

Catching Grease Thieves

Grease theft on the decline, yet industry remains vigilant

By Tina Caparella

It's all about relationships. Well, and catching thieves.

For the past four years, Baker Commodities has been forging relationships, trailing trucks, and making solid cases against those who are stealing used cooking grease in Las Vegas, NV.

A long-time area resident who was working in security at MGM Resorts International's The Mirage Hotel and Casino was hired by Baker as an investigator to help put a stop to grease theft. The first thing he did was establish relationships with all area renderers and the three local police agencies. Another crucial connection he forged was with the Southern Nevada Health District's Solid Waste and Compliance Section, the agency that governs state laws as they relate to registration, transportation, and disposal of used cooking grease.

These relationships, and the immeasurable support Baker's investigators across the United States receive from the Los Angeles, CA-based renderer, have resulted in Baker's Las Vegas Division obtaining 37 convictions over the past two-and-a-half years, with a number of those resulting in felonies.

"We document everything, that way we have a solid case," Baker's investigator noted. Helping to document the thefts are video recording equipment in vehicles and onsite at restaurants, laptops to access wireless cameras

and transporter databases, and other equipment provided by Baker

Commodities so investigators have solid evidence against thieves. The renderer builds its cases with the goal of getting a felony grand larceny conviction, which in Nevada must exceed \$750 in damages. Such costs included are loss of product, damage to equipment, an investigator's time, and the cost to send a driver out to repair or collect and replace a damaged grease container. Baker also pushes to have the grease collection vehicles involved in illegal activities impounded. Fines are set by statute and can be as high as \$5,000 per violation for first offenders.

Over the years, Baker Commodities and many other renderers and grease collectors who have discovered empty grease tanks upon arrival have modified containers with steel lids, locks, finer mesh screens, and other mechanisms in an effort to protect the valuable commodity inside. Yet, thefts

continue. State and local laws have also been put in place to help curtail robberies. In the state of Nevada, a permit is required from the Solid Waste Management Authority to transport used cooking grease or establish a disposal or collection facility. A permit can be revoked if activities outside a permit condition continue, which includes stealing or accepting stolen grease. Currently, there are registered companies both in- and out-of-state that have previous violations for stealing and accepting stolen grease.

It took some effort to get the Clark County Solid Waste and Compliance Section and law enforcement interested in going after grease thieves. Baker's investigator would follow vehicles stealing cooking grease, document the theft and the location of often unpermitted collection yards accepting the stolen material, then file reports with the department. After seeing the magnitude of the problem, including state and local costs when illegal grease activities result in spills or improper disposal in drains or rivers and streams, and the potential revenue the department could obtain from fines, all hands were onboard.

"It's against the law," reiterated Gerald Bletsch of the Permitted Disposal Facilities Program within Southern Nevada's Solid Waste and Compliance Section, which has administrative hearing officers who preside over unsettled cases and set fines. Bletsch believes there are sufficient regulatory tools in place to continue the department's successful crackdown on grease theft; however, when one operation is shut down, oftentimes another one emerges, making the fight a continual one.

Another approach Baker is taking is the installation of indoor grease collection tanks for its accounts. Much smaller than the traditional large outdoor containers, drivers must now visit the restaurant more often to collect the used grease, but it also means the grease is there upon arrival.

Since Baker began focusing more on the fight against grease theft, there has been a 60 percent reduction in grease thefts in the Las Vegas area, which includes the nearby city of Henderson. The company's investigators rely on their own sleuthing skills and the eyes and ears of Baker's grease collection drivers and other area renderers in what is a team effort with private and government entities to stop the theft of used cooking grease in "Fabulous Las Vegas."

California Connection

Since August 2008, private investigators at Baker Commodities in Los Angeles, CA, have made 54 arrests for grease theft throughout California, including four suspects being charged with felony grand theft. These cases are still pending. The others were charged with misdemeanor infractions with some being fined and ordered to pay restitution. Over \$20,000 in fines have been issued and nearly 25 percent of the state's registered transporters have lost their





grease haulers permit. Many individuals who were caught stealing have not returned and some are doing jail time for repeated offenses.

