



# Senate Bill 54

## *Background & What's Next?*

Addressing the Impacts of  
Single-Use Packaging & Plastic  
Food Service Ware



Presented By:

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[californiacompostcoalition.org](http://californiacompostcoalition.org)

- a registered Lobbying Coalition created in 2002 by a group of compost operators in response to demands for increased recycling of organic materials and production of clean compost, bioenergy, anaerobic digestion, renewable natural gas, and biochar.
- represents member organic material recyclers and compost operators with a unified voice on many issues: product safety and standards, government regulations, environmental planning, trade, and marketing.
- dedicated to preventing the landfilling of organic resource materials and “closing the loop” by promoting their highest and best use.





## RESOURCE RECOVERY

COALITION OF CALIFORNIA

Resource Recovery Coalition of California (RRCC) members are essential service providers that offer waste collection, recycling, and organic waste management throughout California, protecting the health and safety of local communities by processing municipal solid waste and keeping California's streets clean. Our members are also vital to achieving the state's goal for a circular economy.

Founded over 60 years ago, RRCC members operate in over 50 cities and counties throughout California. Many are multi-generational family owners who live in the communities they proudly serve.



The California Product Stewardship Council (CPSC) is a powerful network of local governments, non-government organizations, businesses, and individuals supporting policies and projects where producers share in the responsibility for managing problem products at their end of life.

CPSC is California's thought leader and expert on Product Stewardship and the Extended Producer Responsibility (EPR) movement.



**CPSC**  
**California Product  
Stewardship Council**

### CPSC Vision

Producers have the primary responsibility to establish, fund, and maximize material recovery systems to support a circular economy for their products with state government setting the performance goals and ensuring accountability and transparency.

# Senate Bill 54 (SB 54) Background

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## Plastic Pollution Prevention and Packaging Producer Responsibility Act (5PRA)

- ✓ Reduce the volume of plastic and other packaging
- ✓ Increase recycling
- ✓ Shift packaging pollution responsibility to producers
- ✓ Provide clarity and consistency for consumers
- ✓ Stimulate investment in reuse and refill systems
- ✓ Fund clean up efforts in disadvantaged communities

### Single-use packaging

Includes plastic, paper, paperboard, metal, glass, multi-layer materials, etc. (definition is material neutral)

### Plastic single-use food ware

Cups, lids, straws, cutlery, stirrers, lidded containers, trays, plates, clamshells, food wrap, and wrappers



# SB 54 Background (Cont'd)

In California, by 2032:



