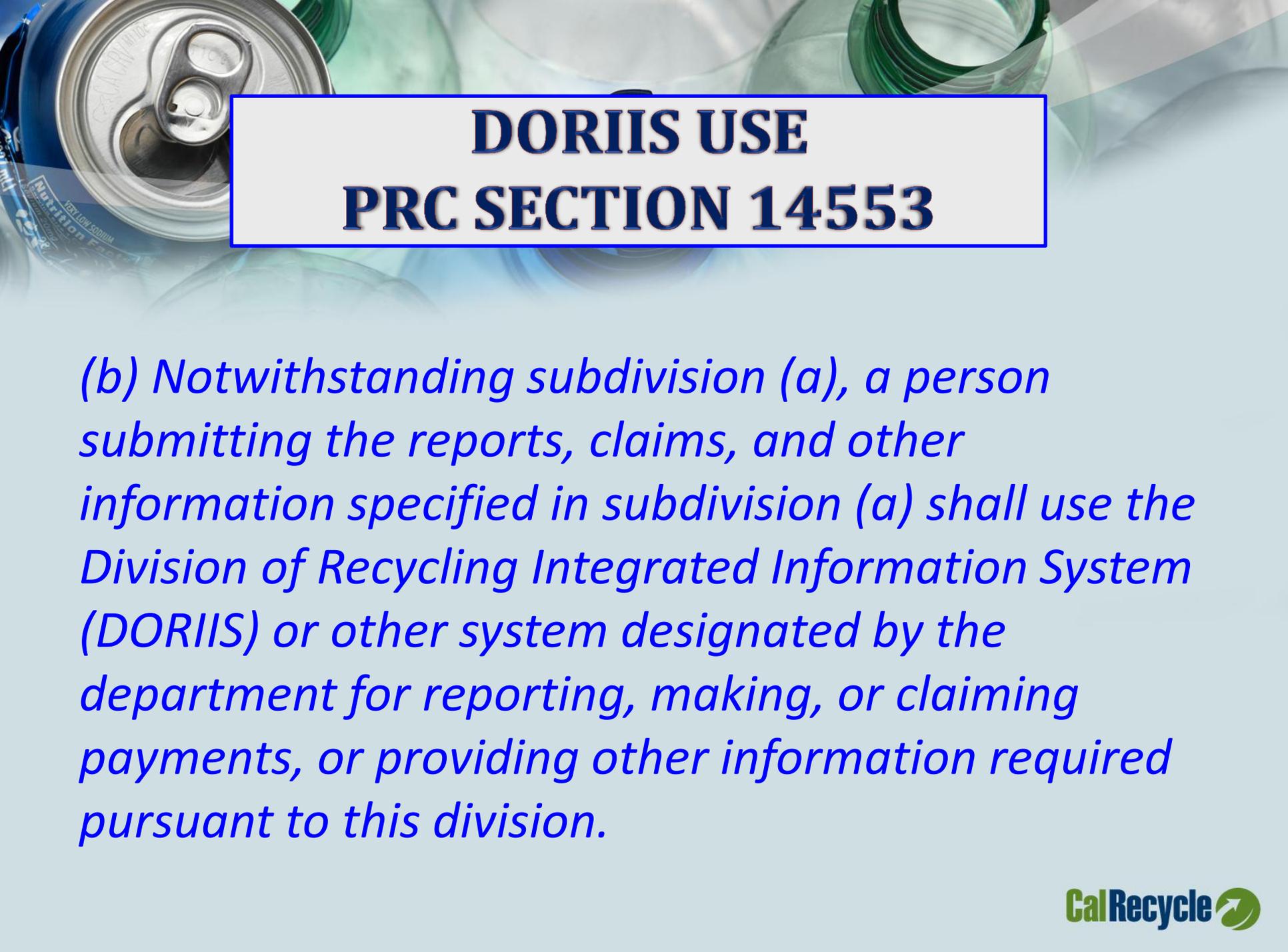
# AGENDA

- **9:00 – 9:15 am**      **Welcome/Opening Remarks**
- **9:15 - 9:40 am**      **Overview of Changes to the Act**
- **9:40 – 10:00 am**      **DORIIS – Mandatory Use**
- **9:00 – 10:40 am**      **Segregated Only Requirements**
- **10:40 – 11:45 am**      **Pre-Certification Requirements**
- **11:50 – 12:00 pm**      **Next Steps**



