

SB 54 July Rulemaking Workshop

Plastic Pollution Prevention and Packaging Producer Responsibility Act Regulations

SB 54 (Allen, Chapter 75, Statutes of 2022)

Department of Resources Recycling and
Recovery (CalRecycle)

July 25, 2023 (Day 2)



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Agenda

Opening Remarks

Karen Kayfetz, Branch Chief of the Product Stewardship Branch

Part I: Update on the Needs Assessment

Steve Sander, Senior Environmental Scientist (Specialist), Knowledge Integration Section

Part II: Ecomodulation

Grant S. Hisao, Senior Environmental Scientist (Specialist), Packaging EPR Section

Part III: Advisory Board

Curie Canuela, Senior Environmental Scientist (Supervisory), Packaging EPR Section

Agenda

Part IV: Enforcement

Product Stewardship Compliance Branch:

Maryam Khosravifard, Branch Chief

Robert Carlson, Manager

Amanda Glynn, Environmental Scientist

Travis Harper, Environmental Scientist

Ivy Phan, Environmental Scientist

Priyanka Talanki, Environmental Scientist

Alexandra Zhu, Environmental Scientist

Questions/Discussion

Karen Kayfetz, Branch Chief of the Product Stewardship Branch

Overview of Presentation

- **Topic I: Needs Assessment Update**
 - Informational Session

- **Topic II: Ecomodulation**
 - Background and Informational Items
 - Regulatory Concepts

- **Topic III: Advisory Board**
 - Informational Items
 - Regulatory Concepts

Follow along using the Discussion Document

Overview of Presentation cont.

- **Topic IV: Enforcement**

- Background and Informational Items
- Regulatory Concepts

*Follow along using the
Discussion Document*

Topic I. Needs Assessment Update

**Department of Resources Recycling and Recovery,
Knowledge Integration Section**

Steven Sander

Senior Environmental Scientist (Specialist)

Overview of Presentation

- **Part I: Informational Session**
 - Relevant Definitions
 - High-Level Background
 - Proposed process and timeline
 - Next steps and opportunities to stay involved

Definitions

Note: Unless specified, CalRecycle is not currently seeking stakeholder feedback on definitions.

Needs Assessment – PRC 42041(q)

“Needs assessment” means a needs assessment prepared pursuant to Section 42067.

Producer Responsibility Organization (PRO) Plan – PRC 42041(y)

“Producer responsibility plan” or “plan,” unless context requires otherwise, means the plan produced by a PRO, or by a producer that chooses to assume responsibility to comply with this chapter individually, and submitted to the advisory board and department pursuant to Section 42051.1.

Needs Assessment Background

Needs Assessment – Background

- **Who**
 - CalRecycle (internally & contracted) in collaboration with interested parties.
- **What**
 - Conduct initial assessment in two phases:
 - Phase One: Current state of the system for handling covered materials (*as-is*).
 - Phase Two: Actions and investments needed to achieve SB 54 goals (*to-be*).
- **When**
 - Late 2025 (updated every five years or as necessary).
- **Where**
 - California (reflecting different needs and challenges).
- **Why**
 - Informs producer responsibility plan.

Needs Assessment – Summary of CalRecycle Responsibilities

- Pursuant to PRC 42067(g), CalRecycle will develop the needs assessment in collaboration with a broad diversity of interested parties, including:
 - Local jurisdictions
 - Recycling service providers & processors
 - Producer Responsibility Organization
 - Advisory board
 - Community members
- CalRecycle will update the needs assessment every five years or as necessary – PRC 42067(a).

Analyses Required for Needs Assessment

- PRC 42067(e)(2-3) outlines 16 mandatory evaluations that must be included in the needs assessment
- Needs assessment topic areas:
 - Covered material design
 - Source reduction, reuse, & refill
 - Collection
 - Processing for recycling
 - Processing for organics recycling
 - Responsible end markets
 - Consumer education
 - Public health & environmental justice
 - Funding needs and actions to meet goals

Needs Assessment – Summary of Producer Responsibilities

- PRO plan must describe how to implement actions and investments laid out in the needs assessment – PRC 42051.1(b)(1).
- PRO plan and budget must include consideration of the needs assessment and any recommended investments – PRC 42051.1(i)(1).
- Reimburse CalRecycle for the costs of developing needs assessment – PRC 42067(b).

Proposed Needs Assessment Process & Timeline

Proposed Structure of Initial Needs Assessment

- Phase 1 – Evaluation of current system, including:
 - Current systems for recycling, composting, collection and hauling, including processing capacity and infrastructure
 - Existing access to on-premises recycling and composting for multi-family residences
 - Current market conditions and availability of responsible end markets
 - Existing state laws and funding sources
- Phase 2 – Evaluation of enhancements needed to implement SB 54, including:
 - Provide sufficient access to collection, processing, recycling and composting
 - Expand and create viable, responsible end markets
 - Achieve the source reduction requirements, including investments needed to develop reuse and refill infrastructure
 - Improve covered material design to improve recyclability and compostability
 - Educate consumers about source reduction, reuse, composting, and recycling

Proposed Needs Assessment Timeline



Collaborative Development of Needs Assessment

**Identify
Analyses
Required for
Needs
Assessment**

**Methodology
Development**

**Contract
Solicitations**

**Conduct
Assessment
(CalRecycle &
Contractors)**

**Analyze
Findings &
Draft Needs
Assessment**

**Review by
Advisory
Board and
Public**

Next Steps & Opportunities for Future Engagement

Next Steps for Needs Assessment

- Methodology and contract development
- Collaborate with broad diversity of interested parties
- Collaborate with PRO when they are formed

Stay Engaged – New Needs Assessment Webpage

- Visit new webpage at: **INSERT URL**
- Information on:
 - Scope of needs assessment
 - How to stay involved
 - [Upcoming] Updates related to upcoming opportunities for public engagement
 - [Upcoming] Updates related to contract solicitations

Stay Engaged – Upcoming Contract Solicitations

Interested in knowing when contract solicitations are released?

1. Sign up for our SB 54 listserv:
<https://www2.calrecycle.ca.gov/Listservs/Subscribe/153>
2. Send an email to Packaging@CalRecycle.ca.gov requesting your name be added to a prospective bidder list.
 - a. Provide at least your name and email address

Topic II. Ecomodulated Fee

**Department of Resources Recycling and Recovery,
Division of Circular Economy/Packaging EPR Section**

Grant S. Hisao

Senior Environmental Scientist (Specialist)

Overview of Presentation

- **Part I**
 - Statutory Overview

- **Part II**
 - Regulation Concepts

*Follow along using the
Discussion Document*

Definitions

Note: Unless specified, CalRecycle is not currently seeking stakeholder feedback on definitions.

