



DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY

801 K STREET, MS 19-01, SACRAMENTO, CALIFORNIA 95814 • (916) 322-4027 • WWW.CALRECYCLE.CA.GOV

DATE: October 31, 2011

TO: ALL INTERESTED PARTIES

FROM: CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY - WASTE EVALUATION AND ENFORCEMENT BRANCH

SUBJECT: NOTICE OF CHANGES TO PROPOSED REVISED RIGID PLASTIC PACKAGING CONTAINER REGULATIONS (15-DAY COMMENT PERIOD)

An initial 45-day public comment period for these proposed regulations ran from February 11 through March 28, 2011. CalRecycle staff held a public hearing on the proposed regulations on April 8, 2011, and public workshops on April 8, May 17, June 8 and June 22, 2011. After considering comments received during the first 45-day public comment period and subsequent public hearing and workshops, staff modified the proposed regulations.

A second 45-day public comment period for these proposed regulations ran from July 29 through September 15, 2011, and a public workshop was held October 5, 2011. After considering comments received during the second 45-day public comment period and subsequent workshop, staff has further modified the proposed regulations.

Based on the additional revisions made to the proposed regulations, staff is initiating a 15-day public comment period for the changes. The 15-day public comment period begins on October 31, 2011, and ends November 15, 2011. **The Department must receive written comments on the proposed changes no later than 5:00 p.m. on November 15, 2011.** Note that **only** written comments will be accepted.

A copy of the full text of the regulations with the latest proposed changes clearly indicated is available on the RPPC Rulemaking page of CalRecycle's website at www.calrecycle.ca.gov/Laws/Rulemaking/RPPC. Paper copies may also be obtained by contacting the program staff at the address, phone number or e-mail listed below.

These proposed revisions to the Rigid Plastic Packaging Container (RPPC) program regulations will add clarity, consistency and completeness to the existing language by:

- Making consistent the capitalization, punctuation, indentation, terminology and referencing (e.g., of "Public Resources Code Section [#]",) *[throughout the regulations]*
- Clarifying that a "container line" need not be product specific *[Section 17943(c)]*
- For completeness, specifying that in the general information included with certifications, product manufacturers list any products approved for a waiver and any containers qualified for an exemption *[Section 17945.3(b)(2)]*



- Clarifying the documentation required for manufacturers claiming compliance via the source reduction option, and particularly by product concentration [*Sections 17945.3(d)(2) – (4)*]
- For clarity, reorganizing the list of information required from product manufacturers claiming compliance under the Alternative Compliance Method [*17945.3(e)*]
- Clarifying how product manufacturers are to report which containers they claim as exempt [*Section 17946.5*]

Please submit your written comments to:

Georgianna Pfost
Compliance and Enforcement Division
Department of Resources Recycling and Recovery
P.O. Box 4025, M.S. 10A-17
Sacramento, CA 95812-4025
e-mail: RPPC@CALRECYCLE.CA.GOV
Fax: (916) 319-7779
Phone: (916) 341-6717

General inquiries concerning the proposed rulemaking should be directed to the program via the above e-mail address or phone number.