



CPSC
California Product
Stewardship Councilsm

Focusing on Extended Producer Responsibility – Plastics (SB 54)



Southern California SWANA Workshop

September 12, 2024

Presented By:
Doug Kobold



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Funding

- Associates

- Cities
- Counties
- Districts
- JPAs

- Thank you to all who fund us!

The image features a map of California with various counties highlighted in green. Surrounding the map are numerous logos for funding organizations and waste management agencies. The logos include:

- RRWA** (Russian River Watershed Association)
- DEL NORTE SOLID WASTE MANAGEMENT AUTHORITY** (1992)
- ZERO WASTE SONOMA**
- NapaSan** (Collection • Treatment • Recovery • Reuse)
- recyclemore** (West Contra Costa Integrated Waste Management Authority)
- RECYCLE SMART** (Central Contra Costa Solid Waste Authority)
- RETHINK WASTE** (South Bayside Waste Management Authority, A Public Agency)
- BACWA** (Bay Area Clean Water Agencies)
- STOPWASTE** (at home • at work • at school)
- CVSan** (Castro Valley Sanitary District)
- Santa Clara Valley Urban Runoff Pollution Prevention Program**
- SalinasValley Recycles.org** (Salinas Valley Solid Waste Authority)
- ReGen** (Monterey)
- S.L.O. COUNTY T.W.M.A.**
- LOS ANGELES COUNTY SANITATION DISTRICTS** (Converting Waste Into Resources)
- TEHAMA COUNTY SOLID WASTE MANAGEMENT AGENCY**
- WPWMA** (EST. 1978)
- Delta Diablo**
- MCAAG** (Merced County Association of Governments)
- RWA** (Regional Waste Authority)
- MOJAVE DESERT & MOUNTAIN RECYCLING AUTHORITY**
- CPSC** (California Product Stewardship Council)
- Rural Counties Environmental Services Joint Powers Authority**
- ESJPA**

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- Circular (\$20,000+)



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CPSC's Mission & Vision



CPSC Mission: To shift California's material and energy policies towards a circular economy through product stewardship and extended producer responsibility.

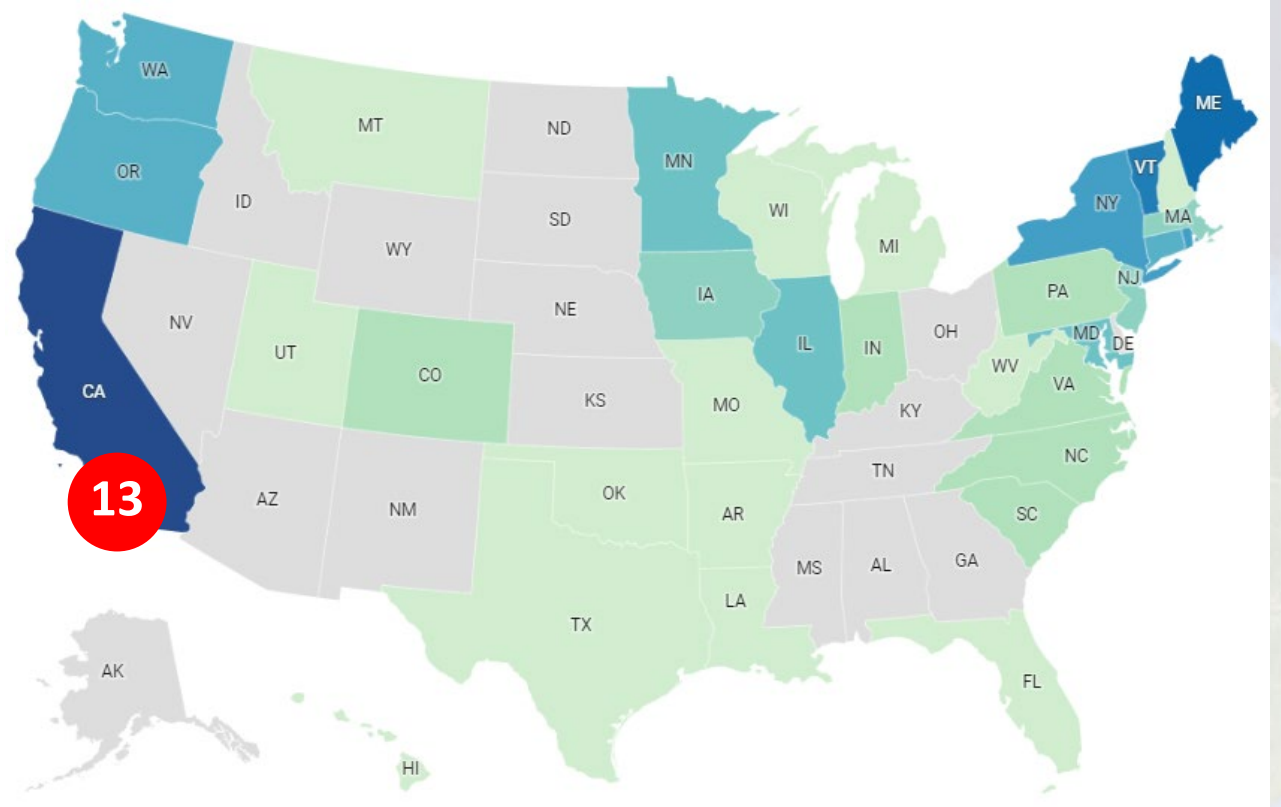
CPSC Vision: A future where producers are responsible for developing and funding reuse, repair, and materials recovery systems for their products in a circular economy. The State will set performance goals, oversee progress and ensure transparency and accountability of such efforts.

