



SWANA[®]
 SOLID WASTE ASSOCIATION
 of North America

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

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) 446-4316

paul@shawyoderantwih.com

jason@shawyoderantwih.com

CHAIR

LISA WOOD

CITY OF SAN DIEGO

9601 Ridgehaven Court #210

San Diego, CA 92123

lwood@sandiego.gov

VICE CHAIR

NANCY L. EWERT, PE.

KERN COUNTY

2700 M Street, Suite 500

Bakersfield, CA 93301

nancye@co.kern.ca.us

TREASURER

MARK BOWERS

CITY OF SUNNYVALE

456 W. Olive Ave

PO Box 3707

Sunnyvale, CA 94088

mbowers@ci.sunnyvale.ca.us

SECRETARY

MARK URQUHART, PE.

Senior Project Manager

HDR ENGINEERING, INC

2365 Iron Point Rd. #300

Folsom, CA 95630

(916) 817-4933

Mark.Urquhart@hdrinc.com

June 19, 2013

The Honorable Loni Hancock
 California State Senate
 State Capitol, Room 2082
 Sacramento, CA 95814

The Honorable Lou Correa
 California State Senate
 State Capitol, Room 5052
 Sacramento, CA 95814

RE: SB 254 (Hancock and Correa) – Used Mattresses: Recycling and Recovery
OPPOSE UNLESS AMENDED / SUPPORT IF AMENDED

Dear Senators Hancock and Correa:

The Solid Waste Association of North America (SWANA) is the world's largest association of solid waste professionals (7700 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.

While SWANA is unquestionably supportive of the overall effort to establish a product stewardship framework for mattresses in California, SWANA must respectfully **OPPOSE SB 254** (Hancock and Correa) **UNLESS IT IS AMENDED** to require the incorporation of recovery and recycling costs into the product cost, to specify that solid waste and recycling facilities may "opt in" to participate in the program and ensure that the costs incurred by participating facilities are fully compensated, to require that the stewardship organization established under the framework includes representation from local government and the solid waste industry, and to adequately address concerns over potential bedbug contamination.

Cost of Recovery and Recycling

SWANA respectfully requests that SB 254 be amended to eliminate fees on consumers to finance the mattress stewardship. Instead, we urge adoption of our suggested amendments, which would require producers to internalize the cost of recovery and recycling and include that cost in the cost of the product. This approach eliminates upfront fees on consumers and ensures a more proactive and efficient approach to product stewardship because the manufacturer is more likely to consider the total lifecycle costs of a product and make changes during the design stage.

Stewardship Organization Governance

SWANA strongly recommends expanding the internal governance structure of the mattress stewardship organization to include representation by local governments and the solid waste industry. Expanding the governance structure will ensure that all impacted stakeholders have a seat at the table, and will ultimately lead to a stewardship plan that more adequately addresses all of the environmental, social, and economic impacts.

Solid Waste and Recycling Facility Participation

SB 254 appears to require that all solid waste facilities accept used mattresses for recycling, and the bill specifies that certain costs be reimbursed. However, some solid waste facilities do not have sufficient space to store mattresses, which are bulky items, and are not set up for mattress handling. We propose, as a solution, that solid waste facilities and recycling facilities be called “participating” facilities if they choose to opt-in to the program. Also, since it will take some time for the mattress recycling industry to ramp up to be able to recycle 100% of used mattresses, and it is unclear if all contaminated mattresses will be suitable for recycling, in the interim period and for those mattresses that cannot be recycled, disposal may be necessary. As such, in addition to the types of costs specified in the bill, the cost of disposal and other costs that may be incurred must be reimbursed to participating facilities.

Preventing Bedbug Infestations

SB 254, as currently drafted, does not address likely problems that could be caused by bedbugs. Proper handling and sanitization procedures are necessary to ensure that bedbugs do not spread to new mattresses, homes, or effect public health and safety. The unfortunate result of leaving this problem unaddressed could be the collapse of the mattress recycling market. SWANA amendments address this problem head on by prescribing minimal best practices for handling contaminated mattresses.

Unfortunately, SWANA must **OPPOSE** SB 254 (Hancock and Correa) **UNLESS AMENDED** to address the issues expressed in this letter. However, SWANA would be pleased to **SUPPORT** SB 254 **IF AMENDED** as outlined above.

Sincerely,



Jason Schmelzer
SWANA Legislative Advocate