Textile Stewardship Informal Regulatory Concepts Workshop

Textile Stewardship Regulations

November 12, 2026
Department of Resources Recycling and Recovery
Product Stewardship Branch; Product Stewardship Compliance Branch; Legal Affairs Office

Topics Covered:
Producer Responsibility Plan, Plan Revocation and Plan Expiration, Contingency Plan, Cessation of PRO Status, and Annual Report

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Disclaimer

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Overview and Purpose of the Workshop

The Department of Resources Recycling and Recovery (CalRecycle) has scheduled a workshop on November 12, 2026, from 10:00 AM to 5:00 PM, in the Byron Sher Auditorium, located on the 2nd Floor at 1001 I Street, Sacramento, CA 95814. The purpose of the workshop is to consult with the public, the regulated community, and other interested parties to solicit feedback on regulation concepts related to some of the requirements outlined in California's Responsible Textile Recovery Act of 2024 (Act) (Public Resource Code (PRC) section 42984-42984.27) as enacted by Senate Bill (SB) 707 (Newman, Chapter 864, Statutes of 2024).

This workshop covers CalRecycle's proposed concepts for consideration related to the producer responsibility plan, contingency plan, plan termination, plan revocation, and annual report. Other topics will be addressed in subsequent workshops.

This workshop is split into six parts:

- **Part I** will discuss the producer responsibility plan and supporting topics.
- **Part II** will discuss plan revocation, plan termination, and supporting topics.
- **Part III** will discuss the contingency plan and supporting topics.
- **Part IV** will discuss cessation of PRO status and supporting topics.
- **Part V** will discuss the annual report and supporting topics.

The purpose of this document is to provide interested parties, in advance of the workshop, with an outline of the information that will be presented at the workshop and provide guidance on the type of feedback CalRecycle plans to solicit. All specific requests for feedback are included in gray textboxes, but CalRecycle welcomes and will consider any feedback interested parties wish to provide.

CalRecycle is accepting comments on the proposed regulatory concepts for consideration outlined in this discussion document through November 30, 2026. See the section titled "Process for Submitting Written Feedback" at the end of this document for more information about how to submit comments.

Further information on past and future informal regulatory workshops will be posted on CalRecycle's Textile Stewardship Website.

Part I: Producer Responsibility Plan

In Part I, CalRecycle will provide an overview of the proposed regulatory concepts to clarify producer responsibility plan requirements under the Act.

Topic 1: Additional PROs

Statute Section: PRC section 42984.4

Statutory Background

PRC section 42984.4(a)(4): After January 1, 2035, upon the determination of the director that an additional PRO would be beneficial in satisfying the requirements of this chapter, the department may approve additional PROs that meet the requirements of this chapter and that meet all of the following requirements:

(A) The proposed PRO submits to the department a petition to establish a new PRO and agrees to cover the department's reasonable costs to review it.

(B) The proposed PRO is composed of a sufficient number of producers to jointly comply with the requirements of this chapter.

(C) The proposed PRO agrees to cover the costs of all of the provisions of this chapter applicable to the proposed PRO and its participant producers.

Regulatory Concept

CalRecycle is considering regulations to specify the process for the director's determination regarding additional PROs and the requirements for consideration of those PROs, including:

1. CalRecycle posting on its internet website a notice that the director has determined that one or more additional PROs would be beneficial in satisfying the requirements of the Act.
2. A petitioning PRO must notify CalRecycle in writing by email of the date that it intends to submit a petition to establish a new PRO at least 120 days before submitting a petition to CalRecycle.
3. A petition to establish a new PRO must include a producer responsibility plan; CalRecycle will review the plan in its entirety only if the petitioner meets the requirements of the Act.
4. The petitioner must meet both PRO eligibility criteria and have an approved producer responsibility plan before it can be designated as an approved PRO.
5. CalRecycle will notify a petitioning PRO in writing of how its costs to review the petition will be charged.
6. The proposed PRO must pay CalRecycle's full costs within 30 calendar days of receiving an invoice.

Topic 2: Producer Responsibility Plan Contents

Statute Section: PRC sections 42984.2, 42984.3, 42984.4, 42984.10, and 42984.14.

1. Contact Information

Statutory Background

PRC section 42984.10(a): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(a) The names and contact information, including email address, phone number, and mailing and physical addresses, of producers and brands of covered products covered under the plan.

Regulatory Concept

CalRecycle is considering regulations to specify that producer responsibility plans must include PRO and participating producer contact information for the person who is assigned oversight of regulatory compliance under the Act, including:

1. Name, title, address, telephone number, email address, and internet website address for the corporate officer or designee responsible for submitting and overseeing the plan and the agent for service of process in California for the PRO.
2. Name, title, address, telephone number, and email address for the agent for service of process in California for each participating producer.

2. PRO Composition and Control

Statutory Background

PRC section 42984.3(t): "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, is formed for the purpose of implementing a plan to meet the requirements of this chapter, and is approved by the department.

PRC section 42984.10(a): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(a) The names and contact information, including email address, phone number, and mailing and physical addresses, of producers and brands of covered products covered under the plan.

PRC section 42984.4(a)(2): The department shall … approve a PRO that meets the requirements of this chapter and both of the following:

(A) The PRO has a governing board consisting of producers that are diverse in size and type and that represent the diversity of covered products placed in the market by those entities. The governing board may include ex officio members involved in the collection, sorting, repair, reuse, recycling, or management of covered products.

(B) The PRO demonstrates that it has adequate financial responsibility and financial controls in place, including fraud prevention measures and an audit schedule, to ensure proper management of funds.

