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California Gears Up for Nation's First Textiles EPR Program

California is making history with the first U.S. law compelling fashion producers to manage their own waste. In this Waste360 Q&A, California Product Stewardship Council's Joanne Brasch breaks down the next steps for SB 707—the Responsible Textile Recovery Act—and how this law could reshape the industry.



Arlene Karidis, Freelance writer, Waste360

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California is making history with the first U.S. law compelling fashion producers to manage their own waste. In this *Waste360* Q&A, California Product Stewardship Council's Joanne Brasch breaks down the next steps for SB 707—the Responsible Textile Recovery Act—and how this law could reshape the industry.

Waste360: What differentiated the producer responsibility organization (PRO), Landbell, from competitors? What are their key strengths?

Brasch: I will start by saying this was a competitive process, unlike with packaging EPR, where no one else applied. This time, CalRecycle had options. The PRO will run what could be a \$100+ million program. So, they're giving the keys to someone to run a very expensive program that is the first in the country.

Landbell was not the traditional applicant. What makes them competitive and different is that they operate in multiple countries for multiple product types. They run 40 programs around the world.

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We heard from the industry that we need to align California's programs with Europe because several textile EPR programs are popping up there. Landbell operates in Europe and can bring consistency in procedures and reporting. Given apparel is a globalized product, a lot of processing happens out of state and even out of the country.

Waste360: What is set in stone at this point, and what has yet to be determined?

Brasch: The legislation is set in stone. But we have not seen CalRecycle's draft of the regulations, which will describe how the Department will meet the law's requirements.

There is a timeline with milestones that are set in statute. There are other programmatic requirements. The eco-fees are required, though we don't yet know the fee rates.

Collection density has been set. We used a density metric to determine convenience because rural communities often get left out. It's a tiered scale that ensures low-density populations still get convenient access to the program. If we use the same per capita requirement across all communities, rural populations might only get one or two collection sites for a larger geographic spread. Most people won't drive hours away to drop off unwanted garments.

We pulled from the battery EPR because when we did the research to understand how far people were willing to drive, we came up with a radius of about 5 to 10 miles. If access is more than 10 miles away, you are just competing with trash cans.

There are also requirements for education, annual reporting, and more.

Waste360: How will the eco-modulated fees work?

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Brasch: The fees are paid by the producers per unit sold in California. We have them in the carpet and packaging programs. But one thing that's unique about the textile eco-modulated fees is that fees will be lower for established takeback initiatives. It's one of the few product types where many of the producers are already doing the right thing.

We want to make sure they're getting credit for their existing programs, if they align with the bill's goals. For example, their programs must incentivize reuse and repair to qualify.

It's a per-unit fee, and it also considers sales volume in order to target overproduction. And the fee, of course, considers recyclability. There are requirements for reporting by fiber type, which should send signals to the market to reduce fiber blends.

The intent of the EPR program is to minimize greenhouse gases, not just promote recycling, so producers who manufacture in California should get a lower fee, even for virgin fabrics. By avoiding shipping from abroad, they reduce their carbon footprint.

At the end of the day, we want to ensure the program has a reasonable budget to achieve the goals. That's why we incorporate eco-fees. It's a way to save the program money, especially for work already being done.

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Waste360: What are unique complexities around textiles recycling?

Brasch: Textiles do not go in the blue bin. Because the bags rip, they absorb liquids, and they tangle in materials recovery facilities' (MRFs) conveyor belts. So, if it's curbside, there must be a separate bin or bag. It has to go to a separate location for sorting. A lot of the traditional MRF operators and haulers who oversee clothing collection are partnering with a thrift or with someone who specializes in textiles.

Between these separation requirements and the sheer volume of apparel on the market, this EPR program will require close coordination with many stakeholders, more so than packaging.

Waste360: How does SB 707 account for contamination?

Brasch: There are two types of contamination being addressed. Contamination of materials when they enter the market, and contamination after they are collected.

Producers must address contamination of fiber blends and hazardous chemicals at the point of market entry through the eco-modulated fees. The hope is they will switch to using fewer blends, chemical treatments, and surface designs that impede recyclability.

Contamination will also be addressed through source-separated collections. As I mentioned, textiles and apparel must be collected separately from plastics, organics, or anything else that might soil and add moisture.

Waste360: How do you envision curbside recycling working?

Brasch: I think in some areas it's going to work great. It's already working well in Castro Valley and other Bay Area jurisdictions that offer a quarterly, appointment-based curbside pick-up with their franchised hauler, who in turn, works with a thrift.

WM did a curbside trial in Albany, which the city has extended. We've also seen jurisdictions assign one designated date for city-wide pickups. Then there's doorfront pick-up and mailback collections, which will also be part of the program.

Waste360: How will the thrifts fit into the picture?

Brasch: They are the front lines and are the preferred collection method. If they want to receive funding, they will apply to be authorized collection sites.

There are collection sites, collectors, and sorters. In some cases, one company might be all three. But in most cases, small thrift stores will just be collection sites.

Collection sites can pull anything they want for reuse and resale; anything they don't want goes to the program, which should be a big benefit to thrifts.

Waste360: What are current infrastructure gaps, and how are they starting to fill in to prepare for SB 707?

Brasch: I see two large infrastructure gaps, one is sorting the collected materials, and the other is manufacturing, especially yarn spinning. But this should start to improve.

Some carpet collectors are preparing to take on textiles since they already sort by fiber type. Also, some thrifts are expanding their sorting capabilities.

And for the first time in decades, there's a yarn-spinning facility pulling permits to build in California. Stakeholders are seeing the value of investing in facilities in California, even though we're not as competitive cost-wise as some regions. The yarn spinner is one example; another is an agricultural waste processing facility that a textile recycler is trying to buy. There's a proposed wool scouring plant, and some sorting facilities are being built. All this activity has taken place just in the past year and a half.

Waste360: How much capacity will be needed to meet EPR requirements?

Brasch: First and foremost, we need more markets for upcycled and repaired garments, which means more retailers and brands adopting these processes into their product development plans. They need to hire creative designers. And for recycled content, they need to work with yarn and fabric mills.

In terms of waste management infrastructure, it's the sorting piece because right now a lot of the sorting happens abroad. We need sorting to happen as close to the point of generation as possible so we can take accountability for damaged and unusable items entering the program.

Waste360: What are the most immediate plans for expanding capacity?

Brasch: I'd point to our pilots. California Product Stewardship Council (CPSC) is running pilots that are funded by local and state government.

Many of the pilots go into local communities and educate the haulers, the government, the thrift stores, and also provide technical assistance so they understand their roles in the program.

We've supported a few jurisdictions with microgrants for businesses to scale capacity. As aligned with the law, we've prioritized reuse and repair.

We've also been testing feedstock batches with sorters and recyclers. The city/county of San Francisco is sending medical textiles to recycle. The city of Los Angeles, with CPSC, produced a 100% domestically made cotton fabric with 40% recycled content sourced from factory waste. The fabric is being knitted and sewn in LA with ethical labor and presented to the LA28 trademark holders.

In the same project, we've upcycled city uniforms into SWAG bags for an upcoming education event to educate businesses on repair and recycling opportunities. The city is their own market for thier textile waste. But if more businesses adopt upcycled SWAG and recycled cotton fabric made in LA, we can transition the pilot to a permanent program ahead of SB 707's implementation.

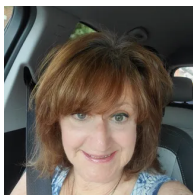
To learn more about the pilot and how to get involved: <https://www.calpsc.org/latexilehub>

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About the Author



Arlene Karidis
Freelance writer, Waste360

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