

SB 54 Public Workshop

SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act

September 27, 2023

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

**Topic: Second Draft of Covered
Material Category List**

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Overview and Purpose of Workshop

The Department of Resources Recycling and Recovery (CalRecycle) has scheduled a workshop on [September 27, 2023](#), from 10:00AM to 4:00PM, in the Sierra Hearing Room, located on 2nd Floor, 1001 I Street, Sacramento, CA 95814, to consult with the public, the regulated community, and other interested persons to solicit feedback on some of the requirements outlined in [SB 54 \(Allen, Chapter 75, Statutes of 2022\)](#).

The topic of this discussion document will be on “Second Draft of Covered Material Category List” This topic will be split into two parts:

- **Part 1** will be an informational session, providing background information on the information discussed in this document.
- **Part 2** will discuss non-regulatory concepts to solicit feedback.

The purpose of this document is to provide an overall outline of what is going to be discussed and the type of feedback CalRecycle plans on soliciting in advance of the workshop. All requests for feedback or informational items to share with stakeholders will be specified in a gray textbox.

This document and workshop will not address any topics pertaining to regulations or draft regulatory text.

Previous workshop information can be found on the SB 54 [webpage](#) under *Events*.

Part I. Background and Informational Items

Abbreviations and Acronym List

- CalRecycle: California Department of Resources Recycling and Recovery
- CMC: Covered Material Category
- Department: California Department of Resources Recycling and Recovery
- HDPE: High Density Polyethylene
- LDPE: Low Density Polyethylene
- MCS: Material Characterization Study
- OCC: Old Corrugated Cardboard
- PET: Polyethylene Terephthalate
- PP: Polypropylene
- PRO: Producer Responsibility Organization
- PRC: Public Resources Code (California Statute)
- PS: Polystyrene
- PVC: Polyvinyl Chloride

Relevant Definitions

Covered material – PRC 42041(e)

(1) “Covered material” means both of the following:

(A) Single-use packaging that is routinely recycled, disposed of, or discarded after its contents have been used or unpackaged, and typically not refilled or otherwise reused by the producer.

(B) Plastic single-use food service ware, including, but not limited to, plastic-coated paper or plastic-coated paperboard, paper or paperboard with plastic intentionally added during the manufacturing process, and multilayer flexible material. For purposes of this subparagraph, “single-use food service ware” includes both of the following:

(i) Trays, plates, bowls, clamshells, lids, cups, utensils, stirrers, hinged or lidded containers, and straws.

(ii) Wraps or wrappers and bags sold to food service establishments.

(2) Notwithstanding paragraph (1), “covered material” does not include any of the following:

(A) Packaging used for any of the following products:

(i) Medical products and products defined as devices or prescription drugs, as specified in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Secs. 321(g), 321(h), and 353(b)(1)).

(ii) Drugs that are used for animal medicines, including, but not limited to, parasiticide products for animals.

(iii) Products intended for animals that are regulated as animal drugs, biologics, parasiticides, medical devices, or diagnostics used to treat, or administered to, animals under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.), the federal Virus-Serum-Toxin Act (21 U.S.C. Sec. 151 et seq.), or the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136 et seq.).

(iv) Infant formula, as defined in Section 321(z) of Title 21 of the United States Code.

(v) Medical food, as defined in Section 360ee(b)(3) of Title 21 of the United States Code.

(vi) Fortified oral nutritional supplements used for persons who require supplemental or sole source nutrition to meet nutritional needs due to special dietary needs directly related to cancer, chronic kidney disease, diabetes, malnutrition, or failure to thrive, as those terms are defined as by the International Classification of Diseases, Tenth Revision, or other medical conditions as determined by the department.

(B) Packaging used to contain products regulated by the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136 et seq.).

(C) Plastic packaging containers that are used to contain and ship products that are classified for transportation as dangerous goods or hazardous materials under Part 178 (commencing with Section 178.0) of Subchapter C of Chapter I of Subtitle B of Title 49 of the Code of Federal Regulations.

(D) Packaging used to contain hazardous or flammable products regulated by the 2012 federal Occupational Safety and Health Administration Hazard Communications Standard (29 C.F.R. 1910.1200).

(E) Beverage containers subject to the California Beverage Container Recycling and Litter Reduction Act (Division 12.1 (commencing with Section 14500)).

(F) Packaging used for the long-term protection or storage of a product that has a lifespan of not less than five years, as determined by the department.

