

SB 54 February Informational Session

Advisory Board Needs Assessment

Department of Resources Recycling
and Recovery (CalRecycle)

February 28, 2023



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Agenda

Overview of Advisory Board

Marcus Santillano, Packaging EPR Program Manager

Overview of the Needs Assessment

Steve Sander, Senior Environmental Scientist in the Knowledge Integration Section

Questions

Moderated by:

Marcus Santillano, Packaging EPR Program Manager

Producer Responsibility Advisory Board

**Department of Resources Recycling and Recovery,
Materials Management and Local Assistance**

Marcus Santillano

Packaging EPR Program Manager

SB 54 Establishes an Independent Advisory Board

Purpose of the Advisory Board:

- Identify barriers and solutions to creating a circular economy consistent with the statute.
- Advise the department, producers, and the producer responsibility organization (PRO).
- Conduct reviews of documents (e.g., producer responsibility plan, needs assessment, etc.).

Membership:

- 13 voting members, representing various entities.
- 3 non-voting members, representing the retail sector, the grocery sector, and the PRO.
- Membership is appointed by the Director of CalRecycle.

Duties of the Advisory Board

- Advise CalRecycle in the adoption of regulations pertaining to this statute.
- Advise the department on any other pertinent matters.
- Review any needs assessment or update within 90 days of receipt.
- Review PRO plans and offer written comments on the plan within 60 calendar days of receiving it.
- Evaluate concerns raised by entities on adverse impacts and submitting them to the Department for analysis when applicable.

Expectations of the Board and Members

- Meet at least once per year as required by PRC 42070(c).
- Comply with the Bagley-Keene Open Meeting Act.
- Elect a chair at the first meeting; chair serves for the calendar year.
- Take and share meeting notes with the public.
- Host a document repository to post Advisory Board information and documents.
- Conduct statutorily required tasks (e.g., review plans, provide recommendations, etc.).

Expectations of the Board Members

Individual Members:

- Commit to attending all meetings and contribute to work products.
- If attending meetings in person, provide own travel funding.
- If attending remotely, ensure remote location abides by standards outlined in the Bagley-Keene Open Meeting Act.

Membership Categories

- **There are 16 membership categories to be filled:**
 - 13 voting categories
 - 3 non-voting categories
- **Some categories require nomination by a statewide association**
- **Membership categories are specified in [PRC 42070\(a\)\(1\) - \(a\)\(13\)](#)**



Voting Membership Categories (13) - 1

1
Representative
nominated by
a **statewide
city
association**

1
Representative
nominated by a
**statewide rural
county
association**

1
Representative
from an
**environmental
protection
organization**

1
Representative
from an **ocean
advocacy
organization**

Voting Membership Categories (13) - 2

1
Representative
from an
**environmental
justice
organization**

1
Representative
from a
**disadvantaged
or low-income
community or
rural area**

1
Representative
of a **materials
recovery
facility** in
located within
the State of
California

1
Representative
of a **recycling
service provider
or association
of recycling
service
providers**

Voting Membership Categories (13) - 3

- 1 Representative from the **composting industry** operating in California
- 4 Representatives from **manufacturers that produce single-use packaging/single-use plastic food ware containing postconsumer recycled content or a producer of third-party certified compostable products** (members cannot be board members of a PRO).

