



**Rural Counties**  
Environmental Services  
Joint Powers Authority

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**ESJPA**

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## **Board of Directors Meeting**

**Thursday**  
**August 14, 2025**  
**9:00 A.M.**

**1215 K St., Suite 1650**  
**Sacramento, CA 95814**  
**916-447-4806**



**Rural Counties  
Environmental Services  
Joint Powers Authority**

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**ESJPA**

**CHAIR** — LORI PARLIN, EL DORADO COUNTY  
**VICE CHAIR** — RHONDA DUGGAN, MONO COUNTY  
**EXECUTIVE DIRECTOR** — PATRICK BLACKLOCK

**TECHNICAL ADVISORY GROUP (TAG)**

**TAG CHAIR** — TEDD WARD, DEL NORTE COUNTY  
**TAG VICE CHAIR** — NARCISA UNTAL, SOLANO COUNTY  
**DEPUTY EXECUTIVE DIRECTOR** — STACI HEATON

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## **Rural Counties Environmental Services Joint Powers Authority Board of Directors & Technical Advisory Group Meeting**

**1215 K St., Suite 1650  
Sacramento, CA 95814**

**Thursday, August 14, 2025 9:00 a.m. – 3 p.m.**

**Additional Teleconference Locations are Listed on the  
Last Page of this Agenda**

(All Teleconference Locations are Accessible to the Public)

This meeting will also be livestreamed for public access. Members of the public can watch or listen to the meeting using one of the following methods:

1. Join the Zoom meeting application on your computer, tablet or smartphone:

Go to: <https://rcrcnet.zoom.us/j/89786874501>

Enter Password: 449056

2. Call-in and listen to the meeting:

Dial (877) 853-5247

Enter meeting ID: 897 8687 4501

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**PUBLIC COMMENT USING ZOOM:** Members of the public who join the Zoom meeting, either through the Zoom app or by calling in, will be able to provide live public comment at specific points throughout the meeting.

**EMAIL PUBLIC COMMENT:** One may also email public comment to [jlunn@rcrcnet.org](mailto:jlunn@rcrcnet.org) before or during the meeting. All emailed public comments will be forwarded to all ESJPA Board of Directors members.

*Only those items that indicate a specific time will be heard at the assigned time. All other items may be taken out of sequence to accommodate the Board, the staff, and the general public. Indicated time allocations are for planning purposes only and actual times will vary from those indicated.*

**I. Call to Order, Self-Introductions, and Determination of Quorum**

- A. Overview of Meeting Procedures – Staci Heaton, ESJPA Deputy Executive Director.

**II. Business Matters**

Discussion and possible action related to the following:

- A. Approval of Minutes from the Meeting of June 12, 2025 **(ACTION)** – Supervisor Lori Parlin, ESJPA Chair. *(pgs. 2-7; 5 minutes)*
- B. Development of 2026-28 ESJPA Business Plan – Staci Heaton and Christopher Egan, RCRC Management Analyst *(pgs. 8-12; 30 minutes)*

**III. Public Comment**

Any person may address the Board on any matter relevant to the Authority's business, but not otherwise on the agenda.

**IV. Presentations**

- A. Monetizing Carbon Farming With Carbon Credits – Evan Edgar, Edgar & Associates, Inc. *(25 minutes)*
- B. Report from CalRecycle – Melissa Vargas, Local Assistance and Market Development Branch *(10 minutes)*

**V. Member County Concerns/Comments**

**VI. Legislative Update**

*(Supplemental Packet, 25 minutes)*

(This item may be heard at any time during the meeting depending upon the availability of staff) Discussion of Legislation – John Kennedy, RCRC Senior Policy Advocate

- AB 28
- AB 998
- SB 501
- Ideas for consideration for sponsored legislation in 2026

## **VII. Extended Producer Responsibility (30 minutes)**

- California Product Stewardship Council Update – Joanne Brasch, Director of Advocacy and Outreach, CPSC
- Mattress Recycling Council Update – Taylor Grimes, Special Projects Coordinator
- PaintCare Update – Eric Humphreys, California Regional Program Coordinator, PaintCare

## **VIII. Solid Waste/Regulatory Update**

Discussion and possible action related to the following:

### **A. CalRecycle (20 minutes)**

- a. SB 54 Implementation – John Kennedy, and Larry Sweetser, Sweetser and Associates (pgs. 14-24)
- b. SB 1383 Implementation – Larry Sweetser and Staci Heaton
- c. Illegal Dumping – Larry Sweetser (pgs. 25-43)
- d. PaintCare (pgs. 44-47)
- e. Battery regulations (pgs. 48-55)
- f. Form 303
- g. Electronic Annual Reports (pgs. 56-58)
- h. Dealer Co-op Stewardship Plan (pgs. 59-65)

### **B. California Air Resources Board**

- a. Advanced Clean Fleets – Staci Heaton (pgs. 66--81; 5 minutes)
- b. Landfill Toxic Hot Spots Update – Larry Sweetser (pgs. 82-109; 10 minutes)
- c. Landfill Methane Outreach Update – Larry Sweetser (5 minutes)

### **C. Department of Toxics Substances Control (10 minutes)**

- a. Hazardous Waste Management Plan (pgs. 110-113)
- b. Program Updates – Larry Sweetser

### **D. State Water Resources Control Board Waste Discharge Fees (pgs. 114-117; 5 minutes)**

### **E. Grant Program and Contracts Update (5 minutes)**

- a. CalRecycle Rural Zero Waste Plan – Larry Sweetser, Eric Will, RCRC Director of Local Assistance, and Jason Hansen, RCRC Economic Development Officer
- b. OPP Grant Annual Report
- c. ESJPA Ongoing and Potential Grants – Larry Sweetser and Eric Will (pgs. 76-79)

### **F. Highlights of June-July 2025 CalRecycle Monthly Meetings – Larry Sweetser (pgs. 118-153; 5 minutes)**

### **G. Other Regulatory Announcements/Issues of Interest**

- Cal EPA CUPA Newsletters (pgs. 154-166)



H. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled October 2025

**IX. Articles of Interest**

*(Page 167)*

**X. Adjournment**

**Lunch Break**

**Technical Advisory Group Breakout Session 1 p.m.**

Rural Zero Waste Plan - implementation, obstacles, and resources for edible food recovery, CalGreen, paper procurement, and more.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please call (916) 447-4806 at least 48 hours before the meeting.

Agenda items will be taken as close as possible to the schedule indicated. Any member of the general public may comment on agenda items during the public comment period. To facilitate public comment, please let staff know if you would like to speak on an agenda item. The agenda for this meeting of the Board of Directors of Rural Counties Environmental Services Joint Powers Authority was duly posted at its offices, 1215 K Street, Suite 1650, Sacramento, California, at least 72 hours prior to the meeting.

Any written materials related to an open session item on this agenda that are submitted less than 24 hours prior to the meeting, and that are not exempt from disclosure under the Public Records Act, will promptly be made available for public inspection at ESJPA's principal office, 1215 K Street, Suite 1650, Sacramento, CA 95814, (916) 447-4806, during normal business hours, and on the ESJPA website, <https://www.esjpa.org>.

**Additional Teleconference Location(s)**

<p><b>Del Norte Solid Waste Management Authority Conference Room 1700 State Street Crescent City, CA 95531</b></p>	<p><b>Tehama County Solid Waste Management Agency Administrative Office 20000 Plymire Road Red Bluff, CA 96080</b></p>
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<b>Trinity County Solid Waste Office Conference Room 173 Tom Bell Rd Weaverville CA 96093</b>	
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# **Agenda Item II**

## **BUSINESS MATTERS**



**Rural Counties  
Environmental Services  
Joint Powers Authority**

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**ESJPA**

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**Rural Counties Environmental Services Joint Powers Authority  
Board of Directors & Technical Advisory Meeting Minutes**

**1215 K St., Suite 1650  
Sacramento, CA 95814**

**Thursday, June 12, 2025**

**VOTING MEMBERS PRESENT**

Jeff Gardner  
Craig Cissell  
Tedd Ward  
Supervisor Lori Parlin  
Jose Castaneda  
Supervisor Rhonda Duggan  
Brad Torres  
Sean Graham  
Charleen Beard  
Narcisa Untal  
Paul Freund  
Diane Rader  
Deborah Reagan

Amador County  
Butte County  
Del Norte County  
El Dorado County  
Imperial County  
Mono County  
Nevada County  
Plumas County  
Shasta County  
Solano County  
Tehama County  
Trinity County  
Tuolumne County

**STAFF IN ATTENDANCE**

Staci Heaton, Deputy Executive Director  
Larry Sweetser, ESJPA Consultant  
Sanjay Lee, Accounting Manager  
John Kennedy, Senior Policy Advocate  
Julie Lunn, Office Coordinator

Rural Counties ESJPA  
Sweetser and Associates, Inc.  
RCRC  
RCRC  
RCRC

**GUEST SPEAKERS**

Melissa Vargas, CalRecycle  
Eric Payne, CalRecycle  
Joanne Brasch, California Product Stewardship Council  
Christine Messer, Mattress Recycling Council  
Eric Humphreys, PaintCare

## **I. Call to Order, Self-Introductions, and Determination of Quorum**

Supervisor Lori Parlin, ESJPA, called the meeting to order at 9:03 a.m. A quorum was determined at that time, and Staci Heaton, ESJPA Deputy Executive Director, gave an overview of meeting procedures in accordance with the Brown Act.

## **II. Business Matters**

- A. The Board considered minutes from the March 27, 2025 meeting for approval. Ms. Heaton recommended approval with a correction to include Supervisor Mike Holland, Tuolumne County, in the attendees for the meeting. Motion/Second to approve the minutes by El Dorado County/Del Norte County. Motion approved unanimously.
- B. The Board considered the 2024 Audited Financial Statements for approval. Sanjay Lee, RCRC Accounting Manager, presented the item to the board. Motion/Second to approve by Del Norte County/Solano County. Motion approved unanimously.

## **III. Public Comment**

Craig Cissell, Butte County, noted that the California Air Resources Board (CARB) was doing inspections of landfill emissions monitoring and levying fines for exceeding the 500 ppm standard. The fines are \$12,500 days max, but those fines are for willful violations. Mr. Sweetser noted that CARB is revising their landfill methane rule, but that this is the first time we have heard of fines being levied.

## **IV. Presentations**

- A. Community Green Waste Collection Events – Deborah Reagan, Solid Waste Director, Tuolumne County

Ms. Reagan gave an overview of the county's program. Supervisor Duggan asked that the slide deck be sent out to attendees after the meeting.

- B. Report from CalRecycle

Melissa Vargas, Local Assistance and Market Development Branch, noted several upcoming opportunities for training, including an EAR training webinar on June 25. She also offered that the recording of the January 2025 monthly SB 1383 chat is now available on CalRecycle's YouTube channel. Ms. Vargas discussed a number of upcoming grants with due dates coming soon. Ms. Vargas also discussed upcoming workshops, including the Illegal Dumping Technical Advisory Committee.

Mr. Sweetser noted that the CalRecycle monthly meetings have been quiet on the compliance evaluation front and people are wondering what's going on. Ms. Vargas noted that she is working with JACE, but was not sure where they are in the process and would investigate.

### C. Recycling and Disposal Reporting System (RDRS)

Eric Payne, Cal Recycle, presented the latest updates on the RDRS.

## V. Member County Concerns/Comments

Valerie Meza, Butte County, noted that they received a surprise visit from Calrecycle to check tire manifests and see what they had on site.

Narcisa Untal, Solano County, asked if each jurisdiction could present on how they manage their waste.

## VI. Legislative Update

John Kennedy, RCRC Senior Policy Advocate, discussed a number of bills included in the supplemental legislative packet, including AB 337, AB 411, AB 436, AB 1046, AB 473, AB 973, SB 14, AB 672, SB 615, AB 998, SB 501, AB 1325, and AB 1153. Mr. Kennedy also gave a brief update on the industry effort to get a 5-year extension from CalRecycle to continue labeling certain products as biodegradable.

## VII. Extended Producer Responsibility

- California Product Stewardship Council Update – Joanne Brasch, Director of Advocacy and Outreach, CPSC

Ms. Brasch noted that the solar panel pilots are going really well, and that they are actually paying residents and gov't entities to install used panels. The pilots are helping with negotiations on the solar panels bill. The first workshop on SB 707, the textile EPR bill from last year, is on July 17. She noted that AB 80 is moving with amends. AB 864 moving with amends as well, and language will be out soon.

- Mattress Recycling Council Update – Christine Messer, Northern California Program Coordinator

Ms. Messer noted that they have taken a pause on new events, so they don't have as many going as usual in abundance of caution for the budget. She also noted that they have added another site in Plumas County, which will be a seasonal site from May1-Oct 31.

- PaintCare Update – Eric Humphreys, California Regional Program Coordinator, PaintCare

PaintCare had 815 active drop off sites at the end of 2024, and collected more than 3.5 million gallons. They have done 1052 large volume pickups in CA, and will be expanding that. They are working on a transition away from recurring over to a large volume. Well within convenience

criteria, have a few new sites in Plumas. Lost a site in Quincy, so will be replacing it. They are actively researching aerosols and other products for program expansion.

### **VIII. Solid Waste/Regulatory Update**

Discussion and possible action related to the following:

#### **A. Federal Update**

Ms. Heaton gave an update on several federal issues that could impact California, including the One Big Beautiful Bill moving through the budget reconciliation process. Ms. Heaton also noted cuts to USDA Forest Service staff that could impact how national forest lands are managed in the near future. Supervisor Duggan noted that USFS staff are no longer providing garbage receptacles on national forest lands, assuming that local jurisdictions will take care of it.

#### **B. CalRecycle**

##### **a. SB 54 Implementation**

Mr. Sweetser noted that the SB 54 regulations are out for second round of public comment, which RCRC did provide. The Advisory Board is meeting again. RCRC/ESJPA are still struggling to make sure that locals are made whole financially.

##### **b. SB 1383 Implementation**

Mr. Sweetser discussed the Electronic Annual Report, which is due August 1.

##### **c. SB 1013 Dealer Co-Op Regulations**

This item was covered in the Legislative Update.

##### **d. Illegal Dumping**

Mr. Sweetser noted that the Illegal Dumping Advisory Committee would be meeting on June 18 and are focused on forming collaborative efforts.

#### **B. Department of Toxics Substances Control**

##### **a. Hazardous Waste Management Plan**

Mr. Sweetser discussed the next hearing, which is scheduled for July 15.

##### **b. Program Updates**

Mr. Sweetser noted that DTSC is doing pop-up inspections of facilities and household hazardous waste programs.

C. California Air Resources Board

a. Advanced Clean Fleets

Ms. Heaton mentioned two legislative efforts to give CARB full fee authority, as well as discussed the status of CARB's Advanced Clean Fleets regulations and RCRC's sponsored bill, Senate Bill 496 (Hurtado).

b. Landfill Toxic Hot Spots

Mr. Sweetser noted that ESJPA has been involved in efforts to figure out how to do testing, pooled testing, etc. The inventory will have to be submitted by 2028.

c. Landfill Methane Outreach Update

Mr. Sweetser discussed CARB's attempts to revamp regulations for this issue, and that they are meeting with industry.

D. Grant Program and Contracts Update

a. CalRecycle Rural Zero Waste

This discussion was deferred to the Technical Advisory Group.

b. ESJPA Ongoing and Potential Grants

Mr. Sweetser encouraged members to submit their applications for Tire Amnesty 7 grant. view the information in their packet. The tire grant is opening up, ESJPA will be submitting regional application.

c. SB 1383 Local Assistance Grants

Mr. Sweetser did a brief check-in on grants and noted that ESJPA would be helping Del Norte County develop a GHG calculator.

E. Highlights of April-May 2025 CalRecycle Monthly Meetings

Ms. Sweester noted that Zoe Heller was confirmed as Director of CalRecycle. CalRecycle is working with locals on post-fire cleanup. SB 212 stewardship program is still undergoing review, and there are concerns with stewardship orgs about compliance. Mr. Sweester asked members to let ESJPA know if they are having problems with pharms/sharps compliance. Covered electronics program.



F. Agenda Suggestions, Member County Presentation Volunteer, Workshop Topics for Next ESJPA Board Meeting Scheduled June 2025

None noted.

**IX. Adjournment**

The meeting was adjourned at 12:20 p.m.



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## MEMORANDUM

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**To:** ESJPA Board of Directors

**From:** Staci Heaton, Deputy Executive Director

**Date:** August 11, 2025

**RE:** Development of 2026-28 ESJPA Business Plan

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In 2022, the ESJPA Board of Directors approved a 2023-25 ESJPA Business Plan. ESJPA established targets and metrics for success of the Business Plan, which was approved by the Board by the December 2022 ESJPA Board of Directors meeting. ESJPA established targets and metrics for success of the Business Plan, which has been implemented over the last three years.

As the Business Plan is set to expire, ESJPA is initiating a process to develop the 2026-28 ESJPA Business Plan. The first step is a SWOT (Strengths, Weaknesses, Opportunities, and Threats) analysis to gather feedback from the members of the Board. ESJPA is targeting a final draft presentation to the Board at the December 2025 meeting.

### **Recommendation**

It is recommended that the ESJPA Board review the 2023-2025 ESJPA Business Plan and provide feedback and recommendations to ESJPA to inform the 2026-28 update.

### **Attachments**

- 2023-2025 ESJPA Business Plan

# ESJPA 2023-2025 Business Plan



**Rural Counties**  
Environmental Services  
Joint Powers Authority

**ESJPA**

## Goal: Organizational Health

### **Objective: Maintain and strengthen organizational fiscal health and workforce.**

- *Strategy:* Determine need for additional staffing to sustain and/or expand service offerings by June 2023.
- *Strategy:* Conduct five-year financial forecast of revenue and expenses by December 2023.
- *Strategy:* Evaluate development of fees for specialty services by December 2023.

#### *Metrics:*

- *Financial solvency (metric)*

## Goal: Engaged Membership

### **Objective: Increase and enhance member services.**

- *Strategy:* Ensure engagement of all members and conduct member county outreach beginning January 2023.
- *Strategy:* Develop and provide increased resources including but not limited to an events calendar, trainings, grant information, templates (ex. compliance), guidance, county profiles, and information sharing on targeted issues (ex. prevailing wage) beginning January 2023.
- *Strategy:* Evaluate expansion of grant administration program by June 2023.
- *Strategy:* Begin facilitation and/or negotiation for group purchase of goods and services for member counties by January 2024.

#### *Metrics:*

- *Membership needs and satisfaction survey*

### **Objective: Increase partnerships and county membership**

- *Strategy:* Conduct non-member county outreach and/or visits beginning January 2023.
- *Strategy:* Explore opportunities for organizational partnerships of benefit to member jurisdictions beginning January 2023.

#### *Metrics:*

- *# of outreach conducted of member/non-member counties*
- *# of partnerships explored*

**Objective: Explore affiliate membership program**

- *Strategy: Establish working group of no more than 5 ESJPA delegates and/or alternates to make recommendations to the Board of Directors by June 2023.*
- *Strategy: Conduct outreach to appropriate non-RCRC entities based on the final program established by the Board beginning January 2024.*

*Metrics:*

- *# outreach conducted to non-RCRC entities for potential affiliate membership*

**Goal: Robust Communication**

**Objective: Expand organizational communication with member counties**

- *Strategy: Conduct regular check-in calls with member counties on key areas beginning January 2023.*
- *Strategy: Evaluate ESJPA communication methods and identify areas for improvement by June 2023.*
- *Strategy: Implement methods to provide membership with regular and timely updates on ESJPA services and advocacy efforts, key legislative news, and available resources beginning July 2023.*

*Metrics:*

- *# of subscribers, followers, website visits, and/or mailing lists*

**Goal: Organic Waste Preparation**

**Objective: Increase organic waste implementation support for member counties**

- *Strategy: Continue rural specific advocacy for changes to organic waste regulations and legislation beginning January 2023.*
- *Strategy: Provide individualized technical support and assistance with implementation and state regulatory agencies beginning January 2023.*
- *Strategy: Develop informational supports and resources for counties on organic waste implementation including trainings, templates, notifications, and record keeping beginning 2023.*

*Metrics:*

- *Membership needs and satisfaction survey*

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## Optional Expansion of Services:

The Technical Advisory Group will evaluate and offer recommendations to the Board of Directors by October 2023 on the following:

### *Option 1 (Stormwater)*

#### **Goal: Organizational Service Expansion**

##### **Objective: Expand organizational scope and services to include stormwater**

- Strategy: Develop organizational scope of work for stormwater services by March 2024.
- *Strategy:* Update Joint Exercise of Powers Agreement to reflect service expansion by December 2024.
- *Strategy:* Evaluate need for fiscal and organizational supports to manage expansion by October 2024.
- *Strategy:* Incorporate expanded stormwater policy into organizational advocacy platform by October 2024.
- *Strategy:* Develop and disseminate information and resources to member counties regarding stormwater including but not limited to trainings, templates, monitoring, and notifications beginning January 2025.

##### *Metrics:*

- *Completed expansion of ESJPA scope to include stormwater*

### *Option 2 (Stormwater and Disaster Clean-Up)*

#### **Goal: Organizational Service Expansion**

##### **Objective: Expand organizational scope and services to include stormwater and disaster clean-up**

- Strategy: Develop organizational scope of work for stormwater and disaster clean-up services by March 2024.
- *Strategy:* Update Joint Exercise of Powers Agreement to reflect service expansion by December 2023.
- *Strategy:* Evaluate need for fiscal and organizational supports to manage expansion by October 2024.

- *Strategy:* Incorporate expanded stormwater and disaster clean-up policy into organizational advocacy platform by October 2024.
- *Strategy:* Develop and disseminate information and resources to member counties regarding stormwater and disaster clean-up including but not limited to trainings, templates, monitoring, and notifications beginning January 2025.

*Metrics:*

- *Completed expansion of ESJPA scope to include stormwater and disaster clean-up*

## **Agenda Item VIII**

### **SOLID WASTE/ REGULATORY UPDATES**

Plastic Pollution Prevention and Packaging Producer Responsibility Act  
**Requirements for Expanded Polystyrene Recycling Rate Demonstration  
Frequently Asked Questions (FAQ)**

## **Introduction**

The Plastic Pollution Prevention and Packaging Producer Responsibility Act (the Law) restricts producers of expanded polystyrene (EPS) food service ware from selling, offering for sale, distributing, or importing EPS food service ware in or into the state unless certain recycling rates are met. To continue these activities in California, producers of EPS food service ware are required to demonstrate to CalRecycle that the statutorily mandated recycling rates are met for all EPS covered material under the Law as of January 1, 2025.

This FAQ document is part of CalRecycle's compliance efforts to assist regulated businesses in understanding and complying with the Law. Additional compliance assistance efforts will be made available to supplement the information in this document in the future.

- 1. Who is regulated as the Producer of EPS food service ware?**
  - a. The definition of 'producer' is in [PRC section 42041\(w\)](#). This definition applies to producers of EPS food service ware as well as other covered material. Guidance on identifying producers will be published by CalRecycle once the regulations are effective. Industry organizations and the Producer Responsibility Organization (PRO), [Circular Action Alliance](#), may also provide support or educational materials to assist businesses in determining who the producer is for a particular item of covered material.
- 2. What materials are considered to be EPS food service ware and are therefore prohibited from sale/distribution?**
  - a. Expanded polystyrene food service ware refers to expanded polystyrene as defined in [PRC section 42041\(k\)](#) and single-use food service ware items as defined in [PRC section 42041\(e\)\(1\)\(B\)\(i\)](#). Single-use food service ware items include trays, plates, bowls, clamshells, lids, cups, utensils, stirrers, hinged or lidded containers, and straws.
    - For example, clamshell takeout containers and cold drink to-go cups are food service ware and are subject to the sales and distribution restriction described in [PRC section 42057\(i\)](#).





Plastic Pollution Prevention and Packaging Producer Responsibility Act  
**Requirements for Expanded Polystyrene Recycling Rate Demonstration  
Frequently Asked Questions (FAQ)**

3. **Are EPS school lunch trays covered under the restrictions in PRC section 42057(i)?**
  - a. Yes, school lunch trays made from expanded polystyrene are considered EPS food service ware and are subject to the restrictions described in [PRC section 42057\(i\)](#).
4. **What materials are NOT EPS food service ware?**
  - a. Expanded polystyrene materials not used in the service of food such as packaging materials, crafting foam, or sports equipment are not EPS food service ware.
    - For example, expanded polystyrene egg cartons, foam coolers, and trays used to sell pre-packaged raw meat **are not considered** food service ware. These materials are not subject to the sales and distribution restriction described in [PRC section 42057\(i\)](#).
5. **Who is exempted from this requirement?**
  - a. The restriction on the sale and distribution of EPS food service ware applies to producers, as defined in PRC section 42041(w).
    - Entities who are not producers are not subject to the sales restriction and may be currently exhausting stocks of EPS food service ware that were acquired legally from producers before the restriction went into place.
    - [PRC section 42060](#) also exempts small producers, small retailers, and small wholesalers based on size, revenue, number of retail locations, and market share.
6. **Who is required to submit the recycling rate demonstration?**
  - a. Producers of expanded polystyrene food service ware must demonstrate to CalRecycle that **all expanded polystyrene** covered material meets the recycling rate. All expanded polystyrene covered material includes all EPS food service ware and EPS packaging subject to this law.

Plastic Pollution Prevention and Packaging Producer Responsibility Act  
**Requirements for Expanded Polystyrene Recycling Rate Demonstration  
Frequently Asked Questions (FAQ)**

**7. What materials need to be included in the recycling rate calculation?**

- a. The demonstration must show a statewide recycling rate for all EPS covered material (food service ware as well as packaging).
  - This cannot be a product-specific or producer-specific recycling rate.
- b. How is the recycling rate meant to be calculated?

$$\frac{\text{Weight of EPS covered material recycled}}{\text{Weight of all EPS covered material recycled} + \text{Weight of all EPS covered material disposed of}}$$

**8. Who determines if the recycling rate has been met?**

- a. CalRecycle will review any recycling rate demonstrations submitted to the Department to determine if they satisfy the requirements of the Law.

**9. What is the current status of the EPS food service ware prohibition?**

- a. To date, producers of EPS food service ware have not met this requirement. As a result, EPS producers are restricted from selling, offering for sale, distributing, or importing EPS food service ware, such as single-use takeout containers and cups, in or into California.
- b. This information was shared on April 4, 2025, through the Packaging EPR [listserv](#) and [webpage](#).

**10. When did the prohibition become effective?**

- a. The Law prohibits the sale or distribution of EPS food service ware as of January 1, 2025, if the recycling rate has not been demonstrated. Since the recycling rate has not been demonstrated, the prohibition went into effect January 1, 2025.

**11. Is this the first time EPS food service ware has been regulated?**

- a. Expanded polystyrene has already been restricted or banned in:
  - 11 other U.S. states,
  - 131 California communities, and
  - 250 cities and counties across the U.S.

Plastic Pollution Prevention and Packaging Producer Responsibility Act

**Requirements for Expanded Polystyrene Recycling Rate Demonstration  
Frequently Asked Questions (FAQ)**

**12. What kinds of assistance is available?**

- a. CalRecycle is developing an education and assistance program to help regulated businesses have access to information to help them comply with the Law. The strategy will evolve as more information is gathered about the regulated community and their needs, but it may include:
  - Educational partnerships with industry organizations (such as the designated PRO, [Circular Action Alliance](#)),
  - Direct communication with interested parties' questions (such as through CalRecycle's [packaging@calrecycle.ca.gov](mailto:packaging@calrecycle.ca.gov) inbox),
  - Public workshops and informational sessions, and
  - Online resources (such as this FAQ document).

**13. How will this restriction be enforced?**

- a. CalRecycle prioritizes compliance with the Law. Initially, this entails working to help producers regulated by the Law understand their obligations and their options to come into compliance. CalRecycle is prioritizing assisting producers to comply with the Law. The last step in the compliance process is taking enforcement action. CalRecycle is currently working to educate all members of the marketplace regarding the EPS restriction, their possible obligations under the Law, and their options. CalRecycle is utilizing multiple education and assistance mechanisms. Some companies, such as retailers and restaurants, may not be producers but are still affected by the restriction due to changes in product availability. CalRecycle is sharing information with those entities to ensure they are aware of the restriction to inform their future purchasing decisions.

**14. What can be used instead of EPS food service ware?**

- a. There are many materials available in the marketplace suitable for food service ware. CalRecycle cannot promote a particular material replacement.
- b. Many jurisdictions in California and across the country have instituted some form of restriction of the sale of EPS. The businesses in those communities provide an opportunity to learn from successful, real-life, market-driven solutions.



Plastic Pollution Prevention and Packaging Producer Responsibility Act  
**Requirements for Expanded Polystyrene Recycling Rate Demonstration  
Frequently Asked Questions (FAQ)**

- 15. Where can I notify the Department if someone is selling material they shouldn't be?**
- You can provide details through CalRecycle's online [Notification Portal](#).
  - Additional information can be provided to CalRecycle through the [packaging@calrecycle.ca.gov](mailto:packaging@calrecycle.ca.gov) inbox.
- 16. When can the EPS industry resubmit data to demonstrate the recycling rate?**
- To continue the selling, offering for sale, distributing, or importing of EPS food service ware in or into the state, producers of EPS food service ware are required to demonstrate to CalRecycle that the statewide recycling rate of all expanded polystyrene regulated by the Law, which includes packaging and food service ware, is not less than 25% on and after January 1, 2025 ([PRC section 42057\(i\)](#)). Producers can submit data at any time to demonstrate the recycling rate. This recycling rate requirement increases over time and the new rates must be met according to the dates described in the Law.
- 17. When does the required recycling rate increase?**
- Per [PRC section 42057\(i\)](#), the timeline for when EPS producers are legally required to demonstrate increased recycling rates for EPS packaging and food service ware are:
    - 30% on and after 2028
    - 50% on and after 2030
    - 65% on and after 2032
- 18. Where can I find more information?**
- Please visit CalRecycle's Packaging EPR web page at [calrecycle.ca.gov/packaging/packaging-epr](http://calrecycle.ca.gov/packaging/packaging-epr).
  - You can also send questions to [packaging@calrecycle.ca.gov](mailto:packaging@calrecycle.ca.gov).
  - You can review past listserv messages as well as sign up to receive new ones at [calrecycle.ca.gov/emailupdates/38-2](http://calrecycle.ca.gov/emailupdates/38-2).



## Program News

- The [Plastic Pollution Prevention and Packaging Producer Responsibility Act Requirements for Expanded Polystyrene Recycling Rate Demonstration Frequently Asked Questions \(FAQ\)](#) is available and provides information to help regulated businesses understand their compliance obligations.
- The [EPS Food Service Ware Notification Portal](#) is available and provides a way to report potential violations related to EPS food service ware. CalRecycle may use this information to provide education and compliance assistance to regulated companies.
- “What’s in California Landfills: Measuring Single-Use Packaging and Plastic Food Service Ware Disposed (2025),” is a [new publication](#) on the preliminary findings of the statewide material characterization study of disposed covered materials.
- On May 16, 2025, CalRecycle released proposed revised draft regulations for public review and comment. Visit the [rulemaking page](#) for additional details.
- The [2025 Report to the Legislature](#) is available and provides information related to recyclability of single-use packaging and single-use plastic food service ware in California.
- To continue selling expanded polystyrene (EPS) food service ware in the state, EPS food service ware producers must demonstrate that **all** EPS meets a 25% recycling rate as of Jan. 1, 2025. To date this requirement has not been met. As a result, EPS producers are prohibited from selling, offering for sale, distributing, or importing EPS food service ware, like single-use takeout containers and cups, in or into California.
- [Circular Action Alliance](#) has been approved to serve as the first Producer Responsibility Organization. ([Section 42061.5 of the Public Resources Code](#))
  - [Circular Action Alliance Applicant Package](#)

## Upcoming Events

**August 15, 2025**

Advisory Board Meeting

[Agenda/Public Notice](#)

Time: 10 a.m. to 4 p.m.

