

## California carpet EPR bill aims to restructure recycling program

The bill calls for ending the current carpet recycling program in favor of a new EPR model that adds artificial turf and other flooring. CARE says the plan would ruin a successful recycling program.

Published June 26, 2024



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*fullvalue via Getty Images*

### Dive Brief:

- California legislators will soon consider an extended producer responsibility bill for flooring meant to replace the state's current carpet stewardship program. The bill, if passed, would establish a new EPR program not just for carpet but also for carpet pads, artificial turf and "resilient flooring" made from materials such as vinyl, linoleum and rubber.
- California already has a carpet stewardship program, run by the Carpet America Recovery Effort, a nonprofit stewardship organization carpet manufacturers created that is overseen by state agency CalRecycle. The bill proposes "closing out" that program and establishing a new program run by a producer responsibility organization.
- Proponents of the bill say CARE has not met expectations for managing the program and a new program could more effectively divert the materials from disposal. CARE said the program is working well as is and that it has improved recycling significantly over the years.

### Dive Insight:

California is the only state with an EPR program for carpet. Proponents see the state as a leader in keeping carpet out of landfills and recycled into new products, even as it looks for ways to improve the process. New York, which passed a carpet EPR law in 2022, delayed implementation to 2026 to give carpet manufacturers more time to comply.

California's program, established in 2010, requires carpet manufacturers to follow a carpet stewardship plan either

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individually or under CARE. The program is funded by assessments carpet manufacturers pay per yard of carpet they sell, which is added to consumers' carpet purchase prices.

The proposed bill under consideration in the state's natural resources committee would require producers of certain flooring products to join a single producer responsibility organization, and that new PRO would develop a plan for the flooring's collection, transportation and recycling.

The proposed PRO's governing board must include producers along with a waste hauler, a recycler, a circular economy organization, a retailer that sells the flooring and other members. Producers would pay a fee, which would be prohibited from being passed onto consumers, according to the bill. The legislation also calls for postconsumer recycled content rates for carpet of 15% by 2028, 30% by 2031 and 50% by 2035.

The bill also would require CalRecycle to conduct a needs assessment for resilient flooring by Jan. 1, 2026. That assessment would need to determine the state's current collection, hauling and recycling systems for such flooring, as well as the infrastructure and investment needed to improve recycling.

Supporters of the bill include the National Stewardship Action Council, which says other flooring types must do their part to reduce waste in the state. "To me, this is an equity issue," said Heidi Sanborn, NSAC's executive director. "Why are we putting all this responsibility on the carpet industry alone without looking at the carpet pads, the turf, and these resilient floorings?"

A different version of the bill, introduced in 2023, suggested more modest updates, but bill sponsors introduced more EPR overhaul provisions a few weeks ago. Sanborn expects lawmakers and stakeholders to further negotiate specific provisions throughout July, including with artificial turf companies and other producers.

Assemblymember Cecilia Aguiar-Curry, the bill's sponsor, said CARE has not adequately followed the regulations set forth in the original carpet stewardship law. In 2021, CARE signed a \$1.175 settlement agreement with CalRecycle for failing to meet program requirements for recycling and landfill diversion between 2013 and 2016.

CalRecycle has also rejected several of CARE's stewardship plans due to issues such as a lack of data about carpet available for collection, baseline recycling measurements, processor capacity or unclear five-year goals for incentivizing markets for postconsumer carpet, according to a memo from the state Senate Committee on Environmental Quality. Between 2016 and 2023, the "carpet

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stewardship plan has operated under either an outdated carpet stewardship program or an interim plan,” the memo says. In April 2024, CalRecycle approved CARE’s most recent revised plan.

In a statement, CARE’s executive director, Bob Peoples, said the program “has been highly successful and is continuing to expand.” In 2023, the program met 12 of its 13 required program targets despite “market contraction that impacted all recycling,” Peoples said. The program’s recycling rate in 2023 was 35%, beating a 31% goal, he said. CARE must meet a 34% recycling rate in 2024, which Peoples said CARE is on track to meet.

CARE says the bill’s proposal to end the existing program “will have enormous implications for all flooring industry stakeholders in the state.” Proposed changes to how the program sets fees, recycling rates, PRO responsibilities and other details will “destroy the program in its current form,” Peoples said in the statement.

The Carpet and Rug Institute, which also opposes the bill, said the industry has not had enough time “for the appropriate legislative review and debate necessary for a bill with such sweeping ramifications,” Russ Delozier, CRI’s president, said in a statement that the bill “would introduce enormous complexity to California’s carpet industry and other flooring products” and could endanger the state’s progress on raising recycling rates.

California lawmakers will consider the flooring EPR bill alongside bills that aim to update the state’s existing EPR for packaging law and adopt new EPR policies for items like textiles, household hazardous waste and marine flares.


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