**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)**



# SB 54 Background (Cont'd)

## \$5 billion plastic pollution mitigation fund

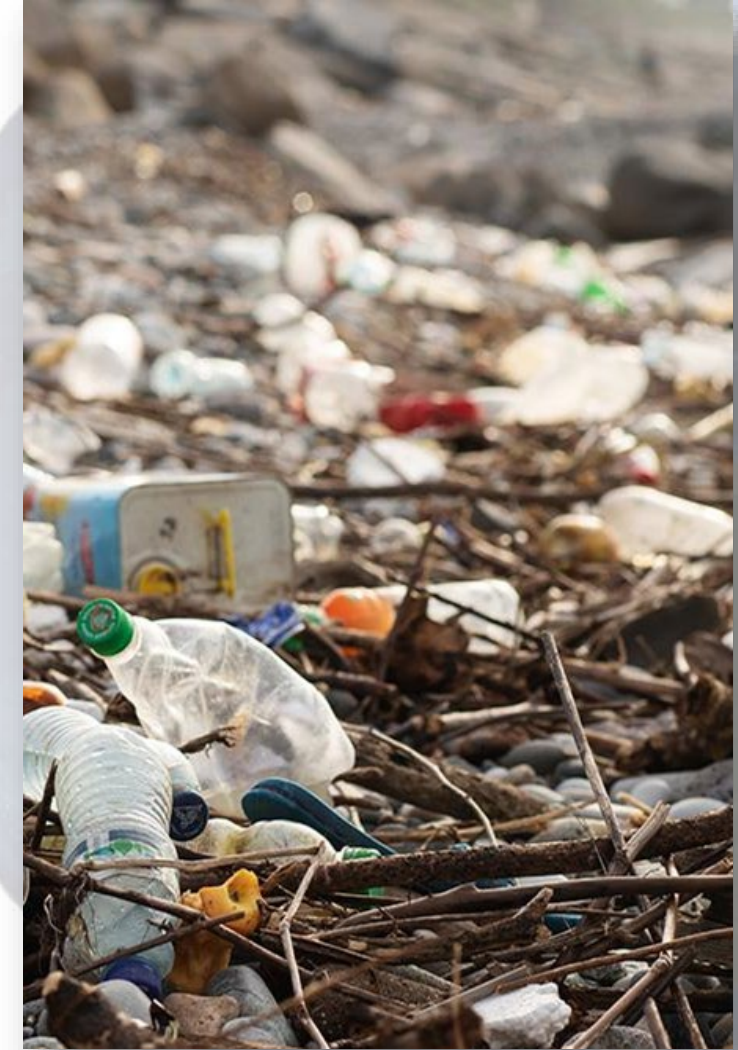
- \$500M per year x 10 years paid for by producers beginning January 1, 2027
  - The PRO may collect up to one hundred fifty million dollars (\$150,000,000) from plastic resin manufacturers who sell plastic covered material to producers who are participants of the PRO.
- Distribution of the \$5 billion
  - 40% of the moneys to the Department of Fish and Wildlife, the Wildlife Conservation Board, the State Coastal Conservancy, the California Coastal Commission, the Ocean Protection Council, the Department of Parks and Recreation, the Natural Resources Agency, and the California Environmental Protection Agency to monitor and reduce the environmental impacts of plastics on terrestrial, aquatic, and marine life and human health, including to restore, recover, and protect the natural environment.
    - At least 50% of the funds shall provide benefits to residents living in a disadvantaged or low-income community or rural area
    - Moneys may be used to support grants for tribes, nongovernmental organizations, community-based organizations, land trusts, and local jurisdictions



# SB 54 Background (Cont'd)

## \$5 billion plastic pollution mitigation fund (cont'd)

- Distribution of the \$5 billion (cont'd)
  - 60% of the moneys shall be expended by the Strategic Growth Council, the California Environmental Protection Agency, the Natural Resources Agency, and the Department of Justice to monitor and reduce the historical and current environmental justice and public health impacts of plastics, including to mitigate the historical and current impact of plastics on disadvantaged or low-income communities or rural areas
    - 75 percent shall directly and primarily benefit residents living in disadvantaged or low-income communities
    - Moneys may be used to support grants to local jurisdictions, tribes, nongovernmental organizations, and community-based organizations
- Each agency or department receiving funding shall provide an annual report to the Legislature on how the funding will be used, progress toward mitigation goals, and relevant details and outcomes from third parties who may be provided funding by the agency or department for mitigation purposes





# SB 54 Background (Cont'd)

Producers to “fully fund plan implementation,” including:

- ✓ Costs incurred by a local jurisdiction or its service provider to implement SB 54, such as...
- ✓ Collection of covered materials, including investments to improve/expand collection and processing infrastructure
- ✓ Cleaning, sorting, aggregating and baling covered materials
- ✓ Transportation of materials to material recovery facilities and to end markets
- ✓ Waste stream sampling and reporting required by local governments
- ✓ Market development
- ✓ Source reduction of plastic packaging (including reuse/refill infrastructure)
- ✓ Outreach and education



# SB 54 Background (Cont'd)

## Potential ban on expanded polystyrene food service ware

**May not be sold in the state unless the following recycling rates\* are achieved:**

- **Not less than 25% by 2025**
- **Not less than 30% by 2028**
- **Not less than 50% by 2030**
- **Not less than 65% by 2032, and annually thereafter**