Location: CalEPA Headquarters, Coastal Hearing Room (2nd floor)  
1001 "I" St., Sacramento, CA 95814

Attend in person or online:

- [Zoom](#)
- [Webcast](#)

Past Events [↗](#)



Packaging makes up over 50% of what we dump in California landfills by volume.

We must reduce packaging waste and ensure it is recycled to meet our state’s recycling and climate goals.


On June 30, 2022, Governor Gavin Newsom signed [SB 54](#) (Allen, 2022) into law to address the impacts of single-use packaging and plastic food service ware. This landmark packaging law requires that by 2032 we:

Cut By	Recycle	Ensure
<b>Single-use plastic:</b> <ul style="list-style-type: none"><li>• Packaging and</li><li>• Food ware</li></ul>	<b>Of single-use plastic:</b> <ul style="list-style-type: none"><li>• Packaging and</li><li>• Food ware</li></ul>	<b>Of single-use:</b> <ul style="list-style-type: none"><li>• Packaging</li><li>• Plastic food ware</li></ul> <p>Is recyclable or compostable</p>

The law shifts the plastic pollution burden from consumers to producers by raising \$5 billion from industry members over 10 years.

This will:

- Cut plastic pollution and
- Support disadvantaged, low-income, and rural communities hurt most by the impacts of plastic waste.

 Get Email Updates About SB 54: Plastic Pollution Prevention and Packaging Producer Responsibility Act

[See all CalRecycle lists and previous messages.](#)

## Californians Throw Away

# 290

Olympic pools worth of plastic a day

### Publications

- [SB 54 Report to the Legislature \(2025\)](#)
- [SB 54 Report to the Legislature \(December 2023\)](#)



- [Covered Material Categories List \(December 2024\)](#)

## **Producers Play a Strategic Role in Building a Truly Circular Economy**

SB 54 establishes a new extended producer responsibility (EPR) program to manage packaging and single-use plastic food ware products across every sector of the economy.

Producers will ensure that the packaging and plastic food ware sold in California is recyclable or compostable.

EPR gives primary responsibility for managing products after their useful life to producers, who can design and market products to be more easily reused or recycled.

EPR can encourage product design changes to:

- Ensure products are easily reused or recycled.
- Minimize negative impacts on public health and the environment at every stage of the product's lifecycle.

## **CalRecycle Progress**



## **NOTICE OF PROPOSED ACTION**

### **ILLEGAL DISPOSAL PERMANENT RULEMAKING DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY TITLE 14. NATURAL RESOURCES**

#### **DIVISION 7. DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY**

#### **CHAPTER 3. MINIMUM STANDARDS FOR SOLID WASTE HANDLING AND DISPOSAL**

#### **CHAPTER 3.1. COMPOSTABLE MATERIALS HANDLING OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS**

#### **CHAPTER 3.2. IN-VESSEL DIGESTION OPERATIONS AND FACILITIES REGULATORY REQUIREMENTS**

#### **CHAPTER 5. ENFORCEMENT OF SOLID WASTE STANDARDS AND ADMINISTRATION OF SOLID WASTE FACILITY PERMITS; LOAN GUARANTEES**

NOTICE IS HEREBY GIVEN that the Department of Resources Recycling and Recovery (CalRecycle) proposes to amend sections 17402, 17414, 17414.2, 17852, 17854.1, 17868.1, 17869, 17896.45, 17896.58, 18302, 18303, 18304, and 18304.1, and adopt sections 17410.5, 17862.3, 17862.4, 17868.6, and 17896.62 of the California Code of Regulations, Title 14, Division 7, Chapter 3, 3.1, 3.2, and 5, Article 1, 2, 4, 6, 7, 8, 6.0, 6.2, and 6.3. The proposed regulations define Land Application Activities and place these activities within CalRecycle's Compostable Material Handling Facilities and Operations Regulatory Tiers and subject these activities to the appropriate operator filing requirements, state minimum standards, recordkeeping, and Enforcement Agency (EA) inspection requirements. The proposed regulations ensure that these activities which are land applying compostable material or digestate are appropriately regulated by the EA to ensure protection of public health and safety and the environment. Additionally, these proposed regulations amend the sampling and record keeping requirement for solid waste facilities, operations, and activities to ensure that any facility and operation sending material to a location to be land applied are sampling to ensure the material is suitable for land application, consistent with section 17852(a)(24.5), and the sampling test results, weights, and end destination for each load sent offsite are included in the operator records. These proposed regulations allow EAs to review this new recordkeeping data to track the flow of material, investigate, and enforce land

application activities to prevent unlawful disposal of material. After considering all comments, objections, and recommendations regarding the proposed action, CalRecycle may adopt the proposals substantially as described in the below Informative Digest or may modify such proposals if such modifications are sufficiently related to the original text.

## **PUBLIC HEARING**

CalRecycle will hold a hybrid public hearing starting at 10:00 AM (PDT) on September 2, 2025, and concluding upon submission of any public hearing comments. The public hearing will be accessible in person in the Byron Sher Auditorium located on the 2<sup>nd</sup> floor of the CalRecycle headquarters at 1001 I Street, Sacramento, California. The Byron Sher room is wheelchair accessible. The public hearing will also be accessible virtually via Zoom for direct participation and via Webcast for observation only. Instructions for how to access the Zoom public hearing (registration required) or Webcast (no registration required), can be found on CalRecycle's website at <https://calrecycle.ca.gov/Laws/Rulemaking/>.

Please note that Webcast participants will not be able to provide comments during the public hearing. To participate remotely and provide comments, it is recommended to join via Zoom, or to email any comments to [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov). No registration is necessary to view the Webcast.

At the public hearing, any person may present statements or arguments, orally, in writing, or in the chat of the Zoom meeting, relevant to the proposed action. CalRecycle requests, but does not require, that any person who makes oral comments also submit a written copy of their testimony at the hearing. All comments at the public hearing will be collected and recorded.

## **INTERPRETATION SERVICES**

Interpretación simultánea del inglés al español será disponible para todos los participantes al taller, sea en persona, o remotamente a través de Zoom, o por transmisión en vivo en línea. Para los participantes en persona que requieren servicios de interpretación del inglés al español, habrá audífonos disponibles que serán proporcionados por el personal de CalRecycle antes o durante el taller.

If interpretation services are needed in a language other than Spanish, contact CalRecycle at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) by August 25, 2025, and CalRecycle staff will do their best to accommodate this request.

## **WRITTEN COMMENT PERIOD**

The written comment period permits any interested person, or their authorized representative, to submit written comments addressing the proposed amendments to CalRecycle. Written comments, which offer a recommendation and/or objection, or

support the proposed amendments, should indicate the amended section to which the comment or comments are directed. CalRecycle will only consider written comments sent to CalRecycle and received during the written comment period, which begins on July 18, 2025, and ends on September 2, 2025. Written comments received by CalRecycle after the close of the public comment period are considered untimely. CalRecycle may, but is not required to, respond to untimely comments, including those raising significant environmental issues. Comments submitted in writing must be addressed to one of the following:

*Postal mail:*

Claire Derksen  
Illegal Disposal Permanent Regulations  
Department of Resources Recycling and Recovery, Regulations Unit  
1001 "I" St., MS-24B, Sacramento, CA 95814

*Electronic submittal:* [Illegal Disposal Permanent Regulations \(45-Day Comment Period\)](#)

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone number, email address, etc.) become part of the public record and can be released to the public upon request.

## **AUTHORITY AND REFERENCES**

Provisions of the California Integrated Solid Waste Management Act of 1989 mandate CalRecycle to adopt and revise regulations which set forth minimum standards for solid waste handling, transfer, composting, transformation, and disposal in accordance with Division 30 of the Public Resources Code (PRC) Section 40502, 43020, and 43021. Furthermore, Assembly Bill 2679 (Chapter 500, Statutes of 2008) added PRC section 44000.5 to Part 5 of Division 30 prohibiting a person from disposing, transporting, or arranging for the disposal of solid waste except at a permitted solid waste disposal facility and authorizes CalRecycle or the EA to issue a cease-and-desist order to any person who violates this provision. These provisions authorize CalRecycle to promulgate regulations and achieve the goals mentioned in this section. The following is a list of references cited in this proposed regulation: Public Resources Code Sections 40053, 42652.5, 43020, 43021, and 44000.5; and Health and Safety Code Section 39730.6.

## **INFORMATIVE DIGEST**

### **Summary Of Existing Laws**

Prior to the adoption of emergency regulations, existing regulations within 14 CCR, section 17852(a)(24.5) do allow for the final deposition of compostable material or digestate on land (also known as land application), provided that the application meets

certain criteria, including requirements related to contamination, metal concentrations, and pathogen density limits. Additionally, the material when applied cannot exceed 12 inches in accumulated depth on the land surface. If the land application requirements in existing regulation are not met, then, with some exceptions, the compostable material is deemed to be waste that has been illegally disposed of pursuant to 14 CCR section 17852(a)(15). In the existing land application legal framework, EAs are allowed to request records from property owners to prove compliance with the pathogen and heavy metals testing requirements. However, there is no additional recordkeeping of any kind provided for in Title 14. There is no record of where the waste came from, how the waste was delivered, or whether the waste met the criteria. Nor is there any requirement that a person engaged in the land application of compostable material affirmatively notify the EA of the land application either before or after it occurs. These limitations have made it impossible for the EAs, in particular the EAs having jurisdiction within the Antelope Valley region (Antelope Valley LEAs), to know where the waste is generated, who is transporting the waste, and who is disposing of the waste on the land. Without knowing who is generating or transporting the waste, the Antelope Valley LEAs have no way to determine whether the waste is coming from within their respective jurisdictions or from some other jurisdiction within California.

This has made it extraordinarily challenging for the Antelope Valley LEAs to monitor and regulate the disposition or land application of this waste. It has also left the Antelope Valley LEAs relying on bringing enforcement actions solely against the property owners themselves, and not the bad actors who are illegally disposing of the waste. Many of these property owners are unaware that this waste has been disposed on their land, leaving them with very expensive cleanup bills if and when the disposal is discovered, and the EA issues a cleanup order.

Additionally, even if the EAs could identify the parties that were arranging for the illegal disposition of this waste, they would be limited in bringing an enforcement action against them. The existing notice and order regulations only allow for notices and orders to be issued to “owners” and “operators”, not the other individuals that facilitate this illegal disposal. This conflicts with PRC section 45005, which provides that an EA can issue a cease-and-desist order against any person who has violated, is violating, or proposes to violate section 44000.5. By amending regulations related to the issuance of notices and order to include individuals in violation of 44000.5, the Antelope Valley LEAs will be empowered to enforce the IWMA against those individuals who are illegally disposing of waste in Antelope Valley.

Given the severity of the illegal disposal issue as brought to CalRecycle’s attention by members of the public on October 16, 2024, and subsequently verified by CalRecycle staff on November 17 and 18, 2024, CalRecycle determined that there is insufficient time to conduct a nonemergency rulemaking in accordance with the provisions of Article 5 of the Government Code to mitigate this emergency and its serious harm to the public peace, health, safety, or general welfare.

## **Effect of the Proposed Action**

These proposed regulations define Land Application Activities and place those activities within CalRecycle's Regulatory Tiers. This ensures that Land Application Activities are subject to appropriate approvals, inspections requirements, and operate within state minimum standards, including operational and record keeping requirements. The proposed regulations will regulate land application of compostable material and digestate. The proposed regulations will ensure that the statewide land application infrastructure can continue to operate in compliance with regulatory requirements while ensuring that those activities which are land applying compostable material and digestate, are under EA regulatory oversight to prevent or mitigate the impacts of the illegal final disposition of material onto land to protect public health and safety and the environment. Without these proposed regulations, EAs would not have the authority to inspect and take enforcement on land application activities and to monitor the end destination, quantity, and quality of material sent from solid waste facilities and operations for land application.

Additionally, these proposed regulations amend the sampling and record keeping requirement for solid waste facilities, operations, and activities to ensure that any facility and operations sending material to a location for use as land application are sampled to ensure the material is suitable for land application, consistent with section 17852(a)(24.5), and the sampling test results, material quantity, and end destination for each load sent offsite for land application are included in the facility's records. These proposed regulations allow EAs to review this new recordkeeping data to track, investigate, and enforce land application activities to prevent unlawful disposal of material. These proposed regulations are consistent and compatible with CalRecycle's existing Tier regulations as they would place these activities within the appropriate level of oversight for the type of activity involved.

### **Policy Statement Overview and Anticipated Benefits of the Proposed Regulations**

The goal of this permanent rulemaking is to ensure that land application activities which are applying compostable material or digestate are appropriately regulated by the EA and solid waste facilities and operations sending material offsite for land application are performing sampling, recording the quantity delivered, and documenting end destinations for the protection of public health and safety and the environment. The proposed amendments in these regulations will achieve the objectives of the authorizing statute:

Provisions of the California Integrated Waste Management Act of 1989 mandate CalRecycle to adopt and revise regulations which set forth minimum standards for solid waste handling, transfer, composting, transformation, and disposal in accordance with Division 30 of the PRC. Assembly Bill 2679 (Chapter 500, Statutes of 2008) added PRC section 44000.5 to Part 5 of Division 30 prohibiting a person from disposing, transporting, or arranging for the disposal of solid waste except at a permitted solid waste disposal facility and authorizes CalRecycle or the EA to issue a cease-and-desist order to any person who violates this provision.

The proposed amendments in these regulations will also achieve the following additional benefits and objectives:

- Prevent and mitigate the illegal final deposition of material that does not meet the quality standards of land application onto lands of the state in order to protect public health and safety and the environment.
- Add a new enforcement agency notification regulatory tier, Land Application Activity, with requirements for land application, material storage time limits, record keeping, and inspection responsibilities for the EA.
- Ensure material produced from solid waste facilities and operations sent for land application meets the land application requirements by:
  - Establishing sampling requirements to test material quality prior to it leaving the site.
  - Amending recordkeeping requirements to include the test results, quantity, and end destination for each load of material sent for land application.
  - Provide records of test results to landowners upon receipt of material.
- Clarify and strengthen the EA's investigation and enforcement authority to prevent and mitigate the final deposition of material that does not meet the land application requirements onto lands of the state.
- Prohibit material types from being land applied that pose a risk to public health and safety and the environment.

**There is no substantial difference from an existing, comparable federal regulation or statute because there are no federal regulations or statutes in this subject area.**

### **Consistency With State Regulations**

PRC section 43020 mandates CalRecycle with establishing the minimum standards for solid waste handling, transfer, composting, and disposal. The enforcement of these standards is the responsibility of EAs (PRC sections 43200.5, 43209). This includes EAs which are designated by a jurisdiction and certified by CalRecycle (PRC section 43200.5), or where there is no EA, CalRecycle assumes the powers and duties of the EA (PRC section 43205). When the EA is exercising its authority and duties, it is performing a state function (PRC section 43200.5(b)).

Pursuant to Government Code Section 11346.5(a)(3)(D), CalRecycle conducted an evaluation of existing state regulations. CalRecycle determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations and that CalRecycle is the only agency that can implement this proposed regulation.

### **INCORPORATION BY REFERENCE**

No documents or forms are incorporated by reference in the proposed regulation.

### **EXISTING COMPARABLE FEDERAL REGULATION OR STATUTE**



CalRecycle has determined that the proposed regulations do not significantly differ from federal law because there are no existing comparable federal statutes or regulations in this subject area.

#### **OTHER STATUTORY REQUIREMENTS (GOVERNMENT CODE SECTION 11346.5(a)(4))**

CalRecycle has determined that no other matters, as prescribed by statute, need to be addressed.

#### **MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

CalRecycle has determined that the proposed regulations do not impose a mandate on school districts.

CalRecycle has determined that the proposed regulations would impose a mandate on those local agencies which act as CalRecycle's EAs where these facilities exist, but reimbursement would not be required as these agencies are authorized to impose fees pursuant to PRC sections 43213 and 44006.

#### **FISCAL IMPACT**

##### **Costs to Any Local Agencies or School Districts Requiring Reimbursement**

CalRecycle has determined that the proposed regulations do not result in costs to any local agency or school district that must be reimbursed pursuant to Section 6 of Article XIII B of the California Constitution and Part 7 of Division 4 of the Government Code Section 17500 et seq. Additional expenditures to local government enforcement agencies in the current and two subsequent fiscal years will be fully financed from fees or other charges authorized by PRC sections 43213 and 44006.

##### **Cost or Savings to Any State Agency**

CalRecycle has determined that adoption of these regulations does have a cost to state agencies.

Based on the results of a Fiscal Analysis prepared pursuant to Government Code section 11346.3(c)(1), CalRecycle estimates the fiscal impact of this regulation is \$26,950 in FY 2025-26, \$26,950 in FY 2026-27, and \$26,950 in FY 2027-28.

##### **Non-Discretionary Cost or Savings Imposed Upon Local Agencies**

CalRecycle has determined that there are not non-discretionary costs or savings imposed upon any local agencies.

##### **Cost or Savings in Federal Funding to the State**

CalRecycle has determined that adoption of these regulations will not have an impact on costs or savings in federal funding to the State.

### **HOUSING COSTS**

CalRecycle has determined that adoption of these regulations will not have a significant effect on housing cost.

### **SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS**

CalRecycle has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. CalRecycle relied on the following information to support this determination:

- Attachment 1: Economic and Fiscal Impact Statement (STD 399)
- Attachment 2: STD 399 Appendix A
- Attachment 3: STD 399 Appendix B
- Attachment 4: STD 399 Appendix C
- Attachment 5: Transcript from CalRecycle's October 2024 Monthly Public Meeting
- Attachment 6: Site Photographs from Tour of Antelope Valley
- Attachment 7: California – May 2023 State Occupational Employment and Wage Estimates, [https://www.bls.gov/oes/current/oes\\_ca.htm#19-0000](https://www.bls.gov/oes/current/oes_ca.htm#19-0000), accessed January 8, 2025
- Attachment 8: Visit Log, November 17-18, 2024 (Antelope Valley)

This proposal is not intended to create, expand, or eliminate businesses within the State of California. The scope of the proposed regulations is limited to sampling and recordkeeping requirements for solid waste facilities and operations and for the newly created land application activities that are subject to new requirements associated with operating standards and recordkeeping.

### **RESULTS OF ECONOMIC IMPACT ASSESSMENT**

#### **Creation or Elimination of Jobs within the State of California**

CalRecycle has made an evaluation that the proposed regulations would not affect the creation or elimination of jobs or businesses, nor the expansion of existing businesses, within California. The impact of these regulations is not sufficient to create or eliminate jobs or businesses because the proposed regulations only add an operating standard relative to sampling and amending recordkeeping standards for affected solid waste facilities and operations. Note that solid waste facilities and operations are already required to comply with recordkeeping requirements.

## **Creation of New Businesses or Elimination of Existing Businesses within California**

CalRecycle has determined that the proposed action will not create new businesses or eliminate existing businesses within California.

## **Expansion of Businesses Doing Business within the State**

CalRecycle made the determination that the proposed regulations would affect 213 small businesses in California (using the definition in Government Code section 1132.610). The proposed regulations would not have a significant statewide adverse economic impact directly affecting small businesses, including the ability of California small businesses to compete with small businesses in other states.

The impact of these regulations is not sufficient to create or eliminate jobs or businesses or cause the expansion of businesses doing business within the State because the proposed regulations only add an operating standard relative to sampling and amending recordkeeping standards for affected solid waste facilities and operations. Note that solid waste facilities and operations are already required to comply with recordkeeping requirements.

## **Benefits to the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment**

CalRecycle has determined that the proposed action will provide benefits to the health and welfare of California residents, worker safety, and the state's environment. The proposed amendments in these regulations will achieve the following benefits to the health and welfare of California residents, worker safety, and the environment:

- Prevent and mitigate the illegal final deposition of material that does not meet the quality standards of land application onto lands of the state in order to protect public health and safety and the environment.
- Clarify and strengthen the EA's investigation and enforcement authority to prevent and mitigate the final deposition of material that does not meet the land application requirements onto lands of the state.
- Prohibit material types from being land applied that pose a risk to public health and safety and the environment.
- These amendments will enhance worker safety by ensuring that individuals involved in the collection, transport, processing, and land application of materials are not exposed to contaminants or materials that fail to meet quality standards. By strengthening enforcement and clarifying the definition of prohibited materials, the regulation reduces the risk of occupational exposure to hazardous substances, unsafe working conditions during remediation, and potential injuries related to improper land application practices.

## **COST IMPACTS TO REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

CalRecycle made an evaluation that the proposed regulations could potentially affect the following:

- 735 transfer/processing facilities and operations, including construction and demolition transfer/processing
- 360 compostable material handling facilities and operations
- 17 in-vessel digestion facilities and operations

An estimated total of 1,112 solid waste facility and operation businesses could be potentially impacted by the regulations. This estimate assumes that all 87 chipping and grinding facilities and operations plus 20 percent of the transfer/processing, composting, and in-vessel digestion facilities and operations mentioned above produce material and send it offsite for land application. However, this assumption is highly unlikely as there are solid waste facilities and operations included in the total that are either not permitted to conduct processing, do not have the capacity to conduct processing, or are only in the business of consolidating and transferring material offsite to other solid waste sites for further processing. The proposed regulation will have an impact on solid waste facility and operation businesses and the costs incurred are associated with sampling material sent to land application, recordkeeping, and amendments to the operating documentation to incorporate the new operating standards. The solid waste facilities and operations that are potentially impacted by these regulations are subject to either the Transfer/Processing Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.0), or the Compostable Material Handling Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.1), or the In-Vessel Digestion Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.2). The estimated annual total costs range from \$99,017.42 (low) to \$5,984,510.89 (high).

The proposed regulation will have an impact on individuals operating as land application activities that are subject to the new requirements described in Title 14, California Code of Regulations, section 17862.3. The costs incurred are associated with applicable EA filing fees and equipment fees needed to land apply and incorporate material and the estimated annual total costs range from \$90,852.45 (low) to \$2,624,524.50 (high).

The total costs associated with businesses and individuals range from \$189,869.87 (low) to \$8,609,035.39 (high).

## **BUSINESS REPORT**

The proposed regulation does not require a report, nor does the report requirement apply to businesses. It is necessary for the health, safety, and welfare of the people of the state that the regulations and reporting requirements apply to businesses.

## **DETERMINATION OF EFFECT ON SMALL BUSINESS**

An estimated total of 1,112 solid waste facility and operation businesses could be potentially impacted by the regulations, and 213 of the 1,112 estimated total are identified as small businesses. This estimate assumes that all 87 chipping and grinding facilities and operations plus 20 percent of the transfer/processing and in-vessel digestion facilities and operations mentioned above produce material and send it offsite for land application. However, this assumption is highly unlikely as there are solid waste facilities and operations included in the total that are either not permitted to conduct processing, do not have the capacity to conduct processing, or are only in the business of consolidating and transferring material offsite to other solid waste sites for further processing. The solid waste facilities and operations that are potentially impacted by these regulations are subject to either the Transfer/Processing Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.0), or the Compostable Material Handling Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.1), or the In-Vessel Digestion Operations and Facilities Regulatory Requirements (California Code of Regulations, Title 14, Division 7, Chapter 3.2).

The solid waste activities identified as small businesses will incur costs associated with sampling material sent to land application, recordkeeping, and amendments to the operating documentation to incorporate the new operating standards. The estimated total costs range from \$18,961.83 (low) to \$1,146,033.83 (high).

## **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5(a)(13), CalRecycle must determine that no reasonable alternative considered by the agency or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

CalRecycle invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period, or at the scheduled public hearing.

## **CONTACT PERSONS**

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Claire Derksen  
Illegal Disposal Permanent Regulations  
Department of Resources Recycling and Recovery, Regulations Unit

1001 "I" St., MS-24B, Sacramento, CA 95814

Phone: (916) 327-0089

Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov)

The backup contact person is:

Craig Castleton

Illegal Disposal Permanent Regulations

Department of Resources Recycling and Recovery, Regulations Unit

1001 "I" St., MS-24B, Sacramento, CA 95814

Phone: (916) 327-0089

Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov)

## **AVAILABILITY STATEMENTS**

### **Availability of Initial Statement of Reasons, Text of Proposed Regulations, Information Upon Which this Proposal is Based, and Rulemaking File**

CalRecycle will have the entire rulemaking file, the express terms of the proposed regulations, and all information that provides the basis for the proposed action, available for public inspection and copying during normal business hours at the address provided above and on <https://calrecycle.ca.gov/Laws/Rulemaking/>. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the text of the proposed regulations, the Initial Statement of Reasons (ISOR), the documents relied upon for the proposed action, and the economic and fiscal impact statement. Copies may be obtained by contacting the contact persons at the address, email, or phone number listed above.

### **Availability of Modified Text**

CalRecycle may adopt the proposed regulations substantially as described in this Notice. If CalRecycle makes substantial changes to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least fifteen (15) days before CalRecycle adopts the regulations as revised. Requests for the modified text should be made to the contact persons named above. CalRecycle will transmit any modified text to all persons who testify at the scheduled public hearing, all persons who submit a written comment at the scheduled public hearing, all persons whose comments are received during the comment period, and all persons who request notification of the availability of such changes. CalRecycle will accept written comments on the modified regulations for fifteen (15) days after the date on which they are made available.

### **Availability of the Final Statement of Reasons**

Upon its completion, copies of the Final Statement of Reasons may be obtained by request from the contact persons identified in this Notice or accessed through CalRecycle's website at <https://calrecycle.ca.gov/Laws/Rulemaking/>.

## **INTERNET ACCESS**

For more timely access to the rulemaking file, and in the interest of waste prevention, interested parties are encouraged to access CalRecycle's Internet webpage for the rulemaking at <https://calrecycle.ca.gov/Laws/Rulemaking/>. All rulemaking files can be accessed from the website.

# **Illegal Disposal Permanent Regulations**



# Overview

The Department of Resources Recycling and Recovery (CalRecycle) is proposing permanent regulations per [Public Resources Code \(PRC\) section 44000.5](#) in response to Assembly Bill (AB) 2679 that would mandate CalRecycle to adopt and revise regulations which set forth minimum standards for solid waste handling, transfer, composting, transformation, and disposal.

These proposed regulations will make permanent the current illegal disposal emergency regulations to allow Enforcement Agencies (EAs) to continue to use the authority granted in PRC section 44000.5 to bring enforcement actions against any person who causes solid waste to be disposed of, arranges for solid waste to be disposed of, transports solid waste for the purpose of disposal, or accepts solid waste for the purpose of disposal, except for at a solid waste disposal facility for which a permit has been issued. Pre-emergency regulations only allow EAs to bring an enforcement action against facility operators or the owners of the property where the waste is disposed, not the other actors that facilitate its disposal.

Additionally, these proposed regulations will permanently establish regulation of the land application of organic waste, bringing the activity into the permitting tier structure, thereby further bolstering an EA's ability to regulate the waste and protect the public and environment from harm from illegal disposal.

For more information on the existing emergency regulations that were approved by the Office of Administrative Law and became effective on August 14, 2025, please visit [\[Archives\] Illegal Disposal Emergency Regulations](#).

## Affected Regulatory Code Sections

CalRecycle is proposing permanent regulations to amend Title 14, California Code of Regulations (CCR), Division 7, Chapter 3, 3.1, 3.2, and 5, Sections 17402, 17414, 17414.2, 17852, 17854.1, 17869, 17896.45, 18302, 18303, 18304, and 18304.1.

CalRecycle is also proposing permanent regulations to adopt Title 14, CCR, Division 7, Chapter 3, 3.1, 3.2, and 5, Sections 17410.5, 17862.3, 17868.6, and 17896.62.

# Current Status

The Illegal Disposal permanent regulations were submitted to the Office of Administrative Law (OAL) on **July 8, 2025**, and published in the California Regulatory Notice Register on **July 18, 2025**.

**An Addendum to Notice, Notice of Extension of Comment Period, and Errata along with Corrected Regulation Text was distributed on July 25, 2025.** It has been brought to the Department of Resources Recycling and Recovery (CalRecycle)'s attention that the originally published proposed regulation text contained errors that are not reflective of the changes CalRecycle seeks to make for this rulemaking. A description of how the regulation text was corrected is detailed in the Addendum along with a description of a titling error found in the Initial Statement of Reasons made available on July 18, 2025. The corrected regulation text accompanies the Addendum and is also published on CalRecycle's website listed below. The titling error in the Initial Statement of Reasons will be acknowledged and fixed in the Final Statement of Reasons and Updated Informative Digest at the end of the rulemaking process.

The Addendum also specifies that the written comment period is extended and will now end on **September 9, 2025**. This is an extension of seven days from the original written comment period specified in the Notice of Proposed Action as published on July 18, 2025.

The hearing will still be held on **September 2, 2025**, as described in the Notice of Proposed Action published on July 18, 2025. Details of how to participate and submit comments at this hearing are included in the Interested Parties section below.

# Current Documents

- [Addendum to Notice of Proposed Action](#). The addendum to the Notice of Proposed Action.
- [CORRECTED Notice of Proposed Action](#). The corrected notice of proposed adoption, amendment, or repeal of regulations.
- [Corrected Proposed Regulation Text](#). The revised express language that shows any adoption, amendment, or deletion to the regulations.
- [Proposed Regulation Text](#). The express language that shows any proposed adoption, amendment, or deletion to the regulations.
- [Initial Statement of Reasons](#). An explanation of all proposed changes to the regulations.

- **Documents Relied Upon.** All technical, theoretical, and empirical studies, reports, or similar documents relied upon in developing the proposed regulations.
  - [Attachment 1: Economic and Fiscal Impact Statement \(STD 399\)](#)
  - [Attachment 2: STD 399 Appendix A](#)
  - [Attachment 3: STD 399 Appendix B](#)
  - [Attachment 4: STD 399 Appendix C](#)
  - [Attachment 5: Transcript from CalRecycle’s October 2024 Monthly Public Meeting](#)
  - [Attachment 6: Site Photographs from Tour of Antelope Valley](#)
  - Attachment 7: California – May 2023 State Occupational Employment and Wage Estimates, [https://www.bls.gov/oes/current/oes\\_ca.htm#19-0000](https://www.bls.gov/oes/current/oes_ca.htm#19-0000), accessed January 8, 2025
  - [Attachment 8: Visit Log, November 17-18, 2024 \(Antelope Valley\)](#)

All rulemaking documents listed on this webpage are either available by submitting a PRA request online on the [California Public Records Act Requests webpage](#), or by emailing [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov). These documents are also available for public inspection during normal business hours at CalRecycle, 1001 “I” Street, 24th Floor, Sacramento, CA 95814. To schedule a time to inspect these documents, please contact Claire Derksen at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov).

## Input from Interested Parties

The written comment period permits any interested person, or their authorized representative, to submit written comments addressing the proposed amendments to CalRecycle. Written comments, which offer a recommendation and/or objection, or support the proposed regulations, should indicate the section to which the comment or comments are directed. CalRecycle will only consider written comments sent to CalRecycle and received during the written comment period, which begins on **July 18, 2025**, and ends on **September 9, 2025**. Written comments received by CalRecycle after the close of the public comment period are considered untimely. CalRecycle may, but is not required to, respond to untimely comments, including those raising significant environmental issues. Comments submitted in writing must be addressed to one of the following:

### Postal mail:

Claire Derksen  
Illegal Disposal Permanent Regulations

Department of Resources Recycling and Recovery, Regulations Unit  
1001 “I” St., MS-24B, Sacramento, CA 95814

Electronic submittal: [Illegal Disposal Permanent Regulations \(45-Day Comment Period\)](#)

CalRecycle will additionally hold a hybrid public hearing, accessible in person or virtually, on September 2, 2025, starting at 10:00 AM.

## In person:

CalRecycle headquarters  
2nd floor Byron Sher Auditorium  
1001 I Street, Sacramento, California.

The Byron Sher Auditorium is wheelchair accessible.

## Virtually via Zoom:

You must [register in advance](#).

Registration is free.

To observe the public workshop public hearing via Webcast, go to the [Public Meeting Live Webcasts](#). Webcast participants will not be able to ask questions. If you are participating remotely and anticipate providing comments, it is recommended to join through Zoom. No registration is necessary to view the Webcast.