Malus fee – PRC 42041(o)

“Malus fee” means a charge imposed by a PRO on a participant producer for a covered material due to the adverse environmental or public health impacts of the covered material.

Needs assessment – PRC 42041(q)

“Needs assessment” means a needs assessment prepared pursuant to Section 42067.

Producer responsibility organization – PRC 42041(x)

“Producer responsibility organization” or “PRO” means an organization that is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code of 1986 and is formed for the purpose of implementing a plan to meet the requirements of this chapter.

Producer responsibility plan – PRC 42041(y)

“Producer responsibility plan” or “plan,” unless context requires otherwise, means the plan produced by a PRO, or by a producer that chooses to assume responsibility to comply with this chapter individually, and submitted to the advisory board and department pursuant to Section 42051.1.

Summary of PRO Fee

PRO Fee – General Requirements

- Pursuant to PRC 42051.1(d) and PRC 42053, the PRO is required to establish a fee for participant producers and required to establish a fee schedule based on the requirements outlined in PRC 42053(c).
- The PRO shall be high enough to ensure the PRO's budget is fully implemented.
- Producers shall pay the fee assessed by the PRO. Producers are prohibited from passing the cost to consumers as a separate item on a receipt or invoice.
- The PRO may request producers to provide records or other information necessary.

PRO Fee Requirements in the PRO Plan

The PRO shall include in the following in the PRO plan [PRC 42041.1(d)]:

- Calculation of the fees for each participant.
- A description of the process through which the PRO will collect fees from participant producers.
- A description of the fee structure.
- A schedule of actual fees that the PRO charged participant producers.

General Requirement of the Plan [PRC 42051.1(i)(1)]:

- The PRO shall include consideration of the needs assessment and any recommended investments to meet the needs identified in the needs assessments and inform the budget.

Fee Schedule

Pursuant to PRC 42053(c), the fee schedule shall include:

- Individual assessments imposed on a producer due to unique characteristics of their covered material, as described in PRC 42053(d).
- Any adjustments pursuant to PRC 42053(e) – malus fees and credits.
- California circular economy administrative fee.
- Reimbursing the department for costs to administer the advisory board.
- Fees associated with environmental mitigation activities (environmental mitigation fee).
- Costs of the PRO, including staff costs in developing and implementing the plan.
- Any other costs described in PRC 42051.1(j) – budget section.

Implementation of Fee for Producers [PRC 42053(b)]

- During the first two years of operation and during the preparation of the plan, the PRO shall determine the fee schedule for each producer based on:
 - Estimated costs of implementing the plan.
 - Operating costs.
 - Cost of completing the needs assessment.
 - Costs to cover the California Plastic Pollution Mitigation Fund.
 - Costs to reimburse the department.
- In the third year and each successive year of operation, each producer shall pay an annual fee as established in the PRO plan based on the factors described in PRC 42053(d).

PRC 42053(d): Ecomodulation of PRO Fee – 1/3

- PRC 42053(d) specifies the fees shall be delineated by covered material category and be based on specified factors. *Note: CalRecycle is using the term “ecomodulation” to describe this process.*
- Factor 1 – PRC 42053(d)(1): The costs to ensure each covered material category meets the requirements of this chapter. Covered material that is easier and less expensive to recycle or compost or that is designed to be recycled into a similar covered material or a material that is easier to be composted shall be subject to lower fees. The costs may include all of the following ... (on next slide)

Ecomodulation of PRO Fee [PRC 42053(d)] cont.

- Factor 1 Continued – PRC 42053(d)(1): The costs may include all of the following:
 - A. Costs to develop and sustain viable responsible end markets for each covered material category.
 - B. Costs to collect, sort, avoid or remove contamination, aggregate, and transport the covered material into defined streams to support the viable responsible end markets for the remanufacturing of the covered material either through curbside collection or other means.
 - C. Costs incurred by local jurisdictions or recycling service providers to process and transport covered materials in a manner and quality sufficient for acceptance by viable responsible end markets. This includes costs incurred by local jurisdictions or recycling service providers to reduce or mitigate the rate of inbound contamination by noncertified compostable products at composting facilities. These costs may vary by local jurisdiction.
 - D. Other costs necessary to implement the plan and achieve the source reduction, recyclability and compostability, recycling rate, and other requirements of this chapter, including, but not limited to, ensuring that plan implementation avoids and minimizes negative environmental or public health impacts on disadvantaged or low-income communities or rural areas.
 - E. Costs incurred by local jurisdictions or recycling service providers for any waste stream sampling and reporting required by this chapter and for any costs incurred to educate ratepayers to improve the preparation and sorting, as needed, of covered material.

Ecomodulation of PRO Fee [PRC 42053(d)] cont.

- Factor 2 – PRC 42053(d)(2): If recycling or composting of the covered material is made more difficult by the incorporation of specific elements, including, but not limited to, inks, labels, and adhesives that may be detrimental to recycling or composting according to the Association of Plastic Recyclers design guide or other relevant industry association, or criteria established by the department, the fee for that covered material shall be sufficient to account for the increased cost to manage that covered material.
- Factor 3 – PRC 42053(d)(3): The commodity value of the covered material based on an independent index or the reported commodity value of materials of equivalent quality of the covered material.
- Factor 4 – PRC 42053(d)(4): Costs incurred by the PRO to assist producers to meet the source reduction requirements pursuant to Section 42057.

Malus Fees and Credits [PRC 42053(e)]

- The PRO shall adjust fees for producers using malus fees or credits based on the specified factors.
- Factors are:
 1. The percentage of postconsumer recycled content in the participant producer's covered materials. The percentage of postconsumer recycled content shall be validated through an independent third party approved by the department to perform validation services to ensure that the percentage exceeds the minimum requirements for the covered material, as long as the recycled content does not disrupt the potential for future recycling.
 2. Source reduction related to right-sizing, optimization, and bulking of packaging, or concentrating the product packaged to reduce packaging.
 3. Standardization of packaging materials that simplifies the processing, marketing, sorting, and recycling or composting of covered materials.
 4. Presence of hazardous material as identified by the Office of Environmental Health Hazard Assessment, the Department of Toxic Substances Control, or the department.

Malus Fees and Credits [PRC 42053(e)] cont.