**Producers must demonstrate to CalRecycle that all expanded polystyrene meets those recycling rates!**

*\*Current recycling rates estimated to be in the low single digits*

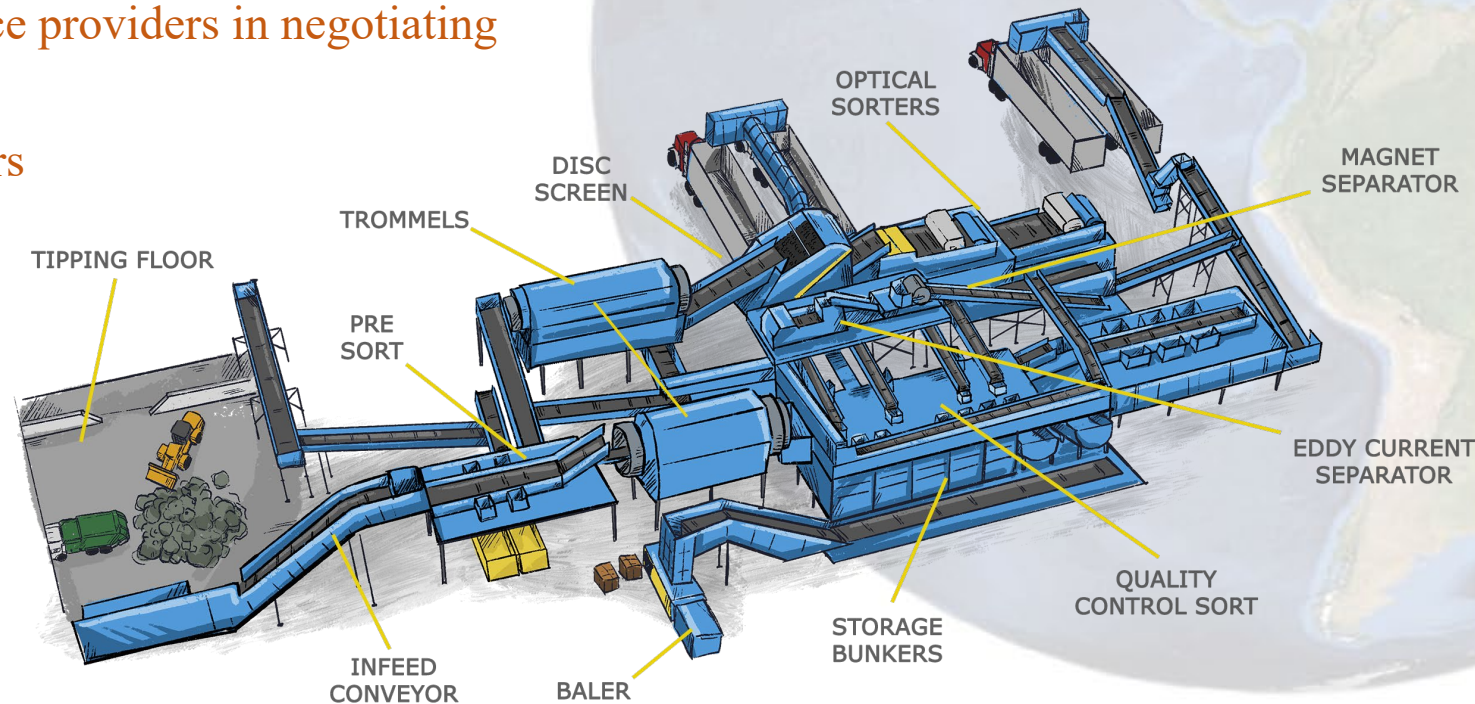




# SB 54 - What's Next?

## Topics for local jurisdictions to consider now...

- Existing and planned/potential investment related to collecting, processing, and transporting covered materials
- Process of receiving reimbursements for investments from the PRO
- Role of local governments and haulers/service providers in negotiating costs with PRO
- Effect of SB 54 reimbursements on ratepayers