Baker's investigators in California have provided the California Department of Food and Agriculture (CDFA), which runs the state's Inedible Kitchen Grease Program, with documented evidence to confirm illegal activity at several grease collection facilities throughout the state. One major collection facility in Chino has been shut down and six other facilities are pending fines and possible revocation of their operating license. Company investigators have also given police and CDFA personnel verifiable proof of thefts such as photographs of the grease container with proper ownership labeling, the measured amount of grease that is stored (done prior to surveillance of the location), and videotapes of the grease theft incident as it occurs. The police then determine if there is enough evidence to arrest and seize the perpetrator's vehicle. By providing such evidence, 90 percent of suspects are taken into custody while the others are released with a citation to appear in court.

The California courts can decide at times not to prosecute due to lack of evidence. This usually occurs when a restaurant customer notifies police of an incident and they cannot provide the proper information or police cannot find a victim willing to testify. Baker must provide the CDFA investigator with enough evidence to determine whether a fine or revocation of an operating license is justified. This process can take up to a year to finalize.

Although Baker Commodities estimates grease theft in Southern California has dropped about 30 percent over the past three years, it has cost its Southern California division millions of dollars throughout the past four years, which includes driver loss time, bin repair costs, the loss of used cooking grease, and the cost of private investigators. Baker continues to work with state legislators to increase penalties for those who have no respect for restaurant owners or private property, which has become a significant liability to all involved.

Baker Commodities remains committed to educating its customers and providing them with new style locking bins and indoor tanks. The renderer continues to educate law enforcement agencies with informational DVD packages regarding used cooking grease theft. Minimizing losses for customers and the company due to grease theft remains a top priority at Baker Commodities. **R**

Restaurant Owner takes on Thieves Personally

Greg Vasquez only had to be hit twice to take matters into his own hands. The third time was the charm.

"They were sloppy and greedy, and that's what made it easy," he stated.



Vasquez owns two McDonald's restaurants in the Southern California city of Hemet. In December, one of his maintenance crew notified Vasquez that the valve on the outside of the interior used cooking oil tank had been jammed open and a trail of grease was on the ground. Knowing the restaurant's cooking oil vendor, Restaurant Technologies, Inc. (RTI) never leaves a mess like this, he contacted the company, which verified that the amount of oil collected from the restaurant had become much lower than previously. Both then concluded the grease was being stolen and RTI advised Vasquez to file a police report.

Fortunately, the restaurant has surveillance cameras in place that caught the theft, vividly showing a white Dodge dually pick-up truck equipped with a large cylinder tank in the bed and missing front and rear license plates. Also visible were two male thieves. Vasquez filed a crime report with the Hemet Police Department and submitted a copy of the surveillance video as evidence. The police noted the report, RTI came out and relocked the grease collection tank, and Vasquez instructed his maintenance crew to keep an eye out at this and a second McDonald's he owns several miles away after learning the thieves had struck that location as well.

Within four days, the thefts occurred again with surveillance video showing the same truck and two individuals at about the same time of night breaking into the tank and leaving another mess of spilled grease. Vasquez made a second crime report, complete with video evidence, and the police distributed still photos of the vehicle to the night patrol. However, the officer told Vasquez that the department didn't have the resources to stake out his restaurant and warned that the thieves would hit again. That's when Vasquez made the decision to take matters into his own hands, telling the police, "I will catch them for you."

"And I set out to do that," he admitted, adding that there were two things wrong with these thieves: they were sloppy and they had a pattern, hitting about every fourth night. So when the fourth night rolled around just after Christmas, Vasquez set up his personal surveillance. He luckily arrived an hour earlier than the previous thefts had occurred and the thieves showed up shortly after.

"They were a little more hinky this time," Vasquez noted. The thieves unrolled their collection hoses, then rolled them back in and left. Vasquez didn't have to wait long until the truck returned a few minutes later and the two thieves proceeded to steal the grease.