Simultaneous Spanish interpretation will be available in-person at the hearing and remotely via Zoom or webcast. For in-person interpretation services, headsets will be available and can be provided by CalRecycle staff prior to or during the workshop. If you need interpretation services in a language other than Spanish, please notify CalRecycle at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) by August 25, 2025, and we will do our best to accommodate your request.

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone number, email address, etc.) become part of the public record and can be released to the public upon request.

## Contact

For more information on the Illegal Disposal Permanent Regulations, please contact Claire Derksen at [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov).

Subscribe to the [Proposed Regulations Listserv](#) to receive emails regarding rulemaking developments.

For more information regarding the solid waste handling regulatory requirements, please visit [CalRecycle's Permit Toolbox homepage](#).



July 24, 2025

Ms. Zoe Heller  
Director, CalRecycle  
1001 I Street  
Sacramento, CA 95814

Submitted via Public Comment Form

**RE: Comments on Paint Stewardship Draft Proposed Regulations**

Dear Director Heller:

On behalf of the Rural County Representatives of California (RCRC), we are pleased to provide comments on CalRecycle's draft proposed regulations to implement Assembly Bill 1526 and Senate Bill 1143. RCRC is an association of forty rural California counties, and the RCRC Board of Directors is comprised of elected supervisors from each of those member counties.

Most of our member counties operate landfills, transfer stations, and/or household hazardous waste (HHW) collection facilities and take paint from consumers for proper recycling and disposal. Once implemented, these regulations are expected to provide significant cost savings to local HHW collection programs by expanding the scope of products included in the paint stewardship program.

Generally, our comments on the draft proposed regulations note the need for:

- More clarity on the definitions.
- A public review process for the stewardship plan.
- Alignment of references to "paint" and "paint products" in the annual reporting requirements.

**Section 18951. Definitions**

(h) "Graffiti remover" – The proposed definition inappropriately broadens the definition of "graffiti remover". Public Resources Code Section 48701 excludes graffiti removers from the definition of "aerosol coating product", so aerosol graffiti removers are not eligible for the paint stewardship program. At the same time, non-aerosol graffiti removers are still considered "paint removers" which are included in the definition of

1215 K Street, Suite 1650, Sacramento, CA 95814 | [www.rcrcnet.org](http://www.rcrcnet.org) | 916.447.4806 | Fax: 916.448.3154

“Coating-related product” in Section 48701. To better align with statute and avoid improperly excluding some “paint removers” or “graffiti removers” from the program, the definition should be revised as follows:

(h) “Graffiti remover” means an aerosol coating product designed and labeled on the product’s packaging or on the manufacturer’s website to remove spray paint, ink, marker, crayon, lipstick, nail polish, or shoe polish, from a variety of noncloth or nonfabric substrates.

(l) “Paint remover” – Limiting the definition of “paint remover” to only those products designed and labeled to strip or remove paint by chemical action limits the applicability of the term. Many paint removers may work by chemical action but also require manual scrubbing to properly remove paint. This definition should be revised as follows:

(l) “Paint remover” means any product designed and labeled on the product’s packaging or on the manufacturer’s website to strip or remove paints or other related coatings, ~~by chemical action~~, from a substrate without markedly affecting the substrate.

(n) “Pigment” – Some pigments might exhibit the characteristic of volatility, including those used in oil-based or alcohol-based paint and paint products. This definition should be revised as follows:

(n) “Pigment” means any nonvolatile ingredient of either natural or synthetic insoluble material added to a paint product to provide color, opacity, or corrosion inhibition.

(p) “Resin” – Some resins exhibit the characteristic of volatility, including lacquer and shellac. This definition should be revised as follows:

(p) “Resin” means any nonvolatile ingredient that comprises film-forming ingredients. Examples of resin ingredients include, but are not limited to, acrylic, alkyd, enamel, epoxy, lacquer, polyurethane, polyvinyl chloride, shellac, silicone, and polystyrene.

### **Section 18952. Document Submittals: Stewardship Plan, Annual Report, and Lists.**

The proposed draft regulations lack clarity with respect to distribution and approval of the stewardship plan and previous plans.



Section 18952 (a)(2)(A) requires the immediate posting of the submitted plan to the organization's website. It is not clear how the public will be informed of this posting. The regulations should clarify how the public should be notified of this posting.

Section 18952 (a)(2)(A)(ii) only requires posting of the most recent stewardship plan. While previous plans can consume significant data, there should still be a repository of previous approved plans to allow for historical comparisons such as amounts and types of products collected, changes in approved sites and accessibility, educational program changes, etc. If the stewardship organization is not required to maintain older plans, CalRecycle should maintain those reports and make them publicly accessible. This section should be revised as follows:

(ii) The manufacturer or stewardship organization shall maintain ~~its most recent~~ annual reports on its internet website ~~until the following year's annual report is posted.~~

#### **Section 18952.1. Document Approvals: Stewardship Plan and Annual Report.**

There is no requirement that the public will be provided an opportunity to review and comment on the submitted stewardship plan before CalRecycle's approval. As proposed, the Organization will submit the plan to CalRecycle and post it online. CalRecycle then reviews and approves, disapproves, or provides conditional approval. It is not clear what opportunity will be provided for public review and feedback. This public review and comment process should be included in the regulations as follows:

(a) The department shall approve, disapprove, or conditionally approve a stewardship plan after allowing the public to review and comment on the submitted plan for at least two weeks prior to CalRecycle's determination of the plan.

#### **Section 18953. Stewardship Plans (a)(3)(D)**

The proposed regulations require the stewardship organization to:

(D) Provide a free dropoff and convenient collection system throughout the state, ensuring access to approved collection sites or events for consumers in each county, including but not limited to, rural areas. Include the proposed number, location, and type of approved collection sites located in the state.

Some rural programs that currently accept household hazardous waste have limited storage space. Current practice for management includes packaging proposed paint products in the same container as products that are not covered paint products. These programs will not have sufficient storage space to split the collected products into



two different containers and need the ability to commingle approved paint products and non-paint products into the same container. It would not be difficult to record a proportional amount of approved paint products in the container and use that ratio for calculating the amount of free management of the approved paint products. Not allowing for this accommodation could jeopardize the convenience of collection for small facilities. This accommodation is reasonable and necessary, as space-constrained sites will sometimes be those contemplated in Public Resources Code 48703.3 (b)'s requirement to coordinate with the "existing local household hazardous waste collection programs". The proposed regulations can address this issue through the following revisions to the section:

(D) Provide a free dropoff and convenient collection system throughout the state, ensuring access to approved collection sites or events for consumers in each county, including but not limited to, rural areas. Include the proposed number, location, ~~and~~ type of approved collection sites located in the state, and accommodations for facilitating collection at sites with limited storage area.

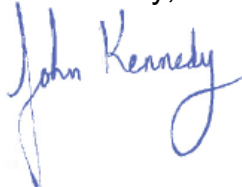
#### **Section 18954. Annual Reports.**

The proposed regulations should be consistent when referring to "paint products" in the annual reporting obligations. To illustrate the point, Section 18954 requires the report to include a description of each paint product but then refers to management of postconsumer paint. These are different terms and should be aligned to reduce confusion, as noted below:

Section 18954 (4)(B) ~~Description~~ A description of how each consumer of ~~architectural~~ a paint product in ~~California~~ the state had an opportunity to recycle and properly manage their postconsumer paint ~~products on a state-wide through~~ the manufacturer or stewardship organization's program, including the number, location, and type of approved collection ~~points~~ sites located in the state.

Thank you for your consideration of these comments. Please contact me at [jkennedy@rcrcnet.org](mailto:jkennedy@rcrcnet.org) with any questions.

Sincerely,

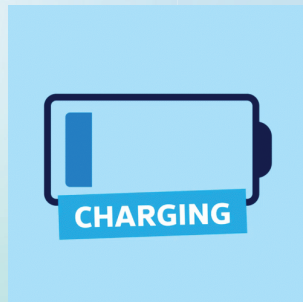
A handwritten signature in blue ink that reads "John Kennedy". The signature is fluid and cursive, with the first name "John" and last name "Kennedy" clearly legible.

JOHN KENNEDY  
Senior Policy Advocate

## Covered Battery-Embedded Products

### Emergency Rulemaking Workshop

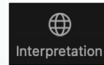
Senate Bill 1215  
Newman, Chapter 370, Statutes of 2022  
Department of Resources Recycling and Recovery (CalRecycle)  
May 28, 2025



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## Disclaimer

*This communication is neither intended to, nor does it constitute definitive legal counseling, conclusions, or advice in any way. Instead, the contents of this communication and any analysis, guidance, or other information is intended to objectively address the questions presented based on the current existing, known facts and legal authority as described to and understood by the author and/or CalRecycle at the time of this communication. Please be advised that any relevant facts or legal authority or authorities that are undisclosed or unknown at the time of this communication may affect or alter any analysis, guidance, or other information herein. Please be further advised that any analysis, guidance, or other information herein may be subject to change and/or correction based on changed facts or legal authority, actual or understood, subsequent to the time of this communication. No analysis, guidance, or other information herein should be construed as a waiver of any rights or remedies available to CalRecycle. Recipients of this communication are encouraged to seek the assistance of legal counsel to comply with applicable state law based on current facts and circumstances.*

## Agenda

### Electronic Waste Recycling Act of 2003

### SB 1215 Statutory Overview

### Proposed SB 1215 Regulations

### Additional Draft Regulatory Amendments

### Proposed Battery-Embedded Waste Recycling Fee

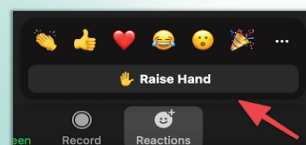
## CalRecycle Welcomes Input from Interested Parties

- CalRecycle welcomes questions and feedback
- CalRecycle staff reads every comment
- CalRecycle wants to hear how potential regulations impact industry and the public
- Public comments influence regulations



## Submitting Comments and Feedback

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#)
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



## Electronic Waste Recycling Act of 2003

- The Electronic Waste Recycling Act of 2003 (Act) established a consumer funding mechanism at the point of retail purchase for the proper collection and management of covered electronic waste (CEW).
- CalRecycle administers funds from the Electronic Waste Recovery and Recycling Account by providing payments to approved collectors and recyclers to offset the average cost of CEW collecting and managing CEW.
- CalRecycle implements the Act in partnership with the Department of Toxic Substances Control (DTSC), the Department of Tax and Fee Administration (CDTFA), and the Department of Food and Agriculture (CDFA), Division of Measurement Standards.

## SB 1215 Timeline

Adding BEP to the Covered Electronic Waste Recycling Program (Program)

2025	2026	2026	2026
<b>October 1</b> CalRecycle shall establish a battery-embedded waste recycling fee (fee).	<b>January 1</b> Consumers must pay the fee on new or refurbished devices.	<b>January 1</b> Approved Program participants may begin collecting and cancelling BEPs that have been discarded to include in their payment claims submitted on or after April 1, 2026.	<b>April 1</b> Payment claims submitted to CalRecycle may include battery-embedded CEW collected on or after January 1, 2026.
<b>Recurring</b> CalRecycle must establish the fee on or before October 1, 2025, based on the reasonable regulatory costs to administer covered electronic waste recycling, and review the fee every year thereafter.			

## Covered Battery-Embedded Product Definition

**Public Resources Code (PRC) section 42463(f)(1):** "Covered battery-embedded product" means a product containing a battery from which the battery is not designed to be easily removed from the product by the user of the product with no more than commonly used household tools. (Emphasis added)

## Covered Battery-Embedded Product Exclusions

**PRC section 42463(f)(2)** "Covered battery-embedded product" does *not* include any of the following:

- ✗ **A video display device** covered by the Act.
- ✗ **Certain medical devices.**
- ✗ **An energy storage system**, as defined in Public Utilities Code section 2835(a).
- ✗ **An electronic nicotine delivery system**, as defined in Section 375(7) of Title 15 of the United States Code.

## Covered Battery-Embedded Product Manufacturer Responsibilities

- **PRC section 42466.1(a)-(b):** On and after January 1, 2026, manufacturers must label battery-embedded products with the name of the manufacturer or the manufacturer's brand label. Battery chemistry information must be on either the label or the manufacturer's website.
- **PRC section 42466.2(a)-(c):** On or before July 1, 2025, and annually thereafter, manufacturers of covered battery-embedded products subject to a covered battery-embedded waste recycling fee must send a notice with the brand and model number of the devices to CalRecycle and to retailers selling those products, as well as a notice for devices that are exempt.
- **PRC section 42467:** On or before July 1, 2027, and at least once annually thereafter, battery-embedded product manufacturers must submit a report to CalRecycle, as specified.

## Loose batteries are not covered by SB 1215

- The Responsible Battery Recycling Act (Irwin, Chapter 351, Statutes of 2022) authorized by AB 2440 holds battery producers responsible for the collection, recycling, and proper end-of-life management of loose batteries that meet the statutory definition of "covered battery."
- CalRecycle is hosting an AB 2440 informal rulemaking workshop tomorrow, May 29<sup>th</sup>.
- Staff responsible for developing regulations for SB 1215 and AB 2440 are working closely to align regulatory definitions intended to clarify whether a product is covered by SB 1215 or AB 2440.

## Emergency Rulemaking Timeline



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## SB 1215 Regulatory Text Discussion Items

### Regulatory Definitions:

- Item 1 – “Designed to be easily removed”
- Item 2 – “Common household tool” and “commonly used household tools”

### Additional draft regulations:

- Item 3 – BEP cancellation method
- Item 4 – Payment claim requirements for BEPs
- Item 5 – BEP manufacturer reporting requirements
- Item 6 – Additional Draft Regulatory Amendments

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## SB 1215 Statutory Definition: “Covered Battery-Embedded Product”

**Public Resources Code (PRC) section 42463(f)(1):** “‘Covered battery-embedded product’ means a product containing a battery from which the battery is not designed to be easily removed from the product by the user of the product with no more than commonly used household tools.” (Emphasis added).

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## Item 1 – Defining “Designed to be easily removed...”

“Designed to be easily removed from a product by the user of the product, with no more than commonly used household tools” means that the product is manufactured so that batteries contained within can be simply and readily removed by a consumer using the product using only commonly used household tools. For example, a battery that is purposefully built into, glued, or otherwise secured within the product by the manufacturer in a manner that requires specialized or proprietary tools or a trained technician to remove is not considered to meet this definition. Conversely, a battery that is marketed to or commonly understood by the general public to be removed from a product by the consumer using commonly used household tools is considered to meet this definition. A battery contained in a product that has a warranty or instructions acknowledging or permitting consumer battery removal using commonly used household tools is also considered to meet this definition.

16

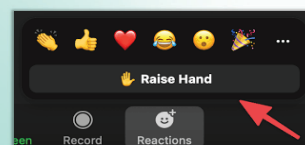
## Item 2 – Defining “Commonly used household tools”

“Commonly used household tools” or “common household tools” means tools that are readily available and routinely used by the majority of households to remove batteries from a product, such as slotted and crosshead screwdrivers, paper clips, coins, or hex keys. “Commonly used household tools” or “common household tools” do not include hammers, mallets, scissors, pliers, knives, ratchets, saws, chisels, screwdrivers with active U.S. patents, tools that require the use of batteries, electricity, or fuel to power, or tools that require the application of heat, solvents, or significant force to separate a battery from a product.

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## Submitting Comments and Feedback (1)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle’s public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#).
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line “SB 1215 Implementing Regulations.”



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### Item 3 – Approved cancellation method for dismantling BEPs

- Approved recyclers must dismantle BEPs using the approved BEP cancellation method to be eligible for recycling payments.
- CalRecycle considered the following when developing an approved cancellation method for dismantling BEPs:
  - Protection of human health and the environment
  - Compliance with applicable DTSC 22 CCR regulatory requirements
  - Maximizing the recycling of treatment residuals
  - Preventing double payments

### Item 3 – Proposed approved cancellation method for dismantling BEPs

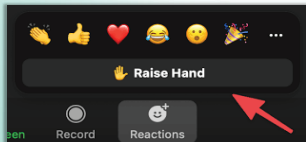
**Cancellation of battery-embedded CEW by removing the embedded battery** in a manner that **complies with Chapter 23 of Division 4.5 of Title 22 of the California Code of Regulations**, including ensuring the **casing of each individual battery cell is not breached** and the **casing remains intact and closed**, and **dismantling the CEW into specific material streams** such as batteries, plastics, metals, glass, fibers, and any hazardous waste components, if applicable.

(A) Batteries shall be **sorted by battery chemistry** after they are removed from the CEW.

(B) **Lithium batteries** of all chemistry types shall be stored and handled in a manner that ensures **individual battery terminals remain separated with terminal protection**, such as non-conductive tape or individual bags.

### Submitting Comments and Feedback (2)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#).
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



### Item 4 – Payment Claim Requirements for BEPs

- Existing regulations (14 CCR sections 18660.22, 18660.24, and 18660.25) specify:
  - general recycling payment claim requirements,
  - additional claim requirements to demonstrate cancellation of CRT or CRT-containing CEW, and
  - additional claim requirements to demonstrate cancellation of non-CRT CEW, respectively.
- CalRecycle proposes adding a section to the regulations specifying the recycling payment claim requirements for BEPs. (14 CCR section 18660.26)

### Item 4 – Payment Claim Requirements for BEPs

- Proposed recycling payment claim Section 18660.26 provides documentation requirements specific to BEP cancellation:
  - Total weight of cancelled battery-embedded CEW
  - Separate **weighmaster certificates** for each treatment residual derived from cancellation of battery-embedded CEW
  - Shipping reports to initial destinations
  - Accumulation start date(s) of the batteries shipped or stored
  - Weighmaster certificates of individual shipments
  - Verification of post-cancellation disposition for each battery chemistry type derived from cancellation of battery-embedded CEW

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### Item 4 – Payment Claim Requirements for BEPs

Proposed Section 18660.26

(a) In addition to the general information required in Section 18660.22 of this Chapter, an approved recycler or dual entity shall include the information in this Section to claim recycling payments for cancelling battery-embedded CEW as specified in Section 18660.32 of this Chapter.

(b) An approved recycler or dual entity shall base recycling payment claims on the weight of the cancelled battery-embedded CEW.

(c) An approved recycler or dual entity shall submit a recycling payment claim within 45 calendar days of the end of a reporting month.

(d) The reporting month for a recycling payment claim pursuant to this Section is the calendar month in which the approved recycler or dual entity first cancels any of the battery-embedded CEW being claimed.

## Item 4 – Payment Claim Requirements for BEPs

(e) An approved recycler or dual entity shall calculate the payment and include the calculation in a recycling payment claim specific to cancelling battery-embedded CEW by removing the battery as follows:

- (1) The total weight of cancelled battery-embedded CEW for the reporting month. Note that battery-embedded CEW commingled with other material are ineligible for recycling payment.
- (2) The total payment claimed, calculated by multiplying the weight of battery-embedded CEW specified in subsection (e)(1) of this Section by the Standard Statewide Combined Recovery and Recycling Payment Rate.
- (3) If the amount in subsection (e)(1) of this Section includes CEW from outside California or previously cancelled materials, then the recycler shall reduce the payment claim to reflect these corrections by adjusting the weights.
- (4) Prior to submitting a battery-embedded CEW recycling payment claim to CalRecycle, the recycler shall weigh and issue separate weighmaster certificates for each treatment residual derived from cancellation of battery-embedded CEW.

## Item 4 – Payment Claim Requirements for BEPs

(f) For each battery chemistry type which is derived from cancellation of battery-embedded CEW during the claim activity period, an approved recycler or dual entity shall include the following documentation:

- (1) Shipping reports to initial destinations, including the names of the shipping recycler and the receiving initial destination.
- (2) The accumulation start date(s) of the batteries shipped or stored.
- (3) Weighmaster certificates of individual shipments, including only batteries derived from the cancellation of battery-embedded CEW and not including any other commodities.
- (4) Verification of post cancellation disposition, including:
  - (A) For shipments by sea, the proof of transfer to an initial destination shall be the on-board bill of lading or manifest, as applicable.
  - (B) For other shipments, the proof of transfer to an initial destination shall include a receipt issued by the person receiving the shipment and any applicable bill of lading or manifest.

## Item 4 – Payment Claim Requirements for BEPs

(C) For all shipments of batteries derived from battery-embedded CEW, an explanation of the ultimate disposition of the material shipped demonstrating that the disposition is compliant with applicable law and conforms with the approved recycler's conditions of authorization.

1. All documentation must comply with all applicable DTSC laws and regulations, including demonstrating compliance with material handling and shipment requirements set forth in Division 4.5 of Title 22 of the California Code of Regulations.
  2. CalRecycle may demand additional documentation as necessary from an approved recycler to determine compliance with material handling and shipment requirements set forth in Division 4.5 of Title 22 of the California Code of Regulations.
- (5) The total weight for each battery chemistry type, and the total weight for all batteries, shall be included in the claim.

## Item 4 – Payment Claim Requirements for BEPs

(g) Excluding material in subsection (f) of this Section, for each treatment residual derived from cancellation of battery-embedded CEW during the claim activity period, including but not limited to circuit boards, plastics, metals, glass, fibers, and any hazardous waste components, an approved recycler or dual entity shall attach to the payment claim:

- (1) A description of the material flow; and
- (2) The weighmaster certificate and the bill of lading or manifest for all shipments to the initial destination.

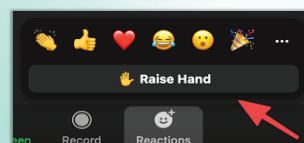
## Item 4 – Payment Claim Requirements for BEPs

### Request from Interested Parties:

CalRecycle is seeking feedback on the proposed regulations that specify the covered battery-embedded product recycling payment claim requirements.

## Submitting Comments and Feedback (3)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#).
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



## Item 5 – Specifying BEP manufacturer reporting requirements

- CalRecycle proposes amending 14 CCR section 18660.41 to require:
  - Report information by brand name of BEPs sold in the state,
  - Contact information for a manufacturer report contact,
  - The information elements described in PRC section 42467, and
  - A detailed description and examples of the information the BEP manufacturer provided to consumers that describes where and how to return, recycle, and dispose of the BEP, and opportunities and locations for the collection or return of the BEP.
- *Manufacturers should note proposed subsection (n) regarding the submittal of information that may be proprietary, confidential, or trade secret.*

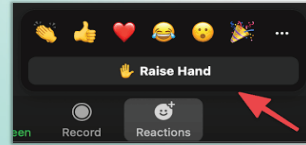
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using the  
Regulatory Text  
Document



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## Submitting Comments and Feedback (4)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#).
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



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## Item 6 - Additional Draft Regulatory Amendments

In addition to promulgating regulations to incorporate BEPs into the Covered Electronic Waste Recycling Program, CalRecycle also proposes amending various sections found in Chapter 8.2 of Title 14 of the California Code of Regulations:

- Definitions
- Net Cost Requirements
- Reinstatement Procedures
- Reconsideration Procedures
- Payment Claim Completeness Review Procedures

Follow along  
using the  
Regulatory Text  
Document



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## Proposed Amendments to Regulatory Definitions

Definition amendments necessary for Program implementation:

- "California Source"
- "Covered Electronic Waste" or "CEW"
- "Proof of Approval"

Newly proposed definitions include:

- "New applicant" and "Renewal applicant"
- "Weighmaster"

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## Proposed Amendments to Definitions

14 CCR section 18660.5(a) shall be amended to read:

(12) "California Source" means persons, as defined in Section 42463(r) of the Public Resources Code, located in California who generate CEWs after their own use of a ~~CED~~ Covered Electronic Device (CED) within the state of California. Persons who receive, accumulate, consolidate, store, or otherwise handle discarded, donated or collected CEWs are not the California sources of those CEWs. For purposes of this Chapter, "use" or "using" means operating the CED in a manner consistent with ownership, including business or personal ownership, or the leasing of the CED so long as those lessees operate the CED within the state of California.

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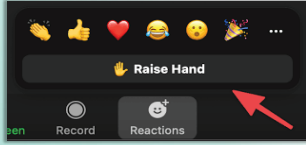
## Proposed Amendments to Net Cost Requirements

- CalRecycle is required to annually evaluate recovery and recycling payment rates.
  - Recovery payment rates must cover the average net cost for an authorized collector to operate a free and convenient system for collecting, consolidating and transporting CEW generated in this state.
  - Recycling payment rates must cover the average net cost for an electronic waste recycler to receive, process, and recycle each major category of CEW.
- CalRecycle proposes to eliminate the annual requirement for Program participants to submit Net Cost Reports to CalRecycle and instead conduct annual net cost surveys to which participants must respond.
- Participants will be required to provide cost and revenue information to CalRecycle, or its authorized representative, and provide records to substantiate the cost and revenue information.

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## Submitting Comments and Feedback (5)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#)
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



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## Prohibited Activities and Reinstatement Procedures

### Updates to 14 CCR section 18660.17 include:

- Additional text references to dual entities for consistency, and
- Text that references and provides additional clarity regarding CalRecycle's discretion to deny any application, or revoke, or suspend the approval of a participant for submitting fraudulent information or documentation regarding net cost requirements, or for failing to comply with CDFA requirements.

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## Prohibited Activities and Reinstatement Procedures

### Updates to 14 CCR section 18660.17 also include:

- Clearer and more specific language regarding applications that include the name of an individual who has a history of fraudulent conduct or a demonstrated pattern of operation in conflict with statute and regulations.
- A process that identifies certain circumstances that allow a suspended participant to be reinstated if the participant is eligible for reinstatement and certain requirements are met, as specified.

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## Reconsideration Procedures

- CalRecycle has the authority to deny Program applicants, or suspend or revoke approved Program participants, for specified reasons.
- CalRecycle also has the authority to deny or adjust recycling payment claims.
- The proposed amendments allow Program participants to request reconsideration of a denied application or application renewal, suspension, or revocation by submitting a written request for reconsideration electronically.

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## Payment Claim Completeness Review Procedures

### Updates to 14 CCR section 18660.30:

Beginning April 1, 2026:

- Claims shall be deemed incomplete and returned to the participants if CalRecycle determines required information is missing.
- CalRecycle may send a notice of incompleteness as soon as a deficiency in the required information is identified. CalRecycle is not required to provide reasons for incompleteness that it has not yet identified.
- If a claim is returned, the participant is responsible for addressing the issues identified and ensuring that the claim is accurate and complete before resubmitting.
- A claim's "date of receipt" pursuant to PRC section 42479(a)(1) shall be the date it is deemed complete by CalRecycle.

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## Payment Claim Completeness Review Procedures (1)

14 CCR section 18660.30 shall be amended to read:

- (d) On or after April 1, 2026, CalRecycle shall perform a completeness review of all documents submitted as part of a recycling payment claim to determine whether it is complete or incomplete. For the purposes of this review, "complete" means all required information was submitted to CalRecycle in the form and manner prescribed by CalRecycle pursuant to this Chapter.
- (e) A recycling payment claim shall be deemed incomplete and returned to a recycler or dual entity if CalRecycle determines that any required information is missing or deficiencies in required documentation are identified.
- (f) Within 30 calendar days of the date the recycling payment claim is submitted to CalRecycle's electronic information submittal system pursuant to Section 18660.7, CalRecycle shall notify the recycler or dual entity regarding whether the recycling payment claim is complete or incomplete.

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## Payment Claim Completeness Review Procedures (2)

(g) If a recycling payment claim is deemed incomplete, CalRecycle shall notify the recycler or dual entity of the determination and specify the reasons why it was deemed incomplete.

(1) The notice of incompleteness may be sent by CalRecycle as soon as a deficiency in the required information is identified.

(2) CalRecycle is not required to provide reasons for incompleteness that it has not yet identified.

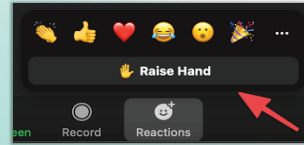
(h) If CalRecycle returns a recycling payment claim and a recycler or dual entity resubmits the recycling payment claim with all deficiencies corrected, it shall be considered a new submission with CalRecycle's 90-day review period beginning on the date that CalRecycle deems the resubmitted recycling payment claim complete.

(i) If CalRecycle returns a recycling payment claim and a recycler or dual entity fails to correct all deficiencies, CalRecycle shall continue to deem the recycling payment claim incomplete.

(j) A recycling payment claim's "date of receipt" pursuant to section 42479(a)(1) of the Public Resources Code shall be the date it is deemed complete by CalRecycle in writing provided to the approved recycler or dual entity.

## Submitting Comments and Feedback (6)

- To make a comment in-person, please line up at the microphone.
- To make an oral comment via Zoom, please raise your hand and the host will unmute you.
- Submit written feedback after the workshop by **June 6, 2025**, via:
  - CalRecycle's public comment portal: [Covered Battery-Embedded Products Informal Rulemaking Comment Period](#).
  - Email: [regulations@calrecycle.ca.gov](mailto:regulations@calrecycle.ca.gov) with subject line "SB 1215 Implementing Regulations."



## Ways to Stay Informed



- Sign-up for information related to regulations specific to the Covered Electronic Waste Recycling program: [E-Waste Listserv](#)
- More information is forthcoming and will be distributed through our listserv.
- Sign up for information related to all CalRecycle Proposed Regulations: [CalRecycle Proposed Regulations Listserv](#)
- Email: [Regulations@CalRecycle.ca.gov](mailto:Regulations@CalRecycle.ca.gov)

### **What is the jurisdiction's annual report?**

The annual report describes the progress a jurisdiction has made in achieving the requirements of:

- [SB 1383 Reporting Requirements](#) of the Short-Lived Climate Pollutant Reduction Strategy.
- AB 341 [Mandatory Commercial Recycling](#) and AB 1826 [Mandatory Commercial Organics Recycling – CalRecycle Home Page](#).
- The Per Capita Disposal Measurement Act of 2008 ([Chapter 343, Statutes of 2008 \[Wiggins, SB 1016\]](#)).
- The Integrated Waste Management Act, (AB 939, Chapter 1095, Statutes of 1989)

### **What is the purpose of the annual report?**

The Annual Report is the jurisdiction's self-assessment of its progress in implementing the Integrated Waste Management Act.

The annual report includes the numbers used to calculate a per capita disposal rate plus all required supporting documentation and attachment of any required documentation to support changes to those numbers. It also includes a status report on planned and implemented solid waste diversion programs and facilities, as well as planned or implemented revisions to approved solid waste planning documents.

### **Who must report?**

Each city, county, special district that provides solid waste collection services, or regional agency.

Jurisdiction contacts use their unique WebPass to sign in. The EAR user's guide listed under "EAR Help Documents" shows you what the report looks like and how it works. Select "Enter the EAR" to sign in.

- [My LoGIC](#)

- [Enter the EAR \(WebPass required\)](#)
- [WebPass Management](#)
- [EAR Help Documents](#). Includes information on how to request authorization.

## Program News...

- The 2024 Electronic Annual Report (EAR) will be released to jurisdictions on June 15, 2025. **The EAR is due Friday August 1, 2025**
  - Disposal facility data that is used to calculate per capita disposal rates is now reported in the Recycling and Disposal Reporting System (RDRS). Public [reports for disposal and recycling data](#) are now available.
- If you have any questions please call the LAMD office at (916) 341-6199 or contact your [LAMD representative](#).

## Additional Information

CalRecycle provides several reports, tools, and information to assist local governments and businesses in reducing disposal, conserving resources, and helping California meet its waste reduction goals.

- [Data Tools](#)
- [Local Government Data Reports](#)

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## Related Links

- [Waste Stream](#)
- [Program Implementation](#)
- [Local Govt. Library](#)
- [Local Govt. Reporting](#)
- [Recycling and Disposal Reporting](#)
- [Data Tools](#)
- [Data Reports](#)
- [Contact Us](#)
- [Site Index](#)

For more information contact: Local Assistance & Market Development,  
[LAMD@calrecycle.ca.gov](mailto:LAMD@calrecycle.ca.gov) or (916) 341-6199.