PRC section 42984.4(a)(4): …

(B) The proposed PRO is composed of a sufficient number of producers to jointly comply with the requirements of this chapter.

Regulatory Concept

CalRecycle is considering regulations requiring the producer responsibility plan to include information demonstrating the PRO's organization structure including requiring the PRO to:

1. Submit a 501(c)(3) tax-exempt status determination letter from the IRS and proof of registration as a foreign corporation with the California Secretary of State, if formed outside of California.
2. Describe its governance structure, including identifying governing board members, how the organization is formed, controlled, and connected to any related organizations.
3. Provide documentation demonstrating its nonprofit status and verifying compliance with governance requirements, which may include:
    a. Articles of incorporation or formation documents.
    b. Bylaws of the organization.
    c. A list of members of the PRO, including identification of producers, exempt organizations, service providers, or subsidiaries of service providers.
    d. A list of related organizations, including any entities that control, are controlled by, or are otherwise affiliated with the PRO.

3. Budget

Statutory Background

PRC section 42984.10(b)(1): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(b)(1) A description of the method to establish and administer a means for fully funding the PRO in a manner that distributes the PRO's costs among the producers that are part of the stewardship organization using a per unit eco-modulated fee that reflects California sales volumes, existing producer collection, repair, reuse, and recycling programs that help achieve the purpose of this chapter, and the cost of reusing, repairing, recycling, or otherwise managing covered products pursuant to subdivision (a) of Section 42984.4.

(2) A five-year budget that establishes a funding level sufficient to operate the PRO in a prudent and responsible manner. The budget shall demonstrate how estimated revenues will cover all budgeted costs for each cost category.

(3) Budgeted costs shall include, but not be limited to, administrative costs, education and outreach costs, operational costs, capital costs, and a reserve to operate the PRO should there be unexpected events, such as losses of income, and large unbudgeted expenses in order to protect the recycling infrastructure the PRO relies upon in its plan, during any lapse in producer participation during the life of the program. The plan shall include a description of the types of activities related to each line-item cost category. The reserve cost category shall include a reserve level amount and description justifying the reserve level amount indicated.

(4) The PRO shall maintain reserve funds sufficient to operate the plan for no less than six months. If a new plan submitted by a PRO is approved by the department, the PRO shall establish its reserve and maintain the required reserve fund balance by the end of the second year of plan operation.

(5) Administrative costs shall include the department's actual and reasonable regulatory costs, which include full personnel costs, to implement and enforce this chapter as the criteria for all the costs that are defined in the regulations adopted pursuant to Section 42984.2. For the purposes of this paragraph, PRO implementation begins once the department approves a PRO's plan, except the department's costs shall include actual regulatory development costs and other startup costs incurred prior to plan submittal and approval.

PRC section 42984.10(f)(B)(i) and (l)-(m): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

….

(f) A description of the process by which collected covered products will be sorted, transported, processed, reused, and recycled following collection at collection sites, including all of the following:

…

(B)(i) How the plan will include the incentive payments, grants, and market development investments specified in clause (vii) to encourage reuse over recycling and other methods.

(l) Develop a program to support laundries for laundering covered products that includes funding for technology that reduces water consumption and improves microfiber and microplastic filtration.

(m) A description of how the plan will address the presence of PFAS and other chemicals regulated under Chapter 6.6 (commencing with Section 25249.5) of Division 20 of the Health and Safety Code and Chapter 12.5 (commencing with Section 108945) of, and Chapter 13.5 (commencing with Section 108970) of, Part 3 of Division 104 of the Health and Safety Code, including, but not limited to, the actions and investments

needed to avoid contamination in the recycling process and available end markets for recycled material that cannot be remanufactured into textiles or textile articles in California.

Regulatory Concept

CalRecycle is considering regulations specifying the required content of the PRO's budget, which may include:

1. Description of activities included under each cost category (administration, operations, capital costs, education and outreach, reserve, grants, loans, sponsorships, memberships, partnerships, collaborations, legal and professional services).
2. Identification of any loans used by the PRO, including the source of the loans and repayment method.
3. Details on how the PRO will demonstrate adequate financial responsibility and controls, including fraud prevention measures and audit schedule, to ensure proper management of funds.
4. Description of reserve policy sufficient to operate the program for at least six months and methodology for calculating.
5. Demonstration that budgeted revenues and reserve policies reflect five-year operating needs and statutory requirements.
6. Identification of the amount of funding the PRO has allocated to supporting infrastructure and market development, upgrading laundries, avoiding contamination in the recycling process, encouraging reuse over recycling, and the process for qualifying for and issuing funding.

4. Eco-Modulated Fee

Statutory Background

PRC section 42984.10(b)(1): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(b)(1) A description of the method to establish and administer a means for fully funding the PRO in a manner that distributes the PRO's costs among the producers that are part of the stewardship organization using a per unit eco-modulated fee that reflects California sales volumes, existing producer collection, repair, reuse, and recycling programs that help achieve the purpose of this chapter, and the cost of reusing, repairing, recycling, or otherwise managing covered products pursuant to subdivision (a) of section 42984.4.

PRC section 42984.14(a): Upon approval of the PRO's plan, the PRO shall charge each participant producer annual fees that are eco-modulated as described in the plan. The intent of the eco-modulated fee is to incentivize design choices that facilitate the

achievement of goals as outlined in the plan, including reuse, repair, and recycling through reduced fees, while using malus fees to disincentivize practices and materials incongruent with the plan. The PRO shall consider existing producer collection, repair, reuse, and recycling programs in developing the eco-modulated fee structure.

