

California's Carpet Product Stewardship Law

November 30, 2011

By Kathy Frevert, CalRecycle
Kathy.Frevert@calrecycle.ca.gov, 916-341-6476

Why Carpet?



Carpet: 3.2 percent of waste by volume in CA (2008) - top 10 item

Discarded carpet is a valuable resource!

Carpet Recycling (AB 2398)

- One of first product stewardship laws
- CARE is the stewardship organization
- Subsidizes recycling - Initial 5¢/sq yd assessment started July 2011
 - Expect \$5 million will be collected annually
- Assessment visible on all receipts
- Program goals in stewardship plan

Stewardship Organizations/Mfrs

- Develop plans, fund and implement programs
- Financial approach
 - CARE (carpet): provide subsidy to recycling processors through assessment at point of sale

CalRecycle: Ensure Fairness

Oversight

- Review and approve stewardship plans
- List compliant manufacturers at website
- Review annual reports and check progress
- Ability to assess civil penalties to anyone in violation of any provision



CalRecycle: Ensure Fairness

Enforcement , may occur if:

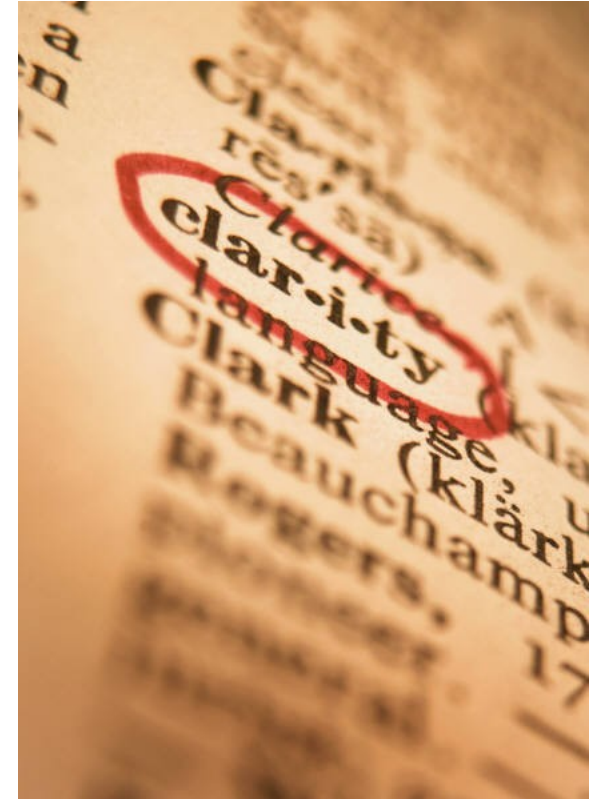
- Mfr/Stewardship Org doesn't submit a complete plan
- Mfr/Stewardship Org doesn't submit a complete annual report
- Retailers sell product not covered under an approved plan

Administrative Civil Penalties

- Up to \$1,000/day; up to \$10,000/day if the violation is intentional, knowing, negligent

Adopted Regulation

- I. Definitions
- II. Submittal Instructions
- III. Stewardship Plan Approval Criteria
- IV. Annual Report Compliance Criteria
- V. Enforcement
- VI. Record Keeping Requirements
- VII. Proprietary Confidential Info
- VIII. Service Payments to CalRecycle



Adopted by CalRecycle Nov 2011, in final processing

Key Implementation Dates

Develop Regulation	July 2011 – Jan 2012 Regulation adopted Nov 15, 2011
Collect Initial Assessments	July 1, 2011 (visible assessment on consumer receipt)
SO/Mfrs Submit Plan	Sept 2011 (revised Oct 2011)
CalRecycle Approves Plan	March 31, 2012 Under review, formal comments Dec 2011
Implement Plan	April 1, 2012 (initial funds can be distributed prior to plan approval)
Mrfs Submit annual report	July 1, 2013 annually thereafter
CalRecycle to review and adopt finding on annual report	60 days after received

Green = already occurred or is happening

Key Challenges so far...