## REQUEST FOR ACTION

**To:** Zoe Heller  
Director

**From:** Michelle Martin  
Deputy Director, Division of Circular Economy

**Request Date:** July 8, 2025

**Decision Subject:** Consideration of Circular CRV Association's Dealer Cooperative Stewardship Plan

**Action By:** July 28, 2025

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### **Summary of Request**

Circular CRV Association submitted its *Dealer Cooperative Stewardship Plan* to the California Department of Resources Recycling and Recovery (CalRecycle) on April 28, 2025. This Request for Action presents a summary of CalRecycle's analysis regarding Circular CRV Association's *Dealer Cooperative Stewardship Plan*.

### **Background**

Circular CRV Association submitted its *Dealer Cooperative Stewardship Plan (Plan)* on April 28, 2025, pursuant to Public Resources Code (PRC) section 14578.5(c)(1) and Title 14 of the California Code of Regulations (14 CCR) section 2375. On May 27, 2025, CalRecycle notified Circular CRV Association that additional information was necessary to corroborate or clarify the information provided in the April 28, 2025 *Plan* pursuant to 14 CCR section 2376(a). On June 6, 2025, Circular CRV Association submitted additional information and an updated stewardship plan with additional information incorporated. On June 13, 2025, CalRecycle notified Circular CRV Association that additional information was necessary to corroborate or clarify the information provided in the June 6, 2025 updated *Plan* pursuant to 14 CCR section 2376(a). On June 17, 2025, Circular CRV Association submitted additional information and another updated stewardship plan with additional information incorporated. Pursuant to 14 CCR section 2376(b), CalRecycle must approve or disapprove the *Plan* within 90 calendar days of receipt of the initial *Plan* (by July 28, 2025).

### **Staff Analysis**

CalRecycle evaluated Circular CRV Association's *Dealer Cooperative Stewardship Plan*, including the additional information provided on June 6 and June 17, 2025, to determine whether the requirements of statute and regulations were met. The sections below summarize CalRecycle's analysis pursuant to 14 CCR section 2376 of the *Plan*'s adherence to the statutory and regulatory requirements applicable to stewardship plan contents.<sup>1</sup>

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<sup>1</sup> Dealer cooperatives and all entities participating in the implementation of the dealer cooperative's stewardship plan must comply with all applicable laws in addition to the plan requirements. This includes, but is not limited to, applicable provisions of the California Beverage Container Recycling and Litter

### **Informational Contents (14 CCR section 2375.2)**

Requirements: Include the dealer cooperative's federal tax identification number; contact information for the individuals responsible for overseeing the stewardship plan; decision-makers; verification of current tax-exempt status; articles of incorporation; dealer members and registration numbers; unserved convenience zones in which the dealer cooperative will provide redemption; processors and recycling centers to which material will be shipped and their certification numbers; known redemption sites; and a timeline for the stewardship plan becoming fully operational.

Analysis: Requirements met.

The *Plan* includes Circular CRV Association's federal tax identification number, verification of current exemption from taxation under section 501(c)(3) of the federal Internal Revenue Code of 1986, contact information for the individual responsible for overseeing the *Plan*, board of directors, and articles of incorporation. Circular CRV Association also provided its list of 234 dealer members across the state and their registration numbers, a list of processors and recycling centers to which material will be shipped and their certification numbers, and a list of redemption sites known at the time of *Plan* submission. The *Plan* includes the convenience zone numbers for each redemption site and the convenience zone status of each dealer member. As part of the *Plan*, redemption contractors will ship material on behalf of the dealer cooperative to certified recycling centers and processors located outside of the dealer cooperative's unserved convenience zones.

Additionally, Circular CRV Association provided a timeline for the *Plan* becoming fully operational within 18 months of approval. The timeline identifies that Circular CRV Association will complete its first phase of program implementation within 90 days of *Plan* approval to provide redemption opportunities in unserved convenience zones where its dealer members operate. Circular CRV Association anticipates beginning quarterly reporting to CalRecycle after the first phase of implementation. The *Plan* estimates that all program elements, including deployment of various innovative methods of redemption, will be fully operational no more than 18 months after *Plan* approval.

### **Substantive Contents (14 CCR section 2375.4)**

Requirements: Include the methods of redemption; an education and outreach program that includes activities to promote awareness, materials in multiple languages, and a website with redemption site information; a dispute resolution process; opportunities for community input; how consumer convenience factors will be addressed; and how all material types will be redeemed, including ensuring redemption capacity equal to 100% of beverage containers sold by dealer members, providing consumer convenience as defined in 14 CCR section 2370(e); and ensuring at least one redemption site in each unserved zone redeems all material types with immediate payment and redeems up to established daily load limits.

Analysis: Requirements met.

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Reduction Act and its implementing regulations, Chapter 5 (commencing with section 2000) of Division 2 of Title 14 of the California Code of Regulations.

The *Plan* identifies the redemption methods that Circular CRV Association will utilize including mobile redemption units, kiosks, single-feed and bulk-feed Reverse Vending Machines (RVMs), bag-drop, and recycling depots which will host two bulk-feed RVMs, a bag-drop station, and a kiosk. Circular CRV Association specified that it will rely heavily on mobile redemption during its first year of operation following *Plan* approval to provide redemption opportunities and phase in other redemption methods over time.

Circular CRV Association describes the education and outreach program it will utilize to promote program awareness. Outreach mechanisms include signage for dealers and redemption sites, social media, community events, and printed materials in multiple languages with a QR code that links to Circular CRV Association's website for additional information. Circular CRV Association's website will host a searchable directory listing the redemption site locations, materials accepted, relevant telephone numbers, and hours of operation for each site. The *Plan* identifies a toll-free phone number that consumers can call to obtain information about redemption opportunities, which will include Spanish translation and functionality for hearing or speech impaired individuals.

Additionally, the *Plan* describes a dispute resolution process to resolve issues of non-payment, under-payment, or redemption contractor performance. Circular CRV Association describes how consumers may file complaints through its toll-free telephone number or Customer Feedback form on its website. All complainants will receive an email confirming receipt of their complaint and information regarding the investigation and resolution of the complaint. The *Plan* also describes how Circular CRV Association will provide opportunities for community input via its toll-free telephone number, online Customer Feedback form, and surveys. Circular CRV Association will address factors that affect consumer convenience through standardized best practices for safety, cleanliness, and site layout, ensuring parking and public transit access, and community input.

Circular CRV Association commits to redeem all beverage container material types within each unserved convenience zone it operates through most redemption methods including kiosks, mobile recycling, bag drop systems, and recycling depots. Additionally, the *Plan* demonstrates how the redemption capacity was calculated for each redemption method and the total capacity of all methods equal to approximately 116% of the total annual beverage containers sold by dealer members.

Furthermore, the *Plan* describes providing consumer convenience, as defined by 14 CCR section 2370(e), including committing to provide redemption sites that accept all materials types up to the daily limits and operate for the required times and durations. Circular CRV Association commits to establish at least one redemption location in each unserved convenience zone that provides immediate payment of the refund value for a minimum of 10 hours per week, including at least 5 hours on Saturday or Sunday between 9 a.m. and 5 p.m. and up to the daily redemption limits as specified in 14 CCR section 2535(f)(6).

### **Performance Standards (14 CCR section 2375.6)**

Requirements: Include performance standards, how performance standards will be achieved, and how quarterly achievement will be measured for the following: geographic spread of redemption sites; redemption capacity equal to at least 100% of the beverage containers sold by dealer members; redemption of at least 80% of beverage containers sold by dealer members; and average wait time for consumers.

Analysis: Requirements met.

Circular CRV Association identifies all required performance standards, describes how it will achieve the performance standards, and how achievement will be measured on a quarterly basis. The *Plan* identifies that the performance standard for geographic spread of redemption sites will be to provide at least one redemption site in each unserved convenience zone in which dealer members operate within a one-mile to one-and-a-half-mile radius of dealer members. Circular CRV Association will ensure that each site serves at least 80% of the population within a one-mile or one-and-a-half-mile radius of a dealer member. To achieve the geographic spread performance standard, Circular CRV Association will use mapping tools and census tract data and resources to identify optimally convenient redemption site locations. Quarterly reports will list dealer members that host and do not host redemption sites, the number and types of redemption methods at each site and within each unserved convenience zone, and the distance to the nearest redemption site within the unserved zone from dealer members that do not host redemption sites.

The *Plan* will deploy redemption services capable of redeeming an estimated 1.65 billion beverage containers annually, which is equal to approximately 116% capacity of the 1.42 billion beverage containers sold by dealer members into all unserved convenience zones where Circular CRV Association will operate. Circular CRV Association will achieve the 100% minimum redemption capacity performance standard by ensuring 98% equipment operable time. The capacity of each redemption location and number of CRV beverage containers sold by each dealer member will be measured and reported on a quarterly basis to demonstrate that Circular CRV Association maintains a minimum 100% redemption capacity in each zone.

Additionally, Circular CRV Association commits to achieve a redemption rate equal to 80% of the beverage containers sold by its dealer members in unserved convenience zones. Circular CRV Association will use high-capacity redemption methods such as bulk-feed RVMs, bag drop stations, recycling depots, as well as targeted outreach and consumer awareness activities to achieve this performance standard. To measure the redemption rate and ensure compliance, Circular CRV Association will conduct regular site visits at all redemption sites to troubleshoot equipment malfunctions, optimize site layout, identify opportunities to increase community awareness, and maximize container intake. Quarterly reports will provide data on the number of CRV units redeemed, the number of CRV units sold, and the comparison of these measurements for each unserved convenience zone.



Circular CRV Association establishes its average wait time performance standard as between 5 to 10 minutes based on surveys and the Regents University of California 2018 study. The *Plan* describes how Circular CRV Association will achieve this wait time by using standardized best practices for its redemption operators and supplemental efforts based on consumer feedback. Average wait time will be measured through monitoring using routine redemption site visits and consumer feedback. Quarterly reports will include the total average wait times observed at redemption sites, relevant consumer feedback, and an analysis of sites that exceed the 10-minute average wait time. Circular CRV Association commits to providing operational improvements and resource adjustments to reduce wait times for redemption sites that exceed the 10-minute average wait time.

#### **Budget (14 CCR section 2375.8)**

Requirements: Include the dealer cooperative's budget and how stewardship fees assessed on dealer members support that budget, including itemized costs and purpose for the applicable categories in 14 CCR section 2381(c)(6) for the first four quarters of operation; and the funding level, reserves, deficits covered, and how deficits and surpluses will be addressed.

Analysis: Requirements met.

The *Plan* includes a budget that lists the anticipated costs to cover the program's implementation for the first four quarters of operation from January 2025, through June 2026. The budget specifies the anticipated costs and purpose for the following applicable categories: administrative costs, professional services, education and outreach, technology and equipment, partnerships, operational costs, and reserve.

Circular CRV Association identifies an initial reserve of \$500,000 for the first year and describes how it will address deficits using budget adjustments, cost reductions, additional funding mechanisms, and supplemental membership fees. The *Plan* also describes that any surplus funds will be reinvested into program enhancements, such as website improvements, hiring additional staff, or expanding community engagement programs.

#### **Recordkeeping (14 CCR section 2380(f)(1))**

Requirements: Must provide immediate access to any original record at the redemption site or other location identified in the stewardship plan.

Analysis: Requirements met.

Circular CRV Association commits to providing immediate access to original CRV redemption transaction records at its redemption sites and non-original records at two locations specified in the *Plan*.

#### **Feedback from Interested Parties**

CalRecycle solicited public comments on Circular CRV Association's *Dealer Cooperative Stewardship Plan* from April 28, 2025, through May 13, 2025. CalRecycle received 11 comment letters from the following organizations: Ming's Recycling, CLYNK, Ponce Recycling, North State Grocery, Inc., TOMRA, Our Planet Recycling,

San Francisco Environmental Department (submitted two letters), Sunset Recycling, California Grocers Association, and Container Recycling Institute. CalRecycle considered all comments received during the review of Circular CRV Association's *Plan*.

### **Staff Analysis Conclusion**

Based on the information in Circular CRV Association's *Dealer Cooperative Stewardship Plan*, staff concluded that the *Plan* complies with the statutory and regulatory requirements.

### **Action**

Pursuant to PRC section 14578(a)(2) and 14 CCR section 2376(b), I hereby:

☒ Approve Circular CRV Association's *Dealer Cooperative Stewardship Plan* and issue registration number DC00001.001.

☐ Disapprove Circular CRV Association's *Dealer Cooperative Stewardship Plan*.

### **Signed by:**

Zoe Heller  
Director

**Dated:** July 24, 2025

### **Attachments:**

Documents listed below are posted to CalRecycle's website. To request other documents referenced in this Request for Action, the public may submit a [Public Records Act request](https://calrecycle.govqa.us/WEBAPP/rs/supporthome.aspx) (<https://calrecycle.govqa.us/WEBAPP/rs/supporthome.aspx>).

1. [Circular CRV Association's April 28, 2025 Dealer Cooperative Stewardship Plan](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17683),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17683>
2. [Additional Information Necessary Regarding Circular CRV Association's April 28, 2025 Stewardship Plan](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17647),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17647>
3. [Circular CRV Association's June 6, 2025 Additional Information](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17611),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17611>
4. [Circular CRV Association's June 6, 2025 Updated Dealer Cooperative Stewardship Plan](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17612),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17612>
5. [Additional Information Necessary Regarding Circular CRV Association's June 6, 2025 Updated Stewardship Plan](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17648),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17648>
6. [Circular CRV Association's June 17, 2025 Additional Information](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17633),  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17633>

7. [Circular CRV Association's June 17, 2025 Updated \*Dealer Cooperative Stewardship Plan\*.](https://www2.calrecycle.ca.gov/PublicNotices/Documents/17684)  
<https://www2.calrecycle.ca.gov/PublicNotices/Documents/17684>

# Title 13 and 17. California Air Resources Board

## Notice of Public Hearing to Consider Proposed Amendments to the Advanced Clean Fleets and Low Carbon Fuel Standard Regulations

The California Air Resources Board (CARB or Board) will conduct a public hearing at the date and time noted below to consider proposed amendments to the Advanced Clean Fleets (ACF) regulation and the Low Carbon Fuel Standard (LCFS).

Date: September 25, 2025

Time: 9:00 a.m.

In-Person Location:

California Air Resources Board  
Byron Sher Auditorium  
1001 I Street, Sacramento, California 95814

Remote Option:

Zoom

This public meeting may continue at 9:00 a.m., on September 26, 2025. The public agenda will be posted ten days before the September 25, 2025, Board Hearing. Please consult the public agenda for other details, including the day on which this item will be considered and how the public can participate via Zoom if they choose to be remote.

## Written Comment Period and Submittal of Comments

In accordance with the Administrative Procedure Act, interested members of the public may present comments orally or in writing during the hearing and may provide comments by postal mail or by electronic submittal before the hearing. The public comment period for this regulatory action will begin on August 1, 2025. Written comments not submitted during the hearing must be submitted on or after August 1, 2025, and received **no later than** September 15, 2025. Comments submitted outside that comment period are considered untimely. CARB may, but is not required to, respond to untimely comments, including those raising significant environmental issues. The Board also encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action. Comments submitted in advance of the hearing must be addressed to one of the following:

Postal mail: Clerks' Office, California Air Resources Board  
1001 I Street, Sacramento, California 95814

Electronic submittal: <https://ww2.arb.ca.gov/lispub/comm/bclist.php>

Please note that under the California Public Records Act (Government Code section 7920.000 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request.

Additionally, the Board requests but does not require that persons who submit written comments to the Board reference the title of the proposal in their comments to facilitate review.

## **Authority and Reference**

The ACF regulatory amendments are proposed under the authority granted in California Health and Safety Code, sections 38505, 38510, 38560, 38566, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 43013, 43018, 43100, 43101, 43102 and 43104, and section 28500 of the California Vehicle Code. This action is proposed to implement, interpret, and make specific sections 38501, 38505, 38510, 38560, 38566, 38580, 39000, 39003, 39010, 39500, 39600, 39601, 39602.5, 39650, 39658, 39659, 39666, 39667, 39674, 39675, 42400, 42400.1, 42400.2, 42402.2, 42410, 43000, 43000.5, 43013, 43016, 43018, 43023, 43100, 43101, 43102, 43104, 43105, 43106, 43153, 43154, 43211, 43212, and 43214 of the Health and Safety Code; and section 28500 of the California Vehicle Code. Changes to the LCFS are proposed under the authority granted in California Health and Safety Code, sections 38510, 38530, 38560, 38560.5, 38571, 38580, 39600, 39601, 41510, 41511, and 43018; 42 U.S.C. section 7545; and *Western Oil and Gas Ass'n v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975). Reference: Sections 38501, 38510, 39515, 39516, 38571, 38580, 39000, 39001, 39002, 39003, 39515, 39516, 41510, 41511, and 43000, of the Health and Safety Code; section 25000.5, Public Resources Code; and *Western Oil and Gas Ass'n v. Orange County Air Pollution Control District*, 14 Cal.3d 411, 121 Cal.Rptr. 249 (1975).

## **Informative Digest of Proposed Action and Policy Statement Overview (Gov. Code, § 11346.5, subd. (a)(3))**

### **Sections Affected:**

The Board proposes to copy the relevant text set forth in California Code of Regulations (Cal. Code Regs.), title 13, section 2015 for Zero-Emission Vehicles (ZEV) Fleet Milestones Option into Cal. Code Regs., title 13, section 2013; amend the Cal. Code Regs., title 13, sections 2013, 2013.1, 2013.2, 2013.3, and 2013.4; move parts of 2013 into newly adopted sections 2013.5, 2013.6, and 2013.7; repeal Cal. Code Regs., title 13, sections 2014 and 2015; and amend Cal. Code Regs., title 17, section 95486.3.

### **Background and Effect of the Proposed Regulatory Action:**

In October 2023, CARB adopted the ACF Regulation as another key step in CARB's decades-long history of setting increasingly stringent emission standards for mobile sources to address significant air quality and climate concerns. The ACF regulation complements CARB's adopted Advanced Clean Trucks regulation and will help ensure that harmful emissions from California's truck and bus fleets are reduced to the greatest extent feasible through the

introduction of zero-emission technologies into fleets that are well situated to embrace those technologies.

Achieving California's long-term air quality, climate, and public health goals will require zero-emission technologies everywhere feasible and near-zero-emission powered by clean, low-carbon renewable fuels everywhere else. Promoting the development and use of zero-emission trucks will contribute to the goals set by the Governor's Executive Order N-79-20 and the Sustainable Freight Action Plan and will help achieve emission reductions as outlined in the State Implementation Plan, Senate Bill (SB) 350 (de León, Stats. 2015, ch. 547), Assembly Bill (AB) 32 (Nuñez, Stats. 2006, ch. 488), SB 32 (Pavley, Stats. 2016, ch. 249), and AB 1279 (Muratsuchi, Stats. 2022, ch. 337). This effort is part of a broader strategy to increase clean, affordable transportation options such as zero-emission technologies, innovative methods to improve freight activity, and efficiency of transportation systems in California.

Subsequent to the approval of the ACF Regulation, the Legislature enacted AB 1594 (Garcia, E., Stats. 2023, ch. 585), which directs CARB to amend the ACF regulation to provide additional flexibility to most public agency utilities. Specifically, the bill requires CARB to authorize most public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events, including severe weather, wildfires, natural disasters, and physical attacks on utility infrastructure, as specified. The bill defines "a public agency utility" to include a local publicly owned electric utility, as defined in section 224.3 of the Public Utilities Code, a community water system, as defined in section 116275 of the Health and Safety Code, a water district, as defined in section 20200 of the Water Code, and a wastewater treatment provider, as defined in section 116773.2 of the Health and Safety Code. AB 1594 also directs CARB to amend the ACF Regulation's Daily Usage Exemption to allow a public agency utility to submit a comprehensive usage report for the same vehicle class and configuration of vehicles in their fleet when applying for a Daily Usage Exemption. AB 1594 also requires CARB to define a "traditional utility-specialized vehicle" and to consult with public agency utilities to determine what criteria can be used to determine the end-of-life for traditional utility-specialized vehicles without regard to the model year of the vehicle being replaced. These statutory directives only affect fleets that are subject to the State and Local Government Agency elements of the ACF regulation.

On January 13, 2025, CARB withdrew its request for a waiver and authorization for the addition of the ACF regulation to California's emissions control program. The Trump administration had previously evidenced its opposition to California's authority to establish greenhouse gas and zero emission standards for new motor vehicles,<sup>1</sup> and has also stated its continued opposition to that authority.<sup>2</sup> Accordingly, in light of U.S. EPA's lack of final action on

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<sup>1</sup> On September 27, 2019, the U.S. Environmental Protection Agency (U.S. EPA), in conjunction with the National Highway Traffic Safety Agency (NHTSA), published "The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program" (SAFE 1), 84 Fed. Reg. 51310 (Sept. 27, 2019) in which it withdrew a portion of the waiver it had previously granted for California's Advanced Clean Cars (ACC) program—specifically, for California's zero emission vehicle (ZEV) mandate and the greenhouse gas (GHG) emission standards within California's ACC program. In April 2022, U.S. EPA reconsidered its SAFE 1 action and rescinded its 2019 withdrawal of California's waiver. 87 Fed. Reg. 14332 (March 14, 2022).

<sup>2</sup> Donald J. Trump, [Twitter](#) (Sep. 18, 2019 11:19:24 AM EST) ("The Trump Administration is revoking California's Federal Waiver on emissions..."); Davenport, Coral, [A 'Chilling Message': Trump Critics See a Deeper Agenda in California Feud](#), N.Y. TIMES (Oct. 3, 2019); Baertlein, Lisa & Shephardson, David, [California withdraws clean truck](#)

CARB's request for waiver and authorization before the incoming administration assumed its official duties on January 20, 2025, and given the incoming administration's past and continued hostility to CARB's emissions control program, CARB determined that withdrawing its request was appropriate.

The proposed amendments would repeal parts of the ACF regulation, in title 13 of the Cal. Code Regs, that would apply to federal or private fleets: specifically the Drayage requirements in chapter 1, article 3.2, section 2014, and the High Priority and Federal Fleet requirements in chapter 1, article 3.2, section 2015.

The State and Local Government Agency (SLG) Fleet Requirements portion of the ACF Regulation would remain, subject to proposed amendments described herein. SLG fleets must still comply with the ZEV Purchase Schedule, which requires most governmental fleets to purchase at least 50% of their annual on-road medium- and heavy-duty vehicles as ZEVs beginning January 1, 2024, unless they utilize flexibility within the regulation. This compliance schedule requires vehicles to have a minimum age before becoming eligible for some of the exemptions. Alternatively, SLG fleets can elect to permanently opt-into the ZEV Milestones Option (Cal. Code Regs., tit. 13, § 2013.6). The ZEV Milestones Option allows fleets to phase ZEVs into their fleets on a gradual schedule that provides fleets considerable flexibility to decide which vehicles to purchase as ZEVs or as internal combustion engine (ICE) vehicles provided the fleet meets specified ZEV percentages at key dates. This compliance option allows for exemptions to be considered at any vehicle age.

Staff also are proposing to modify the derating factors for light-and-medium-duty hydrogen refueling infrastructure (LMD-HRI) crediting within the Low Carbon Fuel Standard (LCFS) regulation. Hydrogen refueling stations approved for hydrogen refueling infrastructure (HRI) crediting receive credits for their unused refueling capacity, in addition to credits generated for dispensing fuel to fuel cell electric vehicles (FCEV). Staff proposes to reduce the derating factor, such that LMD-HRI stations may receive HRI credits for the full nameplate capacity (up to 1,200 kilograms per day) for public stations, and 50% of the nameplate capacity for private stations. This change will provide stronger crediting support for hydrogen stations and more adequately supports development of stations that can accommodate the refueling demand of larger medium-duty hydrogen FCEV. The change will not increase the total HRI credits generated by the HRI program in aggregate, due to an existing cap on program-wide HRI crediting.

In addition, CARB may also consider other minor clarifying changes to the sections affected, or other sections within the scope of this Notice, during this rulemaking process.

## **Objectives and Benefits of the Proposed Regulatory Action:**

Pursuant to the directives of AB 1594, the proposed amendments to the ACF regulation provide additional flexibilities for public agency utilities to purchase replacements for traditional utility-specialized vehicles that are at the end of life when needed to maintain reliable service and respond to major foreseeable events. AB 1594 also directs CARB to amend the ACF regulation's Daily Usage Exemption to allow a public agency utility to submit a comprehensive

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*EPA waiver request ahead of Trump inauguration*, REUTERS (January 15, 2023); U.S. EPA Admin. Lee Zeldin, 00:06:21-00:06:43 (23 sec) *Statement at White House* (Feb. 13, 2025) ("Congress will have the opportunity through the Congressional Review Act to make that waiver go away."); U.S. EPA, *Trump EPA to Transmit California Waivers to Congress in Accordance with Statutory Reporting Requirements*, February 14, 2025.

usage report for the same vehicle class and configuration of vehicles in their fleet when applying for a Daily Usage Exemption, and additionally requires CARB to define a “traditional utility-specialized vehicle” and to consult with public agency utilities to determine what criteria can be used to determine the end-of-life for traditional utility-specialized vehicles without regard to the model year of the vehicle being replaced.

The proposed action would also repeal the portions of the ACF regulation that would otherwise apply to private or federal fleets. Repealing those elements subsequent to CARB’s withdrawal of its waiver and authorization request provides greater certainty to entities that they are not required to demonstrate compliance with those requirements. The proposed repeal will allow CARB to refocus its efforts to achieve emission reductions in this sector in light of U.S. EPA’s lack of final action and the current administration’s past and continued hostility to CARB’s emissions control program, and allow CARB to consider approaches that would better ensure its ability to retain elements of the ACF regulation and accordingly better preserve its emissions benefits.

Staff is also proposing additional clarifying amendments and requirements for fleets to include electric power takeoff (ePTO), which produces no criteria pollutant, precursor pollutant, or greenhouse gas exhaust emissions while the vehicle operates auxiliary equipment or accessories when they bid for replacement traditional utility-specialized vehicles under the early access provisions of AB 1594. The proposed LCFS amendments are intended to provide stronger LCFS crediting support for hydrogen stations and more adequately supports development of stations that can accommodate the refueling demand of larger medium-duty hydrogen fuel cell electric vehicles. The proposed amendments attempt to strike a balance between providing public agency utilities with the flexibility they request while continuing to make incremental progress towards reducing tailpipe emissions with the cleanest transportation technologies available.

### **Comparable Federal Regulations:**

There is no federal regulation comparable to the ACF regulation, and there is no federal regulation comparable to these ACF amendments or requirements of AB 1594. There is no federal regulation comparable to the LCFS regulation.

### **An Evaluation of Inconsistency or Incompatibility with Existing State Regulations (Gov. Code, § 11346.5, subd. (a)(3)(D)):**

During the process of developing the proposed regulatory action, CARB conducted a search of any similar regulations on this topic and concluded these regulations are neither inconsistent nor incompatible with existing state regulations.

### **Disclosure Regarding the Proposed Regulation**

### **Fiscal Impact/Local Mandate Determination Regarding the Proposed Action (Gov. Code, § 11346.5, subds. (a)(5)&(6)):**

The determinations of the Board's Executive Officer concerning the costs or savings incurred by public agencies and private persons and businesses in reasonable compliance with the proposed regulatory action are presented below.



Under Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any State agency, would not create costs or savings in federal funding to the State, would create costs or mandates to any local agency or school district, whether or not reimbursable by the State under Government Code, title 2, division 4, part 7 (commencing with section 17500), and would create other nondiscretionary cost or savings to local agencies.

*Cost to any Local Agency or School District Requiring Reimbursement under Gov. Code section 17500 et seq.:*

Pursuant to Government Code sections 11346.5, subdivision (a)(5) and 11346.5, subdivision (a)(6) this regulatory action will result in a mandate that would create costs and cost-savings to local agencies, including special districts. However, these costs are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution or Government Code, title 2, division 4, part 7 (commencing with section 17500), because this action neither compels local agencies to provide new governmental functions or to increase the actual level or quality of services that they already provide the public.<sup>3</sup> For the foregoing reasons, any costs incurred by local agencies to comply with this regulatory action are not reimbursable.<sup>4</sup>

*Cost or Savings for State Agencies:*

State government agencies are not impacted by these proposed amendments.

*Other Non-Discretionary Costs or Savings on Local Agencies:*

The proposed amendments would cost local governments \$31 million and save them \$14 million over the regulatory analysis period to 2029. The majority of these increased costs are associated with allowing a faster vehicle turnover which is a discretionary choice by public agency utilities.

*Cost or Savings in Federal Funding to the State:*

The proposed regulation is not expected to impose any costs nor savings in federal funding to the State.

## **Housing Costs (Gov. Code, § 11346.5, subd. (a)(12)):**

The Executive Officer has also made the initial determination that the proposed regulatory action will not have a significant effect on housing costs.

## **Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete (Gov. Code, §§ 11346.3, subd. (a), 11346.5, subd. (a)(7), 11346.5, subd. (a)(8)):**

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses,

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<sup>3</sup> County of Los Angeles v. State of California, (1987) 43 Cal.3d. 46, 57-58; San Diego Unified School Dist. v. Commission on State Mandates (2004) 33 Cal.4th 859, 877.

<sup>4</sup> County of Los Angeles v. State of California, 43 Cal.3d. 46, 57-58.

including the ability of California businesses to compete with businesses in other states, or on representative private persons.

## **Results of The Economic Impact Analysis/Assessment (Gov. Code, § 11346.5, subd. (a)(10)):**

### **Non-Major Regulation: Statement of the Results of the Economic Impact Assessment (EIA):**

#### *The Creation or Elimination of Jobs Within the State of California:*

The proposed amendments change the criteria for approving exemptions for traditional utility-specialized vehicles used in public agency utility fleets, and do not directly create or eliminate jobs. The proposed amendments allow public agency utilities to receive exemptions from the ZEV purchase requirements earlier than under the baseline, which would result in higher direct costs at the public agency utility's discretion associated with purchasing an ICE vehicle earlier. These direct costs on public agency utilities will need to be covered by available funding sources, such as incentives, or revenue increases, such that the level of services and hence jobs are not affected. Changes in spending across the economy are expected to indirectly lead to corresponding increases and decreases in jobs for industries seeing changes in traditional utility-specialized vehicle sales. To the extent public agency utility fleet costs are recouped through user rates, this may shift consumer and business spending patterns, affecting jobs in those impacted industries.

#### *The Creation of New Business or the Elimination of Existing Businesses Within the State of California:*

The proposed amendments apply to public agency utility fleets and will not directly create or eliminate businesses in California. Indirect changes in spending patterns in the economy will increase or decrease sales in different industries. There is the potential for industries to have increased sales and business creation, while industries realizing decreased sales could have businesses eliminated.

#### *The Expansion of Businesses Currently Doing Business Within the State of California:*

The proposed amendments apply to public utility fleets and will not directly expand businesses in California. As discussed above, indirect changes in spending patterns in the economy will increase sales in specific industries. Businesses in industries with increased sales may have an opportunity for expansion.

#### *The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.*

The proposed amendments are expected to benefit the health and welfare of California's residents and the state's environment by reducing exhaust emissions from traditional utility-specialized vehicles to the maximum extent feasible while meeting the requirements of AB 1594.

#### *Effect on Jobs/Businesses:*

The Executive Officer has determined that the proposed regulatory action would not have a significant effect on the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the Economic Impact Analysis in the Initial Statement of Reasons (ISOR).

**Benefits of the Proposed Regulation:**

The proposed regulatory action will have minor emission reductions compared to the existing regulation after accounting for the section 100 changes already made to implement some of the changes required by AB 1594 and will have minor health benefits while providing additional flexibilities in targeted areas for Public Agency Utilities.

A summary of these benefits is provided. Please refer to “Objectives and Benefits,” under the Informative Digest of Proposed Action and Policy Statement Overview, pursuant to Government Code section 11346.5, subdivision (a)(3), discussion.