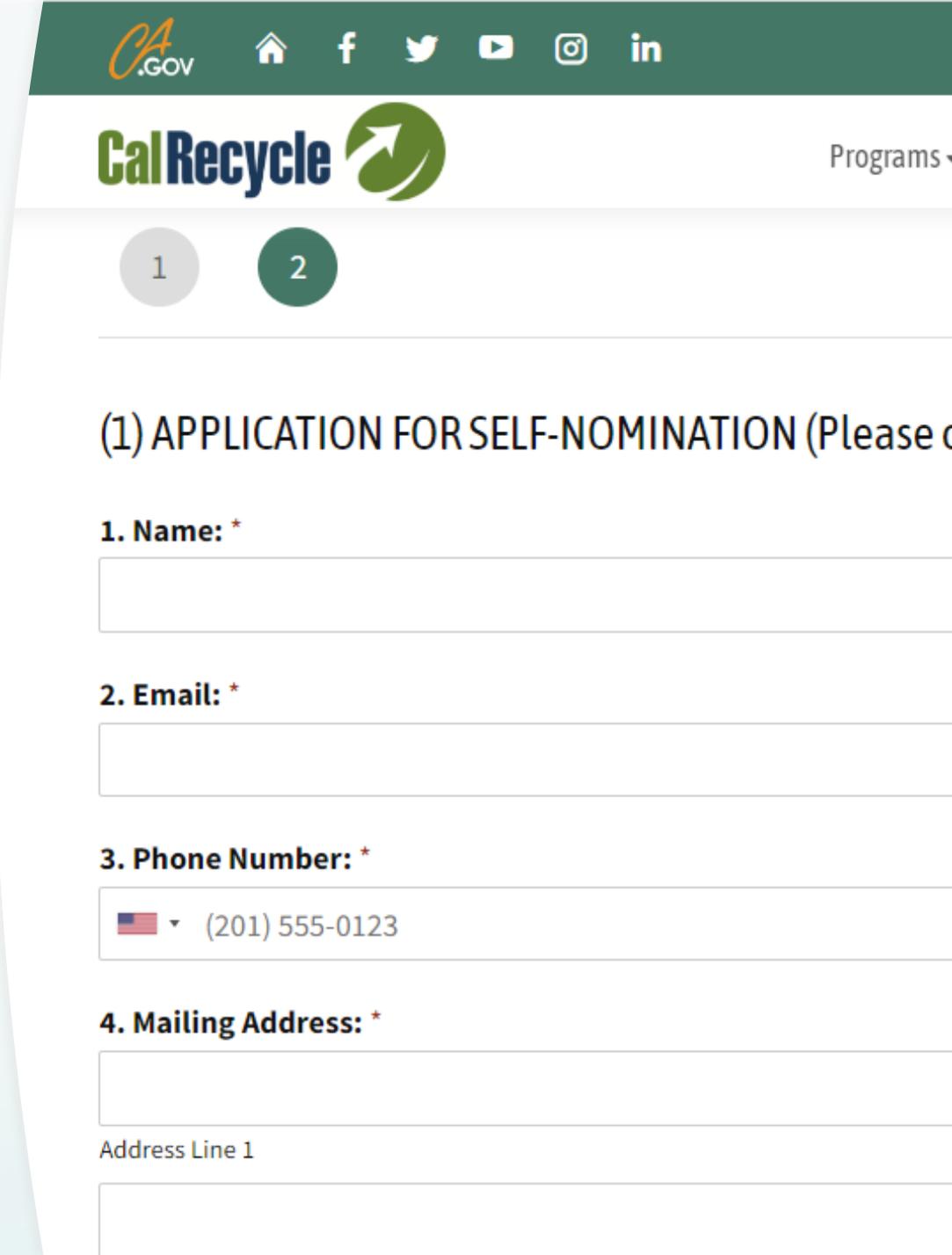
Non-Voting Membership Categories (3)

- 1 Representative nominated by a **statewide retail association**
- 1 Representative nominated by a **statewide grocery association**
- 1 Representative of a **Producer Responsibility Organization**



Online Application - 1

- Web based application is available online (posted on **February 17th**) and closes at **11:59 PM PDT March 24, 2023**.
- Applicants may nominate themselves or be nominated by a statewide association.
- Application form contains questions and requires a resume to be uploaded.
- Applications for membership categories that require nomination by an association:
 - Must upload official nomination letter



The screenshot shows the CalRecycle website interface. At the top, there is a dark green header with the CalRecycle logo and social media icons for home, Facebook, Twitter, YouTube, Instagram, and LinkedIn. Below the header, the CalRecycle logo is prominently displayed. A navigation bar contains two circular buttons labeled '1' and '2', with button '2' being active. The main content area is titled '(1) APPLICATION FOR SELF-NOMINATION (Please c...'. The form includes the following fields:

- 1. Name: *** (Text input field)
- 2. Email: *** (Text input field)
- 3. Phone Number: *** (Text input field with a dropdown menu showing a US flag and the number '(201) 555-0123')
- 4. Mailing Address: *** (Text input field)

Below the mailing address field, the text 'Address Line 1' is visible above another empty text input field.

Online Application - 2

- Applicants must specify what category they are applying to fill.
- Applicants must provide justification as to what qualifies them to serve under a specific membership category.
- Selected candidates will be notified prior to July 1, 2023.
- More information on the application process can be found in the [Letter of Solicitation](#).