Regulatory Concept

CalRecycle is considering regulations that specify required descriptions of the per unit eco-modulated fee used to fund PRO operations, which may include:

1. Description of the funding methodology and the mechanism used to distribute costs through a per unit eco-modulated fee.
2. Explanation of the base fee and identification of the fee unit (e.g., per garment, weight-based, material-based).
3. Justification regarding how proposed bonus or malus fee adjustments incentivize design choices that support reuse, repair, recycling, and other statutory criteria, and disincentivize practices or materials inconsistent with the plan.
4. Standards used to assess recyclability and other eco-modulation criteria.
5. Description of how the PRO will encourage reuse, repair, and recycling in the eco-modulation structure.
6. Description of how annual producer charges will be billed and how the PRO will communicate adjustments with participating producers.

5. Performance Standards and Metrics

Statutory Background

PRC section 42984.10(c): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(c) Quantifiable five-year and annual performance standards and metrics unless or until the department publishes performance standards pursuant to section 42984.19. The PRO shall amend its plan to meet or exceed the performance standards published by the department.

Regulatory Concepts

CalRecycle is considering regulations specifying how PROs must develop quantifiable five-year and annual program performance standards and metrics, which may include:

1. Requirement for PROs to include performance standards in the plan for specified categories (e.g., repair, reuse, collection, recycling).
2. Requirement for every performance standard to include metrics and a baseline from which it is measured.
3. Methodology used to estimate quantities of covered products available for collection.

4. Description of how the PRO will manage existing infrastructure and develop new markets to support statewide implementation.

6. Convenient Collection System

Statutory Background

PRC section 42984.10(d): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(d) A description of how the PRO will provide for a free and convenient dropoff or collection system for covered products, which shall include permanent collection sites and may include temporary collection sites and mail-back options, in each county of the state that meets both of the following requirements:

(1) Provides for a minimum of 10 permanent collection sites or one permanent collection site per 25,000 people, whichever is greater, except as provided below:

(A) A county with a population of 18,000 and under, as reported annually by the Department of Finance, shall have a minimum of three collection locations.

(B) A county with a population of between 18,001 and 50,000, inclusive, as reported annually by the Department of Finance, shall have a minimum of four collection locations.

(C) A county with a population between 50,001 and 100,000, inclusive, as reported annually by the Department of Finance, shall have a minimum of eight collection locations.

(2) Provides for a reasonable geographic spread of permanent collection sites and an explanation for the geographic spread.

...

(o) A description of how the PRO will minimize the negative environmental and human health impacts of all operations associated with the plan, including impacts from collected covered products exported outside of California.

PRC section 42984.2: … The department's regulations shall encourage recycling that minimizes generation of hazardous waste, generation of greenhouse gases, environmental impacts, environmental justice impacts, and public health impacts.

Regulatory Concepts

CalRecycle is considering regulations to specify expectations for describing the convenient collection system, which may include:

1. Detailed explanation of how the PRO will provide a convenient collection system meeting standards set for each county.
2. Metrics for determining hours of operation and accessibility.
3. Description of how permanent sites will be located and managed using CalEnviroScreen data to address pollution burdens, health impacts, and environmental justice considerations.
4. Description of alternative services provided in environmental justice or underserved communities (e.g., mail-back programs, curbside collection).

7. Covered Product Management

Statutory Background

PRC section 42984.10(f): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(f) A description of the process by which collected covered products will be sorted, transported, processed, reused, and recycled following collection at collection sites.

Regulatory Concepts

CalRecycle is considering regulations to specify required descriptions of how covered products will be collected, sorted, transported, processed, reused, and recycled, which may include:

1. Contact information for all service providers involved in the program (e.g., authorized collectors, sorters, repair businesses, recyclers, transporters).
2. Methodology for calculating total weight and number of covered products sold, collected, reused, or recycled.
3. Methodology and information the PRO will use to determine and calculate the total weight and number of covered products sold in or into the state attributed to a participating producer, that are collected and recycled by the PRO each year.
4. Bulk density or other conversion factors used to gather unit and weight data.
5. Procedures for tracking all covered product flows across management pathways.

8. Counterfeit Covered Products

Statutory Background

PRC section 42984.10(e)(7): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(e)(7) How collection sites will be instructed to identify and reject counterfeit covered products.

Regulatory Concepts

CalRecycle is considering regulations specifying expectations for identifying and rejecting counterfeit covered products, which may include:

1. Definition of “counterfeit covered products.”
2. Description of how collection sites will be educated regarding how to identify counterfeit covered products.
3. Description of how collection sites will be instructed to reject counterfeit covered products.

9. Education and Outreach

Statutory Background

PRC section 42984.10(g): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(g) A comprehensive statewide education and outreach program designed to educate consumers and promote participation in the program offered by the PRO. At a minimum, the comprehensive statewide education and outreach program shall include all of the following:

…

(g)(2) A joint internet website in coordination with all other PROs, as applicable, that publicizes the location of collection sites and provides information to consumers on how to drop off covered products at the free and convenient network of collection sites offered by the PRO, including any information reasonably necessary to safely and conveniently access the collection, repair, and recycling services offered by the PRO.

Regulatory Concepts

CalRecycle is considering regulations specifying required content for the statewide education and outreach program, which may include requirements for:

1. Maintaining the PROs’ website with current information including collection site addresses, hours, capacities, temporary collection site schedules, mail-back or pickup service details, excluded product guidance, and service provider contact information.
2. Educational materials to inform the public, producers, online marketplaces, and other entities of program obligations and collection opportunities.