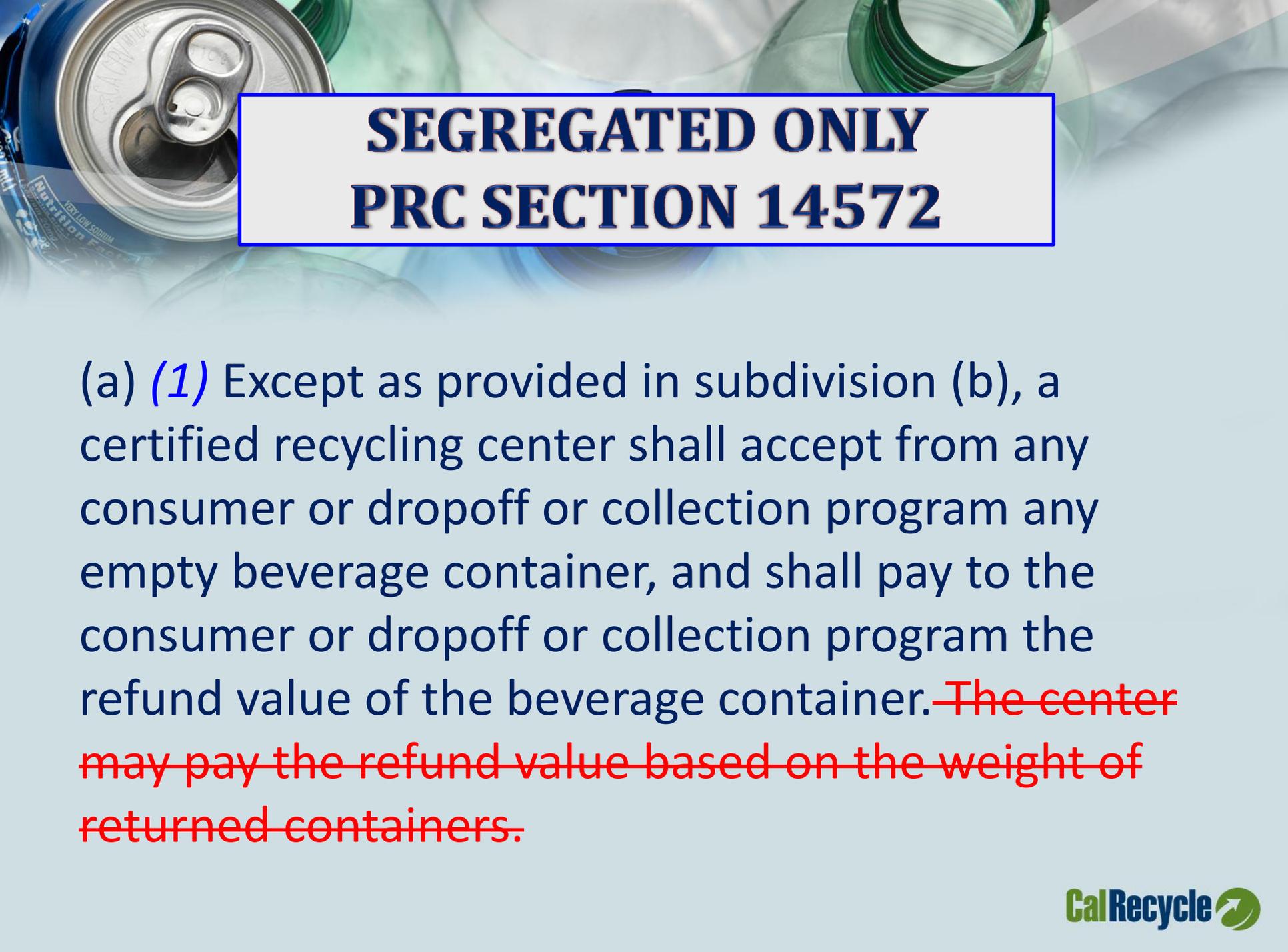
**PLEASE SUBMIT COMMENTS ON  
ALL REGULATIONS TO:**

**[Recycling.Workshops@CalRecycle.ca.gov](mailto:Recycling.Workshops@CalRecycle.ca.gov)**

The background of the slide features a close-up, slightly blurred image of a blue soda can on the left and several clear glass bottles on the right. The can has a pull-tab and some text, including "Nutrition Facts" and "VERY LOW SODIUM". The glass bottles are partially filled with a clear liquid. The overall color palette is light blue and green.

