



April 15, 2024

Krystal Acierto, Acting Director
Department of Resources Recycling and Recovery
1101 I Street
Sacramento, CA 95814

RE: ...ensure payment of the most accurate commingled rate feasible

Dear Krystal Acierto,

On behalf of the undersigned local governments, recycling service providers and environmental organizations, we urge the Division of Recycling to exercise its responsibility under Section 14549.5 of the Public Resources Code to “...**ensure payment of the most accurate commingled rate feasible**...” by **updating the commingled rate** on beverage container material collected at curbside since January 1, 2024, based on the division’s most recent curbside survey.

On January 1, 2024, SB 1013 (Atkins) and SB 353 (Dodd) expanded the scope of CRV-eligible containers covered by the program, adding a projected 1.2 billion containers to the program.

However, the division has thus far failed to update the curbside commingled rate and other critical program rates to reflect this expansion—despite the division’s own 2024 survey data showing the significant volume of these new CRV containers in curbside programs.

- All available data clearly demonstrates that the current commingled rate for curbside CRV glass is substantially inaccurate dating back to January 1.
- The continuation of the 35% commingled rate for glass is nearly **50 percentage points lower** than the amount of CRV glass consistently identified by the division in their most recent surveys.
- Failure to correct rates means publicly financed curbside programs are being underpaid as much as \$200 per ton for glass alone.
- The shortfall is costing publicly financed collection programs an estimated **\$4 million per month, exceeding \$40 million in total** under the Division’s timeline.
- Further inaction means that roughly 24 million newly eligible CRV containers **are not being counted as ‘recycled’** every month, thereby distorting recycling rates and undermining perception of the program’s effectiveness.

We are calling on the Division of Recycling to exercise existing authority to:

- 1) Immediately establish an updated commingled rate based on the division’s most recent survey data; and
- 2) Recalculate CRV recycling rates and program payments on all material reported as collected at curbside since January 1, 2024.

Thank you for your attention to this pressing matter.

Sincerely,

Mark Murray
Californians Against Waste

Veronica Pardo
Resource Recovery Coalition of
California

John Davis
Mojave Desert and Mountain
Recycling Authority

Brandi Massengill
Empire Steel

Jennifer Higgins
Tracy Solid Waste Management, Inc.

Christine Wolfe
Waste Management

Joe La Mariana
RethinkWaste

Catherine Howells
South Lake Tahoe Refuse &
Recycling

Charles Moine
Wilmington Recyclers

Dan Domonoske
Potential Industries, Inc.

Larisa Cespedes
California Waste Haulers Council

Jason Wu
Capitol City Recycling

Zoe Shoats
Monterey County Waste
Management District

Mike Caprio
Republic Waste Services

David Fahrion
CA Waste and Recycling
Association

Gary Clifford
Athens Services

Jeff Belchamber
Berkeley Recycling

Karla Estupinian
Leader Recycling

Mayor Larry Klein
City of Sunnyvale

Chris Hanson
Solid Waste Association of North
America (SWANA)

Garen Kazanjian
Recology

Doug Button
S. San Francisco Scavenger
Co., Inc.

Shawn Gutteresen
BLT Enterprises

Paul Molinewlli, Jr.
ACES Waste Services, Inc.

Patty Garbarino
Marin Sanitary Service

Robert James Rodriguez II
RJR Environmental Professional
Services, Inc.

Mark Figone
East Bay Sanitary Co., Inc.

Greg Kelley
Napa Recycling & Waste
Services, LLC

David Sikich
Atlas Disposal Industries

Christy Pestoni
Waste Connections, Inc.

Jeff Martin
Tule Trash Company

Alan Marchant
Turlock Scavenger Company

Gene Della Zoppa
Mill Valley Refuse Service

Ricky Ross
Intermountain Disposal, Inc.

Joe Kalpakoff
Mid Valley Disposal

John Snyder
EDCO

Cole Burr
Burrtec Waste Disposal

Bill Dobert
Specialty Solid Waste & Recycling

Chris Cunningham
Palm Springs Disposal Services
& Desert Valley Disposal

Joe Ragusa
Strategic Materials, Inc.

Melinda Andrade
Association of California Recycling
Industries

Timothy Burroughs
StopWaste

c.c. Governor Gavin Newsom
Members, California State Legislature