

The Strongest Plastics Legislation in the U.S.

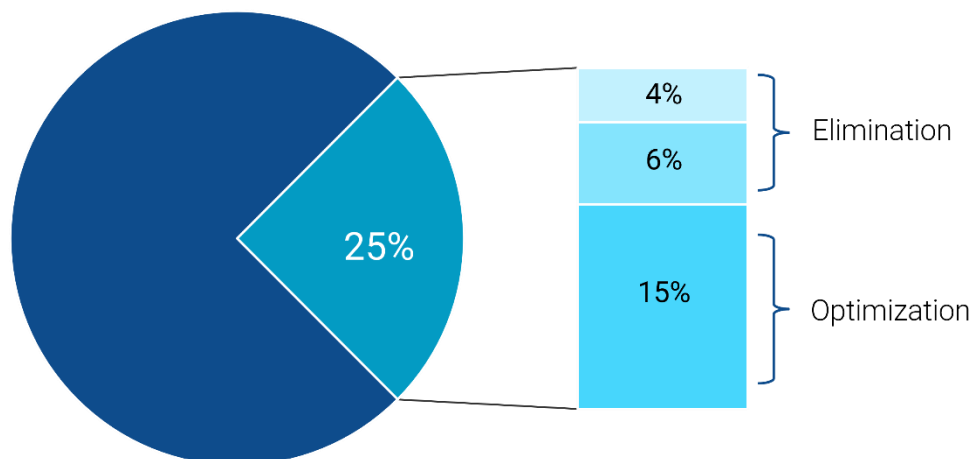
Passed on June 30, 2022, Senate Bill (SB) 54, also known as the Plastic Pollution Prevention and Packaging Producer Responsibility Act, is the first law to tackle the plastic pollution crisis at the source by requiring less single-use plastics in the first place. This law established a new model of comprehensive plastics legislation that reduces single-use plastics, invests in our growing reuse and refill economy, and holds producers financially accountable for their packaging through extended producer responsibility. As the largest state economy, the impacts of this legislation are expected to ripple throughout the country. However, California cannot solve this problem alone. To address our growing plastic pollution crisis, the federal government must be part of the solution.

Source Reduction and Reuse and Refill Mandates

SB 54 requires less single-use plastics in the first place. Reducing single-use plastics in the state will reduce pollution, as these items are the most commonly polluted plastics year after year, and will improve the recycling system by removing common contaminants. Part of the reduction must be accomplished through a transition to reuse and refill systems, which will help California transition away from single use more broadly.

Specifically, the source reduction requirement in the law:

- Requires producers to reduce single-use plastic packaging and foodware by at least 25%, by both weight and item count, by 2032.
 - This reduction applies to all single-use plastic packaging and foodware sold, offered for sale, distributed, or imported in the state.
- Requires at least 10% of the source reduction must be achieved by eliminating single-use plastics without replacing it with another material, with 4% eliminated by transitioning to reuse and refill systems.
 - The remaining 15% reduction can be accomplished through optimization of packaging including right-sizing, shifting to bulk packaging, or switching to non-plastic materials.
 - As a means of alternative compliance, up to 8% of the reduction can be accomplished by using third-party certified post-consumer recycled content free from intentionally added PFAS.



Visualization of source reduction mandate in SB 54: all single-use plastic packaging and foodware sold into the state must be reduced by 25% by weight and number, with 10% of that reduction coming from elimination (including 4% that must be accomplished through the transition to reuse and refill systems) and the remaining 15% may be accomplished through optimization of packaging design.

- Establishes calendar year 2023 as the baseline for reduction to be measured against.
 - CalRecycle, the state agency responsible for implementing the law, will set the baseline.
- Enables reduction and refill mandates to be accomplished in aggregate by plastic producers as part of the producer responsibility plan. The PRO plan and budget must include sufficient support and funding to accomplish the source reduction mandates.
- Ensures producers are on-track to hit the reduction target by 2032 by establishing interim targets:
 - 10% reduction by 2027 (2% accomplished through reuse and refill)
 - 20% reduction by 2030 (4% accomplished through reuse and refill)
- Provides CalRecycle with the authority to increase source reduction mandates after 2032 if there is growth in single-use plastic packaging and foodware.
- While outside the specific source reduction mandate, SB 54 also established a de facto ban on expanded polystyrene (EPS) foodware by January 1, 2025, unless producers demonstrate a high recycling rate (25%, as measured by CalRecycle).

Quantifying the Impact of Source Reduction

We quantified the impact of SB 54's source reduction requirement over the next 10 years by modeling two scenarios for California's future – one based on a business-as-usual scenario (BAU) in which plastics continue to increase and one based on the source reduction (SR) as laid out in SB 54. Based on this modeling, Ocean Conservancy estimates:

- The 25% source reduction requirement in SB 54 will prevent approximately **23 million tons of single-use plastics over the next decade.**
- The reduction in plastics through SB 54 is estimated to lead to **115 million tons less CO₂-equivalent greenhouse gas emissions over the next decade, equivalent to shutting down 28 coal-fired power plants.**

This modeling was specific to California and is likely an underestimation based on the far-reaching impact of this law outside the state of California.



Contact:

Dr. Anja Brandon
Associate Director, U.S. Plastics Policy
abrandon@oceanconservancy.org

@OurOcean
OCEANCONSERVANCY.ORG