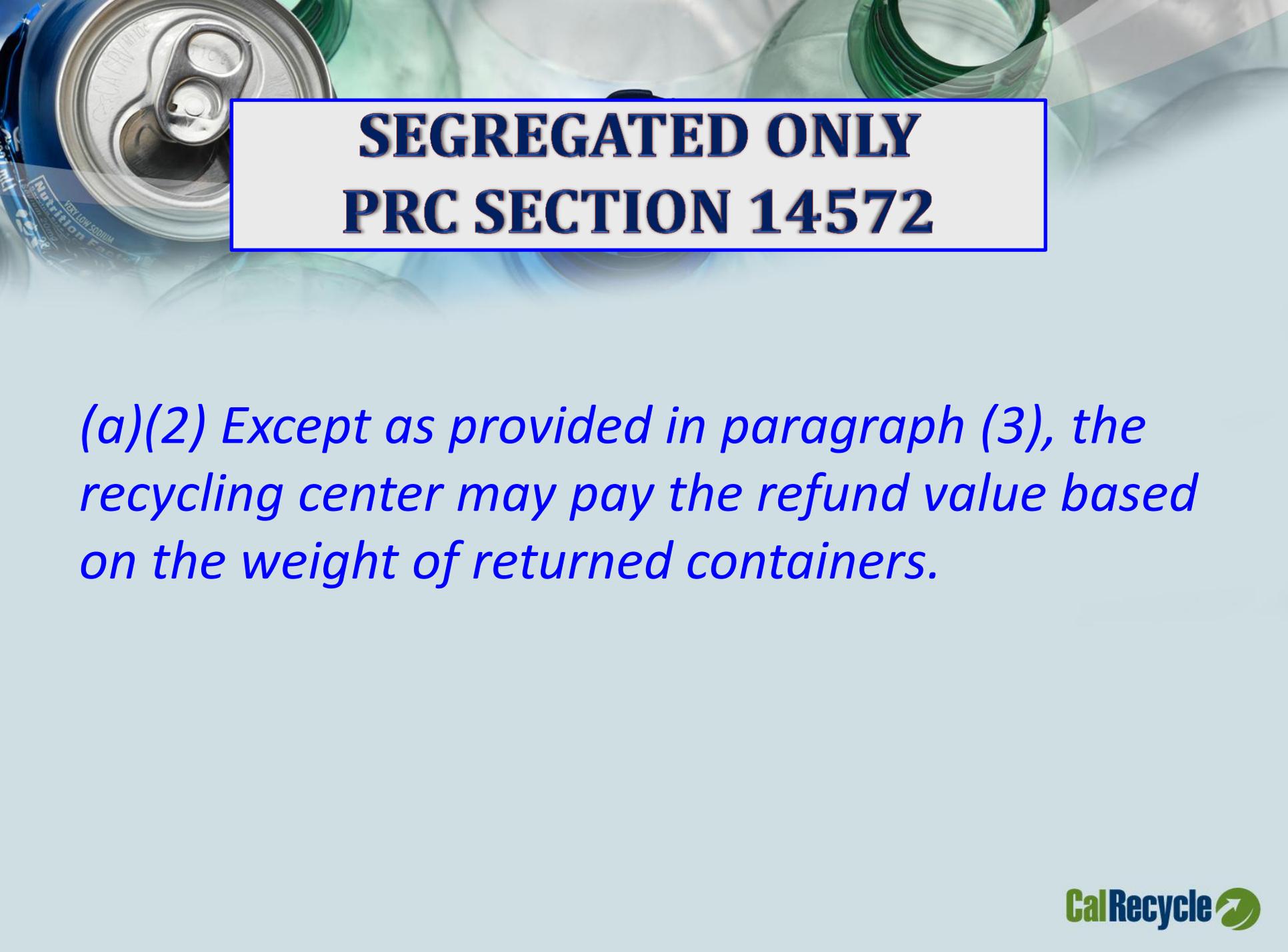
## **DORIIS USE PRC SECTION 14553**

*(b) Notwithstanding subdivision (a), a person submitting the reports, claims, and other information specified in subdivision (a) shall use the Division of Recycling Integrated Information