

Addendum to the Proposed Regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act Program Environmental Impact Report (SCH #2024070487)

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To:	Fidan Aghayarova Senior Environmental Scientist (Specialist) California Department of Resources Recycling & Recovery
From:	Daniel Tormey, Technical Director and Managing Director, Catalyst Environmental

Introduction

The California Department of Resources Recycling and Recovery (CalRecycle) proposes to revise the Implementing Regulations for the Senate Bill 54, Plastic Pollution Prevention and Packaging Producer Responsibility Act (Allen, Chapter 75, Statutes of 2022) (hereinafter “the Act”). In response to CalRecycle's proposed minor revisions to the Implementing Regulations for SB 54, Catalyst Environmental Solutions (Catalyst) is preparing this Addendum to the Program Environmental Impact Report (PEIR) previously prepared for the Proposed Regulations for the Act. Enacted in June 2022, the Act established a comprehensive producer responsibility framework in California for single-use packaging and plastic food service ware (covered material) by requiring producers to ensure that covered materials are recyclable or compostable, and for plastic covered materials, achieve specified recycling rates and source reduction targets, and fund related environmental mitigation efforts. The Act’s Permanent Regulations were submitted to the Office of Administrative Law (OAL) on August 12, 2025, and published to the California Regulatory Notice Register on August 22, 2025. The accompanying PEIR (State Clearinghouse # 2024070487) was certified by CalRecycle on November 21, 2025, along with adoption of the Permanent Regulations. CalRecycle submitted the Permanent Regulations to OAL on November 24, 2025; it subsequently withdrew them on January 9, 2026, in order to make necessary amendments to certain sections of the regulations. This Addendum evaluates the minor regulatory revisions and confirms that they do not trigger the need for a subsequent or supplemental PEIR under the California Environmental Quality Act (CEQA).

Based on our review of the proposed revisions to the Act’s Permanent Regulations (dated January 29, 2026), compared to the Program and alternatives analyzed in the 2025 PEIR, the revised regulations (included as Attachment A to this Addendum) are intended to improve clarity and help implement the law with a focus on requirements applicable to food and agricultural commodities. The proposed changes would not include changes to the physical environment. Specifically, the revised Implementing Regulations would not:

- Increase the Program scale or intensity beyond what was analyzed in the PEIR;
- Impose new or more stringent performance standards affecting collection, sortation, or processing facilities, including and not limited to physical infrastructure, transportation volumes, processing technologies, or throughput beyond PEIR assumptions;
- Add or modify compliance pathways in a manner that would result in changes to collection, sortation, or processing from what was analyzed in the PEIR;
- Result in changes to implementation timing or phasing; or

- Create new significant environmental effects, or substantially increase the severity of any effect previously analyzed in the PEIR

Revised Implementing Regulations and Reasonably Foreseeable Means of Compliance are Within the Scope of the 2025 PEIR

The proposed changes to the Implementing Regulations were analyzed in order to determine if those changes are within the scope of the Program that was analyzed in the 2025 PEIR in Section 2.0 (Program Description) following CEQA Guidelines 15168(c). The analysis also considered whether the revised Implementing Regulations would lead to any new or more severe impacts compared to the analysis in the 2025 PEIR presented in Section 3.0 of the PEIR (Environmental Setting, Impacts, and Mitigation Measures).

Whether the proposed changes to the Implementing Regulations are within the scope of the Program and the associated impact analyses in the 2025 PEIR was determined by comparing the revised Implementing Regulations and the reasonably foreseeable means of compliance with the Implementing Regulations and associated reasonably foreseeable means of compliance that were analyzed in the 2025 PEIR and supporting documentation. The lack of physical changes led to the conclusion that the reasonably foreseeable means of compliance with the revised Implementing Regulations are within the scope analyzed in the 2025 PEIR. Table 1 summarizes the findings of the comparison of the scope of the revised Implementing Regulations and reasonably foreseeable means of compliance to the scope of the 2025 PEIR described in its Section 2.0, Project Description.

Table 1. Regulatory Revisions and CEQA Consistency

Revised Regulation Section	Type of Change	Summary of Revision	Does the Revision Lead to New or Expanded Physical Activities?	Potentially Affected Resource Areas	Effect on PEIR Analysis/Conclusions
§18980.2 – Categorically Excluded Materials	Administrative	Refined wording and clarified application and documentation of categorical exclusions and clarified noticing requirements	No	None	Does not expand or reduce covered material scope; no change to reasonably foreseeable means of compliance analyzed in 2025 PEIR
§18980.2.3 – Exemptions for Specific Material with Demonstrated Recycling Rates	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.2.4 – Exemptions for Certain Covered Materials	Administrative	Refined wording and clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.2.5 – Covered Material Category List Updates	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.2.6 – Covered Material Category List Recommendations	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.3.1 – Recyclability of Certain Covered Material Categories Identified by the Department	Procedural	Clarified public review timelines	No	None	Procedural only; no physical impacts
§18980.5.1 – Application for Independent Producer Compliance	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.5.2 – Exemptions for Small Producers	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.6.1 – Producer Responsibility Plan Submission	Clarification and procedural	Refined wording and clarified producer responsibility review submission and public review timelines	No	None	Procedural only; no physical impacts