Malus Fee and Credit Factors Continued:

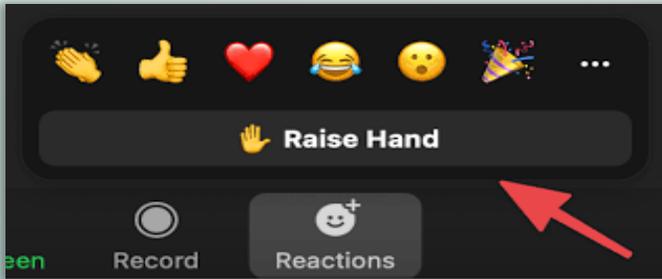
5. Actions taken by the producer, including clear and accurate disposal, recycling or composting, or reuse and refill labeling and instructions, that comply with Chapter 5.7 (commencing with Section 42335), including paragraph (6) of subdivision (d) of Section 42355.51, that improve consumer behavior related to sorting and proper disposal.
6. Actions taken by the producer to accelerate source reduction and to invest in sustained and robust reuse and refill systems. The PRO may create a mechanism to allow producers to receive a credit for achieving source reduction beyond what producers of similar covered material are achieving. The revenue for that credit shall be paid for by charging producers not achieving source reduction for similar products a malus fee.
7. Plastic covered materials derived from renewable materials shall be subject to a reduced fee relative to plastic covered material derived from a nonrenewable material.
8. Certified compostable covered materials that do not contain toxic additives shall be subject to a reduced fee, as determined by the PRO.
9. Covered material that contains toxic heavy metals, pathogens, or additives shall be subject to an increased fee.

Special Assessment [PRC 42053(f)]

PRC 42053(f) specifies that the PRO may include special assessment to a category of covered material at the request of the producers if the nature of the covered material imposes unusual costs in collection or processing or requires special actions to address effective access to recycling, composting, or successful processing. The revenue shall be used to make system improvements for the specific covered materials or products.

Questions and Comments

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.



- To make a written comment via Zoom, please use the chat box.

Regulatory Concepts

Rulemaking Process

- The rulemaking process is for implementing, interpreting, or making specific statutes the department administers or enforces. Generally, the rulemaking process must follow the requirements of the Administrative Procedures Act, commencing with Government Code section 11340. Currently, CalRecycle is in the period of public participation prior to the publication of the Notice of Proposed Regulatory Action.
- This means CalRecycle is informally seeking feedback on proposed regulatory concepts for consideration when drafting proposed regulations to implement, interpret, or make specific provisions of SB 54 necessary for the Department's implementation of its provisions.

Regulation Concept Items

- EF Item 1 – Justification for ecomodulated fee.
- EF Item 2 – Justification for malus fees and credits.
- EF Item 3 – Updates to fees by the PRO.
- EF Item 4 – Fees and responsible end markets.
- EF Item 5 – Adding specificity to the malus fee and credit factors – hazardous material.
- EF Item 6 – Adding specificity to the malus fee and credit factors – reusable/refillable.
- EF Item 7 – Adding specificity to the malus fee and credit factors – renewable

EF Item 1: Justification for ecomodulated fee

- CalRecycle proposes to require the PRO to provide a justification for ecomodulated fee values set for each producer.
- The justification shall be delineated by covered material category and shall address each of the factors identified in PRC 42053(d).
- The PRO shall be required to use the following data to support the justification:
 - Data contained in the most recent needs assessment.
 - Data contained in the most recent material characterization study.
 - Data from a recent academic study.
 - Source reduction data
 - Data pertaining to recycling yield of recyclable materials.
 - Data pertaining to biodegradation of compostable materials.
 - Other verifiable data.

EF Item 1: Justification for ecomodulated fee. (2)

- If the justification conflicts with the specified data sources (i.e., needs assessment, material characterization study, etc.), the PRO shall provide an explanation of the discrepancy.
- The PRO shall also provide supporting documentation and data to justify the discrepancy.

EF Item 1: Justification for ecomodulated fee. (3)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concept to require the PRO to include a justification in setting the ecomodulated fee and to require the PRO to use data to support the justification.

EF Item 2: Justification for malus fees and credits

- CalRecycle proposes to require the PRO to provide a justification for any malus fees or credits applied to a producer.
- The justification shall be delineated by covered material category and shall address each of the factors identified in PRC 42053(e).
- The PRO shall be required to use the following data to support the justification:
 - Data contained in the most recent needs assessment.
 - Data contained in the most recent material characterization study.
 - Data from a recent academic study.
 - Source reduction data
 - Data pertaining to recycling yield of recyclable materials.
 - Data pertaining to biodegradation of compostable materials.
 - Other verifiable data.

EF Item 2: Justification for malus fees and credits (2)

- If the justification conflicts with the specified data sources (i.e., needs assessment, material characterization study, etc.), the PRO shall provide an explanation of the discrepancy.
- The PRO shall also provide supporting documentation and data to justify the discrepancy.

EF Item 2: Justification for malus fees and credits (3)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concept to require the PRO to include a justification in awarding credits or assessing malus fees to producers.

EF Item 3: Updates to fees by the PRO

- PRC 42053(a)(2) states:
The PRO shall adjust any fee schedules at least every year or more frequently if needed in order to fully cover the expenses approved budget.
- Proposal to add specificity to implement:
 - If the PRO adjusts the fee schedules annually, the PRO shall specify the changes in the annual report.
 - If the PRO adjusts the fee schedules more frequently, the PRO shall submit a plan amendment along with an updated budget.
 - When preparing an annual report or plan amendment that adjusts the fees, including any malus fees or credits, the PRO shall prepare a justification similar to how the PRO prepares a justification under EF Item 1 and EF Item 2.

EF Item 3: Updates to fees by the PRO. (2)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concepts pertaining to the PRO updating fees.

EF Item 4: Fees and Responsible End Markets

- CalRecycle proposes to further specify the connection between the ecomodulated fee and responsible end markets.
- Two Requirements:
 - CalRecycle proposes requiring the PRO to charge higher fees to producers who use covered materials that do not have a responsible end market. Higher fees from these producers shall be used by the PRO to fund development of responsible end markets for the covered materials.
 - Producers who use covered materials that do not have responsible end market shall not be eligible for any credits until a viable responsible end market for the covered material has been established.

EF Item 4: Fees and Responsible End Markets. (2)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concepts pertaining to fees and responsible end markets.