US Product Stewardship Laws



California Product Categories

1. Ag Pesticide Containers
2. Batteries
3. Beverage containers
4. Carpet
5. Electronic waste
6. Mattresses
7. Medical sharps
8. Mercury thermostats
9. Packaging & food service ware
10. Paint
11. Product recall
12. Tires
13. Used oil



State EPR Laws



Source:



(2022)

California Product Stewardship Laws (Primary Funding Sources)



Producer Responsibility

- Oil Recycling Enhancement Act (AB 2076, Sher, 1991; ...)
- Product Recall Safety & Protection Act (AB 1860, Huffman, 2008)
- Ag Pesticide Containers Recycling (SB 1723, Maldonado, 2008)
- Mercury Thermostats (AB 2347, Ruskin, 2008; AB 707, Quirk, 2021; AB 732, Quirk, 2022)
- Meds and Sharps (SB 212, Jackson, 2018)
- Responsible Battery Recycling Act (AB 2440, Irwin, 2022)
- Packaging (SB 54, Allen, 2022)



Consumer Responsibility

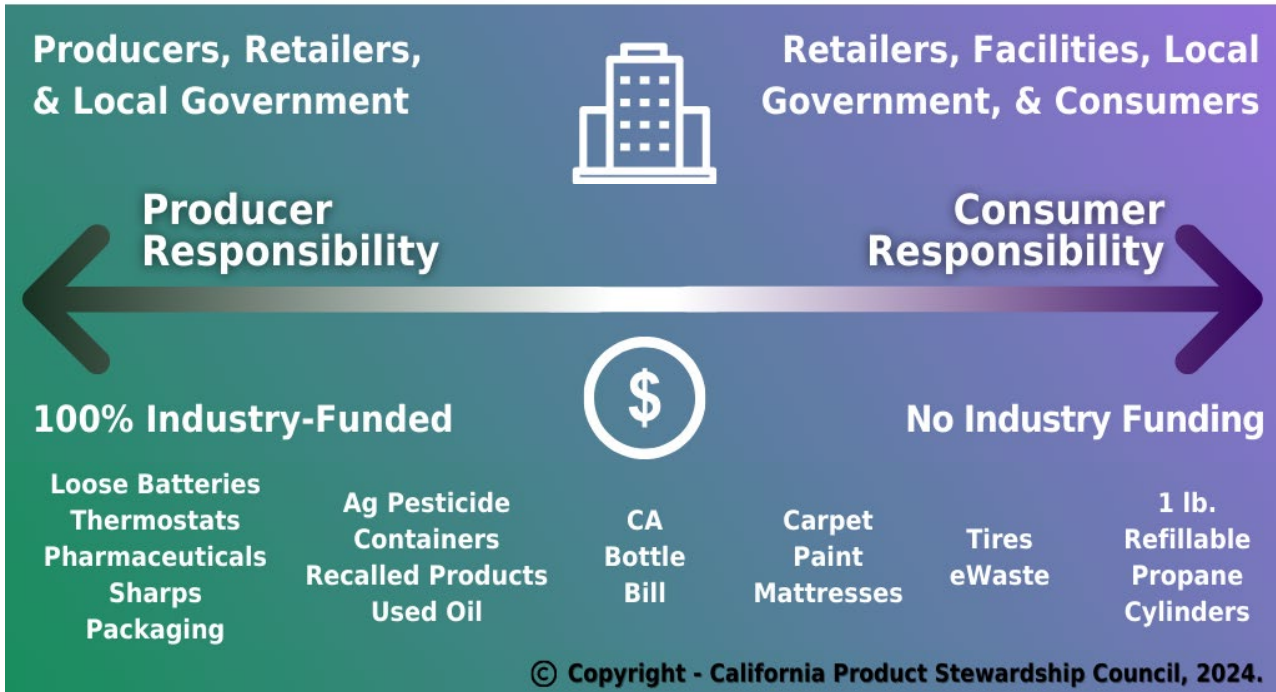
- Beverage Container Recycling Act (AB 2020, Margolin, 1986; ... SB 1013, Atkins 2022; SB 353, Dodd, 2023)
- Tire Recycling Act (AB 1843, Brown, 1989 & SB 876, Escutia, 2000)
- E-waste Recycling Act (SB 20, Sher, 2003; SB 50, Sher, 2004; & SB 1215 Newman, 2022; SB 568, Newman, 2023)
- Paint (AB 1343, Huffman, 2010; AB 1526, Natural Resources Committee, 2023)
- Carpet (AB 2398, Perez, 2010; AB 1158, Chu, 2017; and AB 726, Chu, 2019)
- Mattresses (SB 254, Hancock, 2015 and AB 187, Garcia, 2019)



CA Programs on the Stewardship Spectrum



Stewardship SpectrumSM Funding and Structures Vary Widely



Lots of Plastic Packaging (Cont'd)



Possible Solutions

What can be done?

CPSC began floating some ideas of possible solutions in late December 2018 and in early January 2019 put it in writing for clarity and distribution!