SB 54 Definitions Specific to Certain Categories - 1

Representative from a disadvantaged or low-income community or rural area:

- PRC 42041(i): “**Disadvantaged community**” means an area identified by the California Environmental Protection Agency pursuant to [Section 39711](#) of the Health and Safety Code or an area identified as a disadvantaged unincorporated community pursuant to [Section 65302.10](#) of the Government Code.
- PRC 42041(n): “**Low-income community**” means an area with household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of House and Community Development’s list of state income limits adopted pursuant to [Section 50093](#) of the Health and Safety Code.
- PRC 42041(ah): “**Rural area**” has the same meaning as defined in [Section 50101](#) of the Health and Safety Code.

SB 54 Definitions Specific to Certain Categories - 2

Representative of a materials recovery facility located within the State of California:

- PRC 42041(p): “**Materials recovery facility**” or “**MRF**” means a recycling facility that receives recyclable material, including, but not limited to, any covered material, for mechanical or manual sorting into specification-grade commodities for sale to a broker or end market.

Representative of a recycling service provider or association of recycling service providers:

- PRC 42041(ac): “**Recycling service provider**” means a solid waste enterprise that provides solid waste handling services on behalf of a local jurisdiction.

Resources

- [SB 54 Webpage](#)
- [SB 54 Advisory Board Webpage](#)
- [Advisory Board Application Webpage](#)
- For questions on this process, please contact packaging@calrecycle.ca.gov

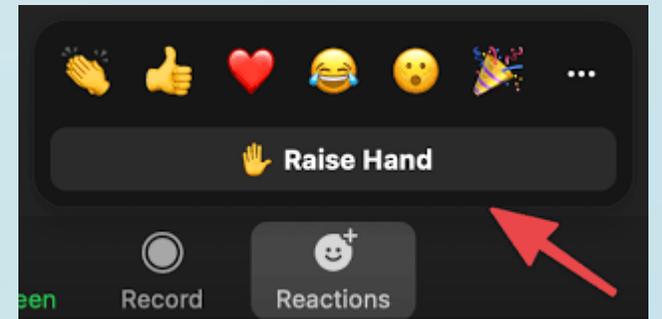
Questions

In-person:

- Line-up at the microphones.

On Zoom:

- Please use the *raise hand* feature in your Zoom toolbar.
- CalRecycle staff will invite you to unmute.