EF Item 5: Adding specificity to the malus fee and credit factors – hazardous material

PRC 42053(e)(4)

The fee required pursuant to subdivision (a) shall be adjusted using malus fees or credits for participant producers, with those adjustments based on any of the following, as applicable:

(4) Presence of hazardous material as identified by the Office of Environmental Health Hazard Assessment, the Department of Toxic Substances Control, or the department.

CalRecycle proposes to specify that the PRO shall charge a malus fee to producers who use covered material that contains a chemical listed on either of the following list:

- List established by Health and Safety Code 25249.8 (Prop. 65 List).
- The Candidate Chemicals List established under Title 22, Div. 4.5, Ch. 55, Ar. 2, Section 69502.2 – DTSC's Safer Consumer Products Program's Candidate Chemicals List.

EF Item 5: Adding specificity to the malus fee and credit factors – hazardous material (2)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concepts pertaining to malus fees applied to covered material containing hazardous material.

EF Item 6: Adding specificity to the malus fee and credit factors – reusable/refillable

PRC 42053(e)(6)

The fee required pursuant to subdivision (a) shall be adjusted using malus fees or credits for participant producers, with those adjustments based on any of the following, as applicable:

(6) Actions taken by the producer to accelerate source reduction and to invest in sustained and robust reuse and refill systems. The PRO may create a mechanism to allow producers to receive a credit for achieving source reduction beyond what producers of similar covered material are achieving. The revenue for that credit shall be paid for by charging producers not achieving source reduction for similar products a malus fee.

EF Item 6: Adding specificity to the malus fee and credit factors – reusable/refillable (2)

CalRecycle proposes to require the PRO to adjust credits pertaining to reusable or refillable alternatives in the following way:

- (1) Adjust credits based on the number of times a reusable or refillable alternative to a covered material is used in the supply chain prior to the end of life of the alternative. The adjustment shall increase credits to producers who switch to reusable or refillable alternatives that are reused or refilled more frequently.
- (2) If a material characterization study finds that a refillable or reusable alternative to a covered material category is being frequently disposed, the PRO shall stop providing credits to producers who use that alternative.

EF Item 6: Adding specificity to the malus fee and credit factors – reusable/refillable (3)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concepts pertaining to credits applied for reusable or refillable alternatives.

EF Item 7: Adding specificity to the malus fee and credit factors – renewable

PRC 42053(e)(7)

The fee required pursuant to subdivision (a) shall be adjusted using malus fees or credits for participant producers, with those adjustments based on any of the following, as applicable:

(7) Plastic covered materials derived from renewable materials shall be subject to a reduced fee relative to plastic covered material derived from a nonrenewable material.

CalRecycle proposes to define “renewable.”

“Renewable,” for the purposes of subsection (7) of subdivision (e) of Section 42053, means a material that is made of a natural resource that can be replenished.

“Renewable” material includes but is not limited to materials derived from wood, mycelium, or plants such as cotton, corn, sugar cane, or wheat.

EF Item 7: Adding specificity to the malus fee and credit factors – renewable (2)

Request for Feedback:

CalRecycle is seeking feedback on the proposed regulatory concepts pertaining to the definition of renewable.

Topic III. Advisory Board

**Department of Resources Recycling and Recovery,
Division of Circular Economy/Packaging Stewardship Branch**

Curie S. Canuela

Senior Environmental Scientist (Supervisory)

Overview of Presentation

- **Part I**

- Background and Informational Items

- **Part II**

- Regulatory Concepts

*Follow along using the
Discussion Document*

Background and Informational Items

Note: Unless specified, CalRecycle is not currently seeking stakeholder feedback on definitions.

Advisory Board Members

- PRC 42070 requires CalRecycle's Director to appoint an advisory board by July 1, 2023.
- Informational session on advisory board was held on February 28, 2023.
- Advisory board has 16 members.

The following members were appointed for a 3-year term:

- Timothy Burroughs, Executive Director of StopWaste, Nominated by a Statewide City Association
- Miho Ligare, Plastic Pollution Policy Manager of Surfrider Foundation, Represents an Ocean Advocacy Organization
- Thomas A. Helme, Co-Founder/Project Director of Valley Improvement Projects, Represents an Environmental Justice Organization

Advisory Board Appointed Members (2)

The following members were appointed for a 3-year term:

- Veronica Pardo, Regulatory Affairs Director of Resource Recovery Coalition of California, Represents a Recycling Service Provider or an Association of Recycling Service Providers
- Neil S. Edgar, Executive Director of California Compost Coalition, Represents the Composting Industry Operating in the State of California
- Ajit Perera, Vice President of Post Consumer Operations of Talco Plastics, Inc., Represents a Manufacturer of Covered Materials of Different Material Types Utilizing Postconsumer Recycled Content

Advisory Board Appointed Members (3)

The following members were appointed for a 3-year term:

- Wes Carter, President & Co-Founder of Atlantic Packaging Corp, Represents a Manufacturer of Covered Materials of Different Material Types Utilizing Postconsumer Recycled Content
- Timothy James, Director in Local Government Relations of the California Grocers Association, Nominated by a Statewide Association Representing the Grocery Sector*

Advisory Board Appointed Members (4)

The following members were appointed for a 2-year term:

- Tedd Ward, Director of Waste Management Authority, Nominated by a Statewide Rural County Association
- Doug Kobold, Executive Director of the California Product Stewardship Council, Represents an Environmental Protection Organization
- Fred Briones, Chief Executive Officer of the Native American Fiber Program, Represents Disadvantaged or Low-Income Community or Rural Area
- Christy Pestoni, Director of Government Affairs of Waste Connections, Represents a Materials Recovery Facility Located within the State of California

Advisory Board Appointed Members (5)

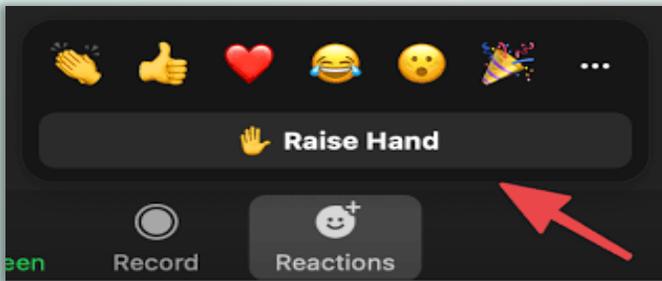
The following members were appointed for a 2-year term:

- Erin Levine, Resource Recovery Manager – West of World Centric, Represents a Manufacturer that Produces Third-Party Certified Compostable Covered Material
- Patrick Keenan, Associate Packaging Principal Engineer of General Mills, Represents a Manufacturer of Covered Materials of Different Material Types Utilizing Postconsumer Recycled Content
- Rachel Michelin, President & Chief Executive Officer of the California Retailers Association, Nominated by a Statewide Association Representing the Retail Sector*

The sixteenth member, representing the PRO, will be appointed following the selection of the PRO by CalRecycle in 2024.