(G) Packaging associated with products covered under the architectural paint recovery program established pursuant to Chapter 5 (commencing with Section 48700) of Part 7.

(H)

(i) Covered material for which the producer demonstrates to the department that the covered material meets all of the following criteria:

(I) The covered material is not collected through a residential recycling collection service.

(II) The covered material does not undergo separation from other materials at a commingled recycling processing facility.

(III) The covered material is recycled at a responsible end market.

(IV) The material has demonstrated a recycling rate of 65 percent for three consecutive years prior to January 1, 2027, and on and after that date demonstrates a recycling rate at or over 70 percent annually, as demonstrated to the department every two years.

(ii) If only a portion of the covered material sold in or into the state by a producer meets the criteria of clause (i), only the portion of the covered material that meets the criteria of clause (i) is exempt from this chapter and any portion that does not meet the criteria is a covered material for purposes of this chapter.

Covered material category – PRC 42041(f)

“Covered material category” means a category that includes covered material of a similar type and form, as determined by the department.

Plastic – PRC 42041(t)

“Plastic” means a synthetic or semisynthetic material chemically synthesized by the polymerization of organic substances that can be shaped into various rigid and flexible forms, and includes coatings and adhesives. “Plastic” includes, without limitation, polyethylene terephthalate (PET), high density polyethylene (HDPE), polyvinyl chloride (PVC), low density polyethylene (LDPE), polypropylene (PP), polystyrene (PS), polylactic acid (PLA), and aliphatic biopolyesters, such as polyhydroxyalkanoate (PHA) and polyhydroxybutyrate (PHB). “Plastic” does not include natural rubber or naturally occurring polymers such as proteins or starches.

Plastic Component – PRC 42041(u)

“Plastic component” means any single piece of covered material made partially or entirely of plastic. A plastic component may constitute the entirety of the covered material or a separate or separable piece of the covered material.

Overview of Covered Material Categories

Covered material categories (CMCs), as defined in PRC 42041(f), are groupings of covered material by type and form. Covered material categories serve many functions in statute. For example, producers will report data by covered material category, and CalRecycle will publish lists of covered material categories considered recyclable or compostable.

Summary of Uses of Covered Material Categories in Statute – CalRecycle

Responsibilities

- CalRecycle is required to establish and post a list of covered material categories by July 1, 2024 – PRC 42061(a)
- CalRecycle's data requests must be consistent with the established covered material categories – PRC 42060(a)(2)(C)(i)
- CalRecycle is required to conduct a material characterization study of covered material categories that are disposed of in California landfills and publish the results on its internet website – PRC 42061(a)(2)
- CalRecycle is required to calculate and publish recycling rates being achieved in the state for each covered material category by January 1, 2026 – PRC 42061(b)
- CalRecycle must publish a list of covered material categories that are determined to be recyclable by January 1, 2024 – PRC 42061(c)
- CalRecycle is required to publish a list of covered material categories that are determined to be compostable by January 1, 2024 – PRC 42061(d)
- CalRecycle is required to conduct a needs assessment designed to determine the necessary steps and investment needed for covered material, by covered material category – PRC 42067(a)
- CalRecycle is required to publish a list of covered material categories that are not in compliance with the requirements of SB 54 – PRC 42082(a)

Summary of Uses of Covered Material Categories in Statute – Producer & PRO

Responsibilities

- The PRO may organize itself into subcommittees or some other similar structure, including delineation by covered material category, to ensure sufficient focus on each covered material category to better enable each category to meet the recycling rates required – PRC 42051(e)
- In developing the budget, the PRO may determine investments the PRO will make based on covered material categories – PRC 42051.1(i)(4)
- The PRO is required to annually report data, some of which is reported by covered material category – PRC 42052
- The PRO is required to create a fee structure that is categorized by covered material category - PRC 42053(d)

Note: Covered Material and Covered Material Categories were presented at the June 28, 2023 public workshop, including the first draft of the covered material category list. The June 2023 public workshop's public notice and discussion document can be found here: <https://www2.calrecycle.ca.gov/PublicNotices/Details/5137>.

Part II. Workshop of Non-Regulatory Items

Non-Regulatory Item:

CalRecycle is seeking feedback on items that may not require the department to promulgate regulations. At this time, CalRecycle is informally seeking feedback on topics and concepts that are important to implementing SB 54.