**Business Report (Gov. Code, §§ 11346.5, subd. (a)(11); 11346.3, subd. (d)):**

In accordance with Government Code sections 11346.5, subdivisions (a)(11) and 11346.3, subdivision (d), the Executive Officer finds the reporting requirements of the proposed regulatory action, which apply to businesses, are necessary for the health, safety, and welfare of the people of the State of California.

**Cost Impacts on Representative Private Persons or Businesses (Gov. Code, § 11346.5, subd. (a)(9)):**

In developing this regulatory proposal, CARB staff evaluated the potential economic impacts on representative private persons or businesses. CARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Effect on Small Business (Cal. Code Regs., tit. 1, § 4, subds. (a) and (b)):**

The Executive Officer has also determined under California Code of Regulations, title 1, section 4, that the proposed regulatory action would not directly affect small businesses because these are minor changes to the ACF and LCFS regulations.

**Consideration of Alternatives (Gov. Code, § 11346.5, subd. (a)(13)):**

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board, or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons

and equally effective in implementing the statutory policy or other provisions of law. As explained in the Evaluation of Regulatory Alternatives chapter of the ISOR, the proposed regulations are the most effective and least burdensome means of implementing the requirements of AB 1594.

## State Implementation Plan Revision

If adopted, CARB plans to submit the proposed regulatory action to the United States Environmental Protection Agency (U.S. EPA) for approval as a revision to the California State Implementation Plan (SIP) required by the federal Clean Air Act (CAA). The adopted regulatory action would be submitted as a SIP revision because it amends regulations intended to reduce emissions of air pollutants in order to attain and maintain the National Ambient Air Quality Standards promulgated by the U.S. EPA pursuant to the CAA.

## Environmental Analysis

CARB, as the lead agency for the proposed amendments, has concluded that this action is exempt from CEQA, as described in Pub. Resources Code § 21080(b)(4), and it is also exempt as described in CEQA Guidelines §§ 15061(b)(3), 15301, 15307, 15308, and 15311. Even if this action did not qualify for the CEQA exemptions discussed above, the proposed action does not present any of the circumstances requiring further environmental review because there are no changes that involve new significant environmental effects, or a substantial increase in severity of previously identified significant effects, or any other circumstances requiring further environmental review beyond the Final ACF EA certified in April 2023 and the Final LCFS EIA certified in November 2024. A detailed explanation of the basis for reaching this conclusion is included in Chapter VII of the ISOR.

## Special Accommodation Request

Consistent with California Government Code section 7296.2, special accommodation or language needs may be provided for any of the following:

- An interpreter to be available at the hearing;
- Documents made available in an alternate format or another language; and
- A disability-related reasonable accommodation.

To request these special accommodations or language needs, please contact the Clerks' Office at [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) or (916) 322-5594 as soon as possible, but no later than ten business days before the scheduled Board hearing. TTY/TDD/Speech to Speech users may dial 711 for the California Relay Service.

Consecuente con la sección 7296.2 del Código de Gobierno de California, una acomodación especial o necesidades lingüísticas pueden ser suministradas para cualquiera de los siguientes:

- Un intérprete que esté disponible en la audiencia;
- Documentos disponibles en un formato alternativo u otro idioma; y
- Una acomodación razonable relacionados con una incapacidad.

Para solicitar estas comodidades especiales o necesidades de otro idioma, por favor llame a la oficina del Consejo al [cotb@arb.ca.gov](mailto:cotb@arb.ca.gov) o (916) 322-5594 lo m?s pronto posible, pero no

menos de 10 días de trabajo antes del día programado para la audiencia del Consejo. TTY/TDD/Personas que necesiten este servicio pueden marcar el 711 para el Servicio de Retransmisión de Mensajes de California.

## Agency Contact Persons

Inquiries concerning the substance of the proposed regulatory action may be directed to the agency representative Paul Arneja, Manager, In-Use Control Measures Section, at (279) 208-7342 or (designated back up contact) Molly Munz, Air Pollution Specialist, at (279) 208-7179.

## Availability of Documents

CARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The report is entitled: "Public Hearing to Consider the Proposed Amendments to Advanced Clean Fleets and Low Carbon Fuel Standard Regulation, Staff Report: Initial Statement of Reasons."

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on CARB's website listed below, on July 29, 2025. Please contact Roberta Ruch, Regulations Coordinator, at [Regulations@arb.ca.gov](mailto:Regulations@arb.ca.gov), if you need physical copies of the documents. Pursuant to Government Code section 11346.5, subdivision (b), upon request to the aforementioned Regulations Coordinator, physical copies would be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

Further, the agency representative to whom nonsubstantive inquiries concerning the proposed administrative action may be directed to [Regulations@arb.ca.gov](mailto:Regulations@arb.ca.gov). The Board staff has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

## Hearing Procedures

The public hearing will be conducted in accordance with the California Administrative Procedure Act, Government Code, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340).

Following the public hearing, the Board may take action to approve for adoption the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also approve for adoption of the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice and that the regulatory language as modified could result from the proposed regulatory action. If this occurs, the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before final adoption.

The public may request a copy of the modified regulatory text from CARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, First Floor, Sacramento, California, 95814.

## Final Statement of Reasons Availability

Upon its completion, the Final Statement of Reasons (FSOR) will be available, and copies may be requested from the agency contact persons in this Notice or may be accessed on CARB's website listed below.

## Internet Access

This Notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on CARB's website for this rulemaking at <https://ww2.arb.ca.gov/rulemaking/2025/acfab1594>

California Air Resources Board



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Steven S. Cliff, Ph.D.  
Executive Officer

Date: July 15, 2025

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see [CARB's website](https://ww2.arb.ca.gov) (ww2.arb.ca.gov).*



## Landfill Methane Emissions, Community Perspectives, and Potential Regulation Updates

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Community Meeting

Santa Clarita, CA

July 18, 2025

# Community Panel: Living Near Landfills - Local Experiences

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# Potential Updates to the Landfill Methane Regulation

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**CARB Staff Presentation**

# Agenda

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## Potential Updates to CARB's Landfill Methane Regulation

- Background
- Goal and scope of potential changes to the LMR
- Regulatory concepts for changes to the LMR
- Next steps
- Open discussion

# Background

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- Leads California's fight against air pollution and climate change
- Protects public health, and promotes environmental justice, social equity, & sustainable communities
- Promotes clean, energy-efficient fuels and technology



# Tackling Air Pollution

## FEDERAL



### US EPA

Sets & enforces national air quality standards.  
Regulates interstate transportation.



Trains



Planes



Ships

## STATE



Regulates mobile sources of air pollution,  
greenhouse gases & consumer products.



Cars



Trucks



Buses

## LOCAL



### Local Air Districts

Regulates stationary & local  
sources of air pollution.



Fireplaces



Factories



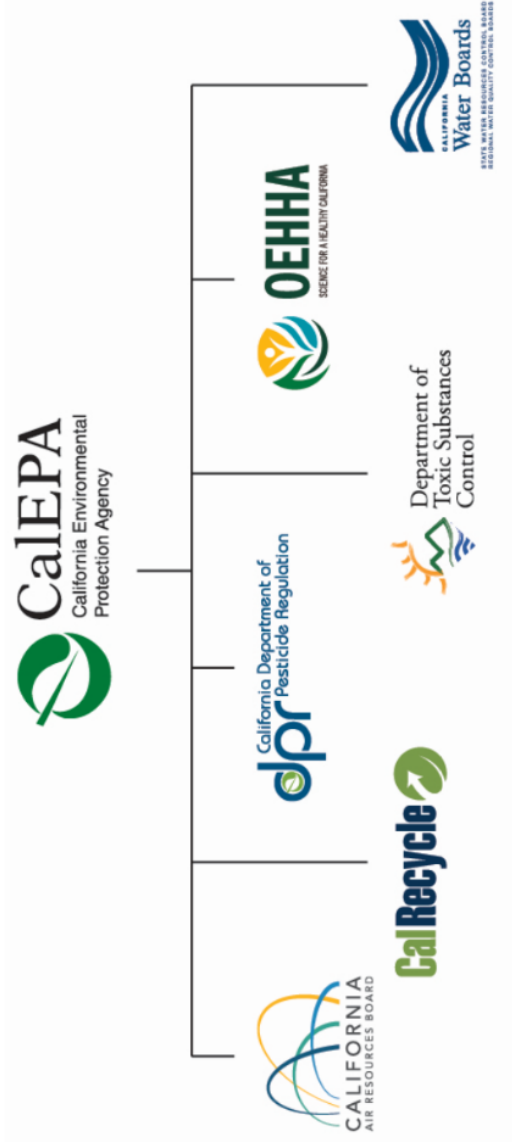
Refineries



Power plants

# California Air Resources Board's Role in Landfill Regulation

CARB staff work together with other state, local, and federal agencies who lead efforts on air pollutants, landfill permitting/design, toxics, and water pollution, including local air districts, the U.S. Environmental Protection Agency, and other departments within the California Environmental Protection Agency

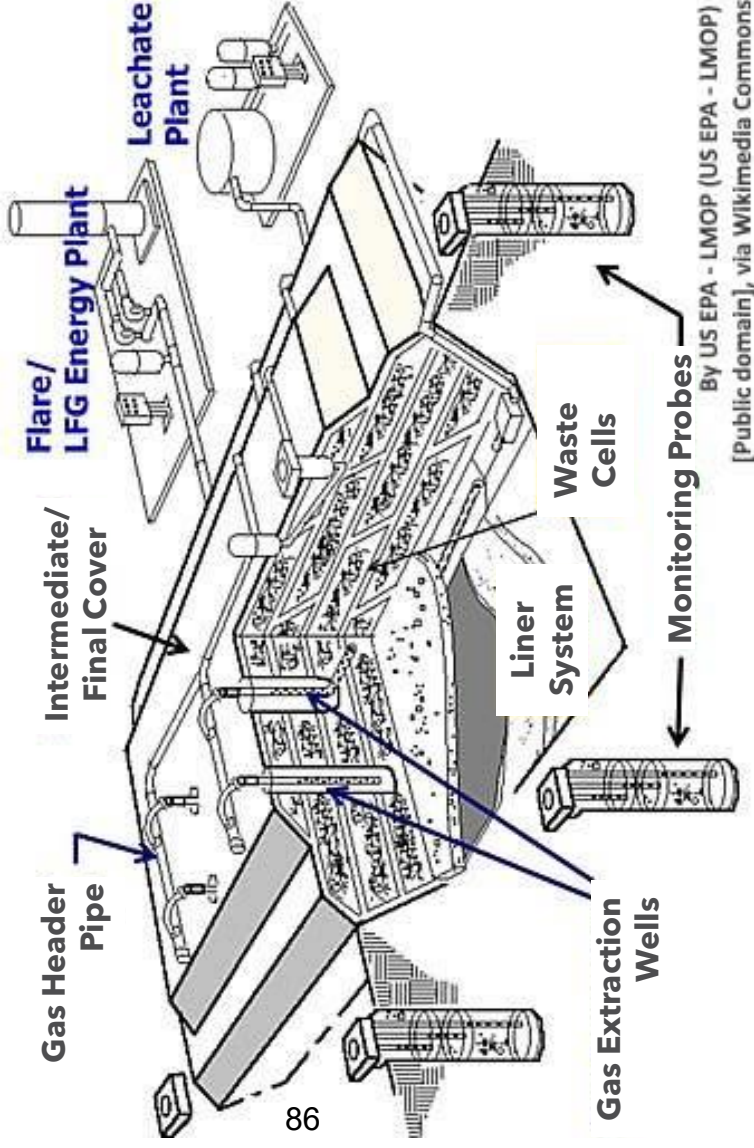


# Landfill Methane Regulation

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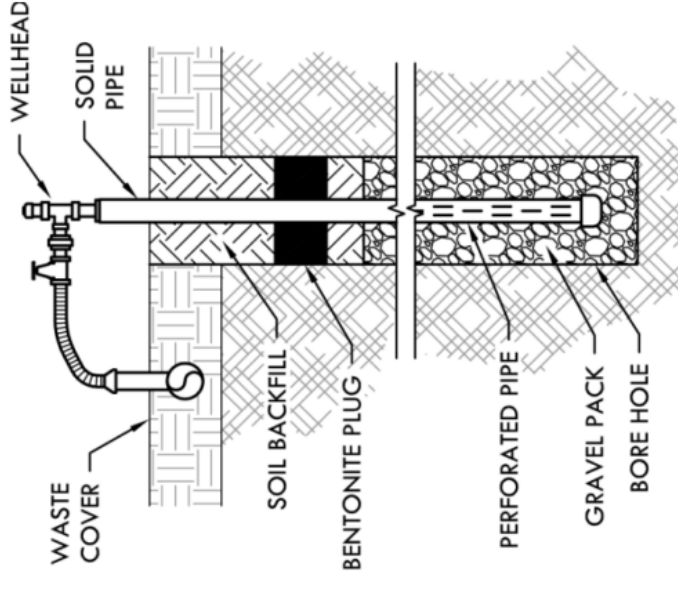
- CARB's Landfill Methane Regulation (LMR) was initially adopted in 2010
- The LMR set the most stringent threshold in the nation for landfill methane control
- Requires landfill owners and operators to:
  - Install and optimally operate landfill gas collection and control systems (GCCS)
  - Perform routine monitoring for surface emissions and other performance parameters
  - Repair gas leaks and other issues to ensure emissions are minimized
  - Report compliance data and actions to CARB and local air districts
- 22 local air districts have agreements with CARB to primarily implement and enforce the LMR
- 190 landfills are subject to the LMR and 150 operate a GCCS

# Landfill Gas Collection and Control Systems









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**Figure 1-2. Vertical Extraction Well**





# Goals and Scope of Potential Changes

<p>Increase Stringency to Achieve CA's Ambitious Climate Targets</p> 	<p>Harness Technological Advances</p> 	<p>Incorporate Research and Lessons Learned</p> 
<p>Improve Alignment with Federal Rules</p> 	<p>Streamline Reporting</p> 	<p>Set Example for Other Jurisdictions</p> 

## Preliminary Nature of These Concepts

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These concepts are preliminary. Their purpose is to solicit public feedback on potential changes prior to making any formal regulatory proposal.

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Feedback is requested by August 8, 2025: [LMR Meetings and Workshops](#)

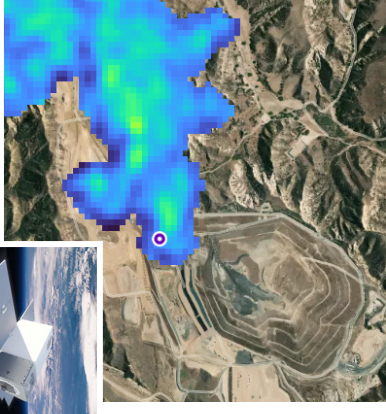
Contact us: [LMR@arb.ca.gov](mailto:LMR@arb.ca.gov)

# Selected Major Regulatory Concepts

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# Satellite-Detected Emission Plumes Concept

- A decade of research demonstrates effectiveness of methane plume detection and notification
- CARB is already notifying landfills when methane plumes are detected by satellites
- Concept: Require operator to take action when notified by CARB of a satellite-detected methane plume



Source: [Carbon Mapper Data Portal](#)



# Improved Coverage of Surface Emissions Monitoring Concept



- The current LMR requires surface emissions monitoring (SEM) quarterly with 25-foot spacing, but allows certain areas to be excluded for safety purposes

## Concepts:

- Require an alternative technology be used in areas that cannot be safely accessed
  - For example, drones or handheld lasers could be operated without walking in the unsafe areas
- Allow emerging alternative technologies to be evaluated and approved for use across the entire landfill

# Other Surface Emissions Monitoring Concepts

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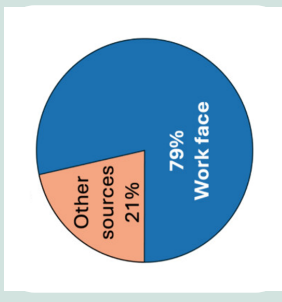
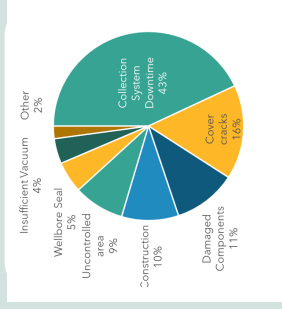
Significant updates to procedures to make SEM more effective and improve oversight, including:

- Reduce timelines for initiating repairs and completing new well installation or other approved remedy
- Confirm repairs are durable by additional re-monitoring 1 month after repair
- Do the following in monitoring grids with recurring exceedances:
  - Increase monitoring frequency from quarterly to monthly
  - Improve cover thickness and materials
  - Investigate the collection system and repair issues discovered

# Gas Collection and Control System (GCCS) Operational Concepts

GCCS downtime, particularly at the working face, is a common cause of the largest emissions

- Multiple concepts to improve GCCS coverage and operational requirements:
  - Limit number of wells that can be offline at once
  - Minimize downtime of individual wells or GCCS components
  - Require earlier installation of gas collectors in new waste areas at large landfills



CARB research found 43% of plumes were caused by downtime

Research in Canada estimated working face emissions are 60% of total

Carbon Mapper & EPA attributed 79% of emissions to landfills with work face plumes

click on the graphic to access these studies

# Expanded Digital Reporting Concepts

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- Lengthy, non-uniform annual reports require significant time and resources to review and confirm compliance
- Potential new reporting data could:
  - Better support CARB's ability to confirm compliance
  - Improve understanding of causes of methane emissions
- Reporting concepts:
  - Require standardized digital reporting to accelerate data review
  - Require additional reporting parameters to improve oversight and transparency





# Wellhead Monitoring Concepts

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# Wellhead Monitoring - Current Requirements

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- The LMR requires wells to be under vacuum (suction), and confirm by monthly monitoring of gas well pressure
- Various local and federal rules\* require monthly monitoring of temperature and either oxygen or nitrogen
  - Temperature must be maintained below limits (131-145 °F)
  - Oxygen (O<sub>2</sub>) or nitrogen (N<sub>2</sub>) must be reported when over limits
- Typical practice includes measuring gas flow rate and the methane (CH<sub>4</sub>) and carbon dioxide (CO<sub>2</sub>) content of gas

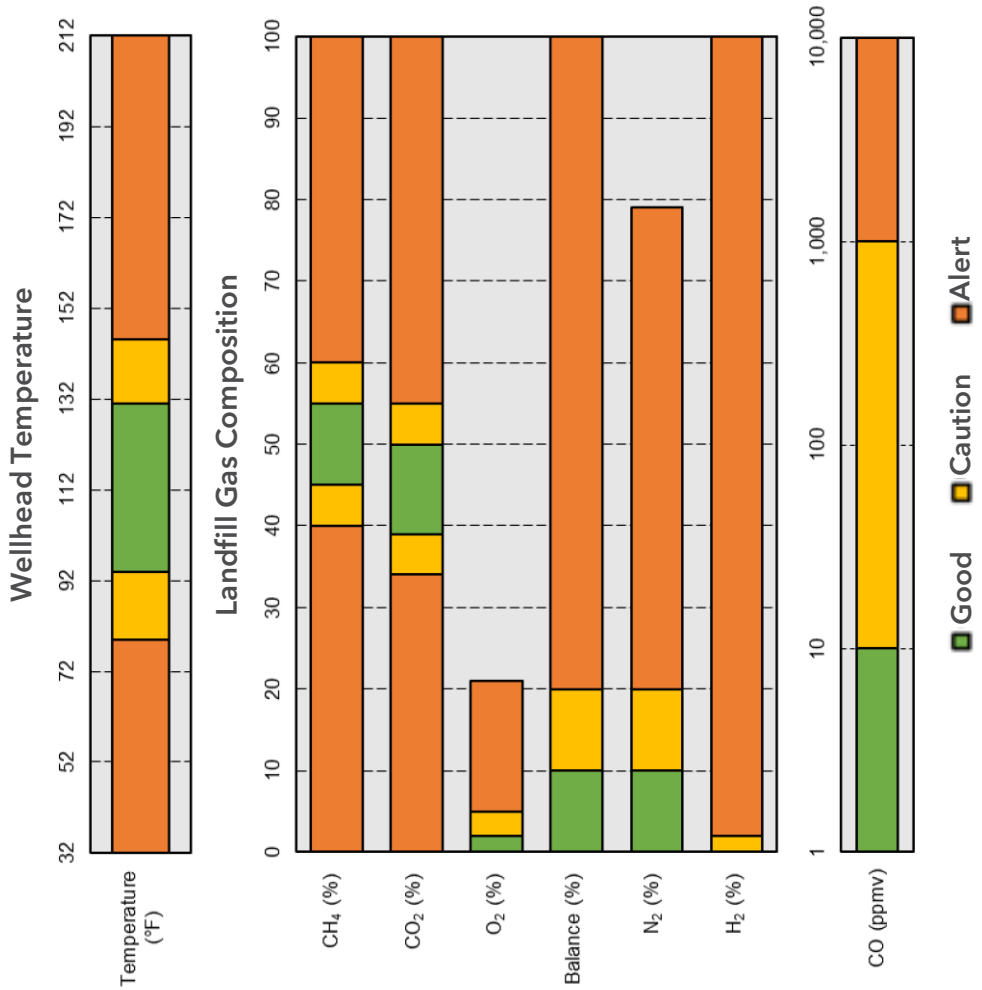
96

\*Including air district rules and the federal [New Source Performance Standards \(NSPS\)](#), [National Emission Standards for Hazardous Air Pollutants \(NESHAP\)](#), and Emission Guidelines (EG) [federal plan](#).

# Landfill Gas Characteristics

- Data can signal the need to:
  - Adjust the level of vacuum (well "tuning" or blowers)
  - Repair the landfill surface cover
  - Investigate potential damage or obstructions in the well or other components
  - Investigate potential conditions that may risk subsurface elevated temperature events

Source: Figure 2 of U.S. EPA's fact sheet: [Indicators at Elevated Temperature Landfills - Landfill Gas](#)



# Wellhead Monitoring Concept - Data

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- Concept: Require monitoring of additional wellhead data and action based on results
  - Measure the following monthly at each wellhead:
    - Pressure (maintain suction)
    - Landfill gas temperature
    - Landfill gas flow rate
    - Landfill gas composition (methane, carbon dioxide, oxygen)
  - Measure liquid level twice per year
- Monitoring frequency would increase to weekly or continuously at wells with persistent issues
- Report data every quarter, instead of annually

# Wellhead Monitoring Concept - Framework

**Action is needed when measurements show**



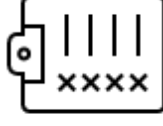
**Trend  
changes**

Action required for  
large changes  
compared to well's  
average value



**Above a  
limit**

Action required  
when a value is  
above a limit



**Repeated  
issues**

Additional action  
required when  
readings repeatedly  
over a limit

Targets prevention and early intervention

# Wellhead Monitoring Concepts:

## Temperature Requirements

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- Wellhead temperature > 131°F, or a rapid significant change in temperature:
  - Limit oxygen content in gas depending on temperature (see table to right)
  - If persists for 60 days, begin weekly enhanced monitoring [\[more detail on next slide\]](#)
- Wellhead temperature > 145°F

Temperature	Oxygen Limit
131-145°F	<5% O <sub>2</sub>
146-160°F	<2.5% O <sub>2</sub>
160+ °F	<1% O <sub>2</sub>

- Initiate corrective action within 5 days
- Perform and implement rigorous cause and solution analyses and notify regulator if not quickly corrected
- Violation if corrective action not complete within 120 days
- 24-hour regulator notification for extreme high temperature



# Wellhead Monitoring Concept: Enhanced Monitoring

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- **Enhanced monitoring** means increasing from monthly to weekly, and measuring a wider range of information at all surrounding wells, including:
  - Downwell temperature measurement (every 10 feet) is the most reliable way to determine what is happening below the surface
  - Measuring carbon monoxide (CO) and visual indicators such as smoke indicate if a thermochemical reaction is occurring

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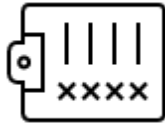
**Weekly monitoring ensures operators and regulators have all the information needed to inform decision making and appropriate early intervention**



# Wellhead Monitoring Concept: Oxygen

Oxygen monitoring is not currently required under LMR, though most landfills are subject to local or federal rules that require it. New concept would require monthly monitoring and:

- If oxygen exceeds 5%, or there is a large rapid increase, do cover integrity and collection system assessments to find and fix the source of air intrusion \*
- When temperature is above 131°F, take action to immediately limit oxygen
- Enhanced monitoring if repeated high oxygen levels are found



\* Exception for "early" gas collectors because oxygen is expected to be present in fresh waste



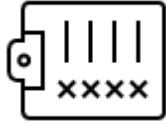
# Wellhead Monitoring Concepts:

## Liquid Level Requirements

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Liquid level monitoring is not currently required under LMR. New concept would require monitoring twice per year, and:

- If liquid level high (>50% of perforated length):
  - Remove liquids
  - Increase liquid level monitoring frequency to four times per year
  - Install a pump if repeated high liquid levels found



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# Summary and Next Steps

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# Expected Outcomes of Concepts Presented Today

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- Greater role for advanced leak detection technologies
- More and faster leak repairs through improved monitoring practices
- Earlier and more comprehensive identification of issues in wellhead monitoring data for prevention and early intervention
- Targeted additional action to address frequent or recurring issues
- Improved gas collection through earlier expansion and less downtime of the GCCS
- Better oversight by CARB and air districts through improved reporting and satellite plume notifications

# Anticipated Timeline

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**May 2023**

First workshop on potential updates

**July 2025**

Today's meeting

**2027**

Updated regulation is effective

**Dec 2024**

Second workshop on potential updates

**Late 2025**

Anticipated release of formal regulatory package

# Open Discussion

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# Thank You!

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**Staff welcomes your input and participation as we develop these concepts into a regulatory proposal**

- Written feedback is requested by August 8, 2025
- Submit feedback: [LMR Meetings and Workshops](#)

**Contact us:** [LMR@arb.ca.gov](mailto:LMR@arb.ca.gov)

**Subscribe for future updates:** [Landfill Methane Control Measure](#)

**Learn more about CARB's Research:**

[Landfill Methane Emissions in California](#)

[Methane Research](#)



# Hazardous Waste Management Plans

## 2025 Draft Hazardous Waste Management Plan


Use the links below to read the Plan.



## 2025 Draft Hazardous Waste Management Plan

Draft Executive Summary: [English](#) | [Español](#)



-  For a summary of the goals and recommendations described in this draft Plan, please refer to the [2025 Draft Hazardous Waste Management Plan – Summary Table](#).
- 

## 2025 Draft Hazardous Waste Management Plan: Appendices

The complete draft Plan linked above contains links to all appendices. You can also access each appendix separately using the links below.

[Draft Appendix A: Conduct an Analysis of Hazardous Waste Generators and Surrounding Areas](#)

[Draft Appendix B: Contaminated Soil Reduction](#)

[Draft Appendix C: Incinerable Waste](#)

[Draft Appendix D: Lithium-Ion Batteries](#)

[Draft Appendix E: Establishment of a Waste Reduction Program](#)

[Draft Appendix F: Source Reduction and SB 14](#)

[Draft Appendix G: Proposed Modernization of Ignitability Rule of Liquids](#)

[Draft Appendix H: Proposed Modernization of Ignitability Rule of Compressed Gases and Oxidizers](#)

[Draft Appendix I: The Fish Bioassay in California's Hazardous Waste Criteria](#)

[Draft Appendix J: Evaluation of the Waste Extraction Test \(WET\)](#)

[Draft Appendix K: California's Regulation of Non-RCRA Metals in Hazardous Waste Management Program](#)

[Draft Appendix L: Regulatory Thresholds for Lead](#)

[Draft Appendix M: Alternative Management Standards for Non-RCRA Soil](#)

[Draft Appendix N: Generation of Hazardous Waste from Geothermal Lithium Extraction](#)

[Draft Appendix O: Potential Waste Code Modifications for Contaminated Soils and Other Inorganic Solid Waste](#)

[Draft Appendix P: Opportunities for Improving Hazardous Waste Quantification](#)

[Draft Appendix Q: Management Capacity, CERCLA, and Superfund](#)

[Draft Appendix R: Evaluating Opportunities to Support Circular Economy Capacity](#)

[Draft Appendix S: Baseline Demand on Hazardous Waste Management System](#)

[Draft Appendix T: Acronym List](#)



## Public Feedback: We want to hear from you!

Submit written feedback on the draft Plan at the link below:

[Public Feedback Form](#)

DTSC and the Board of Environmental Safety (BES) will make necessary edits before BES votes on approval of the draft Plan. BES will vote on the final Plan at a subsequent board meeting.

To view the most up-to-date schedule and information for upcoming BES hearings, please visit the BES website: <https://bes.dtsc.ca.gov/next-meeting>.





# Water Quality Fees Stakeholder Meeting

Thursday, July 31, 2025 at 9:00 – 11:00 am

Webcast and Zoom Meeting Only

***NO PHYSICAL MEETING LOCATION***

Live Webcast: <https://video.calepa.ca.gov>

Fee Branch Email: [FeeBranch@waterboards.ca.gov](mailto:FeeBranch@waterboards.ca.gov)

## **AGENDA**

1. Welcome and Introductions
2. Waste Discharge Permit Fund (WDPF) Budget Cost Drivers (Attachment 1)
  - a. [FY 25-26 Budget Proposal for Legal Resources to Respond to Federal Actions](#)
3. WDPF Program Budget Detail (Attachment 2)
4. WDPF Fund Condition (Attachment 3)
5. Potential Fee Structure Changes
  - a. Water Quality Certification
6. Open Discussion
7. Next Steps
  - a. September 16 Board Meeting

**WDPF Budget Cost Drivers**  
**FY 2025-26**  
**(\$000)**

	<b>FY 2024-25 Fee Setting Budget</b>	<b>FY 2025-26 Governor's Enacted Fee Setting Budget</b>	<b>Net Difference</b>	<b>Percent Change</b>
<b>Waste Discharge Permit Fund</b>				
Budget Allocation	\$201,873	\$196,896	(\$4,977)	-2.5%

<b>FY 2025-26 Budget Cost Drivers</b>	<b>Amounts</b>	<b>Percent Change</b>
State Operations <sup>1</sup>	(\$3,701)	-1.8%
25-26 Legal Resources to Respond to Federal Actions	\$200	0.1%
Pro Rata	(\$1,476)	-0.7%
<b>Totals</b>	<b>(\$4,977)</b>	<b>-2.5%</b>

<sup>1</sup> Control Section Item 9800 Employee Compensation, 3.60 Retirement and Healthcare Cost.

**WDPF Program Budget Detail**  
**FY 2025-26**  
**(\$000)**

A	B	C	D (B-C)	E
WDPF Program	FY 25-26 Projected Fee Setting Budget <sup>1</sup>	FY 25-26 Revenue Forecast	Forecasted Revenue Increase / (Decrease)	Proposed Percent Fee Change
WDR	\$48,214	\$46,976	\$1,238	2.6%
Land Disposal	\$15,453	\$15,085	\$368	2.4%
WQC (401 Cert)	\$23,593	\$22,834	\$759	3.3%
NPDES Stormwater	\$43,377	\$44,784	(\$1,407)	-3.1%
NPDES Wastewater	\$45,891	\$44,666	\$1,224	2.7%
CAF	\$6,717	\$6,754	(\$37)	-0.5%
Ag Lands (ILRP)	\$9,864	\$9,915	(\$52)	-0.5%
Cannabis	\$3,788	\$3,787	\$1	0.0%
<b>TOTAL:</b>	<b>\$196,896</b>	<b>\$194,801</b>	<b>\$2,095</b>	

<sup>1</sup> Includes redirected expenditures for foundational programs like Basin Planning, TMDL, monitoring, enforcement, employee compensation, retirement, healthcare costs and pro rata.