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January 7, 2019

Plastic Legislation Idea (DRAFT):

- Remove Chasing Arrows 1-7.
- Change plastics with no markets to Triangles, not Chasing Arrows
- Allow only the following:
 - Option 1
 - PET – Any color, no off-spec, only for beverage containers
 - HDPE – Any color, any product
 - PP – Any color, no off-spec, only for clam shells and other foodware
 - Option 2
 - PET – Only clear or green in color, no off-spec, any container
 - HDPE – Any color, any product
 - PP – Only black or white in color, no off-spec, any container
- If manufacturer uses other plastics besides PET, HDPE, or PP, then they pay a fee into a Product Stewardship fund managed by an independent stakeholder board to cover the cost of recycling those materials, based on type of material and actual cost per pound.

Options above standardize plastics use while making it easy for consumers to determine what goes in the Blue Bin and for MRFs, as their optical sorting equipment or sort line staff will be able to identify each material type much easier. Further, these three materials should be sufficient to cover the majority of needs of nearly all manufacturers, while allowing for choices for manufacturers with one-off products or those that just don't want to change.

Mission: To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.



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Possible Solutions (Cont'd)

Remove Chasing Arrows 1-7!

- Leads consumers to think it's all recyclable!
- Resin codes helpful to processors, but not consumers.