Questions and Comments

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Regulatory Concepts

Rulemaking Process

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AB Item 1: Membership Terms and Vacancies

- PRC 42070(b) membership will be in staggered three-year terms.
- There is no guidance on reappointments or for when representatives leave unexpectedly.
- The proposed language includes:
 - (b) The director shall appoint all members to the advisory board on or before July 1, 2023. The director shall appoint the members for staggered three-year terms and may reappoint a member for additional terms. At its first meeting, the advisory board shall elect a chair who will serve as chair for the calendar year, and who may be reelected as chair.
 - (1) If the PRO has not been approved by the department, the director will delay the appointment of the member who represents the PRO until the PRO has been approved.

AB Item 1: Membership Terms and Vacancies (2)

- (2) Members can be reappointed and must reapply to be considered for additional terms. Terms are measured by fiscal year (July 1st). Subsequent terms begin when the remainder of the initial term concludes.
- (i) The department will inform advisory board members at least 60-days before the end of the representative's term of reappointment.
 - (ii) If an advisory board member does not seek a second term or reappointment, the member must inform the department before the end of the term.
 - (iii) The department will publicly solicit for vacant advisory board seats through the department website and applicable listserv messaging, or the director may appoint a member from the pool of applicants the member originated from during a public solicitation.

AB Item 1: Membership Terms and Vacancies (3)

(3) If an advisory board seat becomes vacant due to unforeseen circumstances, a replacement that is representative of the vacant position pursuant to PRC 42070(a) will be appointed per subsection (b)(2)(ii) of this section to complete the remaining term.

AB Item 1: Membership Terms and Vacancies (4)

Request for Feedback:

CalRecycle is seeking feedback on the advisory board membership terms and the process of filling advisory board member seats as they become vacant.

AB Item 2: Administrative Support

- PRC 42070(c) mandates CalRecycle to provide administrative support.
- Statute does not define or list what administrative support entails.
- CalRecycle proposes the following:

(1) Administrative support duties shall include:

- (i) Provide support for the advisory board support to meet statutory timelines including, but not limited to, reviews and submittal of comments pursuant to PRC 42051.2(a), PRC 42051.2(d)(2), PRC 42070(g)-(h), and any amendment request to the covered material categories list (as proposed in the June 2023 workshop).

AB Item 2: Administrative Support (2)

- (ii) Verify public notices and meeting agendas sent from the advisory board to CalRecycle are remediated as required by the American Disability Act (ADA) web accessibility standards prior to submittal and posting them on the department's website.
- (iii) Distribute advisory board-prepared public notices, agendas, and announcements through listservs deemed appropriate by the department and posting this information on the department's website.
- (iv) Moderate meetings including teleconference or applicable virtual platform and read written public comments during the meetings.
- (v) Track attendance at meetings and Board memberships.

AB Item 2: Administrative Support (3)

Request for Feedback:

CalRecycle is seeking feedback on what specific duties define administrative support provided to the advisory board by the department.

AB Item 3: Advisory Board Annual Report

- Transparency and cohesion between the PRO and advisory board's recommendations and action items.
- Mattress EPR program requires advisory council to submit an annual report (14 CCR 18968, Div 7, Chapter 11, Article 3)
- CalRecycle proposes that the advisory board provide an annual report to be included with the PRO's with the following elements:

(k) The advisory board's annual report shall be submitted by a designee of the advisory board, established pursuant to PRC 42070, to the PRO no later than 60-days prior to when the PRO's annual report is due to the department pursuant to PRC 42051.3(a).

(1) The annual report shall contain the following:

AB Item 3: Advisory Board Annual Report (2)

(i) A list identifying members of the advisory board, the length of time they served on the board during the implementation year of the plan, their company/affiliation, the statutorily-defined category they represent pursuant to Section 42070(a), and their contact information.

(ii) A list of comments and recommendations provided to the PRO, including but not limited to the advisory board's review of articles pursuant to PRC 42051.2(a), 42070(g) [needs assessment], 42070(h) [PRO plan], 42070(j) [complaints brought to the advisory board] and amendment requests to the covered material categories list [as proposed in the June 2023 workshop].

(iii) A summary of the consultative process of the advisory board and the PRO relating to the ongoing implementation of the plan, as well as any other information deemed pertinent by the advisory board to maximize the prevention of plastic pollution pursuant to PRC 42050.

AB Item 3: Advisory Board Annual Report (3)

(2) The PRO may include a description of how it addressed the comments or recommendations raised in the advisory board's report.

AB Item 3: Advisory Board Annual Report (4)

Request for Feedback:

CalRecycle is seeking feedback on the content and need of annual advisory board reports being included with the PRO's annual report.

Topic IV. Enforcement

**Department of Resources Recycling and Recovery,
Product Stewardship Compliance Branch**

Priyanka Talanki

Environmental Scientist

Robert Carlson

Environmental Program Manager

Ivy Phan

Environmental Scientist

Travis Harper

Environmental Scientist

Amanda Glynn

Environmental Scientist

Alexandra Zhu

Environmental Scientist

Overview of Enforcement Presentation

*Follow along using the
Discussion Document*

- Audits – PRC 42054, 42080
- Investigations – PRC 42080(a)
- Corrective Action Plan – PRC 42081(b)
- Administrative Civil Penalties – PRC 42080(a), 42081(a), 42081(b)(3), 42081(c)
- PRO and Plan Revocation, Termination, Dissolution – PRC 42051.1(f), 42051.2(e)(2), 42056, 42080(a)
- Exemptions – PRC 42060.5(c)
- Hearings

Informational Definitions

- Producer – PRC 42041(w)
- Independent Producer
 - Proposed Definition (June 29, 2023 Regulatory Workshop)
- Producer Responsibility Organization – PRC 42041(x)
- Retailer/Wholesaler – PRC 42041(ae)
- Responsible End Market – PRC 42041(ad)
- Local Jurisdiction – PRC 42041(l)

Audits

Audits – Statutory Language

PRC 42054

(a) A PRO shall keep minutes, books, and records that clearly reflect the activities and transactions of the PRO.

