

Office of the City Council



September 21, 2022

The Honorable Erick L. Larsh, Presiding Judge
Superior Court of California, County of Orange
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Response to 2021-2022 Orange County Grand Jury Report “Where Have All the CRVs Gone?”

Dear Judge Larsh:

The City of Tustin has reviewed the Orange County Grand Jury Report titled “Where Have All the CRVs Gone?” In accordance with California Penal Code §933.05(a) and (b), the City of Tustin submits the following response to the findings and recommendations included within the report. Each of the applicable findings and recommendations is listed below in italics, followed by the City’s response.

Findings:

F1: Due to the reduced availability of convenient CRV redemption sites and the lack of accurate online information, it is difficult for resident consumers to redeem CRV fees.

Response: Based on the experience of City staff, the City of Tustin disagrees with this finding. The City of Tustin has received less than five (5) inquiries from residents since January 2018 regarding the location of CRV redemption centers in Tustin. There continues to be one permitted redemption facility in Tustin, Evolution Recycling #5 located at 1022-1112 Walnut Avenue. CalRecycle’s website also lists 12 in-store redemption locations in Tustin. Staff has received no resident feedback that the grocery stores do not accept CRV containers.

F2: Because redemption site locations have diminished in number, waste haulers are the beneficiaries to the CRV fees paid originally by resident consumers.

Response: Based on the experience of City staff, the City of Tustin disagrees with this finding. The City has not been advised by any residents that the closure of local redemption sites has impacted their ability to obtain CRV.

F3: CalRecycle is attempting to improve CRV redemption and reduce CRV recyclables from landfills and are offering financial incentives to do so. Orange County and its cities are not fully taking advantage of the grant or pilot program opportunities available through CalRecycle.

Response: The City of Tustin partially agrees with this finding. For many years, the CRV redemption program worked well. It is unfortunate CalRecycle could not find a way to modify its program to ensure continued success. Instead, municipalities are expected to sustain a State program through grant funding.

Recommendations:

R1: By January of 2023, each of the cities in Orange County should research and apply for available grants or pilot programs from CalRecycle for their community that focus on returning more CRV funds to their residents. (F3)

Response: The City of Tustin will not implement the recommendation because it is not warranted. The City of Tustin has received no feedback from the community that the current availability of CRV redemption is inadequate. In addition, as a State program, CalRecycle should determine if there is an opportunity to return funding to CRV redemption vendors in a manner that makes the program financially viable.

R2: By January of 2023, the Orange County Board of Supervisors should require OC Waste & Recycling to research and apply for available grants or pilot programs from CalRecycle for the unincorporated areas of OC that focus on returning more CRV funds to their residents. (F3)

Response: The City of Tustin will not implement the recommendation because it is not reasonable. The City of Tustin has no jurisdiction in determining what the County should or should not do with CRV in unincorporated areas of the County.

R3: When renegotiating their current waste hauler contract, all cities and the County of Orange should assess the value of the CRV funds received by the waste hauler in their jurisdiction and creatively leverage this revenue for the benefit of their residents. (F2, F4)

Response: The City of Tustin has and will continue to implement the recommendation. The City of Tustin goes out to bid every 10 years for solid waste collection services. It is made clear that waste haulers are expected to evaluate all revenue and expenses when determining customer rates and that any revenue they generate from CRV funding shall offset customer rates.

R4: By January of 2023, all cities and the County of Orange should develop extensive community outreach programs aimed at educating the public about how to access CRV redemption in their jurisdiction. (F1, F3)

Response: By no later than January of 2023, the City of Tustin will implement the recommendation. The City of Tustin will require its waste hauler to periodically include messaging about CRV in residential billing.

Should you have any questions or need any additional information, please contact Public Works Manager, Stacey Cuevas, at (714) 573-3037 or via email at scuevas@tustinca.org.

Respectfully,



Austin Lumbard
Mayor

cc: Tustin City Council
Orange County Grand Jury