**WDPF Fund Condition  
(\$000)**

	<b>Actual FY 23-24</b>	<b>FY 24-25 (Forecast)</b>	<b>FY 25-26 No Fee Changes (Forecast)</b>	<b>FY 25-26 With Fee Changes (Forecast)</b>
<b>FEE PROGRAM</b>				
<b>Beginning Balance</b>	\$11,545	\$22,433	\$22,973	\$22,973
Prior Year Adjustments <sup>1</sup>	(\$3,531)	\$0	\$0	\$0
<b>Adjusted Beginning Balance</b>	<b>\$8,014</b>	<b>\$22,433</b>	<b>\$22,973</b>	<b>\$22,973</b>
<b>Revenue</b>				
Regulatory Fees	\$188,049	\$190,000	\$194,801	\$196,944
Other <sup>2</sup>	\$3,216	\$3,884	\$1,000	\$1,000
<b>Total Fee Program Revenue</b>	<b>\$191,265</b>	<b>\$193,884</b>	<b>\$195,801</b>	<b>\$197,944</b>
<b>Expenditures</b>				
Water Board State Operations	\$160,601	\$177,638	\$186,351	\$186,351
Local Assistance <sup>3</sup>	\$1,800	\$1,800	\$1,800	\$1,800
Other State Operations <sup>4</sup>	\$14,445	\$13,906	\$12,615	\$12,615
<b>Total Fee Program Expenditures</b>	<b>\$176,846</b>	<b>\$193,344</b>	<b>\$200,766</b>	<b>\$200,766</b>
GAIN/ (LOSS)	\$14,419	\$540	(\$4,965)	(\$2,822)
<b>Fee Program Ending Balance</b>	<b>\$22,433</b>	<b>\$22,973</b>	<b>\$18,008</b>	<b>\$20,151</b>
<b>FUND RESERVE</b>	<b>12.7%</b>	<b>11.9%</b>	<b>9.0%</b>	<b>10.0%</b>
<b>Fines &amp; Penalties<sup>5</sup></b>				
Fines and Penalties Revenue	\$3,979	\$4,736	\$4,657	\$4,657
Fines and Penalties Expenditures	\$143	\$979	\$1,022	\$1,022
<b>Fines &amp; Penalties Ending Balance</b>	<b>\$3,836</b>	<b>\$3,757</b>	<b>\$3,635</b>	<b>\$3,635</b>
<b>WDPF FUND BALANCE</b>	<b>\$26,269</b>	<b>\$26,730</b>	<b>\$21,643</b>	<b>\$23,786</b>

<sup>1</sup> Most adjustments represent unspent contract dollars that revert to the fund and/or prior year encumbrance adjustments.

<sup>2</sup> Other revenue includes interest from the state's pooled money investment fund and escheat from unclaimed checks.

<sup>3</sup> Local Assistance for Beach Monitoring

<sup>4</sup> Other state operations includes appropriations for Cal/EPA, FI\$CAL, Pro Rata, and Supplemental Pension Payments.

<sup>5</sup> Fines and penalties revenue and expenditures cannot be accessed by the fee programs and therefore are not included in the fee balances. The revenue balance is included in the WDPF fund balance for accounting purposes only.

## Monthly Public Meeting

10:00 A.M., June 17, 2025

Due to hearing room upgrades,  
this public meeting will be

[Virtual Only](#)

### A. DIRECTOR'S REPORT

*Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates, public affairs, or initiatives.*

### B. POLICY & PROGRAM UPDATE

#### Action Items

1. Plastic Pollution Prevention Act Implementation Update  
Department Staff Contact: [Packaging@CalRecycle.ca.gov](mailto:Packaging@CalRecycle.ca.gov)
2. Textile Stewardship Informational Workshop: July 17, 2025  
Department Staff Contact: [Textiles@CalRecycle.ca.gov](mailto:Textiles@CalRecycle.ca.gov)  
[Public Notice](#)

### C. GRANT AND LOAN PROGRAMS

#### Action Items

1. Award RFA - Local Conservation Corps Grant Program (RLC40) Fiscal Year 2025-26  
Department Staff Contact: [grants@calrecycle.ca.gov](mailto:grants@calrecycle.ca.gov)  
[Public Notice](#)

#### Information Item

No items at this time.

#### **Open Applications:**

Used Oil Payment Program

Application Due Date: June 30, 2025 (Cycle 16)

Farm and Ranch Solid Waste Cleanup and Abatement Grant

Application Due Date: July 8, 2025 (Cycle 87)

Tire-Derived Aggregate Grant Program

Application Due Date: July 17, 2025 (Cycle 25)

Tire Incentive Program

Application Due Date: August 20, 2025 (Cycle 13)



Beverage Container Recycling Loan Program  
Application Due Date: Continuous

Greenhouse Gas Reduction Loan Program  
Application Due Date: Continuous

Recycling Market Development Zone Loan Program  
Application Due Date: Continuous

#### **D. DISASTER DEBRIS RECOVERY OPERATIONS PROGRAM UPDATE**

##### **Action Items**

No actions at this time.

##### **Information Item**

1. Update on Emergency Disaster Debris Recovery Operations  
Department Staff Contact: [Chris.McSwain@CalRecycle.ca.gov](mailto:Chris.McSwain@CalRecycle.ca.gov)

#### **E. BEVERAGE CONTAINER RECYCLING PROGRAM UPDATE**

1. BCRP Certification & Registration 2025 Q1 Update  
Department Staff Contact: [Gerald.Blancher@calrecycle.ca.gov](mailto:Gerald.Blancher@calrecycle.ca.gov)  
[Public Notice](#)
2. BCRP Enforcement 2025 Q1 Update  
Department Staff Contact: [Gerald.Blancher@calrecycle.ca.gov](mailto:Gerald.Blancher@calrecycle.ca.gov)  
[Public Notice](#)
3. BCRP Enforcement CY 2024 (total year)  
Department Staff Contact: [Gerald.Blancher@calrecycle.ca.gov](mailto:Gerald.Blancher@calrecycle.ca.gov)  
[Public Notice](#)

#### **F. PRODUCT STEWARDSHIP**

##### **Announcements**

1. Additional information regarding Circular CRV Association's Dealer Cooperative Stewardship Plan. Action Needed by: July 28, 2025.  
Department Staff Contact: [DealerCoops@CalRecycle.ca.gov](mailto:DealerCoops@CalRecycle.ca.gov)  
[Public Notice](#)

##### **Decisions Posted**

1. Disapproval of The Drug Takeback Solutions Foundation's Proposed Changes to its Stewardship Plan for Home-Generated Sharps Waste. Decision Posted: May 12, 2025.

Department Staff contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

2. Determination to Maintain California Carpet Stewardship Program Goals through 2027. Decision Posted: May 27, 2025.  
Department Staff Contact: [Carpet@CalRecycle.ca.gov](mailto:Carpet@CalRecycle.ca.gov)  
[Public Notice](#)

## **G. SOLID WASTE AND TIRE FACILITIES**

### **Action Items**

1. US Borax, Inc - Gangue/Refuse Waste Pile - Boron Operations, Solid Waste Disposal Site, located at 14486 Borax Road, Boron, CA 93516, Kern County, Modified Solid Waste Facilities Permit, Action Needed July 15, 2025  
Department Staff Contact: [Isabelle.Maalouf@CalRecycle.ca.gov](mailto:Isabelle.Maalouf@CalRecycle.ca.gov)  
[Public Notice](#)
2. AgroThrive, Inc., located at 26775 Old Stage Road Gonzales, CA 93926, Monterey County, Revised Solid Waste Facilities Permit, Action Needed June 30, 2025  
Department Staff Contact: [Alexis.Deschryver@CalRecycle.ca.gov](mailto:Alexis.Deschryver@CalRecycle.ca.gov)  
[Public Notice](#)
3. K-Export, located 2000 W. Turner Road, Lodi, CA 95242, San Joaquin County, New Minor Waste Tire Facility Permit, Action Needed July 8, 2025  
Department Contact: [Harprit.Mattu@CalRecycle.ca.gov](mailto:Harprit.Mattu@CalRecycle.ca.gov)  
[Public Notice](#)
4. Mojave-Rosamond Recycling and Sanitary Landfill, located at 400 Silver Queen Road, Mojave CA 93501, Kern County, Revised Solid Waste Facilities Permit, Action Needed June 24, 2025  
Department Staff Contact: [Isabelle.Maalouf@CalRecycle.ca.gov](mailto:Isabelle.Maalouf@CalRecycle.ca.gov)  
[Public Notice](#)
5. JAF Tire Recycling, LLC, located at 12520 Quicksilver Drive, Unit C, Rancho Cordova, CA 95742, Sacramento County, New Minor Waste Tire Facility Permit, Action Needed September 20, 2025  
Department Contact: [Alyssa.Williams@CalRecycle.ca.gov](mailto:Alyssa.Williams@CalRecycle.ca.gov)  
[Public Notice](#)
6. Agromin - Merced Highway 59 Compost Facility, located at 7040 N, Highway 59, Merced, CA 95348, Merced County, New Solid Waste Facilities Permit, Action Needed July 3, 2025  
Department Contact: [Harprit.Mattu@calrecycle.ca.gov](mailto:Harprit.Mattu@calrecycle.ca.gov)  
[Public Notice](#)

7. EcoCycle Ventures, Inc, located at 3130 Bayshore Rd, Benicia, CA 95410, Solano County, New Minor Waste Tire Facility Permit, Action Needed October 6, 2025  
Department Contact: [Harprit.Mattu@CalRecycle.ca.gov](mailto:Harprit.Mattu@CalRecycle.ca.gov)  
[Public Notice](#)
8. Tehama County/City of Red Bluff MRF, located at 19995 Plymire Road, Red Bluff, CA 96080 Tehama County, Revised Solid Waste Facilities Permit, Action Needed July 19, 2025  
Department Contact: [Kelsey.Orr@CalRecycle.ca.gov](mailto:Kelsey.Orr@CalRecycle.ca.gov)  
[Public Notice](#)
9. Tehama County/Red Bluff Landfill, located at 19995 Plymire Road, Red Bluff, CA 96080, Tehama County, Revised Solid Waste Facilities Permit, Action Needed July 19, 2025  
Department Contact: [Kelsey.Orr@CalRecycle.ca.gov](mailto:Kelsey.Orr@CalRecycle.ca.gov)  
[Public Notice](#)
10. Desert Valley Company Monofill Facility, located at 3301 W. Highway 86, Brawley, CA 92227, Imperial County, Revised Solid Waste Facilities Permit, Action Needed August 2, 2025  
Department Contact: [Gina.Weber@CalRecycle.ca.gov](mailto:Gina.Weber@CalRecycle.ca.gov)  
[Public Notice](#)

**Information Item**

No items at this time.

## **H. PUBLIC COMMENT**

Get involved in CalRecycle's decision-making process. To more fully engage with Californians on monthly public meeting agenda items, CalRecycle accepts welcomes live public comments [in-person or over-the-phone](#).

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CalRecycle has a public noticing site to provide interested parties with information about programs, activities, and departmental decisions.

- To review final CalRecycle decisions and other department activities, please go to: [CalRecycle.ca.gov/PublicInfo/](https://CalRecycle.ca.gov/PublicInfo/) or [CalRecycle.ca.gov/BevContainer/Notices](https://CalRecycle.ca.gov/BevContainer/Notices).
- For public meeting participation, listserv, and feedback information, please go to: [CalRecycle.ca.gov/PublicMeeting/](https://CalRecycle.ca.gov/PublicMeeting/)

***People may speak on any matter concerning CalRecycle with the exception of items related to pending adjudicative (certification or enforcement) proceedings.***



# Public Meeting

Monthly Updates



June 17, 2025

# Plastic Pollution Prevention Reform (SB 54)

## Implementation Update



### Informal Public Workshop

- Held on May 27th
- **Focus:** Latest version of the draft regulations
- Public comments accepted through June 3rd

### Advisory Board Meeting

- June 20th from 10 a.m. to 4 p.m.
- Sierra Hearing Room (Zoom and Webcast)

### Draft Producer Reporting Guidance and Covered Material Category Non-Regulatory Workshop

- June 23<sup>rd</sup> from 10 a.m. to 4 p.m.
- Sierra Hearing Room (Zoom and Webcast)
- **Focus:** Feedback on guidance documents for Covered Material Categories and Source Reduction Baseline and feedback solicitation for CMCs.



# Responsible Textile Recovery Act

## Implementation Update

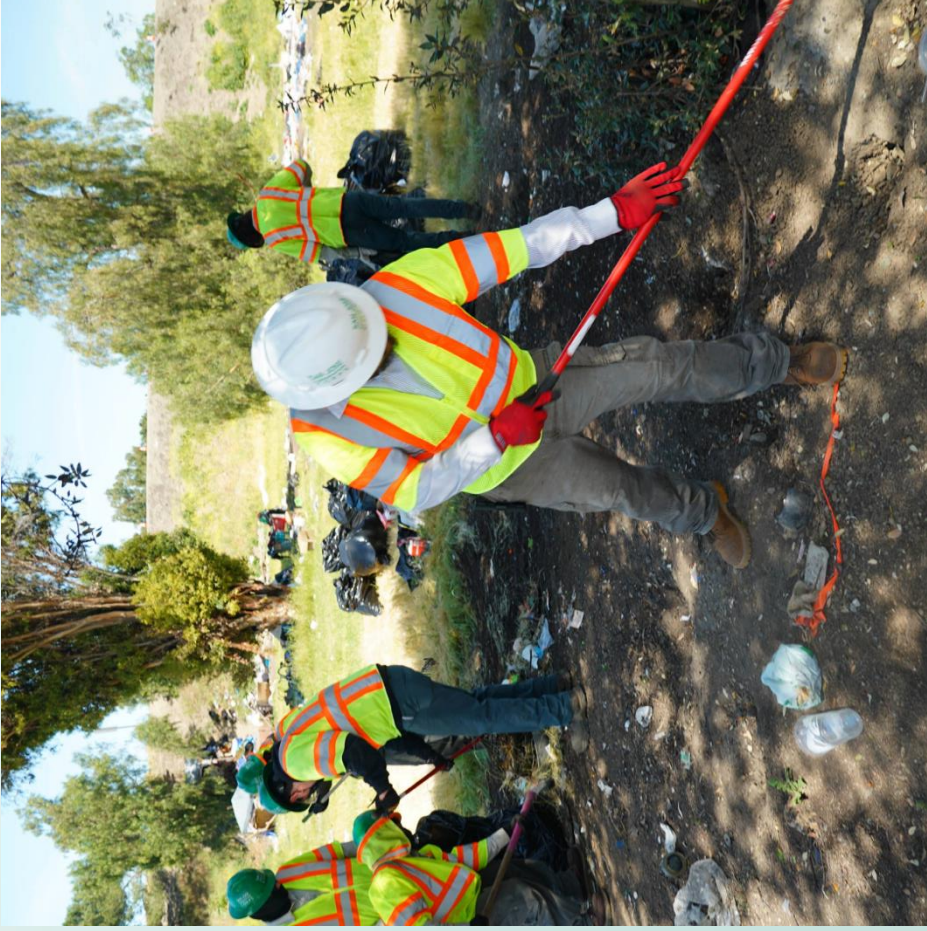
### Informational Public Workshop

- July 17<sup>th</sup> from 10 a.m. to 3 p.m.
- Focus:
  - Overview of the Act
  - Producer Responsibility
    - Organization requirements
    - Rulemaking process
- Participate in person or virtually



# Local Conservation Corps Grant Program

## Award Announcements



**\$29.6 million awarded**

- 13 certified Local Conservation Corps
- Career development in proper management of:
  - Beverage containers
  - E-waste
  - Used oil
  - Waste tires
- Program established in 1987



# 2024 Borel Fire Debris Removal

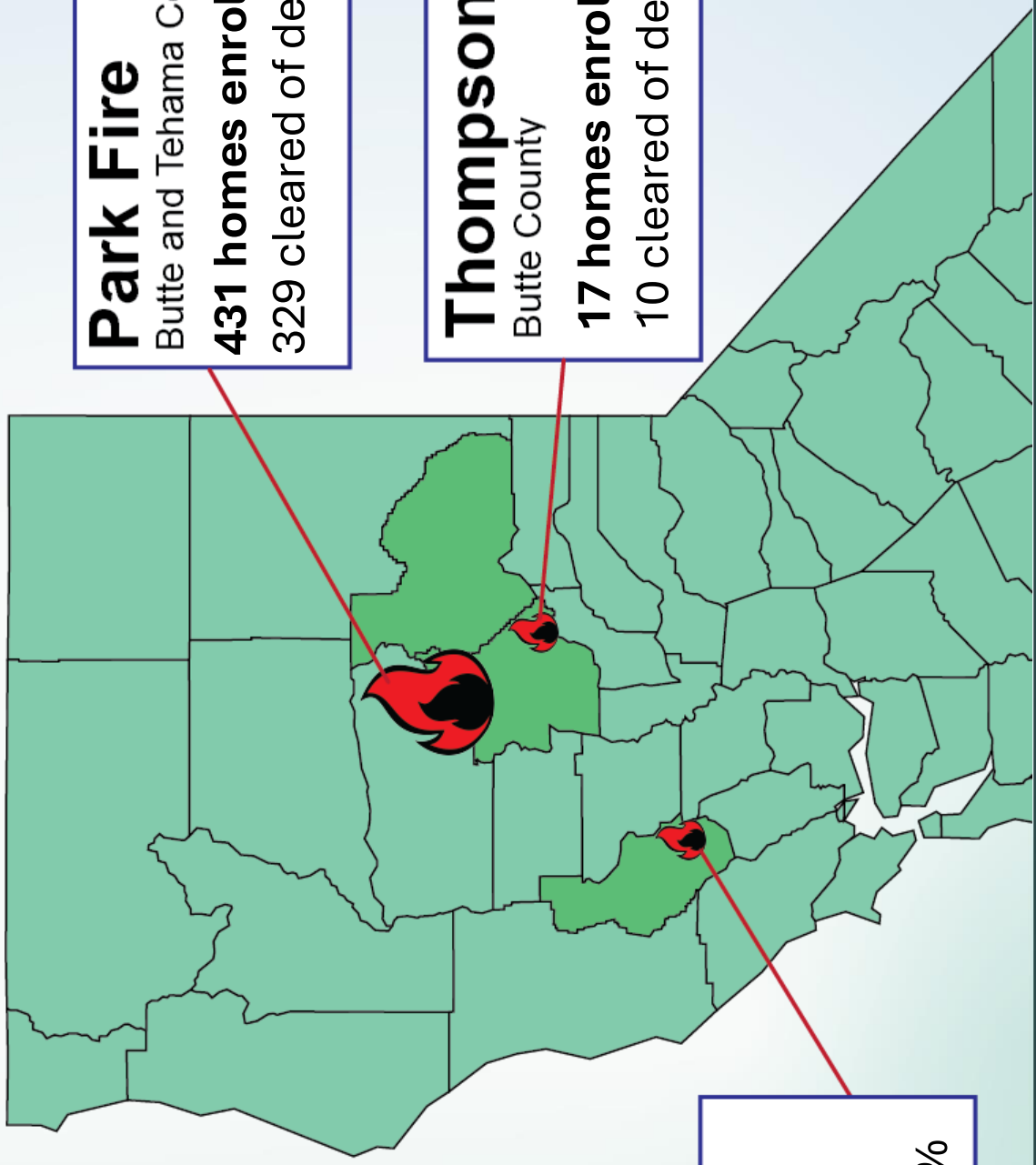
Residential properties cleared of debris	154	100%
Hazard trees removed	463	100%
Properties returned to Kern County	141	92%

As of 06/11/2025





# 2024 Disaster Debris Recovery Operations



**Park Fire**  
Butte and Tehama Counties  
**431 homes enrolled**  
329 cleared of debris – 76%

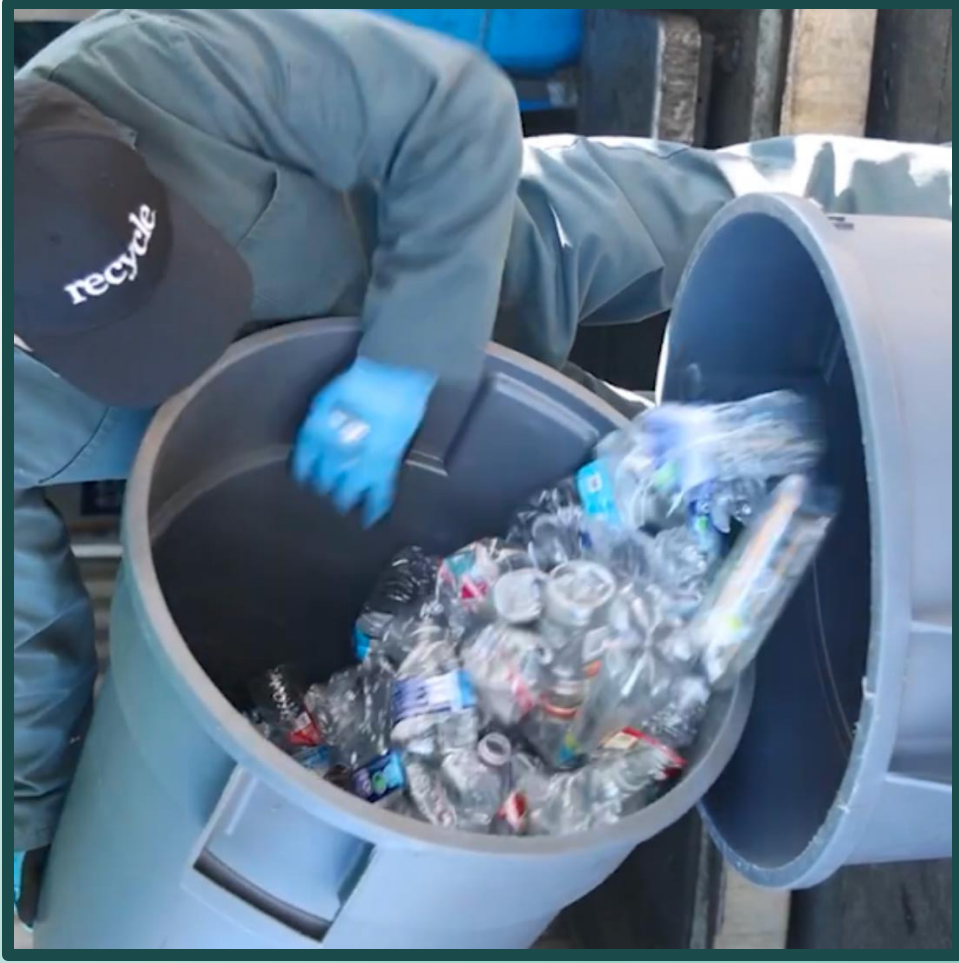
**Thompson Fire**  
Butte County  
**17 homes enrolled**  
10 cleared of debris – 59%

**Boyles Fire**  
Lake County  
**30 homes enrolled**  
26 cleared of debris – 87%

As of 06/13/2025

# Beverage Container Recycling Program

## Updates



### Handling Fee

- Emergency Regulations
- Approved by the Office of Administrative Law
- FY 2025/2026 notice available online
- Baseline rate plus Cost-of-Living Adjustment

### Processing Payments

- Calendar Year 2025 Q3 published on June 16, 2025
- No change

### Dealer Registration

- Portal available on CalRecycle's website
- Step-by-step video instructions available

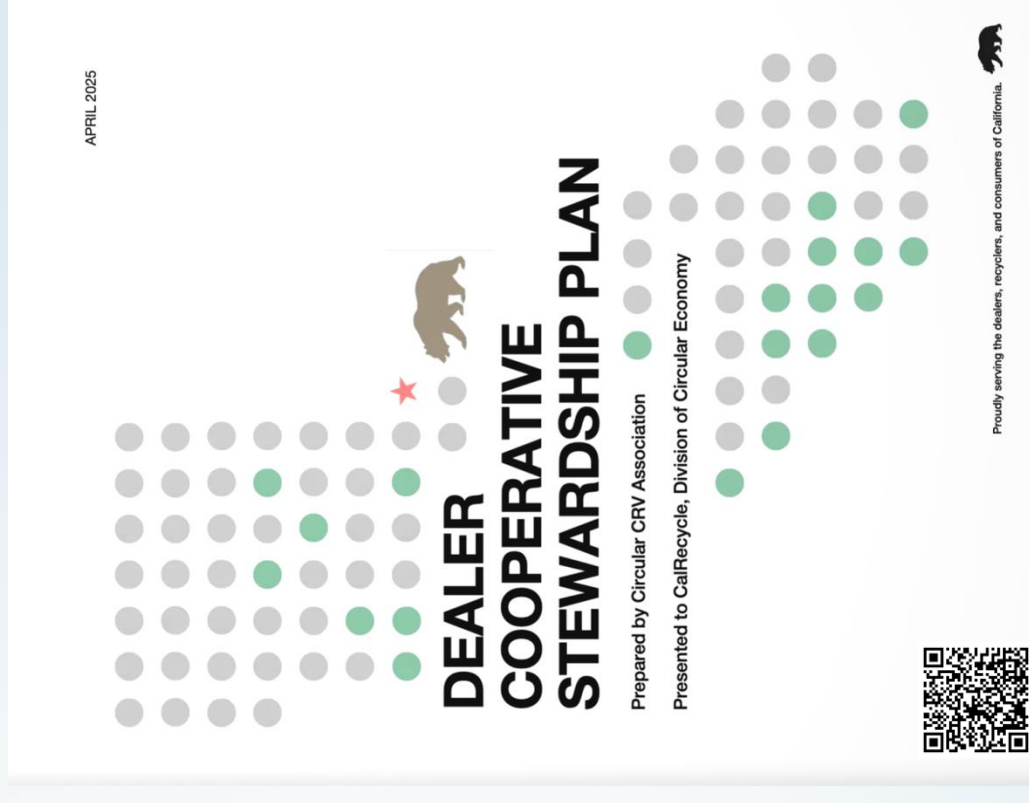
# Dealer Cooperative

## Stewardship Plan Review

### Circular CRV Association's Stewardship Plan

- CalRecycle received plan: April 28, 2025
- CalRecycle sent letter asking for more info: May 27, 2025
- Circular CRV Association sent additional info, updated its plan: June 6, 2025
- CalRecycle sent letter asking for more info: June 13, 2025

CalRecycle has until July 28, 2025, to approve or disapprove the plan



# Product Stewardship

✓ Sharps Extended Producer Responsibility



✓ Carpet Extended Producer Responsibility



Decisions posted online and linked to today's agenda





# Facility Permit Update

**Colusa County**  
Maxwell Transfer Station

**Solano County**  
Tonnesen Pet Cemetery

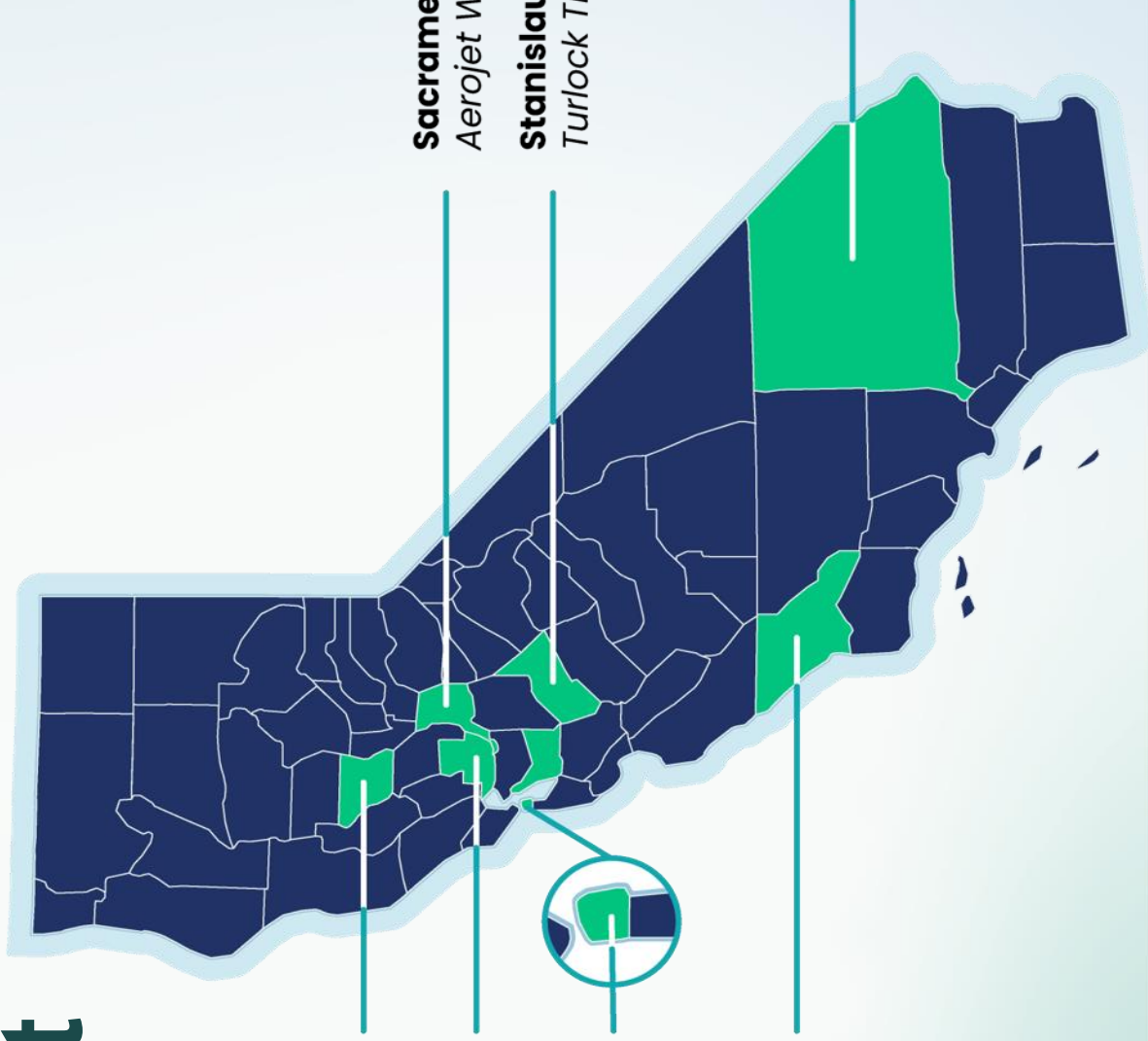
**San Francisco County**  
San Francisco Solid Waste Transfer  
and Recycling Center (SFSWTRC)

**San Luis Obispo County**  
Santa Maria Transfer Station

**Sacramento County**  
Aerojet Waste Consolidation Unit (AWCU)

**Stanislaus County**  
Turlock Transfer

**San Bernardino County**  
Circle Green Tech Park



## Monthly Public Meeting

10:00 A.M., July 15, 2025  
Cal/EPA Building – Byron Sher Auditorium  
Via [Webcast](#)

### A. DIRECTOR'S REPORT

*Presentations or discussions by the Director and/or Executive Offices regarding department matters, legislative updates, public affairs, or initiatives.*

### B. POLICY & PROGRAM UPDATE

#### Action Items

1. Plastic Pollution Prevention Act Implementation Update  
Department Staff Contact: [Packaging@CalRecycle.ca.gov](mailto:Packaging@CalRecycle.ca.gov)
2. Preliminary Findings for the Statewide Material Characterization Study to measure the amount of covered materials landfilled in California  
Department Staff Contact: [WasteChar@CalRecycle.ca.gov](mailto:WasteChar@CalRecycle.ca.gov)  
[Publication Summary](#)

#### Information Item

1. Textile Stewardship Informational Workshop: July 17, 2025  
Department Staff Contact: [Textiles@CalRecycle.ca.gov](mailto:Textiles@CalRecycle.ca.gov)  
[Public Notice](#)

### C. GRANT AND LOAN PROGRAMS

#### Action Items

1. Eligibility, Scoring Criteria and Evaluation Process for the Recycled Glass Processing Incentive Grant Program (California Beverage Container Recycling Fund, Fiscal Year 2025-26)  
Department Staff Contact: [Danbaki.Johnson@CalRecycle.ca.gov](mailto:Danbaki.Johnson@CalRecycle.ca.gov)  
[Public Notice](#)

#### Information Item

1. Awards for the Farm and Ranch Solid Waste Cleanup and Abatement Grant Program (Farm and Ranch Cleanup Account, FR86, Fiscal Year 2024–25)  
Department Staff Contact: [Josephine.Chapman@CalRecycle.ca.gov](mailto:Josephine.Chapman@CalRecycle.ca.gov)  
[Public Notice](#)

#### **Open Applications:**

Tire-Derived Aggregate Grant Program  
Application Due Date: July 17, 2025 (Cycle 25)

Beverage Container Redemption Innovation Grant Program (Dealers)  
Application Due Date: August 5, 2025 (Cycle 2)

Tire Incentive Program  
Application Due Date: August 20, 2025 (Cycle 13)

Beverage Container Redemption Innovation Grant Program (Recycling Centers)  
Application Due Date: September 2, 2025 (Cycle 3)

Farm and Ranch Solid Waste Cleanup and Abatement Grant Program  
Application Due Date: October 7, 2025 (Cycle 87)

Beverage Container Recycling Loan Program  
Application Due Date: Continuous

Greenhouse Gas Reduction Loan Program  
Application Due Date: Continuous

Recycling Market Development Zone Loan Program  
Application Due Date: Continuous

#### **D. DISASTER DEBRIS RECOVERY OPERATIONS PROGRAM**

##### **Action Items**

No items at this time.