CMC Item 1: Estimated Timeline for Covered Material Category List Development

Statute Sections: PRC 42061(a)(1), PRC 42061(c), PRC 42061(d)

Pursuant to PRC 42061(a)(1), CalRecycle is required to establish and post a list of covered material categories by July 1, 2024. Additionally, CalRecycle is required to publish lists of covered material categories deemed recyclable and compostable by January 1, 2024. This effectively requires a list of covered material categories to be established by January 1, 2024.

CalRecycle is developing the covered material categories list using information from: (1) existing producer reporting systems and other categorizations relevant to single-use packaging and plastic single-use food service ware; (2) sorting categories being used in the SB 343 material characterization study and data from SB 343 data collection; and (3) feedback from interested parties.

The following estimated timeline provides information on when CalRecycle anticipates providing draft versions of the covered material categories list for feedback and when CalRecycle anticipates publishing and updating the list over the next year. CalRecycle plans to provide draft lists at two public workshops for feedback prior to publishing a list by January 1, 2024.

Estimated Timeline:

- **June 28, 2023** (June Public Workshop) – First draft of covered material categories list provided for feedback from interested parties.
- **September 27, 2023** (September Public Workshop)– Second draft of covered material categories list provided for feedback from interested parties.
- **By January 1, 2024** – Publication of list of covered material categories that are deemed recyclable and compostable, along with list of covered material categories.
- **By July 1, 2024** – Publication of updated list of covered material categories.

Informational Item for Interested Parties:

The above estimated timeline provides information on expected public review periods and when the list will be published and updated.

CMC Item 2: Updates to Conceptual Framework for Establishing List of Covered Material Categories

Statute Sections: PRC 42041(f), PRC 42061(a)(1)

The covered material category (CMC) list must capture the universe of covered materials and be usable across the many uses of covered material categories in statute. An additional consideration in developing the covered material categories list is to minimize the burden of implementation, compliance, reporting, and enforcement to the extent feasible for all parties, while meeting the various requirements set forth in SB 54.

The following proposed framework was drafted to provide a structured approach for establishing the covered material categories list.

Proposed Conceptual Framework

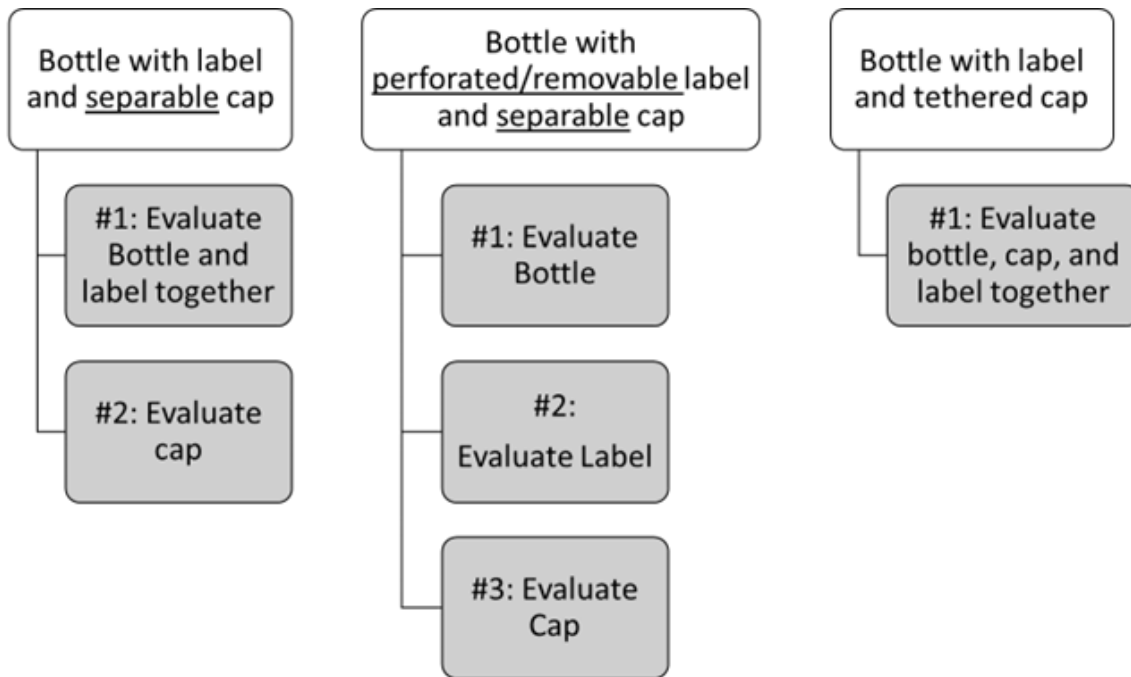
The following conceptual framework was created to guide the development of the covered material categories list. The framework is a set of key factors, or criteria, that will be used in the development of the list.