Needs Assessment

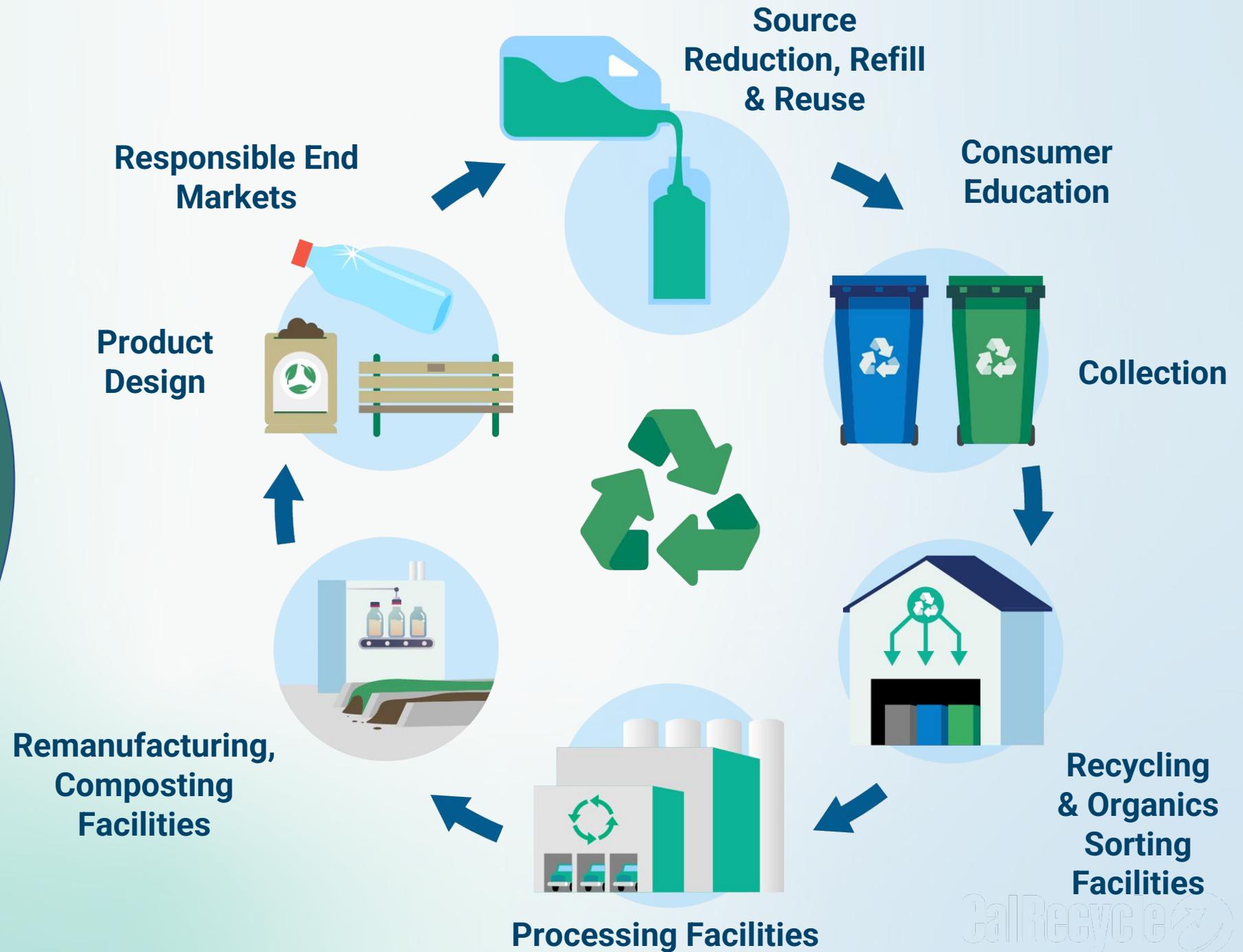
**Department of Resources Recycling and Recovery,
Policy Development and Analysis Office,
Knowledge Integration Section**

Steve Sander

(he/they)

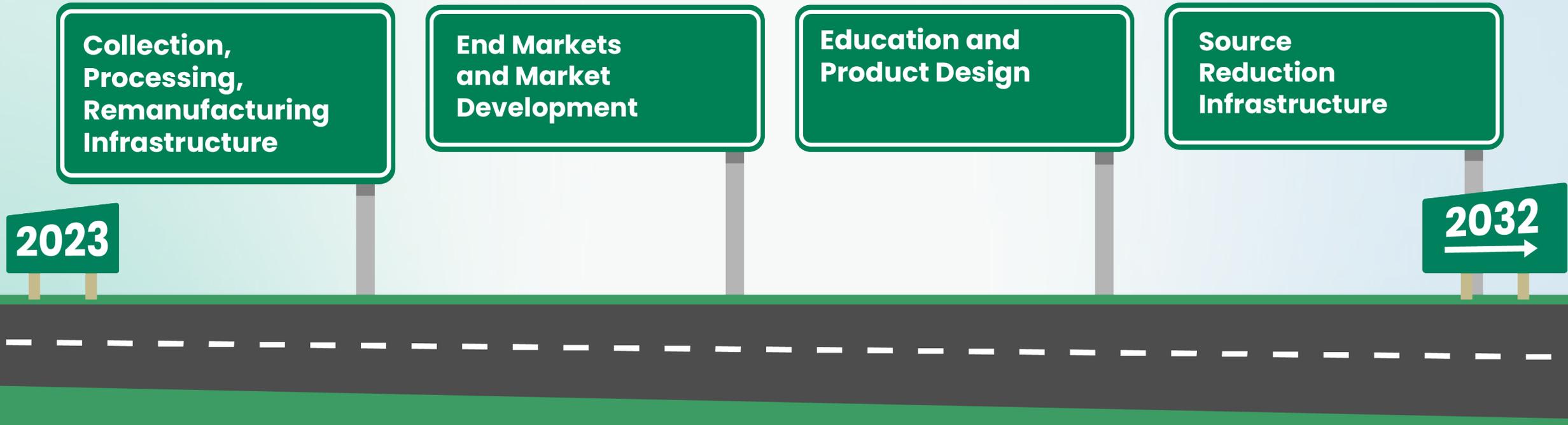
*Sr. Environmental
Scientist (Specialist)*

Identifying What California Needs to Implement SB 54 Successfully



A Roadmap for SB 54 Goals

What steps or investments are needed to achieve the requirements?