System (DORIIS) or other system designated by the department for reporting, making, or claiming payments, or providing other information required pursuant to this division.*



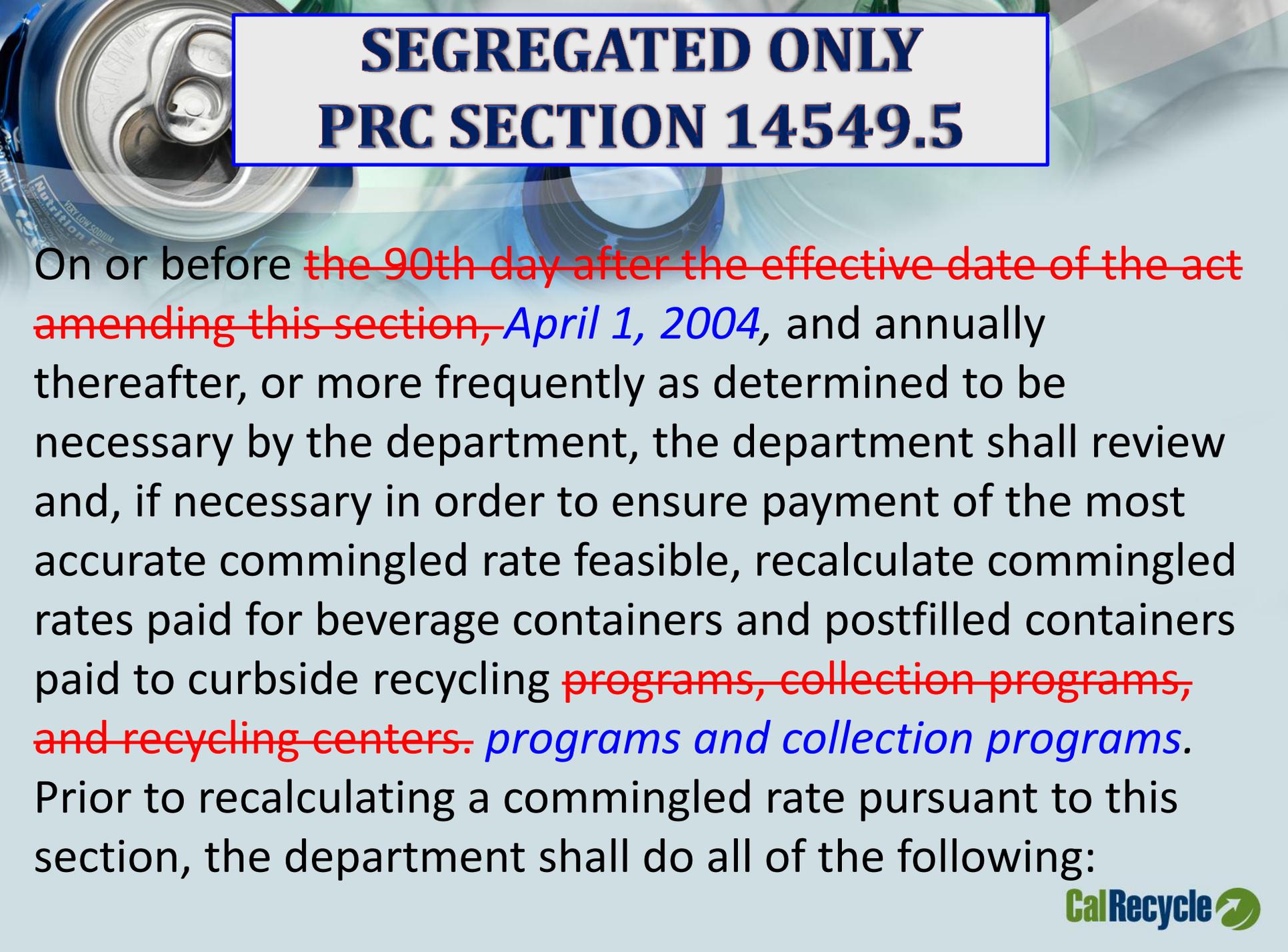
**SEGREGATED ONLY**  
**PRC SECTION 14572**