The first draft of the proposed conceptual framework was provided at the June public workshop. The framework below contains modifications to Framework Factors #3 and #6.

Framework Factor #1 – Individually Evaluating Separable Elements of a Covered Material

- **Concept:** For covered material comprising of multiple separable components, each separable component should be individually evaluated and classified into a covered material category. In this case, a multi-component covered material could include components that are in different covered material categories.
- **Note:** The following definition for “separable” was included in the April 2023 informal rulemaking workshop: “Separable” means any covered material designed by the producer to be detachable upon use. The draft definitions presented in previous informal rulemaking workshops are under development.
- **Example:** An example of multi-component covered material is a bottle that includes a label and a cap. Whether the cap and label are separable from the bottle will influence how each component should be categorized (see Figure 1). If the bottle has a non-separable label and separable cap, the bottle and label would be classified jointly into a single covered material category, whereas the cap would be considered on its own. If the bottle has a separable label and a separable cap, each component would be classified individually. For a bottle where both the label and cap are non-separable, all three components would be jointly classified into a single covered material category.

Figure 1. Example of how separability would influence evaluation of covered materials into covered material categories – Gray boxes are the components that would be evaluated to determine how each component should be classified into a covered material category depending on which components are separable from each other.



Framework Factor #2 – Delineating Between Plastic and Nonplastic Covered Material

- **Concept:** Plastic and nonplastic covered material should be in different categories (i.e., covered material categories should not be mixtures of plastic and nonplastic covered material).
- **Note:** The following definition for “nonplastic” was included in the May 2023 informal rulemaking workshop: “Nonplastic” means any material that does not contain any plastic as defined in PRC Section 42041(t). The draft definitions presented in previous informal rulemaking workshops are under development.
- **Reasoning:** There are different requirements under SB 54 for plastic and nonplastic covered material.

Framework Factor #3 – Categorization by Dominant Material

- **Concept:** Covered material should be categorized based on the dominant material. For items composed of multiple materials, the dominant material is the material which comprises the highest percentage of the item, by weight.
- **Reasoning:** Covered materials may be mixtures of materials. For example, a paperboard box with a plastic window has a dominant material type of paperboard but also includes a plastic component. It should be categorized by its dominant material type, paperboard.

- Change: Clarified how the dominant material is defined (i.e., material which comprises the highest percentage of the item, by weight). Removed all “Mixed Material Class” covered material categories within each material class.

Framework Factor #4 – Addressing Recyclability and Compostability

- Concept: To the extent feasible, cluster covered materials of similar recyclability and/or compostability into the same covered material category.
- Reasoning: Clustering items of similar recyclability and/or compostability will allow for easier determinations of recyclability and compostability, as required by statute.

Framework Factor #5 – Compatibility with Material Characterization Study (MCS) Sorting Categories

- Concept: To the extent feasible, make covered material categories compatible with SB 343 (Allen, Chapter 507, Statutes of 2021) and SB 54 MCS sorting categories.
- Reasoning: CalRecycle is required to estimate covered material categories disposed in CA landfills through an MCS. Additionally, SB 343 MCS data will be an important data source for determining recyclability, by covered material category. Covered material categories should be aligned with sorting categories and limitations of sorting in the field should be considered in covered material categories list development.

Framework Factor #6– Categorizing Small Items

- Concept: For components of covered material where no linear dimension is greater than 2 inches, use a simpler categorization scheme than for items larger than 2 inches. Categorize small items by a combination of material class (type) and size (form) to classify them into covered material categories specifically for small items.
- Reasoning: Generally, material characterization studies conducted by CalRecycle sort items with no linear dimension greater than 2 inches, which is in line with industry standards for how small items are handled in processing facilities. Given this, small items will be aggregated into categories based on material class (e.g., not to the level of resin code) and size.
- Change: Categorize small items into one category based on size (no linear side greater than 2 inches) for a given material class. Previous draft list separated items into two size categories: (1) 1-2 inches and (2) less than 1 inch.

Request for Feedback:

CalRecycle is seeking feedback on the above conceptual framework being considered to establish the covered material category list pursuant to PRC 42061(a)(1). CalRecycle is also soliciting information on proposed framework factors, or alternative factors, not proposed above.

Specifically, CalRecycle is seeking feedback on the updated framework factors (Framework Factors #3 and #6).

