



SENATOR JOSH NEWMAN (SD-29)

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SB 707 (Newman): Extended Producer Responsibility Textile Recovery Program

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Sponsor: The California Product Stewardship Counsel (CPSC)

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SUMMARY

To address the escalating problem of textile waste and its ensuing environmental damage, SB 707 would establish an Extended Producer Responsibility (EPR) program for apparel and textiles under the regulatory authority of the Department of Resources, Recycling and Recovery (CalRecycle). Under the provisions of SB 707, producers of apparel and textile products would be responsible for implementing and funding programmatic plans that would facilitate the repair and reuse of clothing and the recycling of textile fibers. The bill was carefully negotiated with clothing and textile manufacturers, recyclers, retailers and online marketplaces, environmental organizations, and secondhand markets over two years and balances economic realities with strong environmental protections.

ISSUE

The EPA estimates that textiles as a product category (defined as clothing, footwear, towels, sheets and pillowcases) comprised 4.5 percent of the waste stream in 2017, totaling 14.3 million tons – 12.8 million tons of clothing and footwear and 1.47 million tons of towels, sheets and pillowcases.¹ Currently, the share of used clothes and other textiles which are either reused or recycled in the United States remains at approximately 15%, despite the fact that fully 95% of the materials commonly found in textiles are either reusable or recyclable.² Textiles are now the fastest-growing component of California's landfills, comprising 3% of total landfilled waste, and the fifth-most common material overall.³ In 2021, approximately 1.2 million tons of textiles were disposed of in California, costing California taxpayers more than \$70 million dollars.⁴

The fashion industry is considered a top industrial polluter, accounting for approximately 10% of global carbon emissions.⁵ As textiles decompose, they emit high levels of methane gas, a major contributor to global warming. Dyes and other chemicals leach into soil and groundwater, further contributing to environmental degradation. The phenomenon of "fast fashion," which revolves around the marketing and sale of low-cost, low-quality garments that go out of vogue with increasing speed, is a major contributor to this alarming environmental trend.

In response to increased attention to fashion's negative climate impacts, major clothing brands have recently begun committing to better utilizing recycled fibers and upcycled materials in their products. In order to encourage this movement, and thereby unlock the market potential of scaled recovery programs, responsible stewardship infrastructure is necessary. California, as a historical leader in recycling models and technologies, has implemented a number of groundbreaking and effective Extended Producer Responsibility (EPR) programs

¹ <https://www.epa.gov/facts-and-figures-about-materials-waste-and-recycling/advancing-sustainable-materials-management>

² <https://www2.calrecycle.ca.gov/Docs/Web/116163>, <https://www.nist.gov/news-events/news/2022/05/your-clothes-can-have-afterlife>

³ <https://calrecycle.ca.gov/wcs/dbstudy/>

⁴ <https://calrecycle.ca.gov/wcs/dbstudy/>

⁵ <https://www.wsj.com/articles/fashion-faces-recycling-fees-similar-to-other-industries-764ecce7>

which aim to reduce waste and environmental harm by placing a shared responsibility for end-of-life product management on the producers and other entities involved in a product's value chain.

In recognition of the environmental impacts of textiles on the waste stream, it is time to apply a similar infrastructure and standards to this growing category of waste. Moreover, across California, thrift stores, charities and clothing collectors, by accepting textile donations, have long served as an effective second-hand market for textiles which remain re-usable. Unfortunately, however, when donated garments are damaged or unusable, they generally end up either in California landfills or make their way to overseas markets, often in parts of the world where there is insufficient recycling infrastructure or landfill safety standards, leading to substantial damage to both the environment and to public health. Currently, despite their best efforts, thrift stores and clothing collectors do not have adequate resources or access to systems that would allow for the effective sorting of unsellable excess garments in order to be able to repair and reclaim recyclable textile fibers in ways that would scale to make the economics of such efforts viable.

SOLUTION

Similar to the metal recycling market, the fibers within most clothing items and textiles, if properly sorted and processed, are highly suitable for recycling and repurposing into new products. Once passed, SB 707 will establish an EPR program for reuse, repair and recycling of textiles generated in California under the auspices of CalRecycle.

Under the provisions of the bill, textile producers and other stakeholders will develop a framework for the implementation and management of an end-to-end system to optimize the reuse, repair or recycling of all covered products based on the findings from a needs assessment, and thereby minimize the importation of their products into our landfills. The products to be covered by this legislation are textiles commonly used in households and businesses, including: apparel, accessories, handbags, backpacks, draperies, shower curtains, furnishings, upholstery, bedding, towels, napkins, and tablecloths.

One of the many benefits of the proposed EPR framework, is that Californians will still be encouraged to bring their unwanted clothing and household textiles to thrift stores, charities, and other collection sites for donation, but these collection sites will now also be part of a system for sorting and ultimately recycling used textiles that cannot be reused or resold. SB 707 also includes education and outreach components to encourage Californians to bring their used textiles, including items previously rejected by thrift stores (such as damaged items, used pillows and bedding, etc.), to accessible collection points for sorting. SB 707 will also provide brands with a way to make good on their sustainability goals and provide pathways for GHG and other impact reductions.

Additionally, provisions in SB 707 ensure that recycling is done safely. Recycled materials are required to flow to responsible end markets that benefit the environment and minimize the risk to public health. Specific provisions have been included to ensure that PFAS and other chemical contaminants are appropriately addressed in the recycling process, and CalRecycle is required to promulgate regulations that encourage recycling that minimizes the generation of hazardous waste, generation of greenhouse gases, environmental impacts, environmental justice impacts, and public health impacts.

A well-designed and effectively administered statewide textile EPR program has the potential to develop previously untapped or underutilized upcycled and recycled clothing and fiber markets, as well as to support ongoing efforts to encourage the repair and reuse of clothing and other textiles in California. In so doing, SB 707 will facilitate a transition to a sustainable, market-aligned, circular economy for textiles that will unlock new production and consumption opportunities to the benefit of the environment, all at a relatively low cost to both the State and consumers alike.

SUPPORT

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