(a) *(1)* Except as provided in subdivision (b), a certified recycling center shall accept from any consumer or dropoff or collection program any empty beverage container, and shall pay to the consumer or dropoff or collection program the refund value of the beverage container. ~~The center may pay the refund value based on the weight of returned containers.~~



**SEGREGATED ONLY**  
**PRC SECTION 14572**

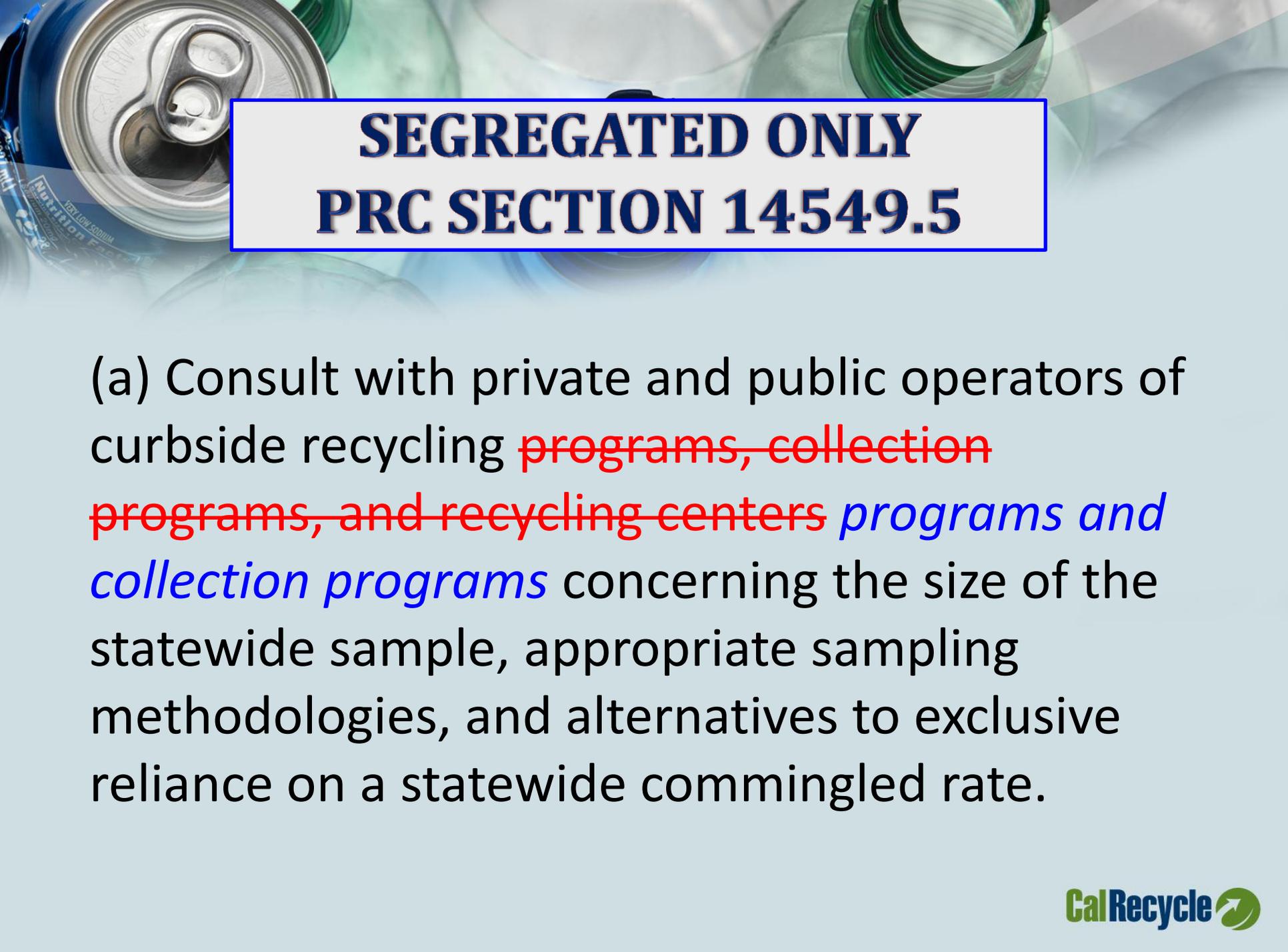
*(a)(2) Except as provided in paragraph (3), the recycling center may pay the refund value based on the weight of returned containers.*