(b) The accounting books of the PRO shall be audited at least once per calendar year at the PRO's expense by an independent public accountant certified in the United States and retained by the PRO.

(c) The PRO shall provide the audit to the department with the annual report required pursuant to Section 42051.3. The department shall review the audit for compliance with this chapter and consistency with the plan adopted pursuant to Section 42051.1 and shall post the audit publicly on its internet website. The department shall notify the PRO of any compliance issues or inconsistencies.

(d) (1) The department may conduct its own audit.

(2) The PRO shall reimburse the department for the costs of the department's audit.

(3) The PRO may obtain copies of the department's audit upon request.

(e) The department shall hold its audit confidentially to the extent described in subdivision (e) of Section 42080.

Audits – Statutory Language Continued

PRC 42080

(a) Failure to comply with the requirements of this chapter, including, but not limited to, failure by a PRO to implement and satisfy the requirements of its plan, shall subject a PRO, producer, wholesaler, or retailer to penalties for violations as set forth in this article or revocation of an approved plan. The department may conduct investigations, including by inspecting operations, facilities, and records of producers and PROs and by performing audits of producers and PROs, to determine whether entities are complying with the requirements of this chapter.

(b) The department may deem the information contained in an audit provided by a PRO pursuant to Section 42054 or the records maintained by the PRO pursuant to subdivision (d) of Section 42052 to be sufficient to establish violations of the requirements of this chapter.

(c) The department shall notify a PRO, producer, retailer, or wholesaler of any conduct or practice that does not comply with this chapter and of any inconsistencies identified in the department's audit.

(d) Within 15 calendar days of the director approving a completed audit of a PRO, producer, retailer, or wholesaler, the department shall notify the audited entity that the audit will be posted on the department's internet website. The department shall post the completed audit on the department's internet website no later than 45 calendar days after it provides that notice.

Audits

Request for Feedback:

The Department is not proposing regulatory concepts related to audits at this time.

Investigations

Investigations – Regulatory Concepts

- Item 1 – Investigation Process

Investigations – Statutory Language

PRC 42080(a)

Failure to comply with the requirements of this chapter, including, but not limited to, failure by a PRO to implement and satisfy the requirements of its plan, shall subject a PRO, producer, wholesaler, or retailer to penalties for violations as set forth in this article or revocation of an approved plan. The department may conduct investigations, including by inspecting operations, facilities, and records of producers and PROs and by performing audits of producers and PROs, to determine whether entities are complying with the requirements of this chapter.

Item 1 – Investigation Process – PRC 42080(a)

To clarify the process for Department investigations and record requests, the Department is proposing the following regulatory concepts

Proposed Concepts:

- Establish process to support the Department's investigation of operational activities and records for all regulated entities.
- Establish timeline for record request and submission for all regulated entities.

Request for Feedback:

The Department is seeking feedback on the proposed regulatory concepts being considered to clarify the investigation process pursuant to PRC 42080(a).

Corrective Action Plans (CAP)

Corrective Action Plan (CAP) – Regulatory Concepts

- Item 1 – CAP Submissions
- Item 2 – CAP Approval and Issuance
- Item 3 – Disapproval of a CAP Submission
- Item 4 – Monitoring a CAP
- Item 5 – Resolved CAPs
- Item 6 – CAP Extensions

CAP – Statutory Language

PRC 42081(b)(1)

Before determining whether to assess a penalty, the department may allow a producer or a PRO to develop and submit a corrective action plan to the department detailing how and when the producer or a PRO will come into compliance with this chapter. Corrective action plans may include, but are not limited to, actions such as shifting production to covered material categories that meet the recycling rates required pursuant to subdivision (c) of Section 42050, no longer offering the covered material for sale, reaching a minimum recycled content standard set by the department, or establishing a take-back system or deposit system for the covered material that would increase the recycling rate of the material. The department shall not assess a penalty and the producer shall not be listed as noncompliant pursuant to Section 42082 for material covered in a corrective action plan if the producer complies with the corrective action plan. A producer or PRO may request approval from the department to comply with a corrective action plan or elements of a corrective action plan in cooperation with other producers or PROs.

CAP – Statutory Language Continued

PRC 42081(b)(2)

(A) The duration of a corrective action plan shall not exceed 24 months. The department may extend a corrective action plan up to an additional 12 months if the department sets forth steps and a timeline for the producer or PRO to comply with the corrective action plan and if the producer or PRO made a substantial effort to comply but was reasonably prevented from doing so due to extenuating circumstances.

(B) For purposes of this paragraph, making a “substantial effort” means taking all practicable actions to comply with a corrective action plan. Substantial effort is not made in circumstances in which a producer or PRO has not taken reasonable steps to comply with a corrective action plan, including, but not limited to, providing staff resources and funding necessary for compliance.

PRC 42081(b)(3)

The department’s authority under this article to impose penalties and to consider a corrective action plan do not affect the department’s authority to withdraw its approval of a PRO plan pursuant to Section 42051.2 and the department may impose penalties and consider corrective action plans against the PRO or producers without revoking an approved plan.

Item 1 – CAP Submission

To clarify the necessary information and the process for CAP submissions to the Department for review, the Department is proposing the following regulatory concept.

Proposed Concept:

- CAP submissions shall include the following at a minimum:
 - Contact information
 - A detailed description of the violations
 - A description of the proposed actions that will be taken to remedy the violations within the timeline of the proposed schedule
 - Justification with supporting documentation or records describing why the entity is unable to comply

Item 2 – CAP Approval and Issuance

To clarify the process for approving a CAP submission and issuing a CAP, the Department is proposing the following regulatory concept.

Proposed Concept:

- The Department will evaluate the CAP submission, and if approved will provide a notification of CAP submission approval and issuance in writing.
 - The notification will include the approved CAP with the specific tasks and associated timelines, as well as the terms of the CAP.

Item 3 – Disapproval of a CAP Submission

To clarify the process for disapproving a CAP submission, the Department is proposing the following regulatory concept.

Proposed Concept:

- The Department will evaluate the CAP submission and provide in writing:
 - Request for additional information,
 - Reasons for disapproval, or
 - Possible, limited opportunity for resubmission

Item 4 – Monitoring a CAP

To clarify the process for ensuring that a producer or PRO is completing tasks on time as outlined in the CAP, the Department is proposing the following regulatory concept.

Proposed Concept:

- The entity shall submit monitoring updates or progress reports at a frequency determined by the Department as part of the CAP submission approval and issuance.