10. Service Providers

Statutory Background

PRC section 42984.10(f)(2)(B)(ii): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(f)(2)(B)(ii) A description of how covered products will be sorted by authorized sorters, including a description of how the flow of covered products to and from authorized collectors, authorized sorters, authorized repair businesses, and recyclers will be tracked through final disposition.

Regulatory Concepts

CalRecycle is considering regulations that specify the criteria that PROs must describe and apply when selecting and evaluating service providers, which may include requiring PROs to:

1. Define “service providers.”
2. Describe the process and criteria used to determine which businesses can participate in the program as authorized collectors, authorized sorters, authorized repair businesses, recyclers, and other service providers.
3. Describe how those criteria are applied and verified during annual audits.
4. List repair service providers, reuse service providers, and responsible end markets that meet applicable criteria that the PRO will utilize to manage covered products, including name, address, and contact information.

Request for Feedback on Producer Responsibility Plan

1) What additional criteria should CalRecycle consider when determining whether a producer responsibility plan is approvable?
2) What information should PROs be required to provide in progress updates during conditional approval periods?
3) What information should be included in a petition to establish a new PRO to allow CalRecycle to adequately evaluate the proposed PRO's ability to meet statutory requirements?
4) What regulatory clarifications would help ensure fair and consistent implementation of the per-unit eco-modulated fee across participating producers?
5) What additional factors should CalRecycle consider when evaluating the adequacy of collection site coverage and convenience?
6) What challenges might processors face in managing collected covered products by weight, unit count, or volume, and how should CalRecycle account for these challenges in regulation?
7) What regulatory requirements would best support PRO verification of service provider eligibility and compliance, including responsible end markets?

Part II: Plan Revocation and Plan Expiration

Section 1: Plan Revocation

Topic 1: Revocation Triggers

Statute Section: PRC sections 42984.4, 42984.8, 42984.12, and 42984.22

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

PRC section 42984.4(a)(1): Producers of covered products shall form and join a PRO for the purposes of complying with this chapter. The governing body of the PRO shall submit an application to the department by January 1, 2026, describing how the PRO

meets the requirements to be an approved PRO pursuant to this chapter. If the department approves the PRO, the PRO shall proceed to carry out the requirements of this chapter. If applications for more than one PRO are submitted to the department, the department shall determine which proposed PRO can most effectively implement this chapter.

PRC section 42984.8(c)(2): If the department disapproves a revised plan submitted by a PRO, the department shall explain how the plan does not comply with this chapter and provide written notice to the PRO within 60 days of disapproval. The PRO shall then revise and resubmit the plan consistent with the department's direction within 30 days, otherwise the disapproval is final and the PRO and producers may be subject to penalties.

PRC section 42984.12(a): A PRO shall review its plan at least every five years after approval by the department and determine whether revisions to the plan are necessary.

PRC section 42984.12(b): If a PRO determines that revisions to the plan are necessary, the PRO shall submit to the department a revised plan for review and approval employing the procedures set forth in Section 42984.8. The stewardship organization shall submit the revised plan to the department pursuant to this subdivision at least 12 months prior to the review deadline outlined in subdivision (c). The revised plan shall include a cover letter that summarizes the revisions to the plan within 90 days of the review deadline outlined pursuant to subdivision (a).

PRC section 42984.12(c): If a PRO determines that no revisions to the plan are necessary, the PRO shall send a letter to the department 12 months prior to the review deadline outlined in subdivision (a), explaining that the PRO has reviewed the plan and determined that no revisions are needed. The department may disapprove the PRO's determination within 30 days of receipt of that determination if the department concludes that the PRO cannot implement the objectives of this chapter without revising the plan. If the department disapproves the PRO's determination, the PRO shall submit to the department a revised plan for review and approval employing the procedures set forth in Section 42984.8. The PRO shall submit the revised plan pursuant to this subdivision within 60 days of receipt of the department's disapproval, unless the department determines that additional time is needed.

Regulatory Concept

CalRecycle is considering regulations specifying that triggers for revocation include, but are not limited to:

1. Failure to operate in a prudent and responsible manner.
2. Failure to implement the approved producer responsibility plan.
3. Submission of non-compliant annual reports.
4. Inaccurate or false information provided to CalRecycle.
5. Failure to complete and/or update a needs assessment as necessary.

6. Failure to pay CalRecycle's administrative fees.
7. Failure to carry out the requirements of the Act as required by PRC section 42984.4(a)(1).
8. Failure to submit a revised plan as required by PRC section 42984.12.
9. Failure to submit a revised plan following CalRecycle's disapproval of the PRO's determination that revisions are unnecessary.
10. Failure to notify CalRecycle that the plan has been reviewed and no revisions are needed.
11. Submission of a revised plan that receives final disapproval from CalRecycle pursuant to PRC section 42984.8(c)(2).
12. Submission of a proposal to cease operating the plan.

Topic 2: Proposal to Cease Operating the Plan

Statute Section: PRC section 42984.4

Statutory Background

PRC section 42984.4(a)(1): Producers of covered products shall form and join a PRO for the purposes of complying with this chapter. The governing body of the PRO shall submit an application to the department by January 1, 2026, describing how the PRO meets the requirements to be an approved PRO pursuant to this chapter. If the department approves the PRO, the PRO shall proceed to carry out the requirements of this chapter. If applications for more than one PRO are submitted to the department, the department shall determine which proposed PRO can most effectively implement this chapter.