Revised Regulation Section	Type of Change	Summary of Revision	Does the Revision Lead to New or Expanded Physical Activities?	Potentially Affected Resource Areas	Effect on PEIR Analysis/Conclusions
§18980.6.3 – Review of Updated Producer Responsibility Plan	Procedural	Refined wording and clarified public review timelines	No	None	Procedural only; no physical impacts
§18980.6.6 – Document Submittals	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.7 – Independent Producer Requirements	Procedural	Refined wording and clarified public review timelines	No	None	Procedural only; no physical impacts
§18980.7.2 – Review of Updated Independent Producer Plan	Procedural	Refined wording and clarified public review timelines	No	None	Procedural only; no physical impacts
§18980.7.5 – Independent Producer Document Submittals	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.8.2 – Closure and Transfer Plan Requirements	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.9 – Source Reduction Baseline Report	Administrative	Refined wording and clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.10 – Registration and Maintaining Address on File	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.10.1 – Data Reporting Submission	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18980.11.1 – Extension or Exemptions for Local Jurisdictions and Recycling Service Providers	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts
§18981 – Third-Party Certification Entity Criteria and Approval Process	Administrative	Clarified electronic submission requirements	No	None	Administrative only; no physical impacts

Revised Implementing Regulations and Reasonably Foreseeable Means of Compliance Would Not Result in New or More Severe Impacts

The 2025 PEIR concludes that construction and operation of new or expanded collection, sortation, and processing infrastructure has the potential to cause significant and unavoidable impacts to aesthetics, agricultural and forestry resources, 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. These potentially significant impacts are identified because the location, size, and operation of these potential future facilities are not known at this time and as such the actual facilities may not have significant effects. As identified in the PEIR, development of recycling infrastructure as a reasonable means of compliance with the Implementing Regulations could be carried out by other public agencies or private parties. As such, CalRecycle does not have the legal authority to require project-level mitigation in approving future projects carried out under the Program nor the ability to determine with any specificity the project level impacts. Therefore, the PEIR takes the conservative approach in its significance conclusions (i.e., tending to overstate the potential that feasible mitigation may not be implemented by the agency with authority to do so or may not be sufficient) and discloses, for CEQA compliance purposes, that potentially significant environmental impacts may be unavoidable even with feasible mitigation.

This consistency review analysed whether the revisions to the Implementing Regulations and the associated foreseeable means of compliance would lead to new impacts, or more severe impacts, compared to the findings of the 2025 PEIR. The review was conducted by Catalyst subject matter experts with knowledge of the issues and of CEQA on behalf of CalRecycle. The result of this consistency analysis, based on the substantial evidence in the record, is documented in the environmental checklist presented in Table 2. The use of a checklist table is consistent with CEQA Guidelines 15168(c)(4) as follows:

“Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.”

The proposed revisions to the Implementing Regulations would not introduce new programmatic, operational, or infrastructure changes that may directly or indirectly affect the physical environment, compared to what was analysed in the 2025 PEIR. Therefore, the revised Implementing Regulations would not result in any new or more severe impacts compared to those identified in the 2025 PEIR.

Table 2. Consistency with 2025 PEIR Impacts

CEQA Environmental Resource Area	Change to the Project That Would Affect the Resource?	New or More Severe Impact?
Aesthetics	No	No. Section 3.4 of the PEIR identifies impacts to aesthetics due to the potential for new or expanded collection, sortation, and processing facilities. The proposed revised Implementing Regulations are primarily administrative or procedural in nature and would not result in new development, changes to visual character, or alteration of scenic resources beyond what was evaluated in the 2025 PEIR. No new or more severe aesthetic impacts would occur.