2023

California's Current System for Covered Materials

- Source Reduction
- Reuse/Refill
- Recyclable/Compostable
- Recycling Rate

2032

SB 54 Goals Met

- 100% of single-use packaging in the state is recyclable or compostable
- 25% cut in plastic packaging and food service ware
- 65% of all single-use plastic packaging is recycled



Supporting the Producer Responsibility Organization (PRO)

CalRecycle will collaborate with the Producer Responsibility Organization and diverse stakeholders to develop needs assessment

Needs Assessment will:

- Inform PRO plan
- Be completed before PRO plan is approved (Late 2025)
- Be updated every 5 years or as necessary

California's Circular Economy Infrastructure

Evaluate California's current recycling, composting, collection, and hauling infrastructure and capacity

Evaluate how artificial intelligence and innovative technologies can improve California's infrastructure



California's Circular Economy Infrastructure - 1

Evaluate:

- Current and needed residential multi-family on-site access to collection
- How to expand and enhance access, and add additional recycling and composting
- How to reduce contamination to ensure high-quality new products



California's Circular Economy Infrastructure - 2

Evaluate actions and investments to collect, process, recycle, and transport materials to responsible end markets.

Evaluate how artificial intelligence at material recovery facilities (MRFs) can track how materials move through the recycling process



Recycled-Content Product Markets & Market Development - 1

Identify existing laws and funding sources for market development and financial incentives for:

- Recycling
- Composting
- Reuse
- Reduction
- Recovery

Evaluate:

- Current market conditions (including in-state and regional end markets) and
- The need to expand viable and responsible end markets

Evaluate investments and actions needed:

- To ensure single-use packaging is recycled or composted and
- Has viable and sufficient responsible end markets



Recycled-Content Product Markets & Market Development - 2

Evaluate:

- The need to incentivize recycled or composted material market development
- Funding needs and actions, including payments to recyclers and market incentive payments

Identify measures to avoid and minimize environmental and public health impacts on communities where recycling occurs



Product Design

Identify actions and investments necessary to improve packaging design so it's recyclable or compostable



Consumer Education

Identify consumer education needs for recycling, composting, reuse, and reduction.



Source Reduction

Preventing Trash Before It's Created

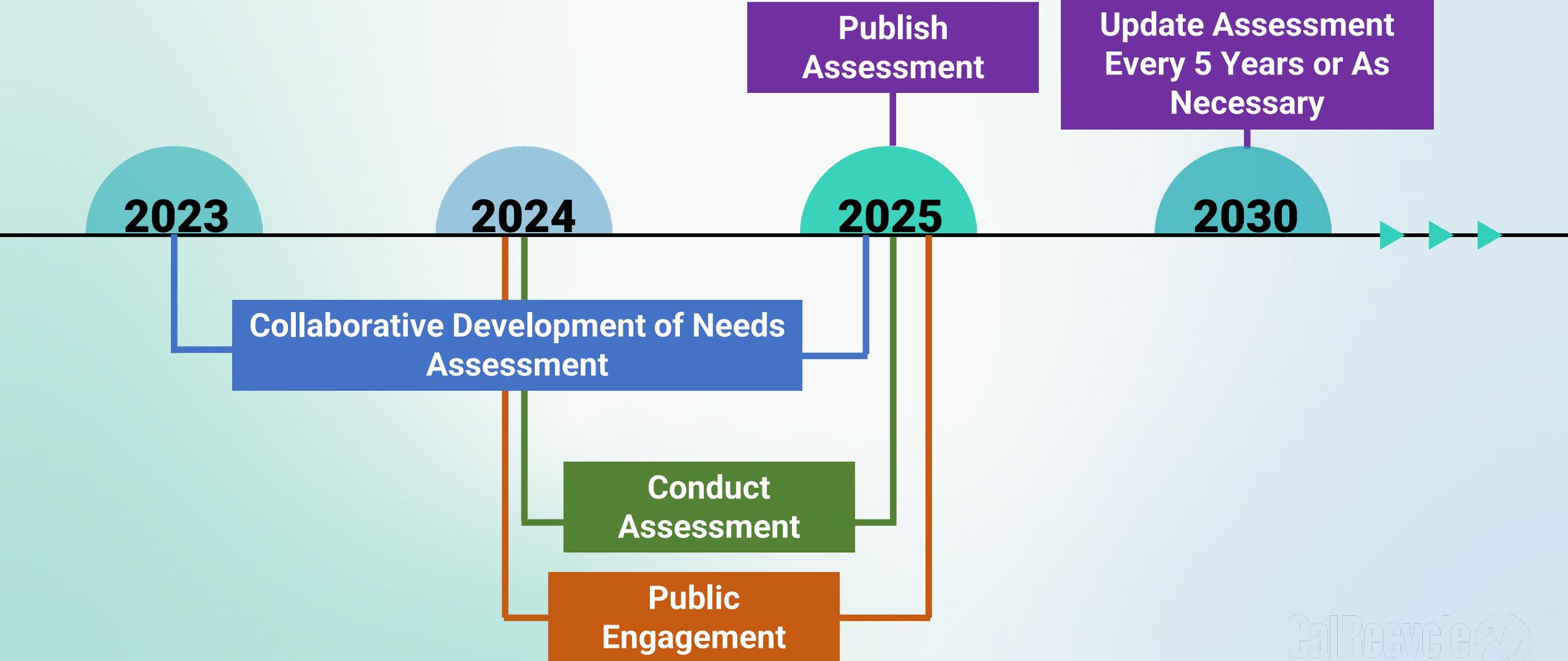
What actions and funding are needed to achieve 25% cut in plastic packaging and food service ware?