# SEGREGATED ONLY

## PRC SECTION 14549.5

On or before ~~the 90th day after the effective date of the act amending this section,~~ *April 1, 2004*, and annually thereafter, or more frequently as determined to be necessary by the department, the department shall review and, if necessary in order to ensure payment of the most accurate commingled rate feasible, recalculate commingled rates paid for beverage containers and postfilled containers paid to curbside recycling ~~programs, collection programs, and recycling centers.~~ *programs and collection programs.* Prior to recalculating a commingled rate pursuant to this section, the department shall do all of the following:



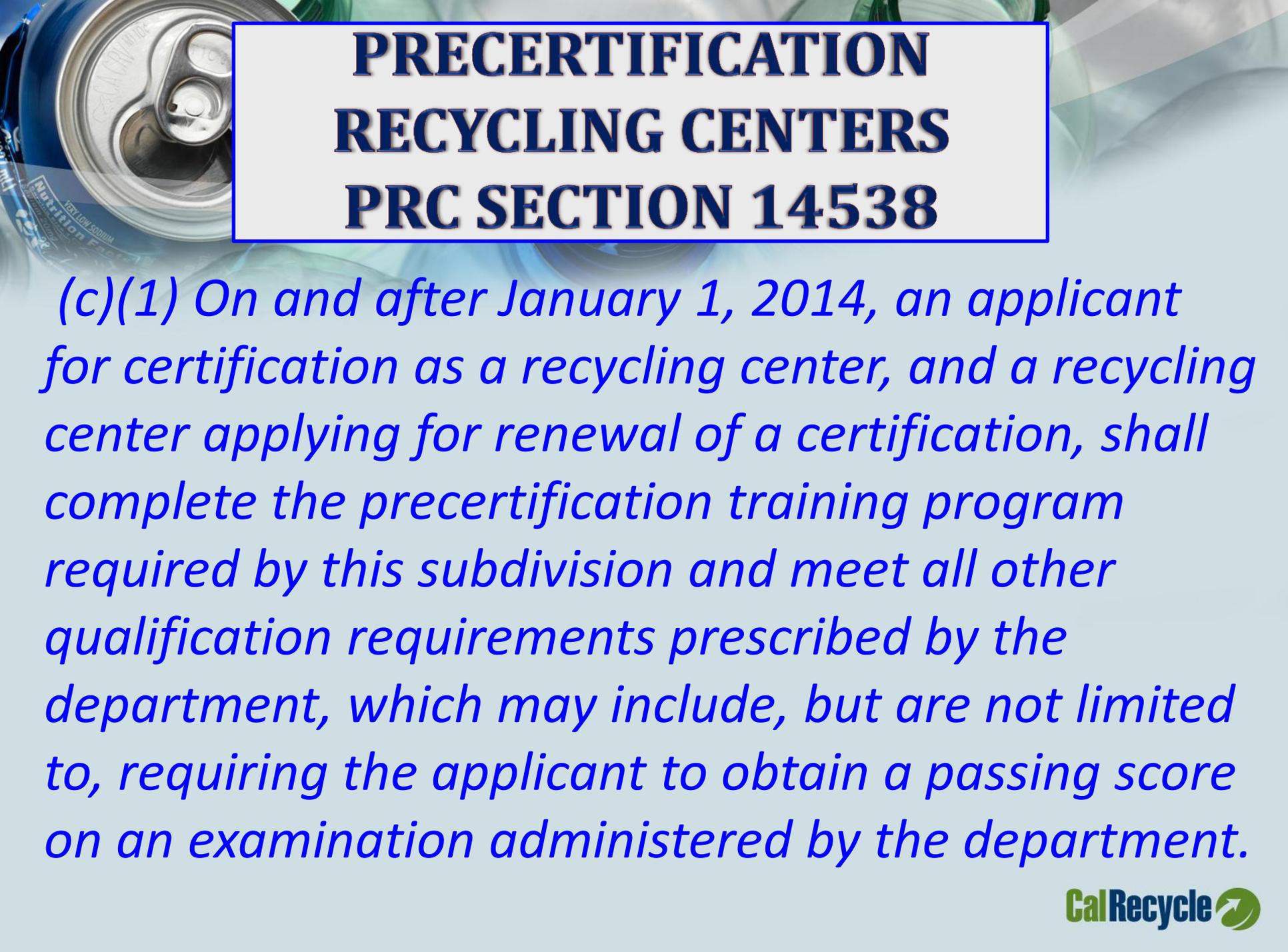
## SEGREGATED ONLY PRC SECTION 14549.5

(a) Consult with private and public operators of curbside recycling ~~programs, collection programs, and recycling centers~~ *programs and collection programs* concerning the size of the statewide sample, appropriate sampling methodologies, and alternatives to exclusive reliance on a statewide commingled rate.



**PRECERTIFICATION  
RECYCLING CENTERS  
SECTION 14538**

*(a)(2) The department shall review whether an application for certification or renewal is complete within 30 working days of receipt, including compliance with subdivision (c). If the department deems an application complete, the department shall approve or deny the application no later than 60 calendar days after the date when the application was deemed complete.*



# **PRECERTIFICATION RECYCLING CENTERS PRC SECTION 14538**

*(c)(1) On and after January 1, 2014, an applicant for certification as a recycling center, and a recycling center applying for renewal of a certification, shall complete the precertification training program required by this subdivision and meet all other qualification requirements prescribed by the department, which may include, but are not limited to, requiring the applicant to obtain a passing score on an examination administered by the department.*



## **PRECERTIFICATION PRC SECTION 14538**

*(c)(2) The department may use staff or industry experts, or may seek expertise available in other state agencies, to provide the training program required by this subdivision, which shall include providing technical assistance to better prepare recycling centers for successful participation in this division, thereby reducing the potential for errors, fraud, or other activities that compromise the integrity of the implementation of this division.*



# **PRECERTIFICATION PROCESSORS PRC SECTION 14539**

*(a)(2) The department shall review whether an application for certification or renewal is complete within 30 working days of receipt, including compliance with subdivision (c). If the department deems an application complete, the department shall approve or deny the application no later than 60 calendar days after the date when the application was deemed complete.*