CEQA Environmental Resource Area	Change to the Project That Would Affect the Resource?	New or More Severe Impact?
Agricultural and Forestry Resources	No	No. Section 3.5 of PEIR identifies impacts to agricultural and forestry resources due to the potential for new or expanded facilities. The proposed revised Implementing Regulations would not change land use patterns, authorize new facilities, or alter agricultural or timberland conversion assumptions evaluated in the 2025 PEIR. Therefore, no new or more severe impacts to agricultural or forestry resources would result.
Air Quality	No	No. Section 3.6 of the PEIR identifies impacts to air quality due to the potential for new or expanded facilities and the transition to alternative materials, including relative change in vehicle miles travelled related to the distribution of alternative materials and return logistics associated with reusable products. The proposed revised Implementing Regulations would not increase the scale, location, or intensity of physical activities (e.g., construction or operation of facilities) or vehicle miles travelled related to the transition to alternative materials) analyzed in the 2025 PEIR. No new emission sources would be created, and no increase in criteria pollutant or toxic air contaminant emissions would occur.
Biological Resources	No	No. Section 3.7 of the PEIR identifies impacts to biological resources due to the potential for new or expanded facilities. The proposed revised Implementing Regulations do not modify compliance pathways in a manner that would expand facility footprints or introduce new ground-disturbing activities beyond those contemplated in the 2025 PEIR. Accordingly, there would be no new or more severe impacts to biological resources or special-status species.
Cultural Resources	No	No. Section 3.8 of the PEIR identifies impacts to cultural resources due to the potential for new or expanded facilities. The proposed revised Implementing Regulations are administrative or procedural in nature and would not result in new construction or ground disturbance beyond what was previously analyzed. No new potential to affect archaeological or historic resources would occur.
Energy	No	No. Section 3.9 of the PEIR identifies impacts to energy resources due to the potential for new or expanded facilities. The proposed revised Implementing Regulations would not change energy demand assumptions associated with reasonably foreseeable compliance activities evaluated in the 2025 PEIR. No new or more severe energy impacts would occur.
Geology and Soils	No	No. Section 3.10 of the PEIR identifies impacts to geology and soils due to the potential for new or expanded facilities. No changes to physical development, grading, or construction activities would occur as a result of the proposed revisions to the Implementing Regulations. Therefore, there would be no new or more severe impacts related to geology, soils, erosion, or seismic hazards.
Greenhouse Gas Emissions	No	No. Section 3.11 of the PEIR identifies impacts related to greenhouse gas emissions due to the potential for new or expanded facilities and the transition to alternative materials, including relative change in vehicle miles travelled related to the distribution of alternative materials and return logistics associated with reusable products, and the shift in life-cycle GHG emissions (i.e., GHGs associated with material extraction and conversion of finished products, transportation, and end-of-life). The proposed revised Implementing Regulations would not increase the scale, location, or intensity of physical activities (e.g., construction or operation of facilities) or GHGs related to the transition to alternative materials analyzed in the 2025 PEIR. The proposed revisions to the

CEQA Environmental Resource Area	Change to the Project That Would Affect the Resource?	New or More Severe Impact?
		Implementing Regulations would not change the scale or nature of activities that contribute to GHG emissions as analyzed in the 2025 PEIR.
Hazards and Hazardous Materials	No	No. Section 3.12 of the PEIR identifies impacts related to hazards and hazardous materials due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not introduce new hazardous materials handling, storage, or transport activities beyond those analyzed in the 2025 PEIR. No new or more severe hazards-related impacts would occur.
Hydrology and Water Quality	No	No. Section 3.13 of the PEIR identifies impacts to hydrology and water quality due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not change the extent or location of facilities, impervious surfaces, or operational practices evaluated in the 2025 PEIR. No new or more severe impacts to surface water or groundwater quality would result.
Land Use and Planning	No	No. Section 3.14 of the PEIR identifies impacts related to land use and planning due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not modify land use assumptions, zoning consistency, or facility siting beyond what was analyzed in the 2025 PEIR. No new or more severe land use or planning impacts would occur.
Mineral Resources	No	No. Section 3.15 of the PEIR identifies impacts to mineral resources due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not result in new development or land use changes that could affect mineral resource availability. No new or more severe impacts to mineral resources would occur.
Noise	No	No. Section 3.16 of the PEIR identifies impacts related to noise due to the potential for new or expanded facilities and the transition to alternative materials, including relative change in noise levels associated with vehicle trips related to the distribution of alternative materials and return logistics associated with reusable products. The proposed revisions to the Implementing Regulations would not change the type, duration, or intensity of construction or operational activities nor would it result in changes to vehicle trips related to transition to alternative materials or the collection, sortation, or processing of covered materials as evaluated in the 2025 PEIR. No new or more severe noise impacts would occur.
Population and Housing	No	No. Section 3.17 of the PEIR identifies impacts related to population and housing due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not induce population growth or housing demand beyond what was contemplated in the 2025 PEIR. No new or more severe population or housing impacts would occur.
Public Services	No	No. Section 3.18 of the PEIR identifies impacts to public services due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not increase demands on fire protection, police, schools, or other public services beyond the program-level assumptions evaluated in the 2025 PEIR. No new or more severe impacts would occur.
Recreation	No	No. Section 3.19 of the PEIR identifies impacts to recreation due to the potential for new or expanded facilities. The revisions would not result in new development or changes to access to recreational resources beyond what was analyzed in the 2025 PEIR. No new or more severe impacts to recreation would occur.