CMC Item 3: Second Draft of Covered Material Category List

The draft covered material category list provided at the June workshop was updated based on public feedback and additional information gathered by CalRecycle.

The updated draft of the list includes 110 covered material categories, reduced from 130 categories in the first draft.

Structure of Covered Material Category List

Most covered material categories, aside from those for small items, are defined by four major characteristics that together describe the covered material included within that category:

- (1) **Material Class** – Broad category of material for which the covered material is predominantly composed of.
 - a. Options: (1) Glass and Ceramic, (2) Metal, (3) Paper and Fiber, (4) Plastic, (5) Wood and Other Organics
- (2) **Material Type** – More specific category of material, within Material Class, for which the covered material is predominantly composed of
 - a. Options: See Figure 3 for list of Material Types by Material Class.
- (3) **Form** – Categories based on shape and other form-related factors. Forms are specific to Material Type.
 - a. Options: See tables below for Forms, by Material Class and Material Type.
- (4) **Presence of Plastic** – Items with a non-excluded plastic component will be characterized as a plastic covered material category while items with no plastic component will be considered a nonplastic covered material category.
 - a. Options: Nonplastic, Plastic

Figure 2 – Material Types by Material Class

Material Classes	Glass and Ceramic	Metal	Paper/Fiber	Plastic	Wood & Other Organic
Material Types	<ul style="list-style-type: none"> • Glass • Ceramic 	<ul style="list-style-type: none"> • Aluminum • Tin/Steel/Bimetal • Other Ferrous • Other Nonferrous 	<ul style="list-style-type: none"> • OCC • Kraft Paper • Paperboard • White Paper • Molded Paper • Multi-Material Laminates (Paper Dominant) • Other/Mixed Paper 	<ul style="list-style-type: none"> • PET (#1) • HDPE (#2) • PVC (#3) • LDPE (#4) • PP (#5) • PS (#6) • Plastics and Polymers Designed for Potential Compostability • Multi-Material Laminates (Plastic Dominant) • Other/Mixed Plastics 	<ul style="list-style-type: none"> • Bamboo • Wood • Other/Mixed Organic

Note: Each Material Class has additional categories for items comprised of small items less than 2" (with and without plastic component).

In addition to the category structure described above, specific covered material categories were created for small items, which are items with their largest side less than two inches in length. Categories for small items are defined by three characteristics:

1. **Material Class** – Broad category of material for which the covered material is predominantly composed of. Material Type is not considered for categories of small items.
 - a. Options: Glass and Ceramic, Metal, Paper/Fiber, Plastic, Wood/Other Organics
2. **Size** – One size category based on the largest side of the component.
 - a. Option: Less than 2 inches
3. **Presence of Plastic** – Items with a non-excluded plastic component will be characterized as a plastic covered material category while items with no plastic component will be considered a nonplastic covered material category.
 - a. Options: Nonplastic, Plastic

Draft Covered Material Category List by Material Class

In the following section, the updated draft covered material categories are provided in tables, by Material Class. Each table has four columns. The first column is an identification code for each covered material category to allow for interested parties making comments to easily identify the covered material category they are referencing (note: CMCs have updated identification codes from the June 2023 draft list). The second column describes the Material Type and the third column describes the Form of the covered materials included in that covered material category, including whether that covered material includes a plastic component. The final column indicates whether that covered material would be considered a plastic or nonplastic covered material category.

Table 1. Covered Material Categories within the Glass and Ceramic Material Class

CMC ID	Material Type	Form	Plastic or Nonplastic CMC?
GC1N	Glass	Bottles and Jars w/o plastic component	Nonplastic
GC1P	Glass	Bottle and Jars w/ plastic component	Plastic
GC2N	Glass	Other Forms w/o plastic component	Nonplastic
GC2P	Glass	Other Forms w/ plastic component	Plastic
GC3N	Glass	Small - Largest Side less than 2" w/o plastic component	Nonplastic
GC3P	Glass	Small - Largest Side less than 2" w/ plastic component	Plastic
GC4N	Ceramic	All Forms w/o plastic component	Nonplastic
GC4P	Ceramic	All Forms w/ plastic component	Plastic
GC5N	Ceramic	Small - Largest Side less than 2" w/o plastic component	Nonplastic
GC5P	Ceramic	Small - Largest Side less than 2" w/ plastic component	Plastic

Major changes:

Additions

- Added 'Ceramic' to the Material Class
- Added 'Ceramic' as a Material Type

Consolidation

- Combined previously two small item categories (less than 1 inch and 1-2 inches) into one small item category (less than 2 inches)
- Combined bottles and jars into same CMC

