

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

From: (Public Agency): Department of Resources Recycling and Recovery
1001 I Street, MS-24B, Sacramento, CA 95814

County Clerk

County of: Sacramento

(Address)

Project Title: SB 1013 Addition of New Beverage Containers Permanent Regulations

Project Applicant: Department of Resources Recycling and Recovery (CalRecycle)

Project Location - Specific:

Statewide

Project Location - City: N/A

Project Location - County: N/A

Description of Nature, Purpose and Beneficiaries of Project:

In 2022, the Legislature enacted Senate Bill 1013 (2021-2022 Reg. Session, Chapter 610 of the Statutes of 2022), Public Resources Code sections 14504, 14560, and 14561, to expand the types of beverages and beverage containers that are eligible for redemption as part of the BCRP. Prior to the passage of SB 1013, chapter 5, division 2, title 14 of the California Code of Regulations ("14 CCR") established a framework for the BCRP that includes a system of payments and procedures among a variety of program participants. This regulatory framework is built upon the previously eligible beverages and beverage containers. Since the Bottle Bill was enacted, there have been a number of amendments to PRC section 14504 to expand the type of beverages covered by the Act. Immediately prior to the passage of Senate Bill 1013 (2021-2022 Reg. Session, Chapter 610 of the Statutes of 2022) ("SB 1013"), certain types of beverages were covered by the Act where in a beverage container primarily consisting of aluminum, glass, plastic, or bimetal. The covered beverage types excluded the following: wine, distilled spirits, wine and distilled spirit coolers exceeding 7 percent alcohol by volume, certain large fruit and juice containers, milk, medical food, and infant formula. Prior to SB 1013 being chaptered, CRV had increased to 5 cents for a beverage container less than 24 ounces, and 10 cents for a beverage container 24 ounces or larger. CalRecycle has developed a proposed regulation to establish administrative procedures to enable CalRecycle to fulfill its responsibilities under SB 1013.

Name of Public Agency Approving Project: Department of Resources Recycling and Recovery (CalRecycle)

Name of Person or Agency Carrying Out Project: Department of Resources Recycling and Recovery (CalRecycle)

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: Class 8 (Section 15308)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The adoption of the regulation is exempt from the California Environmental Quality Act (CEQA) because it falls under the "Class 8" exemption as defined in the CEQA Guidelines. The Class 8 exemption states that a project is exempt from CEQA if it "consists of actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment" (CEQA Guidelines section 15308). The SB 1013 Addition of New Beverage Containers permanent regulations are intended to clarify, implement and make specific these changes from SB 1013. The new container material types are undefined and lack implementation details for the department and its regulated participants. Regulations are necessary to provide the same level of clarity for the new beverage and beverage container types as are available for beverage and beverage container types that have been in the BCRP prior to the enactment of SB 1013. As explained in the Notice of Proposed Action (NOPA) prepared for these regulations, CalRecycle found it necessary to clarify and make specific the precise beverages and beverage containers subject to the 25-cent CRV and redemption payment: bags in boxes, multi-layer pouches, paperboard cartons, and plastic #1-7 pouches containing wine, distilled spirits, or wine and distilled spirit cooler (proposed 14 CCR Section 2900(b)(2)). These proposed regulations will implement, interpret, and make specific SB 1013 by integrating the new types of beverage containers and beverages into the regulatory framework of the BCRP. These regulations will benefit the health and safety of residents of California and the state's environment by ensuring that these beverage containers are recovered instead of littered. While the regulations may increase recycling activity, this uptick is not expected to require new facilities or expansions of existing ones. See the NOPA for further details.

Lead Agency

Contact Person: Donnet McFarlane

Area Code/Telephone/Extension: 916-327-0089

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? **Yes** **No**

Signature: Donnet McFarlane Digitally signed by Donnet McFarlane
Date: 2026.07.24 10:45:08 -07'00' **Date:** 7/24/26 **Title:** Supervisor I

Signed by **Lead Agency**

Signed by **Applicant**

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____