



June 22, 2017

The Honorable Bob Wieckowski
Chair, Senate Environmental Quality Committee
State Capitol, Room 2205
Sacramento, CA 95814

RE: AB 1158 (Chu) Carpet recycling – SUPPORT

Dear Chair Wieckowski,

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 meaningful improvement" of the recycling rate of carpet in the state.

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. Then, CalRecycle filed an administrative action against CARE for lack of compliance from 2013-2016.

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. Additional key components of AB 1158, as amended June 20, 2017 include:

- 1) Ensuring the management of postconsumer carpet is consistent with the state's solid waste management hierarchy of source reduction first, then recycling, and prohibiting the provision of subsidies or spending of consumer assessment money for activities related to the incineration or land disposal of postconsumer carpet.

LEGISLATIVE ADVOCATES

Jason Schmelzer and Melissa Immel

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- 2) Providing reasonable program convenience by requiring at least one take-back location in each county.
- 3) Requiring the stewardship organization to achieve a 24% recycling rate goal by January 1, 2020, and providing the regulatory department authority to set recycling rate goals on and after January 1, 2021.
- 4) Prohibiting the carpet stewardship organization from spending consumer assessment funds on penalties imposed or costs associated with litigation against the State of California.

This bill will help promote transparency, hold industry accountable and ensure consideration of input from a diverse range of stakeholders. Improving the state's carpet stewardship program will help reduce burdens on and costs to local governments and help the state achieve its ambitious recycling goals. 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,



Jason Schmelzer
Partner
Shaw / Yoder / Antwih, Inc.

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