Deletions

- Removed 'Mixed Material Classes'

Table 2. Covered Material Categories within the Metal Material Class

CMC ID	Material Type	Form	Plastic or Nonplastic CMC?
M1N	Aluminum	Can (non-aerosol) w/o plastic component	Nonplastic
M1P	Aluminum	Can (non-aerosol) w/ plastic component	Plastic
M2N	Aluminum	Foil sheets w/o a plastic component	Nonplastic
M2P	Aluminum	Foil sheets w/ a plastic component	Plastic
M3N	Aluminum	Foil Molded Containers w/o plastic component	Nonplastic
M3P	Aluminum	Foil Molded Containers w/ plastic component	Plastic
M4N	Aluminum	Aerosol can w/o plastic component	Nonplastic
M4P	Aluminum	Aerosol can w/ plastic component	Plastic
M5N	Aluminum	Other Forms w/o plastic component	Nonplastic
M5P	Aluminum	Other Forms w/ plastic component	Plastic
M6N	Tin/Steel/Bimetal	Can (non-aerosol) w/o plastic component	Nonplastic
M6P	Tin/Steel/Bimetal	Can (non-aerosol) w/ plastic component	Plastic
M7N	Tin/Steel/Bimetal	Aerosol can w/o plastic component	Nonplastic
M7P	Tin/Steel/Bimetal	Aerosol can w/ plastic component	Plastic
M8N	Tin/Steel/Bimetal	Other Forms w/o plastic component	Nonplastic
M8P	Tin/Steel/Bimetal	Other Forms w/ plastic component	Plastic
M9N	Other Nonferrous	All Forms w/o plastic component	Nonplastic
M9P	Other Nonferrous	All Forms w/ plastic component	Plastic
M10N	Other Ferrous	All Forms w/o plastic component	Nonplastic
M10P	Other Ferrous	All Forms w/ plastic component	Plastic
M11N	Metal	Small - Largest Side less than 2" w/o plastic component	Nonplastic
M11P	Metal	Small - Largest Side less than 2" w/ plastic component	Plastic

Major changes:

Additions

- None

Consolidation

- Combined previously two small item categories (less than 1 inch and 1-2 inches) into one small item category (less than 2 inches)

Deletions

- Removed 'Mixed Material Classes'
- Removed 'Aluminum Cup' as CMC (now falls under 'Aluminum - Other Forms')
- Removed 'Aluminum Bottle' as CMC (now falls under 'Aluminum - Other Forms')

Table 3. Covered Material Categories within the Paper/Fiber Material Class

CMC ID	Material Type	Form	Plastic or Nonplastic CMC?
PF1N	Kraft Paper	All Forms w/o plastic component	Nonplastic
PF1P	Kraft Paper	All Forms w/ plastic component	Plastic
PF2P	Molded Fiber	All Forms of Food Service Ware w/ plastic component	Plastic
PF3N	Molded Fiber	All Forms of Packaging w/o plastic component	Nonplastic
PF3P	Molded Fiber	All Forms of Packaging w/ plastic component	Plastic
PF4P	Multi-Material Laminate	Aseptic Containers	Plastic
PF5P	Multi-Material Laminate	Gabletop Containers	Plastic
PF6P	Multi-Material Laminate	Hot Cups and Cold Cups w/ plastic component	Plastic
PF7N	Multi-Material Laminate	Other Forms w/o plastic component	Nonplastic
PF7P	Multi-Material Laminate	Other Forms w/ plastic component	Plastic
PF8N	OCC	Waxed Cardboard w/o plastic component	Nonplastic
PF8P	OCC	Waxed Cardboard w/ plastic component	Plastic
PF9N	OCC	Cardboard w/o plastic component	Nonplastic
PF9P	OCC	Cardboard w/ plastic component	Plastic
PF10N	Paperboard	All Forms w/o plastic component	Nonplastic
PF10P	Paperboard	All Forms w/ plastic component	Plastic
PF11N	White Paper	All Forms w/o plastic component	Nonplastic
PF11P	White Paper	All Forms w/ plastic component	Plastic
PF12N	Other/Mixed Paper	All Forms w/o plastic component	Nonplastic
PF12P	Other/Mixed Paper	All Forms w/ plastic component	Plastic
PF13N	Paper/Fiber	Small - Largest Side less than 2" w/o plastic component	Nonplastic
PF13P	Paper/Fiber	Small - Largest Side less than 2" w/ plastic component	Plastic

