



CALIFORNIA MATTRESS RECYCLING ADVISORY COMMITTEE

Helping to answer the question of what to do with that old mattress!

July 18, 2018

Ms. Heather Beckner
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Subject: 2017 MRC Annual Report and 2019 Program Budget

Ms. Beckner & Ms. Castagneto,

The California Mattress Recycling Advisory Committee (Committee) thanks you for the opportunity to comment on both the 2017 Mattress Recycling Council (MRC) Annual Report (Annual Report) and 2019 Program Budget (Budget) related to the California Mattress Recycling Program (Program). While individual Committee members may have comments specific to their industry sector or specific to their organization, the comments below combine the views of this diverse body and present the unified perspective of the entire Committee.

General Comments

For the last two years of the Program's full operation, the upcoming program year budget and the preceding program year's annual report have been compiled and presented as two separate documents. Instead, the Committee recommends the annual reports and program budgets be compiled and presented as a single document. By existing separately, evaluation of program successes or pitfalls and resultant changes in the budget for future operations are not transparent or easy to follow. The Committee recommends that the MRC merge the two documents in the future and make references throughout the report portion to how the budget is adequate to fund the program goals.

In recognition of the Program's expansion, the Committee recommends that the MRC hire at least one additional staff person to focus solely on California's Program. Many of the Committee's comments are intended to refine this relatively new Program, but require a significant investment by the MRC to execute. Additionally, as the only state with a formal Advisory Committee for our mattress recycling program, the Committee recognizes that frequent communications with our Committee members and participation by the MRC in the Committee's public quarterly meetings, quarterly coordination meetings with CalRecycle, and Subcommittee meetings require a significant time investment by the MRC as well. The MRC's participation in these meetings has been very valuable and the Committee is interested in ensuring the MRC's continued participation by hiring additional staff.

Diversion and Commodity Markets Subcommittee (DCM Subcommittee) Comments

Focus on Source Reduction: Public Resources Code Section 42987.1. (a) requires the MRC to operate the Program in accordance with the waste management hierarchy and therefore prioritize source reduction. Information in the Annual Report regarding how the MRC adhered to this hierarchy is sparse and our comments are similar to those we had in 2016 and in our 2017 Annual Report to the MRC, but that were not addressed: *Did the MRC encourage producers to redesign for recyclability or recyclers to follow the hierarchy by selling their best mattresses to refurbishers? Has the MRC*



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engaged with consumers about extending the life of their mattress through appropriate care? Has the MRC worked with mattress manufacturers to encourage or incentivize design-for-recycling or to streamline designs to use fewer materials? For example, some on our Committee believe that old scrap covers on mattresses are a leading contributor to the amount of unrecyclable mattress material that enters the Program, whereas Latex can be recovered; the Committee questions if the MRC has engaged with manufacturers to learn about their design choices and educate them on the recyclability of particular products. In executing this Program appropriately, it is crucial that source-reduction be an integral part of program operations. The absence of serious source-reduction efforts as reflected in the Annual Report and by extension the Program is inexcusable and must be implemented as soon as possible.

Landfilled Program Material: Although many market factors are beyond the control of the MRC (e.g., China's "National Sword" policy reducing export markets and California's organics diversion mandates flooding wood markets at a time when biomass is becoming less economically viable), there are many ways the MRC can reduce landfilling and incineration of mattress material collected for recycling. The 2017 rates of 19.54% of all mattress material collected by weight under the Program going to landfill and 21.29% being incinerated leaves much room for improvement.

The Committee asks the MRC and CalRecycle to closely monitor the "disposition of materials" (page 34) in subsequent years to determine whether further large increases in this budget item are needed. The amount of mattress material collected for recycling through MRC programs, but nevertheless landfilled or incinerated, is a key metric to measure progress toward greater recycling through development of commodity markets.

Technical comments: 1) Table 5, page 36 needs clarification that the mattresses collected from Solid Waste Facilities (SWF) is included in the "Mattress Recycler" number; the current table indicates inflated Program success; 2) Table 6, page 36 "landfilled" number should be broken out to distinguish mattresses that MRC paid the facility to collect and landfill (due to the mattresses being dirty/contaminated/wet to recycle), and mattresses reported to CalRecycle as landfilled, but not reported to or paid for by MRC. This would provide more data about how many Program mattresses are unable to be recycled, versus the number of mattresses discarded in the entire State of California that cannot be recycled.

