

# SENATE BILL SB-80

Introduced by Senator Catherine Blakespear (D-38)

## An act relating to Microplastic and Pre-Production Plastic Pellet Pollution Prevention Act.

### LEGISLATIVE COUNSEL'S DIGEST

**SB-80, Catherine Blakespear (D-38). Microplastic and Pre-Production Plastic Pellet Pollution Prevention Act.**

The Porter-Cologne Water Quality Control Act establishes the State Water Resources Control Board and 9 Regional Water Quality Control Boards to regulate water quality and enforce waste discharge requirements. Existing law regulates stormwater runoff under National Pollutant Discharge Elimination System permits.

Pre-production plastic pellets commonly known as "nurdles", or the raw material used to manufacture plastic products, are frequently spilled during transport, loading, and industrial handling at manufacturing facilities. Because of their tiny size, uncontained nurdles wash into storm drains, rivers, and coastal ocean waters across California's coastline, absorbing toxic pollutants and devastating marine life. Existing stormwater permits lack explicit, standardized containment rules for pre-production plastic handling, leaving regional water boards without a targeted, low-cost enforcement tool.

**Vote:** Majority. **Appropriations/fiscal:** yes. **Local program:** no.

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### THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

#### SECTION 1. LEGISLATIVE FINDINGS AND DECLARATIONS

The Legislature finds and declares all of the following: (a) Pre-production plastic pellets, powders, and flakes are a primary land-based source of microplastic pollution along California's 1,100-mile coastline, threatening coastal marine ecosystems, fisheries, and public beach recreation

(b) Millions of plastic pellets escape industrial loading facilities annually due to inadequate containment infrastructure, flowing unimpeded through municipal storm drains into coastal waters.

(c) Standardizing physical containment rules within existing state stormwater permit programs provides immediate environmental protection while minimizing state administrative expenditures through automated cost-recovery fees.

SEC. 2. Section 13385.5 is added to the Water Code, to read:

13385.5. (a) For purposes of this section, "pre-production plastic" means plastic pellets, resin, granules, powders, or flakes used in the manufacture of plastic products.

*(b) On or before January 1, 2027, any industrial or commercial facility operating in the state that receives, handles, or ships more than 5,000 pounds of pre-production plastic annually shall implement*

*best management practices to prevent the off-site discharge of plastic materials into stormwater systems or state waters, including, but not limited to:*

*(1) Installing fine-mesh filter screens (mesh size no larger than 1 millimeter) on all storm drain inlets located within material handling and outdoor storage areas.*

*(2) Utilizing sealed containment equipment and catchment pans during bulk loading and unloading operations.*

*(3) Maintaining portable vacuum equipment for immediate spill recovery.*

*(c) Compliance with this section shall be verified by the appropriate regional board during routine inspections conducted pursuant to existing industrial stormwater general permits.*

*(d) (1) The state board may establish a reasonable annual fee, not to exceed three hundred fifty dollars (\$350) per covered facility, to cover the actual, necessary costs of administering this section. Fee revenues shall be deposited into the Waste Discharge Permit Fund.*

*(2) Civil penalties recovered pursuant to violations of this section shall be deposited into the State Water Pollution Cleanup and Abatement Account.*