1	2	3	4	5	6	7
PETE	HDPE	V	LDPE	PP	PS	OTHER

Or

Leave Chasing Arrows for materials with markets. Remove for others!

- May inform consumers of what is really recyclable!
- May be problematic when a resin does become valuable.

		3	4		6	7
PETE	HDPE	V	LDPE	PP	PS	OTHER

What's happened in the Legislature?

October 9, 2019

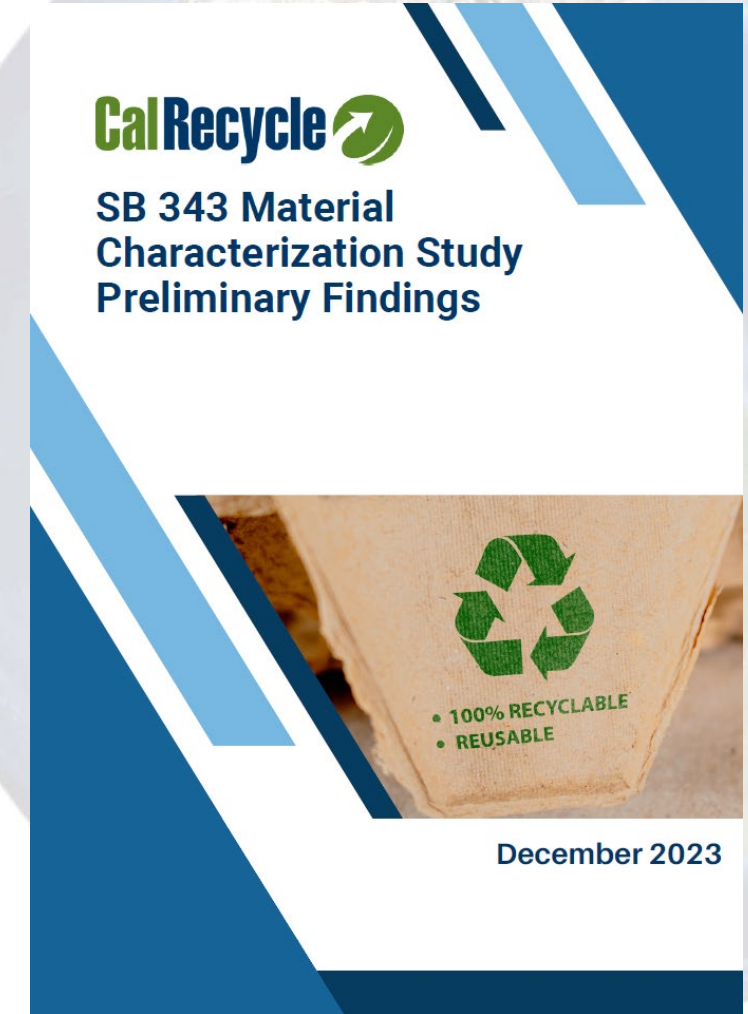
- Governor Newsom signed AB 1583 (Eggman, 2019)
- Deleted the **requirement** that all rigid plastic bottles or containers have a specified number be placed in relation to a triangle follow a certain description (the chasing arrows).

September 29, 2020

- Governor Newsom signed AB 2287 (Eggman, 2020)
- Prohibits a plastic product labeled “compostable,” “home compostable,” or “marine degradable” unless the plastic product meets the applicable ASTM standard specification or the Vincotte OK Compost HOME certification.

October 05, 2021

- Governor Newsom signed SB 343 (Allen, 2021)
- Truth in labeling about recyclability
- Chasing arrows only on plastic bottles and rigid containers that meet statewide recyclability requirements.