Item 5 – Resolved CAPs

To clarify the process to determine that an entity has resolved a CAP, the Department is proposing the following regulatory concept.

Proposed Concept:

- A CAP is determined to be resolved when all the CAP requirements have been met, all tasks have been completed, and all violations outlined in the CAP have been corrected.

Item 6 – CAP Extensions – Statutory Language

PRC 42081(b)(2)

(A) The duration of a corrective action plan shall not exceed 24 months. The department may extend a corrective action plan up to an additional 12 months if the department sets forth steps and a timeline for the producer or PRO to comply with the corrective action plan and if the producer or PRO made a **substantial effort** to comply **but** was reasonably prevented from doing so due to **extenuating circumstances**.

(B) For purposes of this paragraph, making a “**substantial effort**” means taking **all practicable actions** to comply with a corrective action plan. Substantial effort is not made in circumstances in which a producer or PRO has not taken reasonable steps to comply with a corrective action plan, including, but not limited to, providing staff resources and funding necessary for compliance.

Item 6 – CAP Extensions – 42081(b)(2)

To clarify the process by which CAP extension request will be evaluated, the Department is proposing the following regulatory concepts.

Proposed Concepts:

- The following factors will be considered in the Department’s determination of whether all practicable actions to comply were made:
 - The tasks outlined in the CAP are completed on time.
 - All progress reports are submitted complete and on time.
- Extenuating Circumstances:
 - Acts of nature, such as earthquakes, wildfires, mudslides, flooding, or natural disasters
 - Public health emergencies
 - Delays in obtaining discretionary permits
 - Alternative paths to compliance must be considered by the entity
 - Additional circumstances reviewed and approved by the Department

Corrective Action Plan (CAP) – Regulatory Concepts

- Item 1 – CAP Submissions
- Item 2 – CAP Approval and Issuance
- Item 3 – Disapproval of a CAP Submission
- Item 4 – Monitoring a CAP
- Item 5 – Resolved CAPs
- Item 6 – CAP Extensions

Request for Feedback:

The Department is seeking feedback on the proposed regulatory concepts related to CAPs.

Administrative Civil Penalties

Administrative Civil Penalties – Statutory Language

PRC 42080 (a) Failure to comply with the requirements of this chapter, including, but not limited to, failure by a PRO to implement and satisfy the requirements of its plan, shall subject a PRO, producer, wholesaler, or retailer to penalties for violations as set forth in this article or revocation of an approved plan. The department may conduct investigations, including by inspecting operations, facilities, and records of producers and PROs and by performing audits of producers and PROs, to determine whether entities are complying with the requirements of this chapter.

PRC 42081(b)(3) The department's authority under this article to impose penalties and to consider a corrective action plan do not affect the department's authority to withdraw its approval of a PRO plan pursuant to Section 42051.2 and the department may impose penalties and consider corrective action plans against the PRO or producers without revoking an approved plan.

Administrative Civil Penalties – Statutory Language Continued

PRC 42081(a)

(1) The department may issue a notice of violation to, and impose an administrative civil penalty not to exceed fifty thousand dollars (\$50,000) per day per violation on, any entity not in compliance with this chapter or any of the regulations the department adopts to implement this chapter, unless the entity meets the criteria of paragraph (5) of subdivision (a) of Section 42061, in which case the civil penalty shall not exceed twenty-five thousand dollars (\$25,000) per day per violation.

(2) A violation of Section 42050 by a producer or the PRO shall be determined based on the brand name, package or product line, package or product form, covered material category, and package or product size that the department deems is not in compliance.

(3) Penalties against a PRO or producer shall not begin accruing with respect to a violation until 30 calendar days following the notification of the violation.

(4) The department shall deposit all penalties collected pursuant to this section into the Circular Economy Penalty Account, which is hereby created in the State Treasury. Moneys in the Circular Economy Penalty Account shall be available upon appropriation by the Legislature for purposes that further this chapter.

Administrative Civil Penalties – Statutory Language Continued

PRC 42081(c) The department, in determining the penalty amount and whether to assess a penalty under this section, shall consider, at a minimum, all of the following:

- (1)** The nature, circumstances, extent, and gravity of the violation or a condition giving rise to the violation and the various remedies and penalties that are appropriate in the given circumstances, with primary emphasis on protecting the public health and safety and the environment.
- (2)** Whether the violation or conditions giving rise to the violation have been corrected in a timely fashion or whether reasonable progress is being made to correct the violation or conditions giving rise to the violation.
- (3)** Whether the violation or conditions giving rise to the violation demonstrate a pattern of noncompliance with this chapter or the regulations adopted pursuant to this chapter. If the violation is a first offense, and the nature and gravity of the violation is not considered egregious, the department shall consider assessing a penalty not to exceed twenty-five thousand dollars (\$25,000) per day.
- (4)** Whether the violation or conditions giving rise to the violation were intentional.
- (5)** Whether the violation or conditions giving rise to the violation were voluntarily and promptly reported to the department before the commencement of an investigation or audit by the department.
- (6)** Whether the violation or conditions giving rise to the violation were due to circumstances beyond the reasonable control of the producer or PRO or were otherwise unavoidable under the circumstances, including, but not limited to, unforeseen changes in market conditions. This does not include circumstances in which curbside collection either was not available or not suitable for the collection and processing of the covered material and the PRO or producer failed to adequately invest in or develop other means to collect or process the covered material.
- (7)** The size and economic condition of the producer or PRO.
- (8)** The magnitude of the impact on the environment, human health, and disadvantaged or low-income communities or rural areas reasonably anticipated from the violation.

Administrative Civil Penalties

Request for Feedback:

The Department is not proposing regulatory concepts related to penalties at this time.

PRO and Plan Revocation, Termination, Dissolution

PRO and Plan Revocation, Termination, Dissolution – Regulatory Concepts

- Item 1 - Plan Termination or PRO Dissolution
- Item 2 - General Provisions
- Item 3 - Producers Modifying Compliance Pathway

PRO and Plan Revocation, Termination, Dissolution – Statutory Language

42051.1(f) The plan shall include a closure or transfer plan to settle the affairs of the PRO that ensures that producers who are participants of the PRO's approved plan will continue to meet their obligations in the event of dissolution of the organization or revocation of a plan by the department and that describes a process for notifying the department, the advisory board, local jurisdictions, and any contractors of the dissolution. The closure or transfer plan shall provide for sufficient reserve funds in the trust fund or escrow account established pursuant to Section 42056 to allow the PRO to satisfy all obligations in the event of dissolution of the PRO until the participants of the PRO's approved plan have become a participant of a different PRO's approved plan.

