

567—107.4(455C) Redemption centers. The Act provides for both approved and unapproved redemption centers. Both approved and unapproved redemption centers redeem empty beverage containers and pay the refund value to consumers. Additionally, the Act recognizes “a redemption center for a dealer.” Unapproved redemption centers in existence on May 22, 2002, and served by distributors on a voluntary basis may formalize the status quo by registering with the department pursuant to 107.4(4).

107.4(1) Approved redemption centers.

- a.* Any person may file with the department an application for approval of a redemption center.
- b.* An application for approval of a redemption center shall be submitted on Form LQ38 or on 8½" × 11" paper and shall contain the following information:
 - (1) Name, address and telephone number of the redemption center;
 - (2) Name, address and telephone number of the person or persons responsible for the establishment and operation of the redemption center;
 - (3) Indication that the redemption center will accept all kinds, sizes, and brand names of beverage containers sold by the dealers served by the redemption center;
 - (4) Names and addresses of the dealers to be served by the redemption center and the written consent of those dealers to be served by the redemption center;
 - (5) Distance, in blocks or other appropriate measure, from the redemption center to each dealer to be served by the redemption center;
 - (6) Names and addresses of the distributors whose beverage containers will be redeemed;
 - (7) Hours during which the redemption center is to be open;
 - (8) Whether metal, glass or plastic beverage containers will be crushed or broken and, if so, the written consent of the distributor or manufacturer to the crushing or breaking;
 - (9) Reasons why the redemption center and the dealers to be served by it believe that the redemption center will provide a convenient service to consumers.
- c.* A redemption center shall be approved as a redemption center for a dealer if the department determines that the redemption center will provide a convenient service to the dealer’s customers. The department order that approves the redemption center shall name the dealers to be served by the redemption center.
- d.* An approved redemption center may file with the department a supplemental application to serve additional dealers. The supplemental application shall be in the form and contain the information required by paragraph “*b.*” If the department finds that the redemption center will provide a convenient service to the customers of those additional dealers which the redemption center proposes to serve, the department shall supplement its order approving the redemption center to name the additional dealers.
- e.* A dealer named in the department order that approves a redemption center or named in a supplemental order shall be an exempt dealer.
- f.* The department may at any time rescind the order approving a redemption center or terminate the exemption of a dealer if the department determines, after notice and hearing, that the redemption center is in violation of the Act or this chapter or that the redemption center is no longer meeting the above criteria or is no longer providing a convenient service to a dealer’s customers.
- g.* A dealer may withdraw its consent to be served by a redemption center which is approved as a redemption center for the dealer by filing with the department written notice of withdrawal of consent. A dealer which has withdrawn its consent is no longer an exempt dealer, and the approval of its redemption center as a redemption center for the dealer is thereby terminated.
- h.* An approved redemption center shall accept from consumers and shall pay the refund value for all beverage containers that bear an Iowa refund value and are of the kinds, sizes and brand names sold by the dealers for which it is an approved redemption center.
- i.* An approved redemption center shall be in operation and open to the public for redemption of beverage containers at least 20 hours per week, 4 hours of which shall be between the hours of 6 p.m. and 10 p.m. or on Saturday or Sunday, or a combination thereof.
- j.* When an approved redemption center is closing permanently, it shall give to the department notice that includes the redemption center’s final date of operation. As of the final date of operation, the

redemption center's approval as a redemption center shall be terminated and a dealer it was approved to serve shall no longer be an exempt dealer.

107.4(2) Unapproved redemption centers. Nothing in the Act or this chapter prevents a person from establishing a redemption center that has not been approved by, certified by, or registered with the department. Before commencing operations, unapproved redemption centers shall provide the following to the department:

- a. Name, address and telephone number of the redemption center;
- b. Name, address and telephone number of the person or persons responsible for the establishment and operation of the redemption center; and
- c. Operating hours of the redemption center.

When the redemption center is closing permanently, it shall give to the department notice that includes the redemption center's final date of operation.