Regulatory Concept

CalRecycle is considering regulations specifying requirements for a proposal from the PRO to cease operating the plan, which may specify that:

1. The PRO shall provide any such proposal to CalRecycle via email at least 395 calendar days in advance of the proposed date.
2. The proposal shall include, but is not limited to:
    a. A detailed explanation of the PRO's reason for the proposal.
    b. A disclosure of intent to dissolve and milestone timeline.
    c. Identification of all outstanding obligations including, but not limited to, contracts, assets, data, and financial obligations.
    d. A description of how the PRO will continue to maintain program obligations until the proposed date.
3. Within 30 calendar days of disclosure of intent to dissolve, the PRO shall notify producers, collection sites, recyclers, contractors, and any other entities that should be notified of the PRO's intent to dissolve. The notification shall include the proposed effective date, a referral to the trustee identified in the PRO's

approved contingency plan, and guidance for program participants on actions, if any, they need to take to maintain compliance with the Act.

Topic 3: Written Finding

Statute Section: PRC section 42984.22

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

Regulatory Concept

CalRecycle is considering regulations specifying that a written finding shall:

1. Be sent directly to the PRO via electronic mail.
2. Include the specific statutory or regulatory citation for the material requirement(s) not met and the metric(s) by which the noncompliance was determined.
3. Include the minimum standard required to meet the material requirement.

Topic 4: Rebuttal of Findings

Statute Section: PRC section 42984.22

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

Regulatory Concept

CalRecycle is considering regulations specifying the timing for the response or rebuttal such that:

1. The PRO may respond to or rebut the finding within 60 days of the date the PRO was informed of the finding.
2. CalRecycle shall evaluate the response or rebuttal and notify the PRO of its approval or rejection.
3. Upon revocation of plan approval, CalRecycle shall notify the PRO via email. The notice shall include the reason for revocation, including the written finding made pursuant to PRC section 42984.22, and the effective date of revocation.
4. Upon receipt of the notice of plan revocation, the PRO shall comply with the contingency plan requirements in Part III.

Section 2: Plan Expiration

Topic 1: Conditional Approval

Statute Section: PRC sections 42984.8 and 42984.10

Statutory Background

PRC section 42984.8(b): The department shall review the stewardship plan for compliance with this chapter and shall approve, disapprove, or conditionally approve the plan within 120 days of receipt of the plan.

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying conditional approval requirements, which may specify that:

1. CalRecycle may add a term expiration to a conditionally approved plan.

2. The conditional approval shall state the date the conditional approval period ends.

Topic 2: Plan Expiration

Statute Section: PRC sections 42984.8 and 42984.10

Statutory Background

PRC section 42984.8(b): The department shall review the stewardship plan for compliance with this chapter and shall approve, disapprove, or conditionally approve the plan within 120 days of receipt of the plan.

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying when a plan expires, which may specify that:

1. For purposes of PRC section 42984.10(k), a plan expires when the conditional approval period ends without CalRecycle granting full approval of the plan.
2. CalRecycle shall notify the PRO of plan expiration in writing via email. The notice shall include:
    a. The reason for expiration.
    b. The effective date of expiration.
3. Upon receipt of a notice of plan expiration, the PRO shall comply with the contingency plan requirements in Part III.

Request for Feedback on Part II: Plan Revocation and Plan Expiration

1) Are there any material requirements in the statute that need further clarification or specificity?
2) Are there additional conditions that should trigger plan revocation?
3) Are there other elements that would be beneficial to include in a written finding?
4) What other information should be included in a rebuttal?
5) What other information sharing requirements should be included in a proposal to cease plan operation from a PRO?
6) What PRO obligations could be difficult to maintain during plan revocation and/or plan expiration?

Part III: Contingency Plan

Topic 1: Required Plan Elements

Statute Section: PRC section 42984.10(k)

Statutory Background

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying the following requirements for any contingency plan:

1. Inclusion of separate written procedures for each requirement in PRC section 42984.10(k). This includes, but is not limited to:
    a. Transfer/vesting of contracts,
    b. Transfer/vesting of financial data, and
    c. Transfer/vesting of necessary authority and assets to a trustee approved by CalRecycle.
2. All contracts must be assignable or transferable to the trustee.

Topic 2: Trustee Designation and Requirements

Statute Section: PRC section 42984.10

Statutory Background

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying how trustees are pre-designated and to establish qualification criteria, which may specify that the PRO must demonstrate that the trustee has the necessary qualifications to run the program effectively.

Topic 3: Operational Conditions

Statute Section: PRC section 42984.10

Statutory Background

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations to clarify PRO requirements and conditions related to contingency plan execution and/or operation, which may specify that:

1. The contingency plan shall go into effect immediately upon:
    a. Plan revocation; or
    b. Plan expiration.
2. Within 3 calendar days of a contingency plan's effective date, the PRO shall provide notification(s) to all entities that are registered with the PRO and any entities with which the PRO has contracted. This includes, but is not limited to,

producers, collection sites, authorized sorters, repair businesses, recyclers, and CalRecycle. The notification(s) shall include, but is not limited to:

   a. Actions, if any, that regulated entities may need to take to maintain compliance.
   b. Timelines regarding the transfer process.
   c. Contact information for the trustee. Trustee contact information shall include a phone number, email address, and mailing address.

3. The PRO shall ensure continuation of contracted services.
4. The PRO shall ensure that all contracted entities are provided the necessary information required to carry out all contracted obligations.
5. The PRO shall provide all CalRecycle accounting records, ledgers, bank statements, and payment records.
6. The PRO shall provide to CalRecycle and contractors all additional records needed to execute contingency plan.
7. The PRO shall provide proof of acceptance of contract assignment or transfer to the trustee.
8. The PRO shall pay outstanding contract amounts prior to transfer to the trustee.

