



April 13, 2017

The Honorable Lorena Gonzalez Fletcher
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

RE: AB 1158 (Chu) Carpet recycling – SUPPORT

Dear Chair Gonzalez Fletcher,

On behalf of the California Chapters of the Solid Waste Association of North America's (SWANA) Legislative Task Force (LTF), I am pleased to write to you in **SUPPORT** of **AB 1158 (Chu)**, which will take needed measures to improve California's carpet stewardship program to ensure it provides maximum benefits to California fee payers.

SWANA is the world's largest association of solid waste professionals (7,700 members). SWANA's California chapters represent more than 900 members. SWANA represents much of the publicly-owned and –operated solid waste management infrastructure in the state and the local governments responsible for implementing waste diversion and recycling programs. The LTF is responsible for representing the California Chapters on legislative and regulatory issues. SWANA is committed to advancing the practice of environmentally- and economically-sound management of municipal solid waste.

The SWANA LTF is generally supportive of Extended Producer Responsibility programs, as they help reduce burdens on and costs to local governments due to products in the waste stream that are expensive and difficult to manage. California's Carpet Stewardship Law (AB 2398, Chapter 681, Statutes of 2010) requires carpet manufacturers that sell carpet in California to implement a stewardship program to demonstrate "continuous and meaningful improvement" of the recycling rate of carpet in the state. The bill required the industry's stewardship organization, the Carpet America Recovery Effort (CARE), be the sole stewardship program for the first two years. The bill requires a carpet mill to be a member of a competing stewardship program and no competing program to CARE has been established since it was allowed two years into the program.

In December of 2016, CalRecycle disapproved CARE's Proposed Plan for 2017-2021, deeming the stewardship organization out of compliance, "when CalRecycle already found the Program lacked continuous meaningful improvement three years in a row." After CARE submitted a Revised Plan in February of this year, CalRecycle released another staff report, again recommending that the Revised Plan be disapproved.

According to CalRecycle's December 2016 staff report, CARE's Plan failed to do many things, but most importantly:

- Propose Program improvements that will go beyond the insufficient status quo;
- Boost key market development strategies, including increasing the use of post-consumer content materials in manufacturing new carpet;
- And, meaningfully consider stakeholder input.

The industry's years of lack of compliance highlights the need for cleanup and improvements to the original statute, as outlined in CalRecycle's staff report. **AB 1158 (Chu)** will establish a multi-stakeholder advisory committee under CalRecycle and require the stewardship organization to communicate with and respond to the committee's recommendations, in writing. In its current form, this bill will help promote transparency, hold industry accountable and ensure consideration of input from a diverse range of stakeholders. Related costs will be minor and absorbable.

LEGISLATIVE ADVOCATES

Jason Schmelzer and Melissa Immel

Shaw / Yoder / Antwih, Inc. • 1415 L Street, Suite 1000, Sacramento, CA 95814 • (916) 446-4656 • Fax (916) 446-4318

For these reasons and more, the SWANA LTF is pleased to **SUPPORT AB 1158 (Chu)**. Thank you for your consideration of this critical measure.

Sincerely,

A handwritten signature in black ink that reads "Jason Schmelzer". The signature is written in a cursive, flowing style.

Jason Schmelzer
Partner
Shaw / Yoder / Antwih, Inc.

Cc: Members and Consultants, Assembly Appropriations Committee
The Honorable Kansen Chu, 25th Assembly District

LEGISLATIVE ADVOCATES

Jason Schmelzer and Melissa Immel

Shaw / Yoder / Antwih, Inc. • 1415 L Street, Suite 1000, Sacramento, CA 95814 • (916) 446-4656 • Fax (916) 446-4318