- Timing of plans; slow rulemaking process
- Combustion of carpet residues
- Visible “assessment” at point of sale has to be explained, could be confused with advanced disposal fee
- Providing recycling services to rural areas
 - Pilot to start
- Recession and changing market factors

Carpet Law: Results so far...

- CARE sent education kits/packets to over 3,500 retailer and dealer businesses
- Collector/processing facilities in California in last 12 months grew from 4 to 18
 - Growing collection points through trailers
- Plans says 150 jobs
 - CARE annual survey of industry partners to verify
- CARE conducting rural pilot to test options

www.calrecycle.ca.gov/EPR/



Skip to: [Content](#) | [Footer](#) | [Accessibility](#)

Search

GO

☐ California ☒ CalRecycle

[Home](#) [Reduce Waste](#) [Recycle](#) [Buy Recycled](#) [Beverage Containers](#) [Enforcement](#) [Local Partners](#) [About Us](#)

[Reduce](#) | [Reuse](#) | [Producer Responsibility](#) | [Schools/Districts](#) | [Businesses](#)

- » [Product Stewardship and EPR Home](#)
- » [About EPR](#)
- » [CalRecycle Activities](#)
- » [Economic Impacts](#)
- » [EPR ListServ](#)
- » [Events](#)
- » [FAQs](#)
- » [Policy and Law](#)
- » [Resources](#)
- » [Who Are You?](#)

Product Stewardship and Extended Producer Responsibility (EPR)

What is EPR?

Extended Producer Responsibility (EPR), also known as Product Stewardship, is a strategy to place a shared responsibility for end-of-life product management on the producers, and all entities involved in the product chain, instead of the general public; while encouraging product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This allows the costs of treatment and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. It also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers respond.

On March 8, 2011, a [California Assembly hearing](#) was held to discuss EPR policy and featured testimony from a wide variety of experts including representatives from manufacturers, stewardship organizations, retailers, local government, and environmental groups. The discussion covered the economic and environmental impacts of EPR in other regions and how California could benefit from this policy. It highlighted that new jobs are created, not merely shifted from one company to another.

CalRecycle's Efforts

Over the years, CalRecycle's predecessor, the California Integrated Waste Management Board, engaged in a variety of program activities concerning [products](#) and their impact on the environment. These [efforts continue](#) as CalRecycle seeks a comprehensive approach for advancing EPR, building upon the efforts elsewhere in the world.

Most CalRecycle activities in the past have focused on better managing the impacts of product discards, rather than focusing on how to eliminate waste in the first place. EPR is a waste reduction strategy. By shifting costs and responsibility of product discards to producers and others who

Program News...

- » Visit CalRecycle's [Carpet](#) and [Paint](#) Stewardship websites for program information.
- » A [second 15-day public comment period for revised proposed regulations for carpet](#) runs from October 11 to noon, October 26, 2011.
- » A [15-day public comment period for revised proposed regulations for paint](#) runs from October 10 to noon, October 25, 2011.
- » [Carpet and paint stewardship organizations or individual manufacturers must register as part of the stewardship plan submittal process.](#)

CalRecycle Carpet Contacts

- Kathy Frevert

Kathy.Frevert@calrecycle.ca.gov

916-341-6476

- Fareed Ferhut

Faridoon.Ferhut@CalRecycle.ca.gov

(916) 341-6482

CARE Carpet Contacts

- Carpet America Recovery Effort (CARE)
730 College Drive, Dalton, Georgia 30720
- Georgina Sikorski, Executive Director
Anthony Cline, Operations Manager
- Phone: 706-428-2127
- <http://carpetrecovery.org/AB2398.php>
(California Carpet Stewardship)
- <http://carpetrecovery.org/contact.php>
(sending in questions)