# SB 54 - What's Next? (Cont'd)

## Covered materials list

- **Must be published by January 1, 2024, including list of what's considered recyclable and compostable in the state**
- **Jurisdictions must collect materials designated recyclable or compostable (with limited exceptions)**

SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act

### Covered Material Category (CMC) List

Version 1. Released December 2023

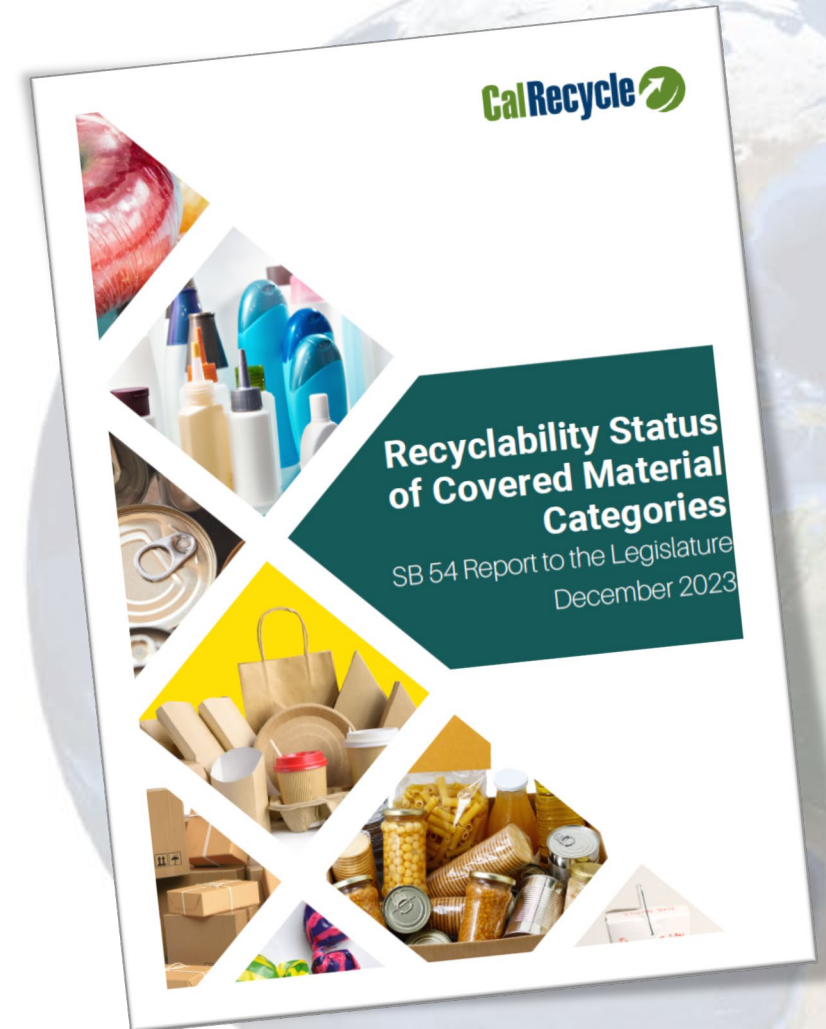
<https://www2.calrecycle.ca.gov/Docs/Web/126582>

SB 54 Plastic Pollution Prevention and Packaging Producer Responsibility Act

### Covered Material Category (CMC) Supplementary Material

December 2023

<https://www2.calrecycle.ca.gov/Docs/Web/126585>



<https://www2.calrecycle.ca.gov/Publications/Download/1905>

# SB 54 - What's Next? (Cont'd)

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## Recyclability

- Defined by SB 343
- Collected by recycling programs that cover at least 60% of the state's population
- Demonstrated recycling rate of at least 75% (made into new products or packaging)
- Same criteria apply for materials collected outside of a curbside program



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

## N

- **Defined by AB 1201**
- **Must meet ASTM standard specifications and free of PFAS**
- **Distinguishable from non-compostable products**
- **Designed to be “associated with the recovery of desirable organic wastes”**
- **Accepted for use in organic ag by Jan 2026**
- **CalRecycle proposed concept: Accepted by 50% of collection programs and facilities**





# SB 54 - What's Next? (Cont'd)

## Compostability

- CalRecycle made a year-end determination, required under AB 1201, that it is not feasible in California to bifurcate the collection of organic waste so that packaging which is compliant with National Organic Program standards can be collected and processed separately from packaging which is not. Both of these matters could be key in future efforts to reduce contamination in compost.