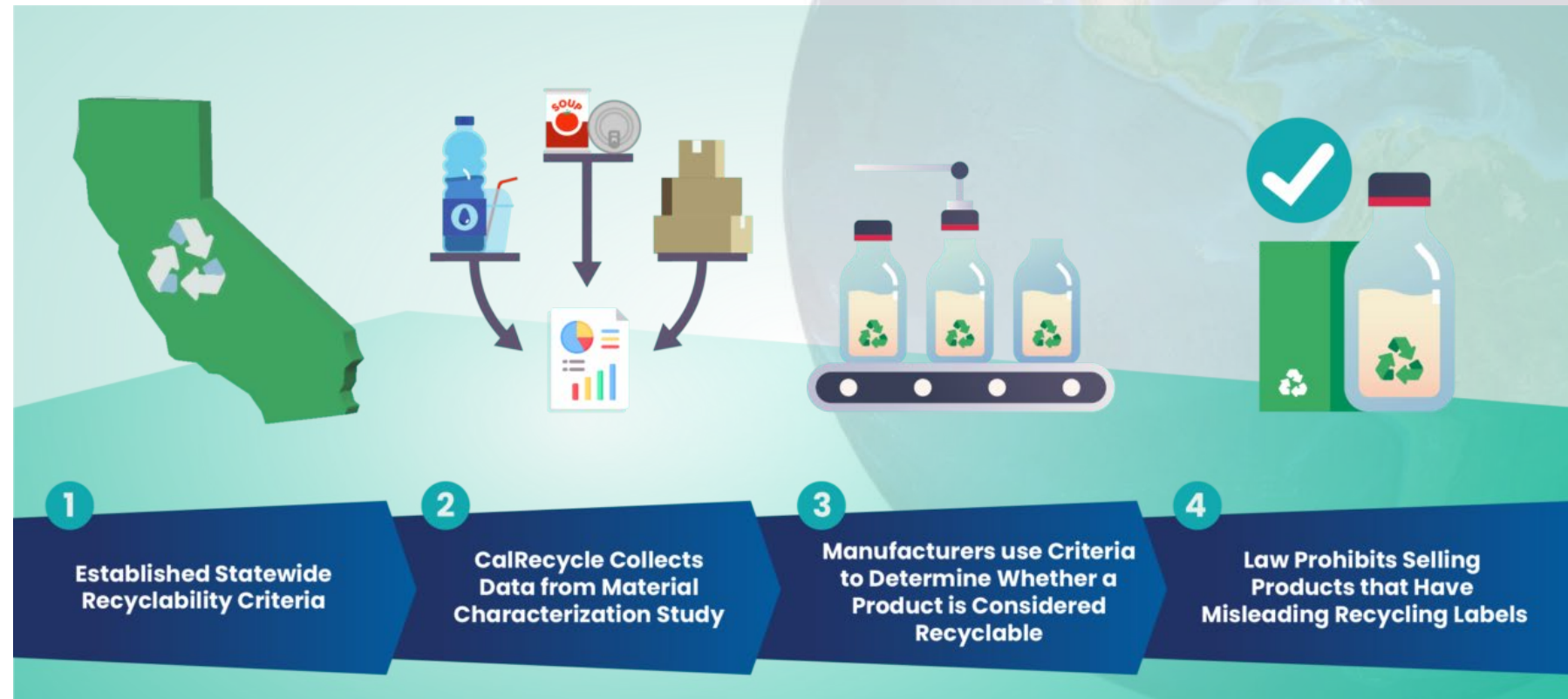


<https://www2.calrecycle.ca.gov/Publications/Details/1729>

What does SB 343 do?

SB 343 will:

- Prohibits manufacturers and others from selling products or packaging labeled as recyclable unless the items are regularly collected and processed for recycling in the state.
- Help vendors and consumers make informed decisions about products.
- Provide an objective basis for holding manufacturers, distributors, and retailers responsible for misleading consumers about whether products get recycled.



<https://calrecycle.ca.gov/wcs/recyclinglabels/>

What does SB 343 do? (Cont'd)

SB 343 Implementation:



<https://calrecycle.ca.gov/wcs/recyclinglabels/>

In comes SB 54!