Continued on page 12

New Grease Theft Law in North Carolina

Starting January 1, 2013, anyone collecting and hauling used restaurant grease in North Carolina must provide a statement of ownership to any purchaser, and those who steal that grease could face felony charges.

Under House Bill 512 passed last summer, individuals who steal used restaurant grease worth less than \$1,000 would be guilty of a misdemeanor while anyone caught stealing more than \$1,000 worth of grease would be guilty of a low-level felony. Although the bill is a step in the right direction for some, others in the state aren't so sure it will work.

"We feel like we've lost \$10,000 worth of product in the past six months," Woodrow Eaton, a co-founder of Blue Ridge Biofuels in Asheville, NC, told a North Carolina news agency. "We haven't had any luck ourselves catching anyone. We're hoping law enforcement might take it [grease theft] more seriously as a result of the new law."

But not all biofuel producers are convinced the new law will be helpful.

"We call it the grease police bill," Lyle Estill, president of Piedmont Biofuels based in Chatham County told the same news outlet. "This bill doesn't do anything about the people who are stealing grease." He said the bill will help big rendering companies at the expense of hobbyists and others who collect and use or sell small batches of used cooking oil.

"Imagine the teacher who would collect the used grease from the school cafeteria once a week and sell it to my company," Estill went on. "He'll no longer be able to do that. It will have no impact, but it will shift the playing field in favor of big [companies]."

R

Restaurant *Continued from page 11*

Before beginning his surveillance, Vasquez notified the Hemet police night watchman what he was doing. Knowing there could be a lag time notifying police dispatch during what was usually a 10-minute theft, the officer gave his personal cell phone number to Vasquez, which he called as the crime unfolded. Within minutes, four police cruisers appeared, the two male thieves, ages 22 and 24 from cities nearly 100 miles away, were arrested and charged with four counts of burglary, and the vehicle impounded. It was later discovered on surveillance the thieves had hit Vasquez's other McDonald's location just prior to this theft.

As of early January, the two suspects had been released on bail with a February 22, 2013, court date. The Riverside County District Attorney has filed burglary charges. The truck, which Sgt. Dave Quinn of the Hemet Police Department said belongs to DW Waste, a grease waste disposal company in Long Beach, CA, where one of the suspect's worked, is still impounded.

Vasquez has owned his McDonald's since 1999 and has never dealt with grease theft previously, but multiple reasons caused him to take action on this incident.

"One, they were stealing from me and making a mess that I had to clean up," he noted. "Two, the police weren't able to provide the resources to catch the thieves and I knew the thefts would continue. Three, the thefts were costing me money in lost credit from my vendor. And four, this was an easy one to catch."

Vasquez and his crew remain vigilant in watching for possible future thefts, and if it does happen again, he'll know exactly what to do.

R

Buying Stolen Used Cooking Oil Doesn't Pay

A southwest Missouri man pleaded guilty to evading federal reporting rules to conceal the fact that some of the used cooking oil he sold was stolen. Under a plea agreement in mid-December, Jesse Arnold, 46, of Sarcoxie, MO, was required to forfeit \$207,817. In early January, he was sentenced to 10 years in federal prison, the maximum sentence, for his involvement in the theft of used cooking oil.

Arnold operated 4 States Grease Co., which collected used cooking oil and resold it to be used as biodegradable diesel fuel and made into recyclable products. Arnold admitted that he had reason to believe he was buying used cooking oil that had been stolen from businesses in Missouri, Kansas, Oklahoma, and Arkansas. According to the United States (US) Attorney's Office, Western District of Missouri, various collection drivers sold the used cooking oil to Arnold "under circumstances that would have caused a reasonable person to know that it had been stolen."

In order to avoid federal reporting requirements, Arnold made numerous withdrawals from his business checking account for less than \$10,000 in order to purchase the stolen used cooking oil. Banks must file a currency transaction report for any financial transaction over \$10,000. Many of the withdrawals from January 1, 2009, to September 30, 2011, were done on successive banking days for \$9,000. The parties stipulate that the most readily provable amount that the defendant was responsible for structuring was \$243,000.

R

