

**NOTICE OF COMPLETION AND AVAILABILITY OF A PARTIALLY RECIRCULATED DRAFT PROGRAM
ENVIRONMENTAL IMPACT REPORT**

Opportunity for Public Comment on Partially Recirculated Draft Program Environmental Impact Report for the Adoption of the Plastic Pollution Prevention and Packaging Producer Responsibility Act, Senate Bill 54 (Allen, Chapter 75, Statutes of 2022) Implementing Regulations (SCH #2024070487)

DATE: August 26, 2025

TO: California State Clearinghouse; Governor's Office of Land Use and Climate Innovation; California Responsible and Trustee Agencies; Other Interested Public Agencies; and Interested Parties and Organizations

REVIEW PERIOD: August 26, 2025 through October 10, 2025

NOTICE IS HEREBY GIVEN that the California Department of Resources Recycling and Recovery (CalRecycle), as the California Environmental Quality Act (CEQA) Lead Agency, has prepared a Partially Recirculated Draft Program Environmental Impact Report (PEIR) for the Plastic Pollution Prevention and Packaging Producer Responsibility Act (the Act), Senate Bill 54 (Allen, Chapter 75, Statutes of 2022) Implementing Regulations (Proposed Program), which is further described below. CalRecycle has prepared this Notice of Completion and Availability (NOA) to notify the public, responsible and trustee agencies, interested parties, and the Governor's Office of Land Use and Climate Innovation of the availability of the Partially Recirculated Draft PEIR for public review and provide information about the potential implications of supplemental data made available after the Draft PEIR for the Proposed Program that was released on November 4, 2024. Specifically, on March 7, 2025, prior to certification of the Final PEIR, Governor Newsom directed CalRecycle to defer adoption of the Implementing Regulations and to revise them with the stated goal to reduce costs on businesses and consumers while still achieving statutory mandates. Thereafter, CalRecycle reopened the rulemaking process, convening the Packaging Producer Responsibility Advisory Board on March 21, 2025. CalRecycle released revised draft regulations for public review and comment from May 16, 2025, through June 3, 2025. CalRecycle held an informal public workshop on May 27, 2025, and attended a Packaging Producer Responsibility Advisory Board meeting on May 30, 2025, to solicit feedback from the public, the regulated community, and other interested persons on the proposed changes to the Implementing Regulations compared to the December 2024 draft regulations released in the first formal rulemaking. Corresponding with the revised regulations, CalRecycle also completed a revised Standardized Regulatory Impact Assessment (SRIA) in June 2025 that was submitted to the Department of Finance. On August 22, 2025, CalRecycle initiated the formal rulemaking process, following the publication of the Notice of Proposed Action by the Office of Administrative Law.

The Partially Recirculated Draft PEIR reflects the changes to the Implementing Regulations and updates the information in the environmental analysis to be consistent with the changes. The revised proposed regulations primarily introduce procedural and definitional refinements rather than substantive policy shifts. These changes aim to clarify implementation logistics, improve regulatory certainty, and enhance coordination among responsible parties. The updates in the 2025 SRIA reflect the revised regulatory requirements and more accurate baseline data. Specifically, the changes to the SRIA are a result of using updated input data regarding the amount of plastic covered material that constitutes “baseline”. Accordingly, the analyses provided in the Revised Draft PEIR primarily reflect changes made to the baseline data and does not introduce any new significant environmental impact, substantial increase in the severity of an environmental impact, or a new feasible project alternative or mitigation measure considerably different from others previously analyzed that would clearly lessen the environmental impacts of the project. The Partially Recirculated Draft PEIR includes incorporation of the revised Implementing Regulations and information provided in the corresponding SRIA completed in June 2025. The Partially Recirculated Draft PEIR also includes all comments received, responses to comments, and any changes made to the Draft PEIR prior to the revisions made to the Implementing Regulations.

Pursuant to CEQA Guidelines Section 15088.5(f)(2), CalRecycle is requesting that anyone wishing to submit written comments on the Partially Recirculated Draft PEIR limit their comments to the revised portions of the Draft PEIR. CalRecycle is not accepting additional input on non-recirculated chapters Draft PEIR, which was issued for agency and public review on November 4, 2024 through December 19, 2024. As permitted by CEQA and the CEQA Guidelines, the Final PEIR for the Proposed Program will include written response to (i) comments received during the initial circulation and public comment period that relate to the portions of the Draft PEIR that were not revised and recirculated and (ii) comments received during the recirculation period for the Partially Recirculated Draft PEIR that relate to the revised portions of the Draft PEIR.