# **PRECERTIFICATION PROCESSORS PRC SECTION 14539**

*(c)(1) On and after January 1, 2014, an applicant for certification as a processor and a processor applying for renewal of a certification shall complete the precertification training program required by this subdivision and meet all other qualification requirements prescribed by the department, which may include, but are not limited to, requiring the applicant to obtain a passing score on an examination administered by the department.*



# **SB 96 – Segregated Only at Recycling Centers**



# OUTLINE

- Background
- Explanation of the Regulatory Process
- Considerations
- Questions / Comments



# **BACKGROUND / SB 96**

**The new law requires that, on and after September 1, 2013, a certified recycling center, for beverage containers redeemed by consumers, to pay the refund value based on the applicable segregated rate. The law deletes recycling centers from those entities for which the department is required to calculate a commingled rate.**



# REGULATORY PROCESS

- Today initiates informal process to seek input from public & industry to align regulations with the new statute.
- Department will initiate the formal rulemaking process after hearing from interested parties with proposed Draft Regulations.
- Earliest possible adoption of regulations will be fall 2014.
- **Workshop October 31 in the Sierra Hearing Room from 9am to noon.**



# CONSIDERATIONS

- **Minor Conforming Considerations**
  - Delete the word ‘commingled’
  - Delete the word ‘consumer’
  - These type of changes are essentially cleanup to comply with the Statute.



# MAJOR CONSIDERATIONS

- **How do we deal with:**
  - **Broken Glass**
    - Formerly claimed as commingled
  - **Donations of Material**
    - Anonymous formerly claimed as commingled
  - **Payment By Count – RVM**
    - RVM purchasing from consumers by count can only be reimbursed by processor on commingled rate



# **DIVISION OF RECYCLING, OPERATIONS**

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# **DORIIS USE**

**Developing non-emergency regulations**

**Watch for information to come**



# **DORIIS USE**

**DORIIS use expected by Jan 1, 2014 for participants submitting:**

- **Shipping Reports**
- **Processor Invoices**
- **Handling Fee Applications**
- **Beverage Manufacturer Reports**
- **Beverage Distributor Reports**



# **BEVERAGE MANUFACTURERS & DISTRIBUTORS**

For more information on using DORIIS

Contact **Account Management Unit:**

Phone: **916-323-1837** or

Email: **[DORClientServices@CalRecycle.ca.gov](mailto:DORClientServices@CalRecycle.ca.gov)**

DORIIS Portal Access Form, Training Manual, & Video

**<http://www.calrecycle.ca.gov/BevContainer/DORIIS/BevDistMan.htm>**



## **RECYCLING CENTERS AND PROCESSORS**

For more information on using DORIIS

Contact **Technical Assistance and Review Unit:**

Phone: **916-323-1837** or

Email: **[DoriisHelp@CalRecycle.ca.gov](mailto:DoriisHelp@CalRecycle.ca.gov)**

DORIIS Portal Access Form, Training Manual, & Video

**<http://calrecycle.ca.gov/BevContainer/DORIIS/Forms/PARFormRP.pdf>**



## **REVIEW OF CHANGES TO LAW RELATED TO PRECERTIFICATION**

- **Extends review for completeness**
  - 15 to 30 days
- **Extends time to certify or deny**
  - 45 to 60 days
- **Recyclers & Processors:**
  - Precertification training (new and renewal)
  - Other qualification requirements (incl. exam)



# **DEVELOPING EMERGENCY REGULATIONS**

- **Effective Jan 1, 2014**
- **Many questions to be addressed**
- **Workshop:**           October 29, 2013  
  1:00 – 4:00  
  CalEPA Building  
  Sierra Hearing Room



# Drafting Regulations Immediately Following Oct 29<sup>th</sup> Workshop

**SUBMIT COMMENTS ASAP TO:**

**[Recycling.Workshops@Calrecycle.ca.gov](mailto:Recycling.Workshops@Calrecycle.ca.gov)**



**SIGN UP FOR LISTSERV AT:**

<http://www.calrecycle.ca.gov/Listservs/>



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**QUESTIONS / COMMENTS**