REQUEST FOR APPROVAL

To: Caroll Mortensen
Director

From: Howard Levenson
Deputy Director, Materials Management and Local Assistance Division

Request Date: March 12, 2014

Decision Subject: Director Appointment of Mattress Recycling Organization Advisory Committee Members

Action By: March 18, 2014

Summary of Request:
The Used Mattress Recovery and Recycling Act (Chapter 388, Statutes of 2013) requires the Director of the Department of Resources Recycling and Recovery (CalRecycle) to appoint an advisory committee to be part of a mattress recycling organization (MRO). This Request for Approval presents staff recommendations for appointments to the MRO advisory committee.

Recommendation:
Staff recommends that the Director appoint the individuals identified within this Request for Approval to serve as members of the MRO advisory committee per the Used Mattress Recycling and Recovery Act of 2013.

Action:
I hereby appoint the individuals identified within this Request for Approval to serve as members of the MRO advisory committee per the Used Mattress Recovery and Recycling Act of 2013. I also direct staff to post the advisory committee members on CalRecycle's website and to formally notify the MRO of the appointments at such time as one becomes certified by CalRecycle pursuant to section 42987(a)(2) of the Public Resources Code.

Dated: March 18, 2014

Caroll Mort

Caroll Mortensen, Director

Background Information:

The Used Mattress Recovery and Recycling Act (Chapter 388, Statutes of 2013) directs mattress manufacturers, renovators, and retailers, via an MRO, to establish a private-sector designed and managed statewide mattress stewardship program for the proper management of used mattresses in California. The purpose of the law is to reduce illegal dumping, increase recycling, and substantially reduce public agency costs for the end-of-life management of used mattresses.

Under the law, manufacturers, renovators, and retailers, via an MRO, must prepare and implement a used mattress recycling plan for CalRecycle approval; prepare a proposed budget that includes a mattress recycling charge to fund the program; pay a quarterly fee to CalRecycle for CalRecycle's costs to implement and enforce its responsibilities under the law; and report annually on program performance. CalRecycle must certify an MRO; review and approve, disapprove, or conditionally approve a used mattress recycling plan; approve annual MRO budgets, including the mattress recycling charge; post lists of compliant manufacturers and renovators; establish a baseline amount and recycling goals; review and update, as necessary, the baseline amount and program goals; review annual reports from an MRO, mattress recyclers, mattress renovators, and solid waste facilities; conduct audits, as necessary; and enforce the law.

Relative to this Request for Approval, the Used Mattress Recovery and Recycling Act requires the Director of CalRecycle to appoint an advisory committee to be part of an MRO and provides the following direction regarding the advisory committee's composition and duties:

Composition of Advisory Committee

The advisory committee may be comprised of members of the environmental community, solid waste industry, local government, and public and private representatives involved in the collection, processing and recycling of used mattresses, and other interested parties.

Duties of Advisory Committee

- Provide consultation to the MRO pursuant to section 42987(a)(3) of the Public Resources Code:
    - At least once during the development and implementation of the MRO's plan required pursuant to section 42987.1;
    - Annually prior to the MRO's submittal of an annual report required pursuant to section 42990.1; and
    - Annually prior to the MRO's submittal of an annual budget required pursuant to section 42988.

- Prepare a report which includes a summary of the consultative process between the advisory committee and the MRO during the development of the MRO's plan, as well as any other information deemed pertinent by the advisory committee to maximizing the recovery and recycling of used mattresses in the state.

- Prepare a report that includes a summary of the consultative process between the advisory committee and the MRO relating to the ongoing implementation of the plan, as

well as any other information deemed pertinent by the advisory committee to maximizing the recovery and recycling of used mattresses in the state.

Analysis:

Mattress Recycling Organization Advisory Committee Selection Process

CalRecycle announced the MRO advisory committee application period at its January 21, 2014 monthly public meeting. MRO advisory committee applications were accepted through February 4, 2014. CalRecycle received 27 applications from individuals generally representing the following stakeholder categories recommended in statute:

- Environmental community (3 applications)
- Solid waste industry (2 applications)
- Local government (11 applications)
- Public and private representatives involved in the collection, processing, and recycling of used mattresses (7 applications)
- Other interested parties (4 applications)

Relative to the statutory guidance provided in section 42987 of the Public Resources Code, applicants were evaluated based on the information provided in their applications; skills and experience relative to the statutory duties; geographic spread/representation; and balanced representation of categories identified in statute.

Other considerations included, but were not limited to, whether or not the applicants possess 1) experience serving on other advisory groups/committees; 2) technical or general knowledge and experience in the California mattress recycling/solid waste/materials management industry; and/or 3) knowledge of EPR laws or systems.

Staff recommends the Director appoint the following individuals to the MRO advisory committee pursuant to section 42987(a)(3)(A) of the Public Resources Code.

Mattress Recycling Organization Advisory Committee Members, Staff Recommendations

Environmental community

- Teresa Bui, Legislative and Policy Analyst, Californians Against Waste
- Heidi Sanborn, Executive Director, California Product Stewardship Council

Solid waste industry

- Rebecca Jewell, Recycling Program Manager, Davis St. Transfer Station
- Veronica Pardo, Regulatory Affairs Associate, California Refuse Recycling Council

Local government

- Frank Chin, Civil Engineer, Los Angeles County Dept. of Public Works
- David Goldstein, Recycling Market Development Zone Administrator, Ventura County
- Doug Kobold, Waste Management Program Manager, Sacramento County
- Jo Zientek, Deputy Director, Environmental Services Dept., City of San José

Private representatives involved in the collection, processing, and recycling of used mattresses

- Don Franco, Jr., Vice President, Gateway Mattress Co., Inc.
- Terry McDonald, Executive Director, St. Vincent de Paul Society of Lane Co., Inc.
- Tchad Robinson, President, Blue Marble Materials

Other interested parties

- Sharron Bradley, CEO, North American Home Furnishings Association
- Mike Combest, Executive Vice President of Operations, The Sleep Train, Inc.