Major changes:

Additions

- *None*

Consolidation

- Combined previously two small item categories (less than 1 inch and 1-2 inches) into one small item category (less than 2 inches)

Deletions

- Removed 'Mixed Material Classes'
- Removed 'Mailing Pouches & Shipping Envelopes' as CMC (now falls under 'Kraft Paper – All Forms')

Table 4. Covered Material Categories within the Plastic Material Class

CMC ID	Material Type	Form	Plastic or Nonplastic CMC?
P1P	PET (#1)	Bottles, Jugs, and Jars (Clear/Natural)	Plastic
P2P	PET (#1)	Bottles, Jugs, and Jars (Pigmented/Color)	Plastic
P3P	PET (#1)	Hinged and Lidded Containers (Thermoformed)	Plastic
P4P	PET (#1)	Cups & Lids	Plastic
P5P	PET (#1)	Plates and Trays	Plastic
P6P	PET (#1)	Other Rigid Items (including containers)	Plastic
P7P	PET (#1)	Flexible Items	Plastic
P8P	PET (#1)	Film Items	Plastic
P9P	HDPE (#2)	Bottles, Jugs and Jars (Clear/Natural)	Plastic
P10P	HDPE (#2)	Bottles, Jugs and Jars (Pigmented/Color)	Plastic
P11P	HDPE (#2)	Pails & Buckets	Plastic
P12P	HDPE (#2)	Bags, Sacks, & Pouches (film)	Plastic
P13P	HDPE (#2)	Non-Bag Film	Plastic
P14P	HDPE (#2)	Other Flexible Items	Plastic
P15P	HDPE (#2)	Other Rigid Items (including containers)	Plastic
P16P	PVC (#3)	All Forms	Plastic
P17P	LDPE (#4)	Bottles, Jugs and Jars	Plastic
P18P	LDPE (#4)	Bags, Sacks & Pouches (film)	Plastic
P19P	LDPE (#4)	Non-Bag Film	Plastic
P20P	LDPE (#4)	Other Flexible Items	Plastic
P21P	LDPE (#4)	Other Rigid Items	Plastic
P22P	PP (#5)	Bottles, Jugs and Jars	Plastic
P23P	PP (#5)	Hinged & Lidded Containers (Thermoformed)	Plastic
P24P	PP (#5)	Plates, Trays, Cups, Lids, Tubs	Plastic
P25P	PP (#5)	Utensils	Plastic
P26P	PP (#5)	Bags, Sacks & Pouches (film)	Plastic
P27P	PP (#5)	Non-Bag Film	Plastic
P28P	PP (#5)	Other Flexible Items	Plastic
P29P	PP (#5)	Other Rigid Items	Plastic
P30P	PS (#6)	Expanded/Foamed Hinged Containers, Plates, Cups, Tubs, Trays, and Other Foamed Containers	Plastic
P31P	PS (#6)	Expanded/Foamed Cushioning and Void Fill	Plastic
P32P	PS (#6)	Other Expanded/Foamed Forms	Plastic

P33P	PS (#6)	Densified Hinged Containers, Plates, Cups, Tubs, Trays, and Other Densified Containers	Plastic
P34P	PS (#6)	Utensils	Plastic
P35P	PS (#6)	Other Densified Forms	Plastic
P36P	Plastics and Polymers Designed for Potential Compostability	All Forms	Plastic
P37P	Multi-Material Laminate	Mailing Pouches & Shipping Envelopes	Plastic
P38P	Multi-Material Laminate	Other Pouches	Plastic
P39P	Multi-Material Laminate	Other Forms	Plastic
P40P	Other/Mixed Plastics	Textiles	Plastic
P41P	Other/Mixed Plastics	Rigid Items	Plastic
P42P	Other/Mixed Plastics	Film Items	Plastic
P43P	Other/Mixed Plastics	Flexible Items	Plastic
P44P	Plastic	Small - Largest Side less than 2"	Plastic

Major changes:

Additions

- Added color differentiation (Clear/Natural; Pigmented/Color) to PET (#1) Bottles, Jugs, and Jars
- Added 'Other Rigid Items,' 'Other Flexible Items,' and 'Other Film Items' forms to material types that did not previously have these categories:
 - Added PET (#1) 'Flexible Items'
 - Added PET (#1) 'Film Items'
 - Added HDPE (#2) 'Other Flexible Items'
 - Added LDPE (#4) 'Other Flexible Items'
 - Added PP (#5) 'Other Flexible Items'
- Added HDPE (#2) 'Non-Bag Film'
- Separated previously combined PET (#1) flexible and film items into two separate categories ('Flexible' and 'Film' Items)
- Added PP (#5) 'Bottles, Jugs, and Jars'
- Added PP (#5) 'Plates, Trays, Cups, Tubs' to previous PP (#5) "Lids' category (now PP (#5) 'Plates, Trays, Cups, Lids, Tubs'))

Consolidation

- Combined previously two small item categories (less than 1 inch and 1-2 inches) into one small item category (less than 2 inches)
- Combined PET (#1) 'Other Rigid Containers' with 'Other Rigid Items (Excluding Containers)'
- Combined PET (#1) 'Bottles' with 'Jugs and Jars' (maintained color differentiation)
- Combined HDPE (#2) 'Bottles' with 'Jugs and Jars' (maintained color differentiation)
- Combined HDPE (#2) 'Other Rigid Containers' and 'Other Rigid Items (Excluding Containers)'
- Combined LDPE (#4) 'Bottles' with 'Jugs and Jars'

Deletions

- Removed 'Mixed Material Classes'
- Removed PP (#5) 'Bags, Sacks, Pouches (Mesh)' (now falls under 'Other Flexible Items'))
- Removed LDPE (#4) Cups, Trays, Tube (now falls under LDPE(#4) 'Other Rigid Items' category)

Table 5. Covered Material Categories within the Wood & Other Organics Material Class

CMC ID	Material Type	Form	Plastic or Nonplastic CMC?
WO1N	Bamboo	All Forms w/o plastic component	Nonplastic
WO1P	Bamboo	All Forms w/ plastic component	Plastic
WO2N	Wood	All Untreated Forms w/o plastic component	Nonplastic
WO2P	Wood	All Untreated Forms w/ plastic component	Plastic
WO3N	Wood	All Treated or Painted Forms w/o plastic component	Nonplastic
WO3P	Wood	All Treated or Painted Forms w/ plastic component	Plastic
WO4N	Other/Mixed Organic	Textiles w/o plastic component	Nonplastic
WO4P	Other/Mixed Organic	Textiles w/ plastic component	Plastic
WO5N	Other/Mixed Organic	Other Forms w/o plastic component	Nonplastic
WO5P	Other/Mixed Organic	Other Forms w/ plastic component	Plastic
WO6N	Wood & Other Organic Materials	Small - Largest Side less than 2" w/o plastic component	Nonplastic
WO6P	Wood & Other Organic Materials	Small - Largest Side less than 2" w/ plastic component	Plastic

Major changes:

Additions

- None

Consolidation

- Combined previously two small item categories (less than 1 inch and 1-2 inches) into one small item category (less than 2 inches)

Deletions

- Removed 'Mixed Material Classes'

Request for Feedback:

CalRecycle is seeking feedback on the second draft list of covered material categories presented in the tables above.

Specifically, CalRecycle is seeking feedback on the major changes outlined above.

Process for Submitting Written Feedback

CalRecycle has developed a process for requesting written feedback or questions from interested stakeholders. While this process is not a specific requirement, CalRecycle requests all written feedback and questions to be submitted using the specified format below, for the purposes of maintaining consistency in the way in which the information is received, and to aid with expedited review and processing. All written feedback can be submitted to packaging@calrecycle.ca.gov with the subject line: *SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act*. Written feedback can be provided prior to the workshop and after. CalRecycle requests all feedback specific to the September 27, 2023 Workshop is submitted no later than **October 11, 2023**. Preferred formats include e-mail, .docx and PDF.

Requested Feedback on Non-regulatory concepts (Part II):

When providing feedback or asking questions on the non-regulatory concept discussed in Part II, please specify *CMC Part II – Non-regulatory Concept*.

Questions or Feedback for Specific Public Resources Code (PRC) Sections:

When providing feedback or asking questions on a specific section in the statute, please include (1) the full section number, including any subsections associated with it, (2) feedback or questions related to that section. For example.

PRC 42051.1(b)(3)

Specific feedback or question related to this section...

This process can be repeated for each concept an interested party wants to address. All feedback and questions can be included in the same email or document.

General Questions or Comments:

When asking general questions or providing general comments on topics related to this workshop that do not focus on a specific concept or specific PRC section, please list each question and comment in numerical order:

Question 1: *General question on this discussion document*

Comment 1: *General comment on this discussion document*