Support for Increased R&D Funding: The Committee appreciates the specificity of the R&D line item in the Annual Report and the clarification during the July 9, 2018 Committee meeting by the MRC that the \$54,776 specified on page 47 of the Annual Report was the full amount spent for all the market development activities described on page 39. Prior to this confirmation, we were concerned the priority of market development was severely underfunded and were glad to hear that the budget amount for this category was increased by approximately \$900,000 for the 2019 Program year, though we question if this is enough when 40% of all material collected in 2017 was not recycled or reused, but in fact landfilled or incinerated.

Clarity on Oversight Spending/Enforcement: The DCM Subcommittee appreciated the specificity in the Annual Report disclosing that CalRecycle invoiced MRC \$447,048 for oversight expenses related to the mattress recycling program (page 47). Further specificity would be appreciated as to how



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CalRecycle spent these funds. CalRecycle should provide this information to the MRC along with their invoices, and the MRC should include it in subsequent annual reports. For example, page 63 of the draft report states CalRecycle inspected "randomly selected" retailers, but it does not say how many such inspections were conducted or share the results. Since this was funded with mattress recycling fees collected by the MRC, it should be part of each annual report.

The Committee included this request in our 2017 Report to the MRC (included in the appendices of the 2017 Annual Report) and appreciated learning from the MRC during the Committee's July 9, 2018 meeting that the MRC sought to obtain enforcement information for inclusion, but did not receive data from CalRecycle for inclusion in the 2017 Annual Report. The Committee would like to see the MRC and CalRecycle work together to confirm with the Committee that Program enforcement details and greater clarity on the use of oversight funds to be included in future annual reports.

Expand Material Markets: Some tools for decreasing the amount of material sent to landfill are presented in the MRC's "Recycled Mattress Material Market Assessment," which appears to be a summary of a study sponsored by the MRC and conducted by a university. The 2017 Annual Report does not include information reflecting significant progress in implementing the suggestions listed in that report, but the DCM Subcommittee expects the subsequent annual report (2018) will address at least the following, which we agree seem to be promising opportunities for market development that will lead to increased diversion:

- Sponsorship of research at universities, such as Rutgers and North Carolina State University. The former is testing mixed blended fibers from recycled clothing in geotextile applications, and the latter worked with Carpet America Recovery Effort (CARE) to test recycled carpet fiber in nonwoven fiber applications. MRC sponsorship could establish parallel programs for elements of mattresses now commonly disposed.
- Work with companies, such as Boom Environmental Products, Bonded Logic, and Phoenix Fibers to incorporate increased amounts of post-consumer mattress material into their products. These companies manufacture products such as oil containment booms, silt curtains, and spill containment pallets from post-consumer recycled polyester as well as thermal acoustic insulation from recycled denim. One example of a way to work with them could follow the model of the California Recycling Market Development Zones' (RMDZ) Zone Incentive Fund program. MRC could use R&D funds to finance test runs with recycled feedstock and to help the companies test market these new products.
- Initiate a competitive grant process or contract-based research. The MRC could use the model of CalRecycle's former Tire Product Commercialization Grants or the model of the Sustainable Business Association's (SBA) Small Business Research Innovation Grants to give a wide variety of companies an opportunity to assist with development of new markets for commodities derived from recycled mattresses. Most mattresses recycled in 2017 were purchased before 2010, and similarly, we need to develop markets now for the mattress waste stream of the



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future. The Committee calls for particular attention to materials such as latex, which the Annual Report described as having poor markets despite retailers indicating it is increasingly taking market share from metal box springs. Fortunately, latex is a valuable raw material in virgin form, so there may be opportunities for profitable recovery.

Illegal Dumping Subcommittee (ID Subcommittee) Comments

Abandoned Mattress Initiative: The Committee commends the MRC for the recently launched abandoned mattress initiative described on page 21 of the Annual Report and fully supports the increased incentive to \$15 per mattress. The Committee has expressed concern with the lack of data on illegally dumped mattresses in the past and looks forward to the initiative's success in gathering data about the scope of illegally dumped mattresses in California. Understanding that the initiative is still underway, the Committee recommends that the MRC make an informed evaluation about the overall scope of the illegal dumping issue as a projected quantification of the overall problem is currently missing from the Annual Report.

As discussed at the Advisory Committee meeting on July 9, 2018, the Committee recommends that that MRC consider incentives for organizations that are not registered entities under the Program, such as Boy Scout Troops, but that may be able to collect and report data on illegally dumped mattresses. This type of incentive would be particularly beneficial in rural areas with fewer registered entities.