##### **Information Items**

1. Update on Emergency Disaster Debris Recovery Operations  
Department Staff Contact: [Chris.McSwain@CalRecycle.ca.gov](mailto:Chris.McSwain@CalRecycle.ca.gov)

#### **E. E-WASTE**

##### **Action Item:**

1. Request for Approval to Maintain Covered Electronic Waste Recycling Fee levels for Video Display Devices  
[Public Notice](#)

2. **Information Item**

Update on the Proposed Covered Battery-Embedded Waste Recycling Fee Regulations  
Department Staff Contact: [Embeddedbatteries@CalRecycle.ca.gov](mailto:Embeddedbatteries@CalRecycle.ca.gov)

#### **F. PRODUCT STEWARDSHIP**

##### **Announcements**

1. Receipt and review of The Drug Takeback Solutions Foundation's Proposed Changes to its Stewardship Plan for Home-Generated Sharps Waste: Local

Agency Requests. Action Needed. Public comments accepted through June 23, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

2. Receipt and review of Mattress Recycling Council's 2024 Annual Report and 2026 Program Budget. Action Needed by September 29, 2025. Public Comments Accepted Through July 16, 2025.

Department Staff Contact: [Mattresses@CalRecycle.ca.gov](mailto:Mattresses@CalRecycle.ca.gov)  
[Public Notice](#)

### **Decisions Posted**

1. Approval of MED-Project's 2026 Annual Program Budget for Covered Drugs. Decision Posted: June 20, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

2. Approval of MED-Project's 2026 Annual Program Budget for Home-Generated Sharps Waste. Decision Posted: June 20, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

3. Disapproval of The Drug Takeback Solutions Foundation's 2026 Annual Program Budget for Covered Drugs. Decision Posted: June 20, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

4. Disapproval of The Drug Takeback Solutions Foundation's 2026 Annual Program Budget for Home-Generated Sharps Waste. Decision Posted: June 20, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

5. Conditional Approval of MED-Project's 2024 Annual Report for Covered Drugs. Decision Posted: June 30, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

6. Conditional Approval of MED-Project's 2024 Annual Report for Home-Generated Sharps Waste. Decision Posted: June 30, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

7. Disapproval of The Drug Takeback Solutions Foundation's 2024 Annual Report for Covered Drugs. Decision Posted: June 30, 2025.



Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

8. Disapproval of The Drug Takeback Solutions Foundation's 2024 Annual Report for Home-Generated Sharps Waste. Decision Posted: June 30, 2025.

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

9. Disapproval of The Drug Takeback Solutions Foundation's Proposed Changes to its Stewardship Plan for Covered Drugs. Decision Posted: June 17, 2025 (Attachment B), and June 16, 2025 (Attachment C).

Department Staff Contact: [PharmaSharps@CalRecycle.ca.gov](mailto:PharmaSharps@CalRecycle.ca.gov)  
[Public Notice](#)

## **G. SOLID WASTE AND TIRE FACILITIES**

### **Information Item**

1. Approval of the Clear Creek Former Unhoused Encampment Site Remediation Under the Solid Waste Disposal and Co-Disposal Site Cleanup Program (Solid Waste Disposal Trust Fund, FY 2025-26)

Department Staff Contact: [Noe.Garay@CalRecycle.ca.gov](mailto:Noe.Garay@CalRecycle.ca.gov)  
[Public Notice](#)

### **Action Items**

1. US Borax, Inc - Gangue/Refuse Waste Pile - Boron Operations, Solid Waste Disposal Site, located at 14486 Borax Road, Boron, CA 93516, Kern County, Modified Solid Waste Facilities Permit, Action Needed July 15, 2025

Department Staff Contact: [Isabelle.Maalouf@CalRecycle.ca.gov](mailto:Isabelle.Maalouf@CalRecycle.ca.gov)  
[Public Notice](#)

2. AgroThrive, Inc., located at 26775 Old Stage Road Gonzales, CA 93926, Monterey County, Revised Solid Waste Facilities Permit, Action Needed August 30, 2025

Department Staff Contact: [Alexis.Deschryver@CalRecycle.ca.gov](mailto:Alexis.Deschryver@CalRecycle.ca.gov)  
[Public Notice](#)

3. K-Export, located 2000 W. Turner Road, Lodi, CA 95242, San Joaquin County, New Minor Waste Tire Facility Permit, Action Needed July 8, 2025

Department Staff Contact: [Harprit.Mattu@CalRecycle.ca.gov](mailto:Harprit.Mattu@CalRecycle.ca.gov)  
[Public Notice](#)

4. JAF Tire Recycling, LLC, located at 12520 Quicksilver Drive, Unit C, Rancho Cordova, CA 95742, Sacramento County, New Minor Waste Tire Facility Permit, Action Needed September 20, 2025

Department Staff Contact: [Alyssa.Williams@CalRecycle.ca.gov](mailto:Alyssa.Williams@CalRecycle.ca.gov)

### [Public Notice](#)

5. Agromin- Merced Highway 59 Compost Facility, located at 7040 N, Highway 59, Merced, CA 95348, Merced County, New Solid Waste Facilities Permit, Action Needed July 3, 2025  
Department Staff Contact: [Harprit.Mattu@calrecycle.ca.gov](mailto:Harprit.Mattu@calrecycle.ca.gov)  
[Public Notice](#)
6. EcoCycle Ventures, Inc, located at 3130 Bayshore Rd, Benicia, CA 95410, Solano County, New Minor Waste Tire Facility Permit, Action Needed October 6, 2025  
Department Staff Contact: [Harprit.Mattu@CalRecycle.ca.gov](mailto:Harprit.Mattu@CalRecycle.ca.gov)  
[Public Notice](#)
7. Tehama County/City of Red Bluff MRF, located at 19995 Plymire Road, Red Bluff, CA 96080 Tehama County, Revised Solid Waste Facilities Permit, Action Needed July 19, 2025  
Department Staff Contact: [Kelsey.Orr@CalRecycle.ca.gov](mailto:Kelsey.Orr@CalRecycle.ca.gov)  
[Public Notice](#)
8. Tehama County/Red Bluff Landfill, located at 19995 Plymire Road, Red Bluff, CA 96080, Tehama County, Revised Solid Waste Facilities Permit, Action Needed July 19, 2025  
Department Staff Contact: [Kelsey.Orr@CalRecycle.ca.gov](mailto:Kelsey.Orr@CalRecycle.ca.gov)  
[Public Notice](#)
9. Desert Valley Company Monofill Facility, located at 3301 W. Highway 86, Brawley, CA 92227, Imperial County, Revised Solid Waste Facilities Permit, Action Needed August 2, 2025  
Department Staff Contact: [Gina.Weber@CalRecycle.ca.gov](mailto:Gina.Weber@CalRecycle.ca.gov)  
[Public Notice](#)
10. Sycamore Landfill, located at 8514 Mast Boulevard, San Diego, CA 92145, City of San Diego, Revised Solid Waste Facilities Permit, Action Needed August 23, 2025  
Department Staff Contact: [Cody.Oquendo@CalRecycle.ca.gov](mailto:Cody.Oquendo@CalRecycle.ca.gov)  
[Public Notice](#)

## **H. PUBLIC COMMENT**

Get involved in CalRecycle's decision-making process. To more fully engage with Californians on monthly public meeting agenda items, CalRecycle accepts welcomes live public comments [in-person or over-the-phone](#).

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CalRecycle has a public noticing site to provide interested parties with information about programs, activities, and departmental decisions.

- To review final CalRecycle decisions and other department activities, please go to: [CalRecycle.ca.gov/PublicInfo/](http://CalRecycle.ca.gov/PublicInfo/) or [CalRecycle.ca.gov/BevContainer/Notices](http://CalRecycle.ca.gov/BevContainer/Notices).
- For public meeting participation, listserv, and feedback information, please go to: [CalRecycle.ca.gov/PublicMeeting/](http://CalRecycle.ca.gov/PublicMeeting/)

***People may speak on any matter concerning CalRecycle with the exception of items related to pending adjudicative (certification or enforcement) proceedings.***



# Public Meeting

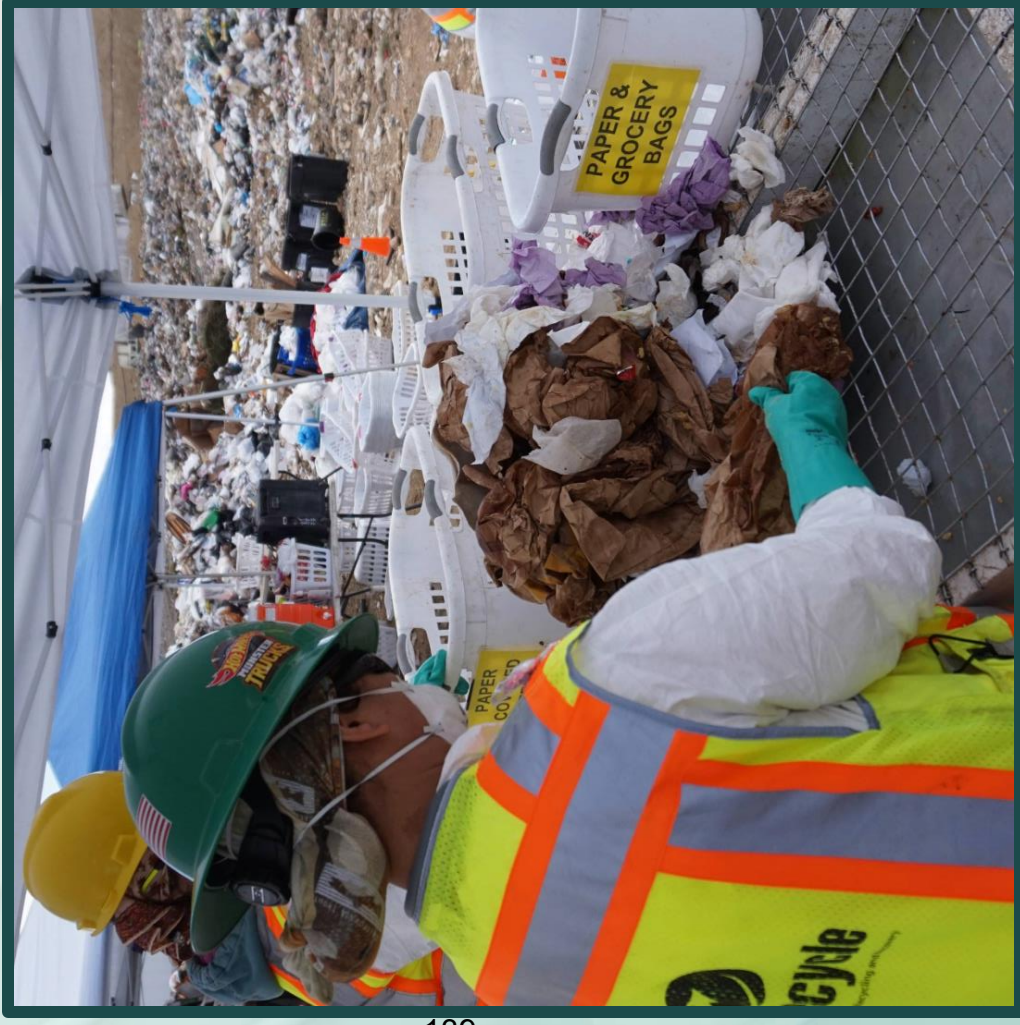
Monthly Updates



July 15, 2025

# Plastic Pollution Prevention Reform (SB 54)

## Implementation Update



### Rulemaking Process

- Informal phase underway

### Material Characterization Study

- Required by law to:
  1. Characterize covered materials landfilled in California
  2. Measure amount of covered materials landfilled in California
- Preliminary findings published June 30<sup>th</sup>



# Plastic Pollution Prevention Reform (SB 54)

## Implementation Update

### Non-regulatory Workshop

- June 23<sup>rd</sup> at CalEPA Headquarters
- **Focus:** Feedback on draft producer reporting guidance and covered material categories

### Draft Regulations

- July 2<sup>nd</sup> preview text shared with Department of Finance and emailed to Listserv

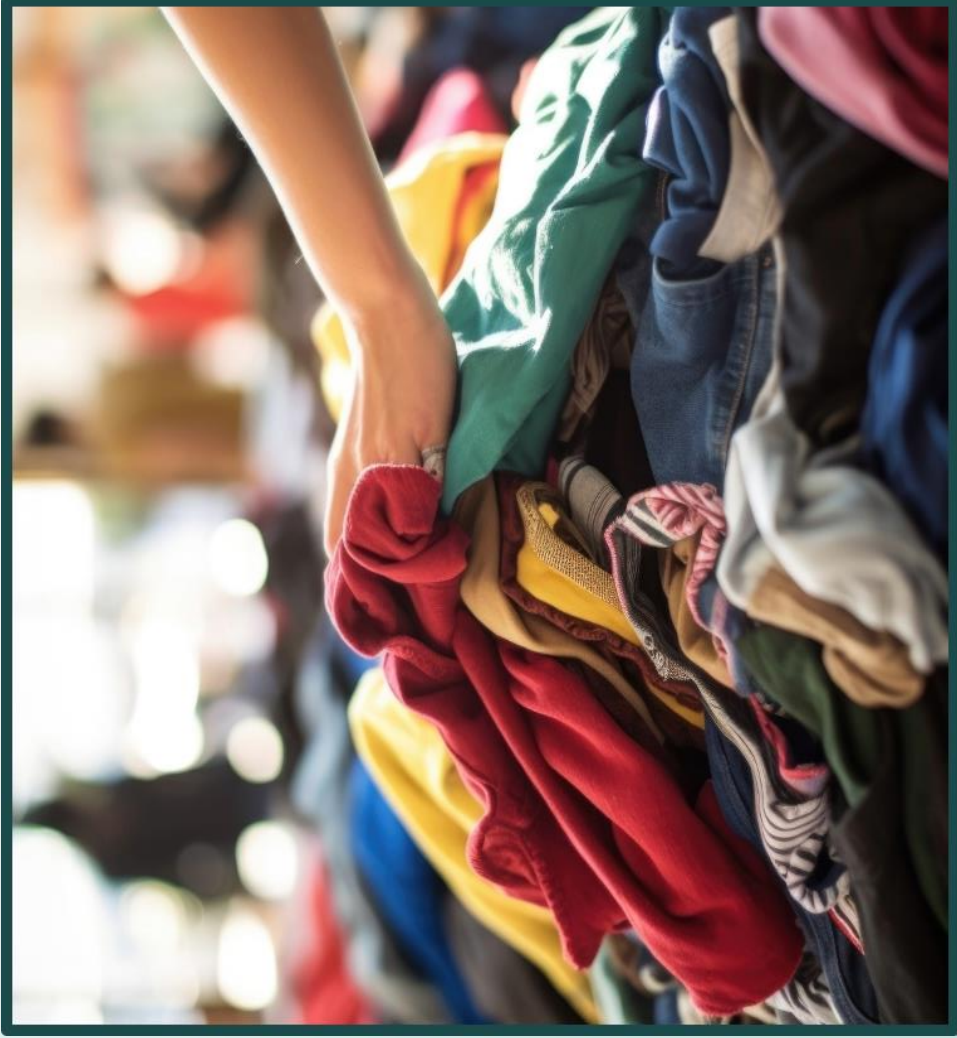
### Advisory Board Meeting

- Next: August 15<sup>th</sup>
- Coastal Hearing Room at CalEPA Headquarters



# Responsible Textile Recovery Act

## Implementation Update



### Informational Public Workshop

- July 17<sup>th</sup> from 10 a.m. to 3 p.m.
- **Focus:**
  - Overview of the Law
  - Producer Responsibility Organization requirements
  - Rulemaking process
- Participate virtually or at CalEPA Headquarters

# Recycled Glass Processing Incentive Grant Program

## Grant cycle

- \$7.5 million is available
- \$1 million minimum
- \$4 million maximum

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## Tentative timeline

- Notice of funds: August 2025
- Applications due: September 2025





# Farm and Ranch Grant Program

## Award Announcement

### \$333,206 to 3 applicants

- Pit River Tribe - \$200,000
- Contra Costa RCD - \$90,000
- San Benito County - \$43,206
- Grant-funded illegal dumping clean up on farm and ranch land
- For preventative gates, locks and signage

Award details linked to today's agenda



# Grant Application Deadlines

Program	Deadline
<b>Farm and Ranch (Cycle 87)</b>	October 7, 2025
<b>Beverage Container Redemption Innovation (Cycle 2 – Dealers)</b>	August 5, 2025
<b>Beverage Container Redemption Innovation (Cycle 3 – Recycling Centers)</b>	September 2, 2025
<b>Tire-Derived Aggregate (Cycle 25)</b>	July 17, 2025
<b>Tire Incentive (Cycle 13)</b>	August 20, 2025

# 2024 Borel Fire Debris Removal

Residential properties cleared of debris	154	100%
Hazard trees removed	463	100%
Properties returned to Kern County	147	95%

As of 06/17/2025





# 2024 Disaster Debris Recovery Operations



**Park Fire**  
Butte and Tehama Counties  
**431 homes enrolled**  
344 cleared of debris – 80%

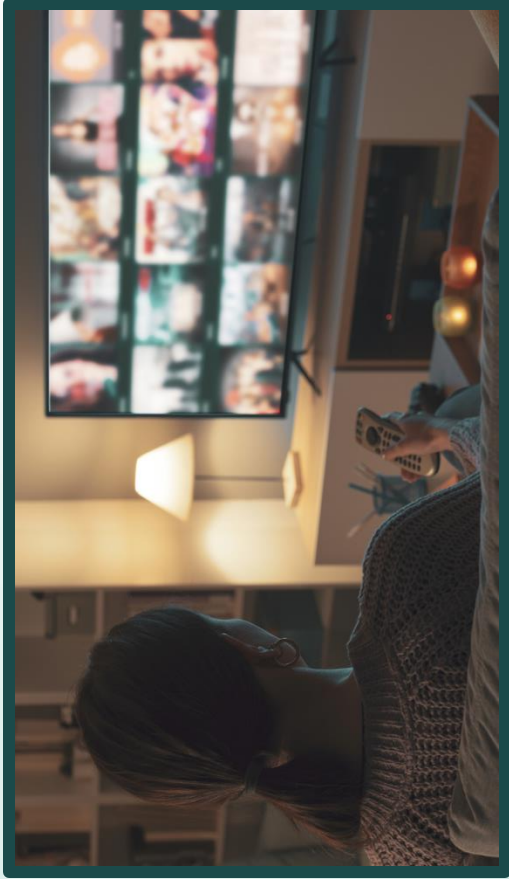
**Thompson Fire**  
Butte County  
**17 homes enrolled**  
11 cleared of debris – 65%

**Boyles Fire**  
Lake County  
**30 homes enrolled**  
26 cleared of debris – 87%

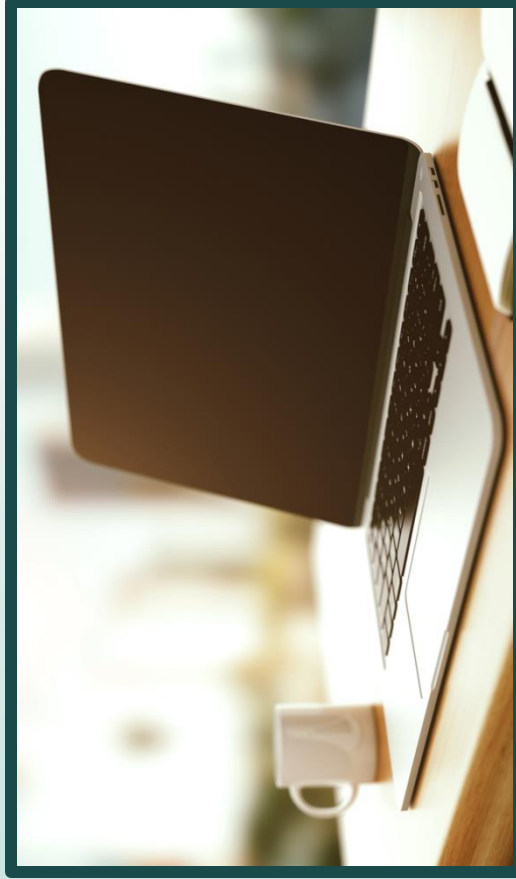


As of 06/16/2025

# Covered Electronic Waste Recycling Program



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## Covered Video Display Device Recycling Fee

- Determination by August 1, 2025
- Considered recovery and recycling trends, sales projections, operational costs, and fund balance

## Staff Recommendation

- Unchanged at \$4, \$5, or \$6
- Based on screen size

# Covered Electronic Waste Recycling Program

## Battery-Embedded Product Recycling Fee

- Analysis completed using most reliable and current datasets
- **Proposed fee:** 1.5% of battery-embedded product's retail sales price (sold in California)

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## May 28<sup>th</sup> Informal Emergency Rulemaking Workshop

- In-person and virtual comments on proposed fee and regulatory text

## Proposed Regulations to Office of Administrative Law

- Expected this summer

# Product Stewardship Sharps

## The Drug Takeback Solutions Foundation

- Proposed home-generated sharps waste stewardship changes
- Related to local agency requests
- Submitted: June 2, 2025
- Currently under review





# Product Stewardship

## Pharmaceutical and Sharps Waste

### MED-Project

- 2024 annual report
  - *Decision posted June 20<sup>th</sup>*
- 2026 annual program budget
  - *Decision posted June 30<sup>th</sup>*

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### The Drug Takeback Solutions Foundation

- 2024 annual report
  - *Decision posted June 20<sup>th</sup>*
- 2026 annual program budget
  - *Decision posted June 30<sup>th</sup>*
- Proposed changes for covered drugs plan
  - *Decisions posted June 16<sup>th</sup> and 17<sup>th</sup>*





# Product Stewardship Mattresses



## Mattress Recycling Council

- Submitted:
  - 2024 Annual Report
  - 2026 Program Budget
- Public comments accepted through July 16<sup>th</sup>, 2025

# Facility Permit Updates

1. US Borax, Inc - Gangue/Refuse Waste Pile - Boron Operations, Solid Waste Disposal Site, located at 14486 Borax Road, Boron, CA 93516, Kern County, Modified Solid Waste Facilities Permit, Action Needed July 15, 2025
2. AgroThrive, Inc., located at 26775 Old Stage Road, Gonzales, CA 93926, Monterey County, Revised Solid Waste Facilities Permit, Action Needed August 30, 2025
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# Facility Permit Updates

6. EcoCycle Ventures, Inc., located at 3130 Bayshore Rd, Benicia, CA 95410, Solano County, New Minor Waste Tire Facility Permit, Action Needed October 6, 2025
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8. Tehama County/Red Bluff Landfill, located at 19995 Plymire Road, Red Bluff, CA 96080, Tehama County, Revised Solid Waste Facilities Permit, Action Needed July 19, 2025
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10. Sycamore Landfill, located at 8514 Mast Boulevard, San Diego, CA 92145, City of San Diego, Revised Solid Waste Facilities Permit, Action Needed August 23, 2025

## Unified Program Newsletter – June 2025

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### CalEPA

#### **CERS Stale User Accounts: How to Regain Access to your Organization/Business**

Stale user accounts pose a security risk as each accounts offers a malicious actor opportunity to gain access to CERS. To comply with CalEPA's Information Security policies, CalEPA recently completed our annual stale account cleanup activity and deactivated user accounts that had not signed in to CERS by the previously announced 5/16/2025 deadline. Individuals who missed the deadline can regain access to their Organization/Business by following the steps below.

Create a California Environmental Reporting System (CERS) account:

Refer to the [How to create a CERS Username and Password](https://cers.calepa.ca.gov/wp-content/uploads/2019/05/How-to-create-a-CERS-Username-and-Password.pdf) document (https://cers.calepa.ca.gov/wp-content/uploads/2019/05/How-to-create-a-CERS-Username-and-Password.pdf) posted on CalEPA's [CERS Central](https://cers.calepa.ca.gov/) website (https://cers.calepa.ca.gov/).

1. Navigate to the [CERS Central](https://cers.calepa.ca.gov/) website and select the "Business Portal Sign In" button from the Home page.  
(<https://cers.calepa.ca.gov/>)
2. Select the "Create New Account" button located under "New to CERS?" section.
3. Complete the form then select the "Create My Account" button.
4. An email notification will be sent to the email address used to create the CERS account. Use the link to activate your account to complete the account setup process.

Request access to a facility/business:

5. Navigate to the [CERS Central](https://cers.calepa.ca.gov/) website and select the "Business Portal Sign In" button from the Home page.  
(<https://cers.calepa.ca.gov/>)
6. Enter your activated account username and password to sign in to the CERS Business Portal.
7. Select the button titled "Add a new facility/business".
8. Enter the physical address of the facility and search.
9. Select the "Request Access" link to the right of the facility/business.

Access approval to the facility/business:

10. Requests for access will be directed to the business' Lead User contact(s).
11. If the facility/business does not have an active business Lead User, contact the local Unified Program Agency (UPA)/Regulator that the facility reports to for access approval.
  - o For UPA/Regulator contact information please refer to CalEPA's [Regulator Directory](https://cersapps.calepa.ca.gov/Public/Directory/).  
(<https://cersapps.calepa.ca.gov/Public/Directory/>)

**CERS NextGen Meetings**

Monthly CERS NextGen meeting for regulators + Boards, Departments, and Offices  
Second Tuesday of the month from 10-12

\*\*Note the June meeting has been moved to 1-3 to accommodate other Technical Advisory Group (TAG) meetings.

Please e-mail [CERSNextGen@calepa.ca.gov](mailto:CERSNextGen@calepa.ca.gov) to be e-mailed the meeting invitation for June 12<sup>th</sup>.



### **Monthly Townhall NextGen Meetings**

Last Thursday of the month from 10-12

**\*\*Note** the June meeting has been moved to 1-3 to accommodate other TAG meetings.

Monthly registration is required on the NextGen website. Please see the below link for the June 26th meeting registration

<https://events.gcc.teams.microsoft.com/event/a2ef4d0a-8625-4739-aa52-cf919c01eac9@fedfd738-1216-4730-a902-fd41fa7f4dbc>

### **CalARP/HMBP**

#### **Process Safety Performance Indicators for California Accidental Release Prevention (CalARP) Program 4 Facilities**

The Process Safety Performance Indicators for CalARP Program 4 facilities are due to the Unified Program Agency (UPA) and to CalEPA by June 30, 2025. Facilities may submit the Process Safety Performance Indicators information to the [CalARP@calepa.ca.gov](mailto:CalARP@calepa.ca.gov) inbox. Facilities may use the [Annual CalARP Process Safety Performance Indicator Form](https://calepa.ca.gov/wp-content/uploads/2024/04/Annual-Process-Safety-Performance-Indicator-Form-Fillable-Template-4.2.2024-1.pdf) (<https://calepa.ca.gov/wp-content/uploads/2024/04/Annual-Process-Safety-Performance-Indicator-Form-Fillable-Template-4.2.2024-1.pdf>), or can submit the equivalent information required by 19 CCR Section 5110.19(h)(1) subsections (A) through (E). Information regarding the requirements and access to the form can also be found on our [website](https://calepa.ca.gov/california-accidental-release-prevention/california-accidental-release-prevention-program-4-for-refineries/#:~:text=Process%20Safety%20Performance%20Indicators%20(PSPI))). ([https://calepa.ca.gov/california-accidental-release-prevention/california-accidental-release-prevention-program-4-for-refineries/#:~:text=Process%20Safety%20Performance%20Indicators%20\(PSPI\)\)](https://calepa.ca.gov/california-accidental-release-prevention/california-accidental-release-prevention-program-4-for-refineries/#:~:text=Process%20Safety%20Performance%20Indicators%20(PSPI)))

### **State Water Board**

#### **Single-Walled Underground Storage Tanks**

##### **Interactive Single-Walled UST Map**

The State Water Resources Control Board (State Water Board) has prepared an interactive state map displaying the remaining facilities with single-walled underground storage tanks (USTs) or single-walled piping. The interactive map combines data sourced from GeoTracker, the California Environmental Reporting System (CERS), and the single-walled UST survey data provided by the Unified Program Agencies (UPAs). It includes features such as facility owner type, tank use, CalEnviroScreen 4.0 scores, Replacing, Removing, or Upgrading USTs (RUST) loan or grant application status, and the distance to the nearest public drinking water wells and gas stations. To ensure the map remains up to date, another single-walled UST survey will be distributed to the UPAs this month. The State Water Board will continue updating the map every 60 days to maintain an accurate count of single-walled UST facilities in preparation for the December 31, 2025, closure deadline.

The [single-walled UST map](https://experience.arcgis.com/experience/114d66f2c73f418fb2a286fb2ded2207)

(<https://experience.arcgis.com/experience/114d66f2c73f418fb2a286fb2ded2207>) is available as a link on the State Water Board [single-walled UST](https://www.waterboards.ca.gov/ust/single_walled.html) webpage ([https://www.waterboards.ca.gov/ust/single\\_walled.html](https://www.waterboards.ca.gov/ust/single_walled.html)).

### **Improper Use of Temporary Closure**

As of January 1, 2025, UPAs cannot grant temporary closure, or an extension of temporary closure, for any single-walled UST. Temporary closure applies to USTs that have temporarily ceased storing hazardous substances, *with the intent to resume storage* within the next 12 months (See California Code of Regulations, title 23, division 3, chapter 16 [UST Regulations], section 2670[b]). Single-walled USTs should not be placed into temporary closure, as they are required to be permanently closed on or before December 31, 2025 (See Health & Safety Code (H&SC), chapter 6.7, section 25292.05).

With the closure deadline only seven months away, UST owners and operators of single-walled USTs should be preparing to permanently close their single-walled USTs to ensure compliance with H&SC, section 25292.05. The State Water Board expects UPAs to prioritize progressive enforcement of single-walled USTs, including those currently in temporary closure, until they comply or are permanently closed.

For information regarding single-walled USTs, please contact:

Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Emergency Tank Systems**

State Water Board staff have observed several instances where USTs are being regulated as emergency tank systems but do not meet the definition of an emergency tank system and therefore, do not qualify for the associated unburied piping exemption in H&SC 6.7, section 25281.5(b)(3). Additionally, staff have also observed emergency tank systems that have line leak detectors (LLD) installed that are not performing release detection as required.

An emergency tank system is a UST system that stores diesel fuel or kerosene to be utilized during emergencies by one or more stationary devices (H&SC, chapter 6.7 section 25281.5[c]). Unburied product piping connected to an emergency tank system is excluded from the construction, monitoring, and testing requirements in Article 3 of the UST Regulations if it is visually inspected at least monthly and inspection logs are maintained for UPA review (H&SC, chapter 6.7 section 25281.5[b][3]). Product piping that is in a conduit through building walls or ceilings where both sides of the penetration can be visually observed also qualifies for the unburied piping exclusion.