Topic 4: PRO Obligations Until Full Vesting

Statute Section: PRC sections 42984.22 and 42984.10

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to

the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations to clarify ongoing compliance requirements and stipulations that shall be in effect during plan revocation and plan expiration procedures, which may specify that:

1. The PRO shall continue to maintain program obligations during the period that begins when CalRecycle issues a written notice of plan revocation or plan expiration and ends when the trustee is fully vested.
2. The trustee is fully vested when the operating reserves and all documents, digital records, contracts, and files related to the operation of the plan have been transferred to the trustee as required by PRC section 42984.10(k).
3. If the trustee is not fully vested within five calendar days of plan expiration or plan revocation, the PRO shall remain responsible for program obligations until the trustee is fully vested.
4. Violations may continue to accrue until formal cessation of PRO status.

Topic 5: Conditions of Trustee Plan Operation

Statute Section: PRC section 42984.10

Statutory Background

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying the process by which the trustee takes control of the plan, which may specify that:

1. Within 10 calendar days of contingency plan activation, the trustee shall notify all entities that were registered with the PRO and all other entities otherwise affiliated with the PRO, of the trustee's takeover of the plan.

a. This includes, but is not limited to, producers, collection sites, authorized sorters, repair businesses, recyclers, and CalRecycle.
b. The notification shall include actions, if any, that regulated entities need to take to maintain compliance and contact information for the trustee, and shall align with the information provided by the PRO under Part III, Topic 3.
c. Contact information shall include a phone number, email address, and mailing address.

2. The trustee shall be prohibited from canceling or otherwise taking action that would cause interruption to existing program services including, but not limited to, collection, repair, sorting, and recycling.
3. Once the trustee is fully vested as described in Part III, Topic 4, the trustee assumes the duties and liabilities of the PRO and is subject to the Act until such time as a new plan is approved.
4. Subject to the direction of CalRecycle, the trustee may propose adaptive management strategies to CalRecycle for approval and implement them once approved.

Topic 6: Producer Compliance During Trustee Operation

Statute Section: PRC sections 42984.4, 42984.10, 42984.20

Statutory Background

PRC section 42984.4(d): A producer is not in compliance with this chapter and is subject to penalties pursuant to this chapter if a covered product sold or offered for sale by the producer is not subject to an approved PRO plan that has been approved by the department pursuant to Section 42984.8.

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

PRC section 42984.20(e)(1): If the department determines a producer is not in compliance with this chapter, the department shall remove the producer, along with its brands and covered products, from the list of compliant producers posted on the department's internet website pursuant to subdivision (a).

Regulatory Concept

CalRecycle is considering regulations to clarify producer compliance during trustee operation, which may specify that a producer that was a participant of the PRO when the plan was revoked or expired, and that meets the trustee's requirements, remains subject to an approved PRO plan for purposes of PRC section 42984.4(d) while the trustee operates the most recently approved plan.

Topic 7: Six Month Reserve Funding

Statute Section: PRC section 42984.10

Statutory Background

PRC section 42984.10(b)(4): The PRO shall maintain reserve funds sufficient to operate the plan for no less than six months. If a new plan submitted by a PRO is approved by the department, the PRO shall establish its reserve and maintain the required reserve fund balance by the end of the second year of plan operation.

PRC section 42984.10(k): A contingency plan in the event the plan expires or is revoked. The contingency plan shall guarantee that the contracts, financial data, and other necessary authority and assets to operate the program shall vest in a trustee approved by the department. The trustee shall operate the most recently approved plan, subject to the direction of the department, until such time as a new plan is approved. Upon plan expiration or revocation of the plan, the balance of the PRO's operating reserves collected pursuant to paragraph (4) of subdivision (b) shall be transferred to the control of the trustee within five calendar days. All documents, digital records, contracts, and files related to the operation of the plan shall be transferred to the control of the trustee within five calendar days.

Regulatory Concept

CalRecycle is considering regulations specifying how the reserve fund amount is calculated, which may include:

1. That the PRO shall identify a methodology for calculating the required amount, which, for purposes of this section, is the amount of money required to fully fund six months of program operation obligations. The PRO shall explain why this methodology is appropriate for making the required amount determination. The required amount calculated by this methodology shall be included in the contingency plan. The annual report submission shall also include this amount required for CalRecycle to evaluate financial assurance.
2. The date requirement to fully fund a reserve under PRC section 42984.10(b)(4) refers to the calendar year.
3. The PRO shall maintain valid financial assurances from plan approval through contingency execution and assurances must always remain at the required amount.

Request for Feedback on Part III: Contingency Plan

1) Are there other procedures that should be formalized as a written procedure that are not listed here?
2) Are there other entities that should also be notified when a contingency plan is activated?
3) Are there other conditions that should be in effect during the contingency plan?
4) Of the conditions listed, are there any that may be intractable for the PRO to comply with? If so, for what reason(s)?
5) Are there other entities that should be notified when the trustee takes over the PRO plan?
6) Is there other information that should be included in the notification?
7) Should any conditions be imposed to limit the methodology for calculating reserve funding?
8) Are there additional considerations that should be included when calculating the amount of required reserve funding?

Part IV: Cessation of PRO Status

Topic 1: Cessation Conditions

Statute Section: PRC sections 42984.1 and 42984.22

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

PRC section 42984.1(t): "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, is formed for the purpose of implementing a plan to meet the requirements of this chapter, and is approved by the department.