42051.2(e)(2) The department's rejection or revocation of a plan or plan amendment submitted for approval under this section does not relieve the PRO or a participant producer from its obligations pursuant to the previously approved plan or the requirements of this chapter.

42061.5(c) In the event that the department determines that a PRO no longer meets the requirements of this chapter, including those set forth in subdivision (a), or fails to implement and administer an approved PRO plan in a manner that effectuates the purposes of this chapter, the department shall revoke its approval of the PRO and, notwithstanding subdivision (b), may approve additional PROs pursuant to subdivision (a).

42080(a) Failure to comply with the requirements of this chapter, including, but not limited to, failure by a PRO to implement and satisfy the requirements of its plan, shall subject a PRO, producer, wholesaler, or retailer to penalties for violations as set forth in this article or revocation of an approved plan.

PRO and Plan Revocation, Termination, Dissolution – Statutory Language Continued

42056

(a) A PRO, as part of its producer responsibility plan, shall set up a trust fund or an escrow account in California, into which it shall deposit all unexpended funds for use in accordance with this section if the plan terminates or is revoked or the PRO dissolves in accordance with the closure or transfer plan required pursuant to subdivision (f) of Section 42051.1.

(b) If a plan terminates or is revoked, the trustee or escrow agent of a trust fund or escrow account set up pursuant to subdivision (a) shall do both of the following, starting within 30 calendar days:

(1) Accept payments directly from producers into the trust fund or escrow account that would have been made to the PRO before the plan's termination or revocation.

(2) Make payments from the trust fund or escrow account as the department shall direct, in writing, to implement the most recently approved plan.

(c) If a new plan has not been approved by the department within one year after termination or revocation, the department may make modifications to the previously approved plan, as it deems necessary, and continue to direct payments from the trust fund or escrow account in accordance with paragraph (2) of subdivision (b) to implement the modified plan.

Item 1 – Plan Termination and PRO Dissolution

To clarify the process for PRO dissolution and/or plan termination, the Department is proposing the following regulatory concepts.

Proposed Concepts:

- PRO or producer must provide a written notice of intent to terminate plan or dissolve
- Department will establish the effective date of plan termination or PRO dissolution

Item 2 – General Provisions – Regulatory Concept

To clarify what is required after a revocation, termination, or dissolution, the Department is proposing the following concepts.

Proposed Concepts:

- Entity must submit a final Annual Report or meet reporting requirements within a timeframe specified by the Department.
- Entity must provide updates to the Department on how closure and transfer activities are being implemented as outlined in their plan, at a frequency determine by the Department.
 - Updates shall include, but not be limited to, descriptions and documentation of how these actions are implemented.
- Entity is still responsible for meeting requirements and may be subject to penalties for violations of the chapter.

Item 3 – Producers Modifying Compliance Pathway – Regulatory Concept

To clarify the process for producers to modify their compliance pathway by switching from individual compliance to compliance via a PRO (or vice-a-versa), the Department is proposing the following regulatory concepts.

Proposed Concepts:

- The entity shall notify the Department in writing the date in which the entity intends on modifying its compliance pathway.
- The entity will need to verify compliance with the new (modified) compliance pathway prior to abandoning the previous compliance pathway.
- If the entity were in violation of any portion of this chapter at the time of modification, they may be subject to penalties.

PRO and Plan Revocation, Termination, Dissolution – Regulatory Concepts

- Item 1 - Plan Termination or PRO Dissolution
- Item 2 - General Provisions
- Item 3 - Producers Modifying Compliance Pathway

Request for Feedback:

The Department is seeking feedback on the proposed regulatory concepts regarding PRO and Plan revocation, termination, and dissolution.

Exemptions

Exemptions – Regulatory Concepts

- Item 1 – Rural Jurisdiction and Rural County Exemptions – PRC 42060.5(c)

- Product Exclusions – PRC 42041(e)(2)
 - April 26, 2023 Regulatory Workshop
- Local Jurisdiction and Recycling Service Provider Extensions or Exemptions – PRC 42060.5(b)
 - June 29, 2023 Regulatory Workshop
- Small Producer, Retailer, and Wholesaler Exemptions – PRC 42051(b)(2)
 - June 29, 2023 Regulatory Workshop

Exemptions – Statutory Language

PRC 42060.5(c)

A county board of supervisors of a rural county or a rural jurisdiction, as those terms are defined in Section 42649.8, may adopt a resolution to exempt the rural county or rural jurisdiction from the requirements of this section. If a rural jurisdiction is a regional agency composed of jurisdictions that are located entirely within one or more rural counties, the board of the regional agency may adopt a resolution, as prescribed in this subdivision, to exempt the rural jurisdiction from the requirements of this section. An exemption for a rural county or a rural jurisdiction does not in any way relieve a producer or PRO from meeting the requirements of this chapter.

Item 1 - Rural County Exemptions

To establish what is needed to demonstrate to the Department regarding approval of a rural county exemption, the Department is proposing the following regulatory concepts.

Proposed Concepts:

- Rural exemptions are subject to Department review and approval
- Department will verify if requirements are met as part of the review and approval
- Department will review the continued eligibility of rural jurisdictions and exemptions through regular renewals

Request for Feedback:

The Department is seeking feedback on the proposed regulatory concept regarding rural jurisdiction and rural county exemptions.

Hearings

Hearings

To establish protocols for administrative hearings, CalRecycle is proposing the following regulatory concept.

Proposed Concept:

- The Department will utilize its authority under the Government Code to establish protocols related to administrative hearings, including the procedures that govern hearings.

Request for Feedback:

The Department is seeking feedback on the proposed regulatory concept regarding hearings.

Recap

- **Topic I: Needs Assessment Update**
- **Topic II: Ecomodulation**
- **Topic III: Advisory Board**
- **Topic IV: Enforcement**

Opportunity for Written Feedback

- Written feedback or questions may be submitted after the workshop to packaging@calrecycle.ca.gov with subject line “SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act Regulations”.
- We have developed a process for providing written feedback (*see last page of Discussion Document*)
- We request all written feedback be submitted by **August 08, 2023**.



Ways to stay informed



[Sign-up for our SB 54 Listserv](#)

More information forthcoming; will be distributed through our [listserv](#) and available on the **SB 54 [Webpage](#).**



Email: Packaging@CalRecycle.ca.gov

Break

**Please return by:
1:00 PM**