



**CALIFORNIA CHAPTERS**

FOUNDING

SIERRA

GOLD RUSH

**LEGISLATIVE TASK FORCE**

[www.swanacal-leg.org](http://www.swanacal-leg.org)

**LEGISLATIVE ADVOCATES**

PAUL J. YODER

JASON SCHMELZER

*Shaw / Yoder / Antwih, Inc.*

1415 L Street, Suite 1000

Sacramento, CA 95814

(916) 446-4656

FAX (916) 446-4318

[paul@shawyoderantwih.com](mailto:paul@shawyoderantwih.com)

[jason@shawyoderantwih.com](mailto:jason@shawyoderantwih.com)

**CHAIR**

MARK A. BOWERS

*City of Sunnyvale*

PO Box 3707

Sunnyvale, CA 94088

(408) 730-7421

[mbowers@sunnyvale.ca.gov](mailto:mbowers@sunnyvale.ca.gov)

**VICE CHAIR**

GLENN ACOSTA, P.E.

*Sanitation Districts of Los Angeles County*

1955 Workman Mill Road

Whittier, CA 90601

(562) 908-4288

[gacosta@lacsdsd.org](mailto:gacosta@lacsdsd.org)

**TREASURER**

ERIC ZETZ

*City of Clovis*

155 N. Sunnyside Avenue

Clovis, CA 93611

(559) 324-2612

[ericz@ci.clovis.ca.us](mailto:ericz@ci.clovis.ca.us)

**SECRETARY**

MARK J. URQUHART, P.E.

*Solid Waste Consulting*

2741 Fairover Drive

Placerville, CA 95667

(530) 626-4771

[MarkJ.Urquhart.PE@gmail.com](mailto:MarkJ.Urquhart.PE@gmail.com)

September 19, 2016

Mr. Scott Smithline

Director, California Department of Resources Recycling & Recovery (CalRecycle)

801 K Street

Sacramento, CA 95814

**RE: Carpet America Recovery Effort 2015 Annual Report – SUPPORT for CalRecycle Staff Recommendation**

Dear Director Smithline,

The Solid Waste Association of North America (SWANA) is the world's largest association of solid waste professionals (over 8,000 members). SWANA's California chapters represent more than 900 members. SWANA is committed to advancing the practice of environmentally- and economically-sound management of municipal solid waste. SWANA's California Legislative Task Force (LTF) is responsible for representing the California Chapters on legislative and regulatory issues.

SWANA supports the extended producer responsibility (EPR) framework, which engages manufacturers and others to share responsibility in end-of-life product management. AB 2398 (Chapter 681, Statutes of 2010) required the Carpet America Recovery Effort (CARE) to establish a California Carpet Stewardship Program. CalRecycle is charged with evaluating the Program to determine whether CARE is adequately fulfilling the legal requirements.

As you know, both the 2013 and 2014 Annual Reports demonstrated that CARE was out of compliance because the Program did not make continuous meaningful improvements as mandated by law; in fact, carpet recycling rates have actually decreased since 2014. The 2015 Annual Report, submitted in June of this year, acknowledged that CARE made several changes to the Program based on the results of the 2014 Annual Report, but also showed that CARE is not meeting critical performance objectives outlined in its approved plan and in statute. Most concerning, recycled output still has not shown continuous meaningful improvement.

After CARE was found non-compliant last year, CalRecycle gave them more time to demonstrate improvement, but CARE has failed to do so. Based on CARE's continued noncompliance, CalRecycle staff has recommended that the Waste Evaluation and Enforcement Branch further investigate these findings, and proceed with enforcement actions accordingly, including but not limited to "imposition of civil penalties, a compliance schedule, or other options to achieve compliance." As the Program has been ineffective to date and CARE has not taken the necessary steps to achieve compliance, the SWANA LTF **SUPPORTS** CalRecycle staff's recommendation. Thank you for your consideration.

Sincerely,

Jason Schmelzer

SWANA Legislative Advocate