SUMMARY
Existing law requires carpet manufacturers that sell carpet in California to implement a stewardship program to increase the recycling rate of carpet in the state. The current carpet stewardship program has not met goals set in statute resulting in California fee payers unable to recycle their carpet, waste management costs remaining on local governments and waste haulers, recyclable materials in landfills and incinerators, and missed opportunities to expand California’s carpet recycling processing capacity and develop new markets.

BACKGROUND
Authored by Speaker Perez, AB 2398 (Chapter 681, Statutes of 2010), required carpet manufacturers to implement a stewardship program to increase the recycling rate of carpet in California. The program is paid for by a consumer fee per unit of carpet sold in the state. At the time AB 2398 passed, carpet was one of the top 10 materials landfilled consuming 3.2% of landfill space, making it a priority to recycle to help California achieve the 75% diversion goal by 2020.

The weight and bulk of discarded carpet are difficult to manage, and thus impose a significant burden and cost to local governments. Success from a robust carpet stewardship program can greatly impact places such as Los Angeles County, which is running out of landfill space and could be pressured to incinerate more used carpet. Numerous secondary products can be manufactured from recycled carpet, including carpet itself and carpet cushion, so an effective stewardship program is both economically and environmentally beneficial for California.

PROBLEM
The Carpet America Recovery Effort (CARE) is the stewardship organization designated by the carpet industry to carry out their responsibilities under AB 2398. From 2013-2016, CARE has failed to meet the required continuous and meaningful improvement of diverting carpet from landfills as prescribed in the legislation. As the regulatory agency overseeing the stewardship program, The Resources Recycling and Recovery (CalRecycle) found CARE to be noncompliant from 2013-15.

In February 2016, CARE announced the formation of the California Council on Carpet Recycling (CCCR), an advisory council formed to consider all aspects of the carpet stewardship program and provide recommendations to enhance the performance of the stewardship program recycling rates. Progress on increasing carpet recycling under this program has remain very slow despite numerous recommendations by the CCCR to improve program performance.

On December 23, 2016, CalRecycle disapproved CARE’s California Carpet Stewardship Plan 2017-2021, on the basis that it does not sufficiently demonstrate a plan for “continuous meaningful improvement” in recycling and diverting carpet from landfills in the state, as required by statute. Along with the disapproval, CalRecycle provided some recommendations on fixes to the current program. CARE submitted a revised plan in February and it is currently being reviewed by CalRecycle.

Aside from requiring CARE to revise its plan, CalRecycle filed an administrative accusation against on March 10, 2013, citing its failure to meet legislative guidelines for three consecutive years resulting in more than $3 million penalties.

The carpet industry’s inability to meet the legislated performance standards and the goals of its own stewardship plan has and will result in burdens on local governments, crowded landfills, carpet being shipped to Georgia for recycling instead of building California’s recycling infrastructure, and incineration of useful material that could otherwise be recycled. As the program run by CARE is being paid for by California consumers, we need to ensure that it will be convenient for California fee payers to recycle carpet. It is beneficial for all for the goals of AB 2398 to be met.

SOLUTION
AB 1158 will form an advisory committee within CalRecycle. The bill will require the carpet stewardship plan to establish a process to receive, consider and provide reasons for rejecting recommendations from the advisory committee.

SPONSOR
National Stewardship Action Council

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