CEQA Environmental Resource Area	Change to the Project That Would Affect the Resource?	New or More Severe Impact?
Transportation and Traffic	No	No. Section 3.20 of the PEIR identifies impacts related to transportation and traffic due to the potential for expanded facilities and the transition to alternative materials, including relative change in vehicle miles travelled related to the distribution of alternative materials and return logistics associated with reusable products. The proposed revised Implementing Regulations would not increase the scale, location, or intensity of physical activities (e.g., construction or operation of facilities) or vehicle miles traveled related to the transition to alternative materials analyzed in the 2025 PEIR. The proposed revisions to the Implementing Regulations would not change the scale or nature of activities that contribute to transportation and traffic impacts as analyzed in the 2025 PEIR.
Tribal Cultural Resources	No	No. Section 3.21 of the PEIR identifies impacts to tribal cultural resources due to the potential for new or expanded facilities. The proposed revised Implementing Regulations are administrative or procedural in nature and would not result in new construction or ground disturbance beyond what was previously analyzed. No new or more severe impacts to Tribal cultural resources would occur.
Utilities and Service Systems	No	No. Section 3.22 of the PEIR identifies impacts to utilities and service systems due to the potential for new or expanded facilities. The proposed revised Implementing Regulations would not involve construction or modification of facilities nor demolition of existing structures or other construction or operational activities that would result in increased demand for water, wastewater, solid waste handling, or energy services beyond what was analyzed in the PEIR. Further, the revised Implementing Regulations would implement source reduction policies, goals, and requirements put forth in SB 54 and would support state and local activities required to comply with waste reduction programs. No new or more severe impacts would occur.
Wildfire	No	No. Section 2.23 of the PEIR identifies impacts related to wildfire risks due to the potential for new or expanded facilities. The proposed revisions to the Implementing Regulations would not change the location or intensity of development in fire hazard severity zones beyond what was evaluated in the 2025 PEIR. No new or more severe wildfire-related impacts would occur.

Incorporation of Feasible Mitigation Measures Developed in the Program EIR

Pursuant to CEQA Guidelines Section 15168(c)(3) and consistent with CEQA Guidelines 15168(c)(4) checklist analysis provided in Table 2 above, CalRecycle will continue to incorporate the mitigation measures adopted with the certification of the PEIR on November 21, 2025, as set forth in the adopted Mitigation Monitoring Program (MMP). In addition, CalRecycle will re-adopt the CEQA Findings for the PEIR, adopted on November 21, 2025, which includes a Statement of Overriding Considerations. The CEQA Findings found that a Statement of Overriding Considerations was necessary for the impacts that remained significant and unavoidable after mitigation.

Conclusion

The Technical Memorandum documenting the basis for these findings completes CEQA compliance for the proposed revisions to the Implementing Regulations. The review and this Technical Memorandum documentation of CEQA compliance is compliant with CEQA Guidelines 15168(c)(2) as follows.

“If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record.”

The changes to the Program were analyzed above per CEQA Guidelines 15162(a)(1). Accordingly, this Addendum demonstrates the changes to the Implementing Regulations do not lead to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. In addition, CEQA Guidelines 15162(a)(2) speaks to changed circumstances which could lead to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. This Addendum finds that the revised Implementing Regulations would not lead to construction or modification of facilities that were not already analyzed in the 2025 PEIR or result in any effects that would lead to new or more severe effects. The 2025 PEIR for the Proposed Regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act (SCH #2024070487) and the associated MMP, CEQA Findings of Fact and Statement of Overriding Considerations state that future actions would be subject to requirements in place at the time such construction may occur. These documents are incorporated by reference with links to the respective documents provided below. Therefore, by this substantial evidence, we would anticipate that the conclusions of the 2025 PEIR would be the same.

Links to the relevant documents as incorporated by reference:

Final Program Environmental Impact Report for Proposed Regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act. SCH #2024070487. Available at:

<https://ceqanet.lci.ca.gov/2024070487/5>

Final Program Environmental Impact Report for Proposed Regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act; Findings of Fact and Statement of Overriding Considerations. Available at:

<https://ceqanet.lci.ca.gov/2024070487/5>

Final Program Environmental Impact Report for Proposed Regulations for the Plastic Pollution Prevention and Packaging Producer Responsibility Act; Final PEIR Mitigation Monitoring Program. Available at:

<https://ceqanet.lci.ca.gov/2024070487/5>