Regulatory Concept

CalRecycle is considering regulations to specify conditions of cessation of PRO status, which may specify that:

1. The PRO shall continue to implement its responsibilities pertaining to the Act, in full, until the trustee is fully vested as described in Part III, Topic 4. After the trustee is fully vested, the PRO shall complete its remaining obligations under Part III until CalRecycle provides the PRO written notice under Part 4, Topic 1, item 4.
2. Within 30 calendar days of the trustee fully vesting, CalRecycle shall notify the PRO in writing of any remaining obligations under the Act.
3. CalRecycle shall not confirm in writing that the PRO has completed all remaining obligations if any obligations remain or an audit is needed to verify the status of any element related to the Act.
4. PRO status ceases when CalRecycle confirms in writing that the PRO has completed all remaining obligations, including the transfers, notifications, and other PRO requirements in Part III.

Topic 2: Post-Cessation Liabilities

Statute Section: PRC section 42984.22

Statutory Background

PRC section 42984.22: Upon a written finding that a producer, PRO, manufacturer, distributor, retailer, or importer site has not met a material requirement of this chapter, in addition to any other penalties authorized under this chapter, the department may take one or both of the following actions to ensure compliance with the requirements of this chapter, after affording the entity a reasonable opportunity to respond to, or rebut, the finding, take any of the following actions to ensure compliance with the requirements of this chapter:

PRC section 42984.22(a): Revoke the PRO's plan approval or require the PRO to resubmit the plan.

PRC section 42984.22(b): Require additional reporting relating to compliance with the material requirement of this chapter that was not met.

Regulatory Concept

CalRecycle is considering regulations to clarify PRO post-cessation liabilities. Regulations may specify that upon cessation of PRO status the PRO no longer has authority associated with PRO status, except it remains:

1. Liable for violations and civil penalties arising from conduct that occurred prior to the cessation of PRO status.

2. Financially responsible for CalRecycle costs associated with pre-cessation conduct.
3. Liable for all costs associated with failure to maintain financial assurances.

Request for Feedback on Part IV: Cessation of PRO Status

1) Are there other financial aspects for which the PRO should be held responsible?

Part V: Annual Report

In Part V, CalRecycle will provide an overview of the proposed regulatory concepts to clarify the annual report requirements under the Act.

Topic 1: Annual Report Contents

Statute Sections: PRC sections 42984.10 and 42984.17

1. Fiber Type Category

Statutory Background

PRC section 42984.17(g)(2): A PRO shall annually submit to the department, in the form and manner and by the date determined by the department, an annual report and make that report publicly available on the PRO's internet website. The report shall include at minimum all of the following information for the preceding calendar year unless otherwise specified:

…

(g)(1) The amount of covered products sold in or into the state by the producers covered by the PRO's plan.

(g)(2) The amount described in paragraph (1) shall be broken down by fiber type category and Harmonized Tariff Schedule of the United States (HTS) number.

(h) The total weight of covered products, respectively, that were collected, broken down by fiber type categories.

Regulatory Concept

CalRecycle is considering establishing reporting requirements for fiber type categories, which may include the following:

1. Breakdown of covered products by fiber type composition (e.g., polyester, cotton, nylon) and weight using the imperial system of measurement as established in its approved plan.
2. Fiber-specific reporting for each ultimate disposition category.

2. Convenient Collection System

Statutory Background

PRC section 42984.10(d): A plan for covered products shall be designed to accept and manage all postconsumer covered products and shall include all of the following:

…

(d) A description of how the PRO will provide for a free and convenient dropoff or collection system for covered products, which shall include permanent collection sites and may include temporary collection sites and mail-back options, in each county of the state that meets both of the following requirements:

(1) Provides for a minimum of 10 permanent collection sites or one permanent collection site per 25,000 people, whichever is greater, except as provided below:

(A) A county with a population of 18,000 and under, as reported annually by the Department of Finance, shall have a minimum of three collection locations.

(B) A county with a population of between 18,001 and 50,000, inclusive, as reported annually by the Department of Finance, shall have a minimum of four collection locations.

(C) A county with a population between 50,001 and 100,000, inclusive, as reported annually by the Department of Finance, shall have a minimum of eight collection locations.

(2) Provides for a reasonable geographic spread of permanent collection sites and an explanation for the geographic spread.

PRC section 42984.10(o): A description of how the PRO will minimize the negative environmental and human health impacts of all operations associated with the plan, including impacts from collected covered products exported outside of California.

PRC section 42984.17(f): A PRO shall annually submit to the department, in the form and manner and by the date determined by the department, an annual report and make that report publicly available on the PRO's internet website. The report shall include at minimum, all of the following information for the preceding calendar year unless otherwise specified:

…

(f) A list of the PRO's collection sites, by name, location, and type.

Regulatory Concept

CalRecycle is considering establishing annual reporting expectations regarding the PRO's requirement to provide for a free and convenient dropoff or collection system for covered products, which may include the following:

1. Data and information demonstrating how permanent collection site requirements were met in each county.
2. Data and information demonstrating the geographic spread of collection sites relative to population density.
3. Documentation of how alternative collection methods (e.g., mail-back program, temporary collection sites, etc.) supplemented convenience.
4. Description of what criteria were used to evaluate environmental justice considerations (e.g., CalEnviroScreen data).
5. List of all the collection sites the PRO utilized in the reporting period, including the following information:
    a. Types of collection sites utilized (e.g., permanent, temporary, event, retailer).
    b. The operational hours and days of the week for all collection sites.
    c. The start date and close date, if applicable, of permanent collection sites.
    d. Requiring PROs to document compliance with collection site policies and to report any noncompliance or site unavailability.
    e. The weight of covered products collected at each site.

