

Introduced by Senator Pan

February 27, 2015

An act to *add Section 14549.3 to, and to repeal and add Section 14575.1 of the Public Resources Code, relating to beverage containers.*

LEGISLATIVE COUNSEL'S DIGEST

SB 732, as amended, Pan. Beverage container ~~recycling; processing fees; PET beverage containers; recycling.~~

Existing law, the California Beverage Container Recycling and Litter Reduction Act, requires that every beverage container sold or offered for sale in this state have a minimum refund value. *Existing law imposes specified reporting requirements on certain parties, including manufacturers and processors in connection with the act.* ~~Existing~~

This bill would, on and after January 1, 2017, require every manufacturer of a beverage sold in a plastic beverage container to demonstrate to the Department of Resources Recycling and Recovery that each type of plastic beverage container sold in this state contains, on average, not less than 10 percent postfilled material.

Existing law requires the department to calculate a processing fee and a processing payment for any type of empty beverage container with a refund value less than the cost of recycling in accordance with a specified formula. The department is prohibited from imposing a processing fee on certain plastic beverage containers labeled with a "1" called PET beverage containers, if a willing purchaser offers to purchase empty PET containers at a voluntary artificial scrap value that is equal to the processing fee, as specified.

This bill would delete the provisions prohibiting the department from imposing a processing fee on PET beverage containers for which there is such a willing purchaser.

Existing law requires the department to reduce the processing fee paid by beverage manufacturers based on the recycling rate of the container, subject to specified requirements and the availability of funds.

This bill would prohibit the department from reducing the processing fee requirements for any beverage manufacturer for any beverage container sold in the state unless the beverage manufacturer demonstrates to the department that the beverage container is manufactured at a facility that meets or exceeds a certain percentage of recycled content, regardless of whether the container is manufactured in the state.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 14549.3 is added to the Public Resources*
2 *Code, to read:*

3 *14549.3. On and after January 1, 2017, every manufacturer*
4 *of a beverage sold in a plastic beverage container shall*
5 *demonstrate to the department that each type of plastic beverage*
6 *container sold in this state contains, on average, not less than 10*
7 *percent postfilled material.*

8 ~~SECTION 1.~~

9 ~~SEC. 2.~~ Section 14575.1 of the Public Resources Code is
10 repealed.

11 ~~SEC. 2.~~

12 ~~SEC. 3.~~ Section 14575.1 is added to the Public Resources Code,
13 to read:

14 14575.1. Notwithstanding subdivision (e) of Section 14575,
15 the department shall not reduce the processing fee requirements
16 for any beverage manufacturer for any beverage container sold in
17 this state unless the beverage manufacturer demonstrates to the
18 department that the beverage container is manufactured at a facility
19 that meets or exceeds the percentage of recycled content specified

- 1 pursuant to Section 14549, regardless of whether the container is
- 2 manufactured in this state.

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