What funds are needed to develop reuse and refill infrastructure to provide consumer convenience and grow markets?

How to shift packaging and food service ware materials to sustainable, responsible, viable end markets?



Needs Assessment Timeline



Public and Stakeholder Engagement

- **Needs assessment development will be done in collaboration with:**
 - Producer Responsibility Organization (PRO)
 - Broad diversity of stakeholders, including local jurisdictions
- **CalRecycle will host at least one public meeting**
- **Initial needs assessment will be submitted to the Advisory Board**



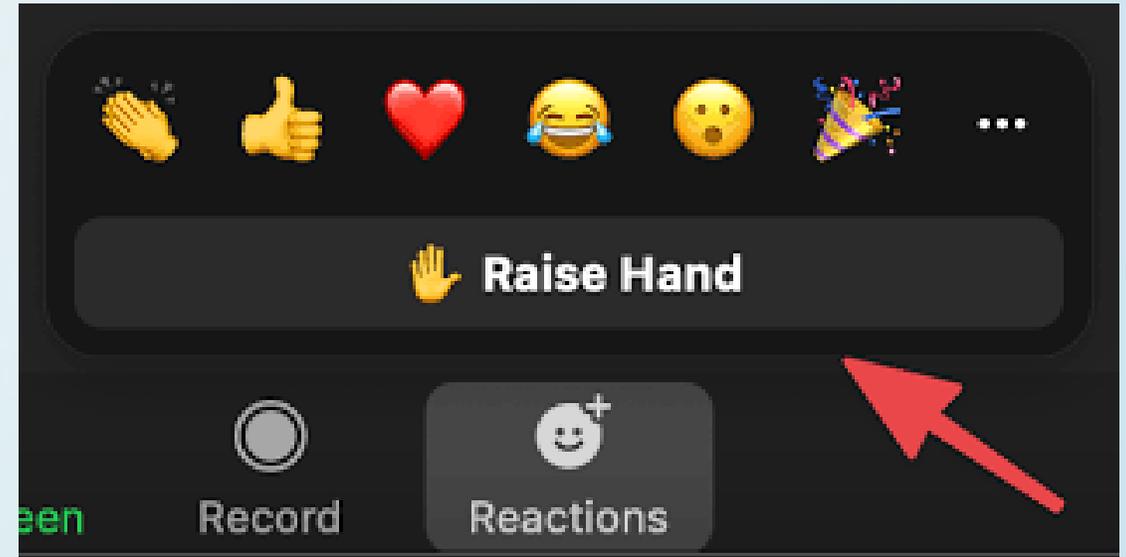
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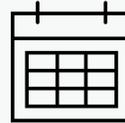
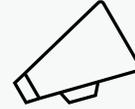
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Ways to stay informed



Sign-up for our SB 54 Listserv

Announcing information about the next Informational Session in early March.