3. Covered Products Sold

Statutory Background

PRC section 42984.17(g)(1): A PRO shall annually submit to the department, in the form and manner and by the date determined by the department, an annual report and make that report publicly available on the PRO's internet website. The report shall include at minimum, all of the following information for the preceding calendar year unless otherwise specified:

…

(g)(1) The amount of covered products sold in or into the state by the producers covered by the PRO's plan.

Regulatory Concept

CalRecycle is considering establishing standards and reporting expectations regarding the amount of covered products that must be reported by the PRO in the annual report, which may include the following expectations:

1. Reporting in units consistent with the PRO's eco-modulation fee structure.

2. Categorical reporting of products sold by fiber type (e.g., polyester shirt, cotton pants).
3. Reporting weight and number of units sent to each ultimate disposition.

4. Covered Product Management

Statutory Background

PRC section 42984.17(h)-(l): A PRO shall annually submit to the department, in the form and manner and by the date determined by the department, an annual report and make that report publicly available on the PRO's internet website. The report shall include at minimum all of the following information for the preceding calendar year unless otherwise specified:

…

(h) The total weight of covered products, respectively, that were collected, broken down by fiber type categories.

(i) The total weight of covered products, by category, that were collected and deemed reusable by each respective authorized collector and authorized sorter.

…

(j)(2) Total weight of covered products handled by each location.

(k) The total weight and number of covered products sold in or into the state attributed to a producer, who is a registered participant of the PRO's plan, which are collected in the state and reused or recycled by the PRO, including a description of the methodology and information used to determine and calculate these values.

(l) A complete accounting of the ultimate disposition of all covered products collected by the PRO, including the total weight of covered products that were repaired and recycled.

Regulatory Concept

CalRecycle is considering regulations to clarify "weight" or "weight of covered products" to help the PRO and regulated community understand the units needed for reporting under the Act, which may include the following:

1. Identifying the system of measurement the PRO used to quantify weights or weights of covered products.
2. Requiring the PRO to distinguish between the weight and number of covered products attributed to participating producers and unregistered producers.
3. A description of how the PRO utilized conversion factors identified in the producer responsibility plan for the annual report requirements.

5. Service Provider Verification

Statutory Background

PRC section 42984.10(f)(2)(B)(ii): A description of how covered products will be sorted by authorized sorters, including a description of how the flow of covered products to and from authorized collectors, authorized sorters, authorized repair businesses, and recyclers will be tracked through final disposition.

Regulatory Concept

CalRecycle is considering regulations requiring PROs to report annually on how service providers performed under the criteria established in the producer responsibility plan, which may include requiring PROs to:

1. Describe any updates to the process and criteria described in the producer responsibility plan that the PRO used to identify and select authorized collectors, sorters, repair businesses, recyclers, and other service providers during the reporting period.
2. Verify whether each service provider met those criteria during the reporting year.
3. Document any service provider that did not meet required criteria and the corrective actions taken.

6. Education and Outreach

Statutory Background

PRC section 42984.17(p): A PRO shall annually submit to the department, in the form and manner and by the date determined by the department, an annual report and make that report publicly available on the PRO's internet website. The report shall include at minimum, all of the following information for the preceding calendar year unless otherwise specified:

…

(p) A description of outreach efforts and education, including, but not limited to, the PRO's evaluation of the efficacy of the comprehensive statewide education and outreach program pursuant to subdivision (g) of Section 42984.10.

Regulatory Concept

CalRecycle is considering regulations that specify the education and outreach information PROs must include in their annual reports, which may include:

1. Requiring PROs to provide electronic examples of the outreach materials developed and distributed.
2. Description of the methods used to distribute outreach materials.

3. Numerical results compared with the strategies, goals, and metrics identified in the plan to determine the efficacy of the education and outreach program.
4. A list of languages in which education and outreach materials are available.

Request for Feedback on Annual Report

1) What additional annual reporting requirements should CalRecycle consider to support the effective implementation of the Act?
2) What conversion methodologies would support alignment between unit-based and weight-based reporting?
3) What methods or classification systems should be used to ensure consistent fiber type reporting?

Process for Submitting Written Feedback

CalRecycle has developed a process for requesting written feedback from interested parties. 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 may be submitted after the workshop to Regulations@CalRecycle.ca.gov with the subject line: November 2026 Textile Stewardship Informal Regulatory Concepts Workshop or CalRecycle's public comment portal: Textile Stewardship Informal Regulatory Concepts Workshop Public Comment Period. CalRecycle requests all feedback specific to concepts and language associated with the November 12, 2026 workshop is submitted no later than **November 30, 2026**. Preferred formats include e-mail, .docx, and PDF.

Requested Feedback on Specific Regulation Concepts:

When providing feedback or asking questions on a specific regulation concept, please include (1) the Part Number and Topic Number [i.e., Part 1, Topic 1; Part 1, Topic 2, or Part 1, Topic 3], including the specific title, (2) feedback or questions related to that regulation concept. For example, when providing feedback on Part 1, Topic 1: Producer Responsibility Plan, the preferred format would be:

Part 1, Topic 1: Producer Responsibility Plan – "Additional PROs"
Specific feedback related to this item...

This process can be repeated for each regulation concept a person wants to address. All feedback and questions can be included in the same email or document.

Questions or Feedback for Specific Sections of Statute or Regulations:

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

PRC section 42984.4(a)(1)
Specific feedback or question related to this section...

This process can be repeated for each section a person 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 regulation concept or specific statutory section, please list each question and comment in numerical order:

Question 1: General question on this discussion document
Question 2: General question on this discussion document
Comment 1: General comment on this discussion document
Comment 2: General comment on this discussion document