If a UST system is connected to a stationary device that does not utilize the supplied diesel or kerosene *solely* during emergencies, the UST system is not an emergency tank system and does not qualify for the unburied piping exclusion. For example, a UST system that is connected to a boiler that operates continuously and utilizes the stored product as the primary source of fuel does not qualify as an emergency tank system and cannot utilize the unburied piping exclusion discussed above. UST systems

connected to non-emergency stationary devices must meet all construction, monitoring, and testing requirements in Article 3 of the UST Regulations, including continuous monitoring and by a LLD that either restricts or shuts off flow when a leak is detected.

Finally, a LLD is only capable of conducting the 3.0 gallon per hour line tightness test if the turbine shuts off. UST systems that operate continuously do not allow the LLD to perform the line tightness test, thereby effectively bypassing the leak detection device. These systems should be programmed to perform periodic shutdowns to ensure the LLD can complete the required line tightness test.

For information regarding emergency tank systems, please contact:  
Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Violation Reissuance Guidance – CERS FAQ**

The State Water Board has posted a CERS FAQ on reissuing United States Environmental Protection Agency (U.S. EPA) Technical Compliance Rate (TCR) violations during the subsequent annual UST compliance inspection, if the violation remains uncorrected. The [Reissuing Technical Compliance Rate Violations FAQ](https://www.waterboards.ca.gov/ust/cers/ru20_violation_reissuance_guidance.html) ([https://www.waterboards.ca.gov/ust/cers/ru20\\_violation\\_reissuance\\_guidance.html](https://www.waterboards.ca.gov/ust/cers/ru20_violation_reissuance_guidance.html)) is available on the [UST Leak Prevention Program](https://www.waterboards.ca.gov/ust/leak_prevention/) website ([https://www.waterboards.ca.gov/ust/leak\\_prevention/](https://www.waterboards.ca.gov/ust/leak_prevention/)) under the [CERS FAQ](https://www.waterboards.ca.gov/ust/cers/) webpage (<https://www.waterboards.ca.gov/ust/cers/>). The State Water Board emphasizes that this document applies only to the UST Program and should be viewed separately from the CalEPA CERS guidance document titled [Reporting Violations in CERS](https://cers.calepa.ca.gov/wp-content/uploads/2017/04/reporting-escalated-violations_general.pdf) ([https://cers.calepa.ca.gov/wp-content/uploads/2017/04/reporting-escalated-violations\\_general.pdf](https://cers.calepa.ca.gov/wp-content/uploads/2017/04/reporting-escalated-violations_general.pdf)).

The State Water Board requires inspectors to reissue the same U.S. EPA TCR violation during the subsequent annual compliance inspection if it remains uncorrected. Failure to do so will result in the violation not being captured in the Report 6 data for that reporting period.

For additional information regarding the violation reissuance guidance document, contact: Michelle Suh at (916) 323-0878 or [Michelle.Suh@waterboards.ca.gov](mailto:Michelle.Suh@waterboards.ca.gov).

## **DTSC**

### **Rulemaking Update: Conditional Exemption for Undeployed Airbags**

The 45-day public comment period for the airbag regular rulemaking began on May 30, 2025, and ends on July 14, 2025. DTSC is proposing to adopt the federal conditional exemption for undeployed airbags to incentivize the removal of defective airbags from vehicles and the proper disposal of airbag waste by relieving some regulatory burdens to airbag handlers. The rulemaking package is available for viewing on DTSC's website at <https://dtsc.ca.gov/dtsc-proposed-regulations/>. Written comments may be submitted electronically through the DTSC regulations email address at [regs@dtsc.ca.gov](mailto:regs@dtsc.ca.gov).



### **THREE Upcoming (VIRTUAL) Trainings**



#### **Training #1**

**Verbal Judo®**

**July 14-16, 2025**

#### **Training Times:**

**Please note that Arizona is on MST time which is not always the same as Mountain Time. We do not observe Daylight Savings Time so part of the year Arizona is on Pacific Time, and part of the year Arizona is on Mountain Time. The times listed below are the correct times for this training.**

8:00 am – 12:30 pm for Hawaii Attendees on all three days of training  
10:00 am – 2:30 pm for Alaska Attendees on all three days of training  
11:00 am – 3:30 pm for Pacific Time and for Arizona Attendees on all three days of training  
12:00 pm – 4:30 pm for Mountain Time Attendees on all three days of training  
1:00 pm – 5:30 pm for Central Time Attendees on all three days of training  
2:00 pm – 6:30 pm for Eastern Time Attendees on all three days of training

#### **About this Training:**

Verbal Judo® is a tactical communications course originally designed for law enforcement officers, but one that has applications for anyone who deals with the public on a regular basis. It has been tailored for business, education, and the airline industry, among others.

This course has now been specifically adapted for regulatory inspectors. Attendees will learn techniques to redirect and handle emotionally-charged verbal attacks in order to “generate voluntary compliance.” Attendees will leave this course with improved verbal communication skills and enhanced professionalism. It is beneficial for anyone who interacts with the public in any capacity.

**Registration Fee: \$300/person**

## Training #2

### **Determining Economic Benefit of Violations, and Enforcement – Getting Results August 5, 2025**

#### **Training Times:**

**Please note that Arizona is on MST time which is not always the same as Mountain Time. We do not observe Daylight Savings Time so part of the year Arizona is on Pacific Time, and part of the year Arizona is on Mountain Time. The times listed below are the correct times for this training.**

7:00 am – 11:00 am Hawaii Time  
9:00 am – 1:00 pm Alaska Time  
10:00 am – 2:00 pm Pacific Time and for Arizona Attendees  
11:00 am – 3:00 pm Mountain Time  
12:00 pm – 4:00 pm Central Time  
1:00 pm – 5:00 pm Eastern Time

#### **About this Training:**

**Determining Economic Benefit of Violations** – this portion of the training will cover what is economic benefit, why/when to consider it, what do you include, how to determine, available tools, and ability to pay.

***This training will not teach you how to use the BEN and ABEL model.***

**Enforcement, Getting Results** – this portion of the training will cover a variety of topics including working with prosecutors, preparation for hearings (testimony), drafting settlements, and publicity/communication issues.

**Registration Fee: \$125/person**

## Training #3

### **Verbal Judo® August 18-20, 2025**

#### **Training Times:**

**Please note that Arizona is on MST time which is not always the same as Mountain Time. We do not observe Daylight Savings Time so part of the year Arizona is on Pacific Time, and part of the year Arizona is on Mountain Time. The times listed below are the correct times for this training.**

7:00 am – 11:30 am for Hawaii Attendees on all three days of training  
9:00 am – 1:30 pm for Alaska Attendees on all three days of training  
10:00 am – 2:30 pm for Pacific Time and for Arizona Attendees on all three days of training  
11:00 am – 3:30 pm for Mountain Time Attendees on all three days of training  
12:00 pm – 4:30 pm for Central Time Attendees on all three days of training  
1:00 pm – 5:30 pm for Eastern Time Attendees on all three days of training

**About this Training:**

Verbal Judo® is a tactical communications course originally designed for law enforcement officers, but one that has applications for anyone who deals with the public on a regular basis. It has been tailored for business, education, and the airline industry, among others.

This course has now been specifically adapted for regulatory inspectors. Attendees will learn techniques to redirect and handle emotionally-charged verbal attacks in order to “generate voluntary compliance.” Attendees will leave this course with improved verbal communication skills and enhanced professionalism. It is beneficial for anyone who interacts with the public in any capacity.

**Registration Fee: \$300/person**

Payment is not required to register for these courses. Registration fee can be paid by check, credit card or PO before training, or check or credit card after training.

**To register for any of these trainings:**

Go to [www.regionalassociations.org](http://www.regionalassociations.org)

Scroll down to the training calendar.

Right above the training calendar is a blue box that says:

CLICK HERE for more information, or to register for a Western States Project training

**Click on that blue box and it will take you to our new WSP online registration and payment system.**

You can register there.

**QUESTIONS: E-mail Lynn Cassidy at: [Cassidy.Lynn@azdeq.gov](mailto:Cassidy.Lynn@azdeq.gov)**

***References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).***

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## Unified Program Newsletter – July 2025

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### State Water Board

#### Chapter 16 Rewrite Rulemaking Updates

The State Water Resources Control Board (State Water Board) will consider adopting the proposed amendments to California Code of Regulations, title 23, division 3, chapter 16 (Underground Storage Tank (UST) Regulations) during its September 3, 2025, Board meeting. If adopted by the State Water Board, the rulemaking will be sent to the Office of Administrative Law for approval with an effective date of January 1, 2026.

#### Local Guidance Letters

In anticipation of the proposed regulations, State Water Board staff (staff) are updating the local guidance (LG) letters. The updated LG letters will be organized under broader topics using a revised numbering system on the existing [State Water Board LG webpage](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/) ([https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs/](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs/)). Updated LG letters are expected to be available for review this fall.

#### UST Violation Library

Staff are updating the California Environmental Reporting System (CERS) UST violation library to align with the proposed rulemaking. The draft version will be available for Unified Program Agency (UPA) review following adoption of the proposed UST Regulations by the State Water Board. The updated UST violation library will be available for use in CERS on January 1, 2026.

Air Resources Board • Department of Pesticide Regulation • Department of Resources Recycling and Recovery  
Department of Toxic Substances Control • Office of Environmental Health Hazard Assessment  
State Water Resources Control Board • Regional Water Quality Control Boards

Additional information pertaining to the rulemaking can be found on the [UST Leak Prevention Program's Chapter 16 webpage](https://waterboards.ca.gov/water_issues/programs/ust/leak_prevention/chapter16/write.html) ([https://waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/chapter16/write.html](https://waterboards.ca.gov/water_issues/programs/ust/leak_prevention/chapter16/write.html)).

For additional information regarding LG letters and the UST violation library, contact: Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Replacing, Removing, or Upgrading Underground Storage Tanks Program Modifications Regarding Single-Walled UST Removal**

In accordance with Health and Safety Code (HSC), chapter 6.7, section 25292.05, all single-walled USTs and non-exempt single-walled piping must be permanently closed by December 31, 2025.

The 2025 California Budget Public Resources Trailer Bill (SB124) amended HSC provisions related to the Replacing, Removing, or Upgrading Underground Storage Tanks (RUST) Program. The amendment allows eligible RUST applicants to begin their projects prior to receiving and executing a RUST agreement and still receive reimbursement for those costs once the agreement is finalized.

Under the revised statutes, applicants who submitted an application on or before June 30, 2025, may begin the removal process with pending RUST Program approval. These applicants will be reimbursed for those costs after the RUST agreement is executed, provided that all single-walled USTs and non-exempt single-walled piping at the facility are removed on or before December 31, 2025.

Eligible costs incurred prior to the RUST agreement execution are limited to the following costs:

- Costs to remove single-walled USTs and non-exempt single-walled piping incurred on or after December 31, 2024, and before January 1, 2026; and
- Costs to replace single-walled USTs and non-exempt single-walled piping incurred on or after December 31, 2024, and before January 1, 2027.

For additional information regarding the RUST Program, contact: McLean Reich at [McLean.Reich@Waterboards.ca.gov](mailto:McLean.Reich@Waterboards.ca.gov).

### **Single-Walled UST Enforcement**

As a reminder, UPAs should initiate enforcement actions against all owners and operators with single-walled USTs and non-exempt single-walled piping beginning January 1, 2026. This includes enforcement against non-compliant government owned USTs and non-compliant emergency tank systems. The proposed UST Regulations have expanded the definition of significant violation to include single-walled USTs that have not been properly closed, allowing the UPAs to immediately apply red tags to all single-walled USTs.

Enforcement actions include affixing red tags and pursuing penalties of \$500 to \$5000 per tank, per day, per violation in accordance with HSC, chapter 6.7, section 25299(a)

and (b). In cases involving non-compliant emergency tank systems, or when a UPA determines that affixing a red tag is not an appropriate or effective option, UPAs should consider applying the maximum penalty amount of \$5000 per tank, per day of violation.

With less than six months remaining, UPAs should notify single-walled UST owners and operators of their intent to affix red tags and pursue penalties for single-walled USTs and non-exempt piping that does not permanently close by the December 31, 2025, closure deadline. Additionally, UPAs should assess the number of red tag supplies needed for preparation of the closure deadline and contact UST Leak Prevention Unit staff accordingly.

For questions regarding single-walled USTs, contact:  
Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Single-Walled UST Follow-Up Survey**

On June 10, 2025, the State Water Board distributed follow-up surveys to UPAs with single-walled USTs in their jurisdictions. The data collected from the follow-up surveys is being used to update the status of permanent closures for the remaining single-walled USTs statewide. Additionally, the information will be used to update the [single-walled UST map](#)

(<https://experience.arcgis.com/experience/0167aef5ced240ddb27331f6988dc8b2>) on the State Water Board single-walled UST webpage. An overview of the survey results is provided below:

- 292 facilities with 784 single-walled tanks
  - 39 of these facilities are government owned
- 51 facilities with 130 double-walled tanks and single-walled piping only
  - 10 of these facilities are government owned
- 37 facilities with 50 emergency tank systems
  - 14 of these facilities are government owned
- 49 facilities are within 1,000 ft of a public drinking water well
- 240 (54%) facilities have not submitted a UST closure permit application

For questions regarding single-walled UST surveys, contact:  
Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).

### **Unified Program Performance Evaluations – Single-Walled USTs**

Currently, evaluation staff prioritize single-walled UST systems when selecting facilities for Certified Unified Program Agency (CUPA) performance evaluations. After December 31, 2025, staff will scrutinize whether the UPA has applied appropriate enforcement actions to all single-walled UST owners and operators. Additionally, staff may request copies of closure documentation for single-walled facilities that have completed permanent closure.

Beginning January 1, 2026, it is imperative that UPAs actively apply enforcement to all single-walled UST systems. This includes affixing red tags and pursuing penalties. UPAs

that do not take appropriate enforcement action may receive a deficiency during their CUPA performance evaluation.

For questions regarding CUPA Performance Evaluations and single-walled USTs, contact: Michelle Suh at (916) 323-0878 or [Michelle.Suh@waterboards.ca.gov](mailto:Michelle.Suh@waterboards.ca.gov).

### **South Coast Air Quality Management District – Permitting Advisory**

The South Coast Air Quality Management District (South Coast AQMD) has issued a [permitting advisory](https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory_062525.pdf?sfvrsn=497d9c61_3) ([https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory\\_062525.pdf?sfvrsn=497d9c61\\_3](https://www.aqmd.gov/docs/default-source/permitting/advisories/gdfpermittingadvisory_062525.pdf?sfvrsn=497d9c61_3)) for owners and operators of gasoline dispensing facilities who need to modify their active South Coast AQMD permits to comply with the December 31, 2025, single-walled permanent closure deadline. The permitting advisory provides guidance on what qualifies as an administrative change to allow for a faster permitting process.

For additional information regarding the South Coast AQMD permitting advisory guidance document, contact South Coast AQMD at (909) 396-3396.

### **Report 6 Due September 1, 2025**

The State Water Board recently distributed the Report 6 forms and instructions to all UPAs for the reporting period of January 1 through June 30, 2025. UPAs must submit the completed Report 6 no later than September 1, 2025.

If inaccurate Report 6 data is submitted, it will be returned to the UPA for corrections. Corrected Report 6 submissions must also be received by the September 1, 2025, deadline to avoid being considered late.

For more information regarding Report 6 requirements contact: Magnolia Busse at (916) 341-5870 or [Magnolia.Busse@waterboards.ca.gov](mailto:Magnolia.Busse@waterboards.ca.gov).

### **Request to Submit Abstracts: 28th Annual CUPA Conference**

The California Certified Unified Program Agency (CUPA) Forum is requesting abstracts for the 2026 CUPA Conference. Abstracts must be submitted through the [CUPA Forum website](https://www.calcupa.org/conference/index.html) (<https://www.calcupa.org/conference/index.html>) beginning August 1, 2025, through September 19, 2025. Please note that speaker biographies must be submitted and approved prior to submitting an abstract. The State Water Board recognizes that presenting at the conference is a significant commitment for both UPA management and the individual presenter. UPAs that meet their program obligations while also presenting at the CUPA Conference will be recognized for their outstanding achievements.

For additional information regarding abstracts for the 28th Annual CUPA Conference, contact: Jenna Hartman at (916) 327-8563 or [Jenna.Hartman@waterboards.ca.gov](mailto:Jenna.Hartman@waterboards.ca.gov).



## **DTSC**

### **DTSC Trinity CUPA has transitioned all CUPA activities to Trinity County Division of Environmental Health Effective 7/1/25**

DTSC Trinity CUPA (DTSC TCUPA), after 20 years of conducting inspections and working with facilities to achieve and maintain compliance, has successfully transferred these activities to Trinity County Division of Environmental Health (TCDEH). The California Environmental Protection Agency (CalEPA) granted TCDEH authority on July 2, 2024, with an effective date of July 1, 2025, to implement all CUPA program elements. CalEPA further authorized DTSC TCUPA and TCDEH to jointly conduct CUPA activities during a one-year transition period (July 1, 2024-June 30, 2025) under a CalEPA approved transition plan. Both agencies have been working closely together and with CalEPA to ensure a smooth transition.

Thank you to DTSC TCUPA inspector who has taken on this role for more than 10 years! Wishing the new inspectors much success, two of which just attained their ICC certification for underground tank inspections. To contact TCDEH, contact Kristy Anderson, Director, TCDEH, [kanderson@trinitycounty.org](mailto:kanderson@trinitycounty.org)

## **Cal FIRE OSFM**

### **California Fire Code, 2025 Edition**

The 2025 California Building Standards Code (Cal. Code Regs., Title 24) was adopted earlier this year and published on July 1, 2025, with an effective date of January 1, 2026. The California Fire Code is included in Part 9 (Cal. Code Regs., Title 24, Part 9).

To view the California Building Standards Code online for free, visit the California Building Standards Commission website at <https://www.dgs.ca.gov/BSC/Codes>.

### **Battery Energy Storage System (BESS) Fire Safety Symposium**

The BESS symposium will be held on July 24, 2025, at the California Natural Resources Agency in Sacramento. The symposium will be held both in person and virtually. The event is geared toward the California fire service and local officials. There is no cost to attend the symposium.

For more information and to register for the symposium, visit the website at <https://web.cvent.com/event/31f55c8f-abba-44a3-8c17-92ed70553949/summary>.

***References or links to information cited in this newsletter are subject to change. CalEPA is interested in your comments and suggestions regarding the Unified Program monthly newsletter. Please email your comments and suggestions to: [cupa@calepa.ca.gov](mailto:cupa@calepa.ca.gov).***

**[CalEPA Unified Program Home Page](#)**



# **Agenda Item IX**

## **ARTICLES OF INTEREST**



## Oregon EPR program faces court challenge

The National Association of Wholesaler-Distributors has filed a suit challenging the constitutionality of Oregon's newly enacted EPR system.



"While NAW supports the goal of a circular economy, the Oregon EPR law, as enacted, is unconstitutional, creates new mandates, inhibits interstate commerce and fails at its primary goal of encouraging circularity," says Eric Hoplin, president and CEO of NAW. Recycling Today archives

BY **BRIAN TAYLOR, SENIOR EDITOR**

PUBLISHED JULY 31, 2025

 [Listen to article](#)

the District of Oregon challenging the constitutionality of the Oregon law **that created its newly enacted extended producer responsibility (EPR)** program.

NAW, which describes itself as a “collective voice for the \$8 trillion distribution industry” that has 6 million employees nationwide, names the Oregon Department of Environmental Quality, the Oregon Environmental Commission and Oregon Attorney General Daniel A. Rayfield as defendants in the **July 30 filing**.

The suing organization claims Oregon’s Plastic Pollution and Recycling Modernization Act, which created the EPR program, “misses the target” in terms of encouraging a circular economy and modernizing the state’s recycling program. “Unfortunately, as enacted, the act and threatens the viability of the wholesale distribution industry nationwide—the cornerstone of America’s supply chain,” the organization says.

“While NAW supports the goal of a circular economy, the Oregon EPR law, as enacted, is unconstitutional, creates new mandates, inhibits interstate commerce and fails at its primary goal of encouraging circularity,” says Eric Hoplin, president and CEO of NAW.

“Rather than encourage sustainability through a uniform and transparent system where compliance burdens are shared across industries, Oregon chose to shift the burden to the parts of the supply chain that have little to no control over decisions to design, reduce, reuse or recycle a product,” Hoplin adds.

NAW says its suit challenges the Oregon law’s constitutionally on several fronts, including that it “unfairly targets out-of-state producers [and] tries to control business outside of Oregon—violating the U.S. Constitution’s limits on state regulation of interstate commerce.”

The Oregon EPR system also “mandates [that] producers sign contracts with a single approved private organization (the **Circular**

**NAW** also describes the CAA as a private, third-party group “with a financial interest in the program” it claims is operating “without clear rules or oversight.”

As an example, NAW says CAA policies subject product makers and distributors “to fees and rules set by CAA without a real chance to object or appeal or transparency in the process.”

## TACKLING THE EXTREME GRIND



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In the closing section of its 23-page filing, NAW says it is asking the court to “declare the act and regulations promulgated thereunder to be invalid and unenforceable” and “issue a permanent injunction enjoining defendants from implementing or enforcing the act and regulations promulgated thereunder.”

to “award such other relief as the court deems just and proper.”

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- Midsummer sees flurry of scrap theft alerts
- Hydro Circal spurs US furniture making investment
- ArcelorMittal predicts active 2026 for Alabama mill
- North American recovered paper market softens this summer
- Defunct electronics recycling companies ordered to pay \$3M for hazardous waste violations in Ohio
- Tacoma, Washington, launches smart camera technology pilot



## More from Recycling Today





PNE battery recycling facility now fully operational



ReMA announces Harris American as the "Presented By" sponsor for the 2025 Safety & Operations Forum



Cliffs considering selling 2 mill sites



Ball Corp. reports aluminum packaging demand increase





Republic to build third Polymer Center in Pennsylvania



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# Los Angeles

MAGAZINE

L.A. LORE NEWS POLITICS CANNABIS

## CA Teamster Trash Collectors Stop Picking Up Garbage in Solidarity with Boston Strikers

'We will...SHUT DOWN GARBAGE COLLECTION in state after state,' Teamster President Sean O'Brien warns as sanitation workers in Los Angeles, Orange County, San Diego and the Bay Area stop collections to support their Boston brethren's strike that began July 1

MICHELE MCPHEE • JUL 14, 2025



*Sanitation workers across California have begun a work stoppage in solidarity with their Teamster brethren in Boston where a trash strike began on July 1 after stalled contract negotiations with Republic Services over wages and benefits*

*Courtesy International Brotherhood of Teamsters*

Trash is beginning to pile up in Los Angeles, Orange County and elsewhere across California as sanitation workers walk off the job in solidarity with their Teamster compatriots in Boston, who began striking when negotiations with national collection company [Republic Services](#) stalled.

International Brotherhood of Teamsters General President Sean O'Brien declared war on the company last week, saying that the union is "aggressively expanding a nationwide strike for fair contracts at Republic Services, one of the nation's largest and wealthiest waste management companies." The company employs roughly 8,000 union trash truck drivers across the country.

"Republic Services has been threatening a war with American workers for years — and now, they've got one," [O'Brien said](#). "Republic abuses and underpays workers across the country. They burn massive profits and funnel money to undeserving, corrupt executives. The Teamsters have had it with Republic. We will flood the streets and shut down garbage collection in state after state. Workers are uniting nationwide, and we will get the wages and benefits we've earned, come hell or high water."

Trash began piling up in Orange County last week after Republic Services sanitation workers honored picket lines in solidarity with the striking workers in Boston. "I'm concerned that if this goes on much longer, we will have a public health issue," said [John Gioia, the Contra Costa County Supervisor told ABC7](#). "Our health officer has said it is not yet, but it could become one if this continues much longer."

The strike has now spread to Los Angeles, where [Republic Services enjoys a public/private partnership](#) with the city and parts of the northern San Fernando Valley.

In Boston - where trash has been piling up since July 1 - local politicians are very concerned about the

health and safety of residents and wrote to the company's President Jon Vander Ark, [whose compensation last year was \\$13 million.](#)

Local leaders in Boston are imploring Vander Ark to come back to the negotiating table. Massachusetts Secretary of State Bill Galvin wrote a letter to Vander Ark urging him to “continue active participation” in the negotiations, while the Boston City Council followed suit, arguing that higher wages - which is what the Teamster trash collectors are seeking - should be implemented by the wealthy company.

“To the millions of Americans seeing their trash pile up because of Republic’s strike, remember one thing: this corporation has hauled in \$77 billion. Republic can easily afford a fair and competitive contract that meets the needs of everyday hardworking Americans,” said Victor Mineros, Director of the Teamsters Solid Waste and Recycling Division. “This corporation has instead chosen to screw over working people and their families, and it will suffer the consequences.”



## Carton recycling access updated on CalRecycle report

Published: July 29, 2025

Updated: August 1, 2025

by [Antoinette Smith](#)



*The state's recycling and waste management agency revised its final findings for SB 343 to reflect data submitted by the Carton Council. | SunnyToys/Shutterstock*

California's recycling and waste management office has updated its report on accurate recycling labels to show an increase in counties served by food and beverage carton recycling and sortation programs, reflecting data provided by the Carton Council of North America.

The material characterization study from the California Department of Resources Recycling and Recovery (CalRecycle) [now shows](#) that 72% of households have access to aseptic carton recycling, and 74% have access to gable-top carton recycling, according to a [press release](#) from the Carton Council. The [preliminary report](#) from December 2023 had listed access to recycling for gable-tops at 55% and aseptic containers at 53%, eliciting [concern](#) from carton stakeholders.

In addition, the report now shows that 68% of California counties are served by MRFs that accept and sort cartons. The Carton Council data showed an additional seven counties in California had started sorting food and beverage cartons since the publication of the final findings in April 2025, bringing the state total to 23.

California [adopted SB 343](#) in 2021. Also known as the "Truth in Recycling" law, SB 343 prohibits labeling products as recyclable unless certain recycling thresholds are met, and findings from the study are used to inform the covered materials list for [SB 54](#), which established the state's extended producer responsibility (EPR) program for packaging.

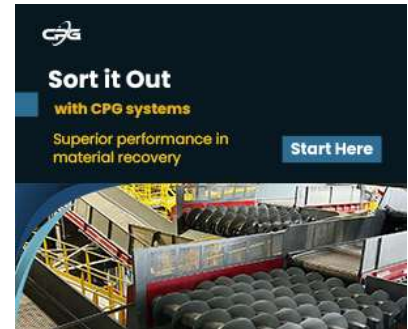
"We greatly appreciate the thorough collaboration and support from CalRecycle throughout this data submission and review process," said Jordan Fengel, executive director of the Carton Council, in the release. "Their review of new information and verification of real-world recycling system performance has ensured the status of food and beverage cartons is accurately reported. We hope the validation of being widely recyclable in California will drive more residents to recycle their food and beverage cartons."

The Carton Council, which consists of carton manufacturers Elopak, Novolex/Pactiv Evergreen, SIG and Tetra Pak, emphasized continued partnership as California implements SB 54 to develop EPR for packaging.

"We look forward to continued engagement with CalRecycle during the upcoming SB 54 rulemaking process," Fengel said in the release. "Together, we can establish a well-performing, equitable and transparent EPR program that supports California's ambitious recycling and circular economy goals."

Post-consumer fiber-based food and beverage cartons can be used to make paper towels, tissue and other types of [paper packaging](#), as well as building materials, such as [cellulose insulation](#).

Search here..



### The latest recycling industry news

#### Top stories from July 2025

The latest draft of an extended producer responsibility for packaging program in Colorado drew reader attention last month, as did stories covering recycled material trade disruptions, producer responsibility for textiles, the latest bale pricing and a roundup of container deposit legislative activity.

#### Major glass end user shuts down Oregon bottling plant

A Portland, Oregon glass bottling operation that uses high levels of recycled glass cullet will shut down as part of owner O-I's wider move to reduce costs and consolidate capacity. It comes after a few years of starts and stops at the plant due to regulations and demand.

#### Haulers feel effects of lower recycled commodity prices

Soft recycled commodity prices cut into quarterly revenues for major waste haulers, and informed lower expectations for full-year average commodity values, amid the counter forces of mostly weak demand and increasing processing capacity.

#### Lawsuit takes aim at packaging EPR in Oregon

In a lawsuit against Oregon's Department of Environmental Quality, the National Association of Wholesaler-Distributors trade association claims the state's new packaging EPR law is overreaching, ineffective and unconstitutional.

#### Lawmakers discuss federal role in plastic recycling



## More stories about California

- [California prepares for textile EPR with public workshop](#)
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- ☐ Other

Two new policy proposals seeking to improve components of the U.S. recycling system came up during a Congressional hearing last week, and industry stakeholders offered their thoughts on how the federal government can best support the recycling sector.

### Women in Circularity: Charlotte Boesch

In this series, we spotlight women moving us toward a circular economy. Today, we meet Charlotte Boesch, Senior Program Manager of the Billion Oyster Project.

### In Our Opinion: Policy leaders should embrace the Zero Waste Hierarchy

Two leaders in the Zero Waste movement outline the importance of recent updates to the Zero Waste Hierarchy, which include refined definitions, a new guiding principle and stronger language around exports.

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ENERGY

## California could slash 56 million tons of CO<sub>2</sub> emissions by using retired EV batteries

Looming surplus of retired EV batteries require robust recycling infrastructure

Updated: Jul 30, 2025 01:56 PM EST



Kaif Shaikh

8 days ago

0



The volume of spent EV batteries flowing out of California could outstrip the state's stationary-storage requirements. (Representational image)

Getty

**C**alifornia could slash an extra eight million tons of carbon dioxide by giving electric-vehicle (EV) batteries a second career as grid-connected storage before sending them to the shredder, according to a trans-Atlantic research team.

The collaborative analysis, conducted by the University of Münster and the Fraunhofer Research Institution for Battery Cell Production FFB in Germany, together with Lawrence Berkeley National Laboratory, compared three end-of-life strategies for EV batteries against California's projected needs through 2050.



It concludes that regions with large shares of renewable power should prioritize reuse in stationary energy storage systems, then recycle the remaining packs, rather than recycling everything as soon as it leaves the road.

## Reuse delivers the bigger climate dividend

[Modeling shows](#) that if every battery retired from California's light-duty EV fleet were routed straight to recyclers, recovered metals would still cover about 61 percent of the state's cumulative EV-battery demand by 2050 and avert roughly 48 million tons of CO<sub>2</sub>.

Shifting course to a "second-use first" approach widens that environmental margin. Under this scenario, batteries are first repurposed to help balance solar- and wind-rich grids, with only the surplus dismantled for materials. The study finds that deploying end-of-life packs in [stationary storage](#) would raise the total avoided emissions to 56 million tons.

The advantage stems from substituting functioning, though aged, batteries for newly manufactured lithium-ion units that would otherwise be built from scratch. Manufacturing batteries from primary (mined) raw materials is far more carbon-intensive than refurbishing existing packs or reclaiming metals, so [extending battery life](#) defers that manufacturing burden and the associated emissions.

## Oversupply looms, making early recycling infrastructure critical

While reuse wins on climate grounds, the researchers warn that by mid-century, the volume of spent [EV batteries](#) flowing out of California will outstrip the state's stationary-storage requirements. Even if utilities relied solely on retired lithium iron phosphate (LFP) batteries, considered well-suited to stationary duty because of their safety and cycle life, the supply of second-life packs would exceed demand.

That impending surplus is why the authors urge policymakers to build large-scale recycling capacity. Establishing collection networks, automated disassembly lines, and efficient hydrometallurgical or direct-refining processes takes time; postponing investment until reuse peaks could create logistical bottlenecks and delay the recovery of valuable lithium, nickel, and cobalt needed for next-generation EVs.

## Three scenarios illuminate trade-offs

To quantify the choices, [the team](#) constructed a high-resolution stock-flow model using data on battery chemistries, sales forecasts, life spans, recycling yields, and California's clean-energy build-out.