107.4(3) Redemption center for a dealer.

a. A redemption center that proposes to provide beverage container sorting or handling services for a dealer but that is not an approved redemption center for the dealer may file with the department an application for certification as a redemption center for the dealer.

b. An application for certification as a redemption center for a dealer shall be on a form provided by the department on 8½" × 11" paper and shall contain the following information:

- (1) Name, address and telephone number of the redemption center;
- (2) Name, address and telephone number of the person or persons responsible for the establishment or operation of the redemption center;
- (3) Names and addresses of the dealers for whom the redemption center is to provide beverage container sorting or handling services, the services to be provided to each dealer and the written consents of those dealers to be served by the redemption center;
- (4) Names and addresses of the distributors for which the redemption center will provide beverage container sorting or handling services;
- (5) Whether metal, glass or plastic beverage containers will be crushed or broken and, if so, the written consent of the distributor or manufacturer to the crushing or breaking.

c. A redemption center which meets the above criteria shall be certified as a redemption center for that dealer.

d. A dealer for which the redemption center is certified is not an exempt dealer.

e. The department may at any time terminate the certification of a redemption center as a redemption center for that dealer if the department determines, after notice and hearing, that the redemption center is in violation of the Act or this chapter or no longer meets the above criteria.

f. A dealer may withdraw its consent to be served by a redemption center for that dealer by filing with the department written notice of withdrawal of consent, and the certification of the redemption center as a redemption center for that dealer is thereby terminated.

g. When a redemption center for a dealer is no longer serving a dealer for which it is certified, the redemption center shall notify the department. When a redemption center is no longer serving any dealers for which it is certified, its certification as a redemption center for a dealer is terminated.

107.4(4) Registered redemption centers.

a. A redemption center which was in operation and open to the public for redemption of beverage containers on May 22, 2002, may on or before 90 days from December 17, 2002, file an application for registration with the department. The department shall not accept an application for registration of a redemption center after 90 days from December 17, 2002.

b. An application for registration of a redemption center shall be on a form provided by the department or on an 8½" × 11" paper and shall contain the following information:

- (1) Name, physical address, and telephone number of the redemption center;
- (2) Name, address and telephone number of the person or persons responsible for the operation of the redemption center;
- (3) Kinds, sizes and brand names of the beverage containers that are accepted by the redemption center;

- (4) Hours the redemption center is open;
- (5) Names and addresses of the distributors that are picking up beverage containers from the redemption center;
- (6) Whether metal, glass or plastic beverage containers will be crushed or broken and, if so, the written consent of the distributor or manufacturer to the crushing or breaking;
- (7) Proof that the redemption center was in operation and open to the public for redemption of beverage containers on May 22, 2002.

c. A redemption center shall be accepted for registration if the department is satisfied the redemption center was in operation and open to the public for redemption of beverage containers on May 22, 2002, at the location specified in its application. The registration shall be specific to the location in business on May 22, 2002, and may not be expanded to encompass additional locations, but a registered redemption center, with the approval of the department, may relocate to a new location within five miles of its original location so long as the existing location is closed.

d. The department may at any time terminate the registration of a redemption center if the department determines, after notice and hearing, that the redemption center is in violation of the Act or this chapter.

e. A registered redemption center shall accept from consumers and shall pay the refund value for all beverage containers bearing an Iowa refund value which are of the kinds, sizes and brand names listed in its application for registration.

f. A registered redemption center shall be in operation and open to the public for redemption of beverage containers at least 20 hours per week.

g. When a registered redemption center is closing permanently, it shall give notice to the department, including the final date of operation, and its registration as a registered redemption center is terminated as of that date.

107.4(5) An exempted dealer must prominently post on the premises of the dealer a sign provided at no cost by the department. The sign will include the location and hours of the redemption center.

107.4(6) An approved redemption center must notify the department and any exempted dealers with which it has agreements 30 days prior to the redemption center's closing.