

October 28, 2013

Attention: Caroll Mortensen  
Department of Resources Recycling and Recovery  
1001 I Street  
PO Box 4025, MS 13A  
Sacramento, CA 95812  
Submitted via email: [75Percent@calrecycle.ca.gov](mailto:75Percent@calrecycle.ca.gov)

**SUBJECT: CPSC COMMENTS ON OCTOBER 2013 UPDATE ON AB 341  
LEGISLATIVE REPORT**

Dear Director Mortensen:

The California Product Stewardship Council (CPSC) is the preeminent California based organization dedicated to extended producer responsibility (EPR) research, education, and implementation. CPSC has the support of numerous cities, counties, local government associations and business partners in virtually every Senate and Assembly district in California, representing over 64 percent of the state's population. CPSC takes pride in coordinating closely with others to ensure that California policies maintain the integrity of the [Principles of Product Stewardship](#).

CPSC appreciates the opportunity to comment on CalRecycle's October 2013 Update on AB 341 Legislative Report on Statewide Strategies to Achieve the 75 percent Goal by 2020. CPSC submitted comments on July 2, 2012; the latest Report reflects many of CPSC's comments and we thank the staff for those changes. However, we have the following key issues with the current draft:

1. Only legislation mentioned was for **EPR Framework**, HHW "mini framework" is an option.
2. Unsure why **packaging** is the only material type called out for a pilot EPR project; sharps is an option.
3. No discussion of **state procurement preferences for products that offer take-back programs** or for products under stewardship programs like paint and carpet to drive the market.
4. CPSC has annual business awards called the "**Arrow Awards**" that started through a CalRecycle HHW grant, which should be one of the awards mentioned under concept 26.

EPR Framework: Concept 23 - CPSC strongly supports the development of EPR Framework legislation and allowing the experts at CalRecycle to select the products for EPR to begin each year as is done in other countries. However, this is politically very challenging because it can potentially impact many producers so the opposition is formidable and, therefore, the legislation is difficult to pass. While we agree it should be a priority concept, we strongly support more EPR legislative concepts to be listed such as a "mini" framework that only focuses on products that are hazardous and banned from disposal since there is broad agreement for those product types to be under EPR systems.

Packaging vs. Other Products: Concept 24 - CPSC supports broad discussions about packaging EPR, and the potential of a pilot project. However, we do not necessarily agree with packaging being the only

waste stream being targeted in a separate concept (pilot project). CPSC and local governments and haulers have always favored an EPR approach for products which are banned from disposal and dangerous (sharps) or are problematic for other reasons and have large volumes like carpet and mattresses. **We consider sharps a much higher priority than packaging because they make sorting of packaging and other products dangerous which will impede the State's ability to achieve 75 percent goal.** Sharps is a product that is adding large cost to the industry due to needle stick injuries of sort workers and is becoming a large cost for business and incredibly stressful for workers who get stuck and tend to be low-income and disadvantaged groups.

Source Reduction/Procurement: Concept 26 discusses partnerships with other awards programs to stimulate businesses to reduce waste, which we support. We would ask that **our Arrow Awards program, now in its fourth year, be added to the notes as an important award that businesses want to get for their hard work in greener design and source reduction.** The Arrow Awards were started under an HHW grant from CalRecycle, and CPSC has continued them for two years beyond the grant term with great success.

State Procurement: Concept 22 does focus on the state purchasing products with recycled content, but there is **no mention of purchasing products and brands that have take-back programs.** That could be the single biggest driver for companies to start take-back programs is to have the State of California give purchase preferences to those companies that have take-back programs for their products.

Thank you very much for consideration of our comments which are given in the spirit of partnership to help the State achieve its goal of 75% recycling by 2020. Please feel free to call me if you have any questions.

Sincerely,



Heidi Sanborn, Executive Director

Cc: Bonnie Cornwall, CalRecycle  
Howard Levenson, CalRecycle