March SB 54 Informational Session:

- March 30, 2023 at 10:00 AM
- Located in Byron Sher
- Hybrid (Zoom/Webcast)



More information forthcoming; will be distributed through our listserv.

Email: Packaging@CalRecycle.ca.gov



SB 54 Needs Assessment Statutory References

16 mandatory elements that address source reduction, reuse, recycling, composting, funding, market development, technological innovation, public health.

- PRC § 42067(e)(2)(A)-(e)(2)(K)
- PRC § 42067(e)(3)(A)-(e)(3)(E)

Needs Assessment Mandatory Elements

- Each mandatory element must be evaluated with respect to covered materials and covered material categories.
- Themes of mandatory elements:
- Source Reduction
 - 42067 (e)(3)(C)
 - 42067 (e)(3)(E)
- Collection, Processing & Infrastructure
 - 42067 (e)(2)(B)
 - 42067 (e)(2)(C)
 - 42067 (e)(2)(D)
 - 42067 (e)(2)(H)
 - 42067 (e)(3)(D)
 - 42067 (e)(2)(J)
- Responsible End Markets & Market Development
 - 42067 (e)(2)(A)
 - 42067 (e)(2)(E)
 - 42067 (e)(2)(G)
 - 42067 (e)(2)(I)
 - 42067 (e)(2)(K)
 - 42067 (e)(3)(A)
- Education & Product Design
 - 42067 (e)(2)(F)
 - 42067 (e)(3)(B)

Source Reduction

- 42067 (e)(3)(C): Funding needed to implement the source reduction requirements established in Section 42057, including, but not limited to, investments needed to develop reuse and refill infrastructure and to provide consumers with convenient access to that infrastructure to grow and market the use of reusable and refillable packaging and food service ware.
- 42067 (e)(3)(E): An evaluation of actions and investments that would be effective in achieving source reduction requirements.

Collection, Processing & Infrastructure

- 42067 (e)(2)(B): The current recycling, composting, collection, and hauling system in the state and the expanded access and additional recycling or composting options needed for enhancements to the system.
- 42067 (e)(2)(C): The existing access to on-premises recycling and composting for multifamily residences, and the need to expand that access.
- 42067 (e)(2)(D): The processing capacity and infrastructure in the state and regionally and the ability for innovative and advanced technologies such as artificial intelligence and robotics to improve that capacity.
- 42067 (e)(2)(H): Actions and investments necessary to provide sufficient access to collection, recycling, composting, processing, and transportation to viable responsible end markets.
- 42067 (e)(2)(J): Factors contributing to contamination and actions and investments needed to avoid contamination and improve recycled and composted material in order to ensure the material meets quality requirements for remanufacturing.
- 42067 (e)(3)(D): An evaluation of integrating innovative and advanced technologies throughout a MRF that utilize artificial intelligence to improve data collection in order to identify, categorize, and track the disposition of covered materials throughout the recycling process.

Responsible End Markets & Market Development

- 42067 (e)(2)(A): Existing state statutory provisions and funding sources related to market development and financial incentives to help achieve the state's goals related to recycling, composting, reuse, reduction, and recovery.
- 42067 (e)(2)(E): Current market conditions and the need to create viable responsible end markets in the state and regionally.
- 42067 (e)(2)(G): Funding needs and actions necessary to achieve the requirements of this chapter, including payments to recyclers, market incentive payments, or other payments necessary to achieve the requirements of this chapter.
- 42067 (e)(2)(I): An evaluation of the availability or lack of availability of markets for recycled covered material, the need to incentivize recycled or composted material market development, and the associated investments and actions needed to ensure that the covered materials are recycled or composted and have viable and sufficient responsible end markets to meet the requirements of Section 42050.

- 42067 (e)(2)(K): Availability of responsible end markets and mechanisms to identify and expand responsible end markets. The evaluation shall include identification of measures to avoid and minimize environmental and public health impacts on communities where recycling occurs.
- 42067 (e)(3)(A): The needs associated with shifting packaging or food service ware from a covered material category that is unlikely to develop sustained viable responsible end markets to a covered material category that either has a viable responsible end market or is likely to develop a sustained viable responsible end market.

Education & Product Design

- 42067 (e)(2)(F): Consumer education needs for recycling, composting, reuse, and reduction.
- 42067 (e)(3)(B): Actions and investments necessary to improve covered material design to improve recyclability and compostability.