June 30, 2022

- Governor Newsom signed SB 54 (Allen, 2022)
- Established the Plastic Pollution Prevention and Packaging Producer Responsibility Act.
- Established a \$5 billion mitigation fund. Starting January 1, 2027 - \$500M/year for 10 years.
- Requires CalRecycle to develop a statewide Needs Assessment.
- Created the SB 54 Advisory Board.
- Requires CalRecycle to develop and update the Covered Material Category List (CMC List)

SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act

Update to Covered Material Categories (CMC)

Released July 1, 2024



**Governor Signs Senator Allen's Landmark Plastic
Pollution Bill**

JUNE 30, 2022

In comes SB 54! (Cont'd)



In comes SB 54! (Cont'd)

Producers must ensure that by January 1, 2032 (PRC 42050):



100% of single-use packaging and plastic single-use food ware will be recyclable or compostable



65% of single-use plastic packaging and food ware will be recycled

30 % by 2028 | 40% by 2030



25% of single-use plastic packaging and food ware will be source reduced by weight and unit

10% by 2027 (2% reuse/refill)

20% by 2030 (4% reuse/refill)

NOT COVERED: Packaging for any of the following:

Medical products, prescription drugs, animal medicines, supplements, hazardous materials, CRV, PaintCare packaging, and **PRODUCTS** themselves

In comes SB 54! (Cont'd)

Key Activities

- Regulations in Formal Rule Making
<https://calrecycle.ca.gov/Laws/Rulemaking/SB54Regulations/>
 - CalRecycle is working on next draft

- Advisory Board

<https://calrecycle.ca.gov/packaging/packaging-epr/advisoryboard/>

Advisory Board email: sb54advisoryboard@gmail.com


https://drive.google.com/drive/u/0/folders/16Z15zB9t7VtU29IvWeBHI__MDHCuVeQb

- Currently working on
Barriers & Solutions

 Topic - Compostability

 Topic - Plastic Leakage

 Topic - PRO Costs

 Topic - Recyclability

 Topic - Reuse and Refill



Updates on

The Plastic Pollution Prevention
& Packaging Producer
Responsibility Act's

Advisory Board



The Board will advise CalRecycle, producers, and Circular Action Alliance
(plus other producer responsibility organizations) on SB 54 implementation.

In comes SB 54! (Cont'd)

Key Activities (Cont'd)

- Needs Assessment by CalRecycle

NA Item 1: Overview of NA Studies

Study Name	Proposed Budget	Approximate Contract Solicitation Date
#1: Source Reduction Baseline Study	\$500,000	Posted April 25, 2024
#2: Collection, Processing, and End Markets Study	\$2,200,000	Summer 2024
#3: Source Reduction and Covered Material Design Study	\$1,200,000	Fall 2024
#4: Consumer Education and Access Study	\$100,000	Mid/Late 2024
#5: Current and Needed State of Funding and Statutory Provisions Study	N/A (no contracted portion)	N/A

<https://calrecycle.ca.gov/packaging/packaging-epr/needs-assessment/>



In comes SB 54! (Cont'd)

Key Activities (Cont'd)

- Producer Responsibility Organization (PRO)
- Circular Action Alliance (CAA)
 - Registering Producers
 - **Working on Reimbursement Model**
 - Other Items



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<https://circularactionalliance.org/contact-us>

<https://circularactionalliance.org/circular-action-alliance-california>



California

Approved in January 2024 to implement the Plastic Pollution Prevention and Packaging Producer Responsibility Act.



Colorado

Approved in May 2023 to implement the Producer Responsibility Program for Statewide Recycling Act



Maryland

Selected in October 2023 to represent producer interests and serve as the single PRO on the State Producer Responsibility Advisory Council.



Oregon

CAA is preparing to be the PRO in Oregon. On April 1, 2024, CAA was the only prospective PRO to submit a program plan to DEQ.



CPSC's Product Campaigns



Refuel Your Fun & Save!
Created in 2015



Statewide Textile Recovery
Advisory Committee
Created in 2020



Don't Rush To Flush
Created in 2016



D R Cubed
Created in 2021



Make The Electronic
Marine Flare Switch
Created in 2023

Questions?



Connect with CPSC!



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