At the end of page 23, the Annual Report discusses three components the MRC is working on in regards to abandoned mattress management: 1. Promotion of the initiative; 2. Effectiveness; and 3. Alternatives. If not in this Annual Report, it would be helpful for the MRC to outline their perspectives on these three key issues for the 2018 Annual Report, or if they have anything to share now. *Is promotion working? What more can be done? Do we understand enough of the scope of the illegally dumped mattress problem in order to appropriately gauge the overall success of the Program?*

In the Committee's 2017 Report to the MRC (included in the appendices of the 2017 Annual Report), we requested that data provided under the initiative be reported by participant, not by County as was done in the 2016 Annual Report. The Committee appreciates the MRC accepting this request and providing initiative data by participant and thereby providing a more comprehensive view of the collected information.

Comments by the Outreach and Program Marketing Subcommittee (OPM Subcommittee)

Program Participation: There are currently some solid waste facilities and similar sites not participating in the Program because they are reluctant to cease collections of consumer drop-off fees and become a free drop-off site. The Committee understands that current law does not mandate participation in the Program, but we believe that the complications of getting these facilities to participate is a critical component to recognize when reporting on the overall success of the Program. The Committee made this identical remark in our formal comment letter on the 2016



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Annual Report and is disappointed the MRC has failed once again to address these concerns in the 2017 Annual Report. A response by the MRC could include paying for labor costs for participants.

Program Marketing: The Committee recognizes Bye Bye Mattress as the principal public-facing educational platform for the Program. Accordingly, information about all options available to the consumer should be promoted and highlighted, including retailer take-back obligations. At this time, when a Californian visits Bye Bye Mattress the website automatically prompts the consumer to type in their addresses and learn of their closest drop-off point. However, the first and easiest option for the consumer is to vocalize their right to retailer take-back or leverage existing bulky item collection services that exist in some areas. This is especially true for members of the public that are aging, disabled or do not have access to a vehicle for transportation.

Accordingly, there should be a pop-up window – or other intervention – that appears when a consumer is redirected to the California drop-off map with a message akin to, “Wait! Do you have a new mattress being delivered? Your retailer is required to take your old one away!” If a consumer still chooses to coordinate self- disposal of their old mattress, the generated map should distinguish at first blush which free drop-off locations entitle the consumer to the \$3 redemption value (recycling locations) and which do not. Similarly, a notification to “check with your local waste hauler to determine if bulky item collection is available,” should be added to the website.

The Committee also encourages the MRC to expand Program marketing into Google ads and billboards to educate those seeking to purchase a new mattress, as opposed to only target those looking at how to dispose of a mattress online. Unlike other end-of-life programs like California’s Carpet Recycling Program – where contractors typically handle the product at its end of life – consumers typically handle mattresses at their end-of-life and education needs to be available to them through a variety of platforms. Expanding program education beyond what is already in use is particularly critical when noting the rise of “bed in a box” sales, and the absence of retailer take-back obligations for these retailers. For uniquely large generators of used mattresses, like hotels and universities, the Committee recommends that the MRC develop customized educational materials and direct contacts.

Coordination with Retailers: The Committee has heard from several retailers that the MRC’s educational materials have not been received at their location. The Committee was pleased to learn at the July 9, 2018 Committee meeting that the MRC is currently working to identify a direct contact at each mattress retailer. The Committee encourages the MRC to continue building and maintaining relationship with each individual mattress retailer in order to ensure that each has the informational materials necessary to execute their portion of the Program.

Material Customization: The Committee is pleased that several of the MRC’s educational tools are provided in Spanish, but recommends that the MRC work directly with retailers and local government to identify the unique language requirements within California’s diverse population.

For future consumer education radio spots and television advertisements, the Committee recommends that the MRC build-in opportunities for local governments to include particular information about local opportunities like bulky item pick-up availability.



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Thank you again for the opportunity to comment on the 2017 Annual Report and 2019 Program Budget. The Advisory Committee is pleased to have the unique opportunity to provide insight and guidance on the Program and we appreciate CalRecycle's consideration of our collective and diverse views.

Respectfully,

Terry McDonald, Chair

St. Vincent de Paul Society of Lane Co., Inc.

Kelly McBee, Vice-Chair

Californians Against Waste

Heidi Sanborn, Secretary

Joanne Brasch (alternate)

California Product Stewardship Council

David Goldstein

Diversion & Commodity Markets Subcommittee Chair
Ventura County

Jim McHargue

Illegal Dumping Subcommittee Chair
Amador County

Rebecca A. Rasmussen

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Don Franco

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