PROJECT LOCATION: As shown in **Figure 1** below, the Proposed Program would occur throughout the entirety of the State of California.

THE PROPOSED PROGRAM: CalRecycle is proposing to implement regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act (Senate Bill (SB) 54, Allen, Chapter 75, Statutes of 2022). CalRecycle proposes to add to the California Code of Regulations, Title 14, Division 7, Chapter 11.1 (commencing with section 18980.1) and Chapter 11.5 (commencing with section 18981) regulations to implement, interpret, and make specific the requirements of the Act and establish various elements of CalRecycle’s oversight and enforcement responsibilities under the Act.

The Act requires California to fundamentally change its approach to managing the production and disposal of single-use packaging and plastic single-use food service ware (covered material). The Act applies waste hierarchy strategies to reduce the environmental and health impacts of covered material by focusing on waste reduction and moving to a circular economy. The Act facilitates shifting the burden of managing covered material from local governments and ratepayers to the producers of the covered material. The Proposed Program would implement the statutory requirement for producers of covered materials to source reduce plastic covered material by 25 percent by January 1, 2032; to ensure that all plastic covered material offered for sale, distributed in, or imported in or into the state achieves the recycling rate of 65 percent on and after January 1, 2032; and to ensure that all covered material offered for sale, distributed in, or imported into the state on or after January 1, 2032, is recyclable or eligible for being labeled “compostable.” The Act also requires producers to establish a Producer Responsibility Organization (PRO) for the purpose of developing and implementing an Extended Producer

Responsibility program for covered material. The Act prohibits a producer from selling, offering for sale, importing, or distributing covered materials in the state unless the producer is approved to participate in the producer responsibility plan of a PRO or alternatively, complies individually outside of a PRO. The Act imposes requirements on producers, including registration, reporting, recordkeeping, and auditing requirements; remittance of surcharges; and budget and annual report preparation. The Act also requires that local jurisdictions and recycling service providers include all covered material deemed by CalRecycle as recyclable and compostable in their collection and recycling programs, except as specified.

It is reasonably foreseeable that meeting the Act's source reduction and recycling rates will incentivize technological innovation and increased use of reusable and refillable products as well as infrastructure to optimize recycling and disposal waste streams, including collection, sorting, and processing facilities. Potential infrastructure development is presented at a program level and does not include site-specific locations or project-level implementation details (e.g., the location(s) of potential future infrastructure is not known at this time).

SIGNIFICANT ENVIRONMENTAL IMPACTS: The Draft PEIR identified potentially significant impacts associated with the construction and operation of expanded and new collection, sortation, and processing facilities as a reasonably foreseeable means of compliance with the Implementing Regulations for Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Mineral Resources, Noise, Transportation, Tribal Cultural Resources, and Wildfire. No potentially significant and unavoidable impacts were identified for the reasonably foreseeable means of compliance with the source reduction requirements of the Implementing Regulations. Similarly, the Partially Recirculated Draft PEIR identified potentially significant impacts associated with the construction and operation of expanded and new collection, sortation, and processing facilities as a reasonably foreseeable means of compliance with the Implementing Regulations to the same resource areas. The Partially Recirculated Draft PEIR reflects changes made in the analyses for Aesthetics, Air Quality, Biological Resources, Energy, Greenhouse Gas, Hazards and Hazardous Materials, Transportation, and Utilities and Services Systems. The impact determinations for each of these resource areas has not changed from those identified in the Draft PEIR.

SUBMITTAL OF WRITTEN COMMENTS: In accordance with CEQA Section 15087, this NOA is being circulated for a 45-day comment period. CalRecycle requests that written comments be provided at the earliest possible date, but no later than **5:00 p.m. on October 10, 2025**. Comments may be submitted via the following:

Electronically to: CalRecycle encourages use of its electronic commenting system. To submit comments electronically, visit the e-commenting page at <https://calrecycle.commentinput.com?id=JQCVbSREg>

Or E-mail to: Packaging@CalRecycle.ca.gov

Or Mail to: Department of Resources Recycling and Recovery (CalRecycle)
13th Floor - Fidan Aghayarova
P.O. Box 4025
Sacramento, CA 95812-4025

Please include the following information in your written comments:

- For all respondents, please provide name and contact information.