Discussion Paper for Assembly Bill  
(AB) 1201 Public Workshop: Organic  
Waste Bifurcation Feasibility  
Determination

October 16, 2023

<https://www2.calrecycle.ca.gov/PublicNotices/Documents/15415>

# SB 54 - What's Next? (Cont'd)

## Advisory Board

- **CalRecycle to appoint members by July 1, 2023**
- **13 Voting Members**
- **3 Non-Voting Members**
- **Representatives of:**
  - **Local government,**
  - **Environmental and environmental justice organizations,**
  - **Manufacturers, recycling and solid waste enterprises, and**
  - **Retail and grocery associations**
- **Advisory Board reviews the Needs Assessment, PRO Stewardship Plan and Budget, and Annual Reports**

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



# SB 54 - What's Next? (Cont'd)

## Advisory Board

### Voting Members (13)

- 1 from a statewide city association\* – **Timothy Burroughs**, Executive Director of StopWaste
- 1 from a statewide rural county association\* – **Tedd Ward**, Director of Del Norte Solid Waste Management Authority
- 1 from an environmental protection agency – **Doug Kobold**, Executive Director of the California Product Stewardship Council
- 1 from an ocean advocacy organization – **Miho Ligare**, Plast Pollution Policy Manager of Surfrider Foundation
- 1 from an environmental justice organization – **Thomas A. Helme**, Co-Founder & Project Director of Valley Improvement Projects
- 1 from a disadvantaged or low-income community or rural area – **Fred Briones**, Chief Executive Officer of Native American Fiber Program
- 1 from a materials recovery facility located within the State of California – **Christy Pestoni**, Director of Government Affairs of Waste Connections
- 1 from a recycling service provide or an association of recycling providers – **Veronica Pardo**, Regulatory Affairs Director of Resource Recovery Coalition of California
- 1 from a composting industry operating in the State of California – **Neil S. Edgar**, Executive Director of California Compost Coalition
- 4 representatives of each of four manufacturers of materials covered by SB 54 (single-use packaging/single-use plastic food ware) of different material types containing postconsumer recycled content, one of which produces third-party certified compostable covered material. These must not be a board member of a producer responsibility organization. They are:
  - 1 from a manufacturer that produces third-party certified compostable covered material – **Erin Levine**, Resource Recovery Manager-West of World Centric
  - 1 from a manufacturer of covered materials – **Patrick Keenan**, Associate Packaging Principal Engineer of General Mills
  - 1 from a manufacturer of covered materials – **Wes Carter**, President & Co-Founder of Atlantic Packaging Corp
  - 1 from a manufacturer of covered materials – **Ajit Perera**, Vice President of Post Consumer Operations of Talco Plastics, Inc.

### Nonvoting Members (3)

- 1 from a statewide association\* representing the retail sector – **Rachel Michelin**, President & Chief Executive Officer of the California Retailers Association
- 1 from a statewide association\* representing the grocery sector – **Timothy James**, Director of Local Government Relations of the California Grocers Association
- 1 from a producer responsibility organization – **Shane Buckingham**, EPR Program Planning Lead for Circular Action Alliance

\* Requires nomination by respective association.

As of February 2, 2024:  
**Chair: Timothy Burroughs**  
**Vice Chair: Doug Kobold**  
**Secretary: Veronica Pardo**



# SB 54 - What's Next? (Cont'd)

Stay Tuned! Stay Involved!



**Circular  
Action  
Alliance™**

<https://circularactionalliance.org/>



Plastic Pollution Prevention and Packaging Producer Responsibility Act

SB 54

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

# Questions?



# Connect with the Panel:



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