1001 I Street, Sacramento, CA 95814 ○ P.O. Box 4025, Sacramento, CA 95812
www.CalRecycle.ca.gov ○ (916) 322-4027

- For agency commenters, please provide the name of the agency and responsible individual with contact information (mailing address, e-mail, and telephone number).
- Comments provided by email should include “SB 54 Implementing Regulations CEQA” in the subject line and the name, business or organization affiliation (if any), and physical address of the commenter in the body of the email.

DOCUMENT AVAILABILITY: The Revised Draft PEIR, draft regulatory text, and this NOA can be viewed online at: <https://ceqanet.lci.ca.gov/Project/2024070487>. It can also be reviewed in person, along with all documents cited in the Draft PEIR, on any business day between 8:00 a.m. and 4:00 p.m. at CalRecycle's offices at 1001 I Street in Sacramento. Please contact Fidan Aghayarova by email at the address above if you would like to schedule review of the document in person.

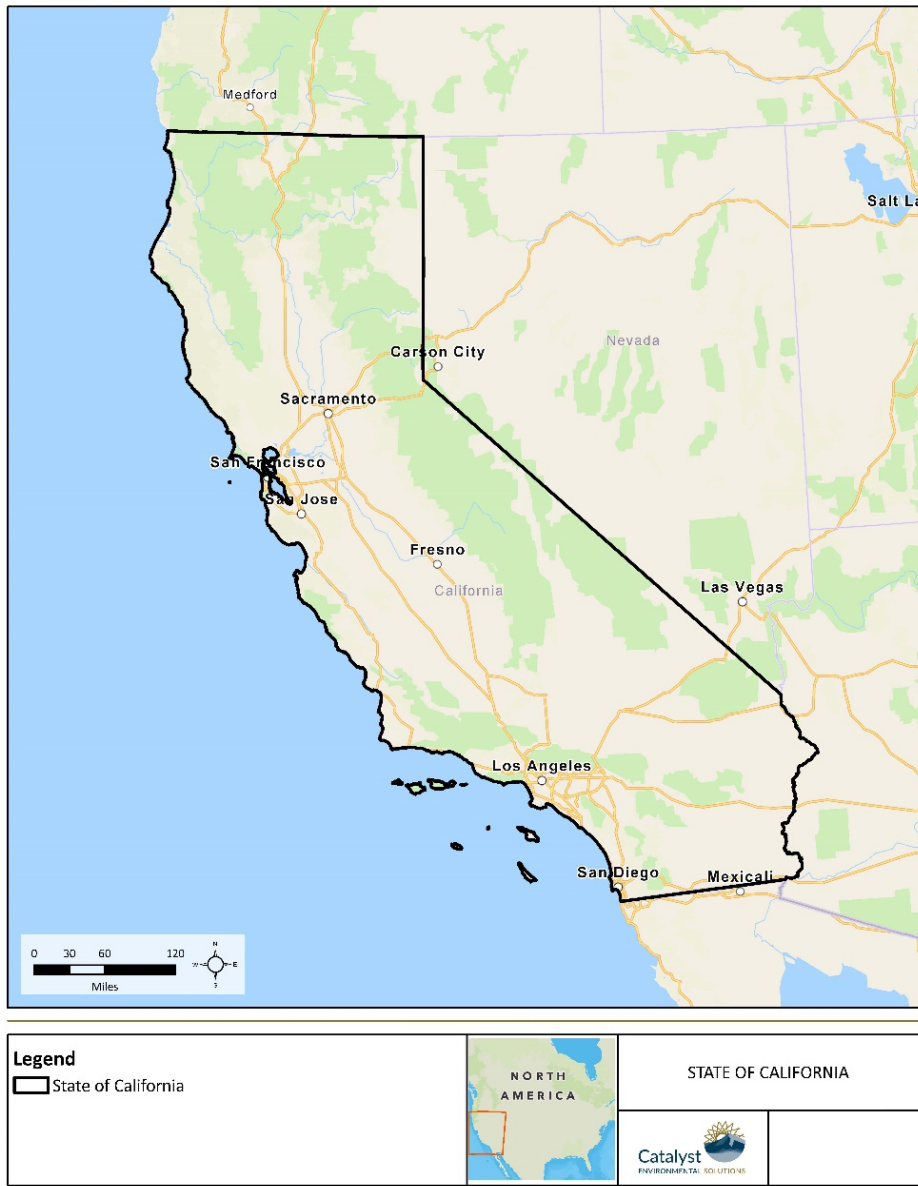


Figure 1. The State of California

1001 I Street, Sacramento, CA 95814 O P.O. Box 4025, Sacramento, CA 95812
www.CalRecycle.ca.gov O (916) 322-4027