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**County of Sacramento**

**California Carpet Stewardship Plan**

June 25, 2013 Public Comment Workshop

Comments by Marie Woodin, Sacramento County LEA

1. I represent the Sacramento County Environmental Management Department. As the Local Enforcement Agency (LEA) for CalRecycle in Sacramento County, we enforce State solid waste laws and regulations.
2. It is our experience locally, and we understand, that most Carpet Collectors and Processors in California cannot currently meet the 90+% recycled requirement in, in Title 14, Section 17381.1 of the Construction, Demolition and Inert Debris Transfer Processing Regulations, to be considered "CDI Recycling Centers".
3. We are concerned that carpet considered "diverted" (from landfills), but not yet able to be recycled or re-used, and for which Carpet Processors are currently receiving funds through this program, may actually be being stockpiled, creating a public nuisance and environmental threat.
4. Potential environmental impacts associated with stockpiling of carpet, carpet backing or carpet fibers include vector harborages, fire hazard, and storm water contamination from uncontrolled, untreated leachate entering storm drains. In addition, sand, a bi-product of carpet processing, meets the definition of Hazardous Material, and handling it may require a Hazardous Materials Business Plan in most jurisdictions.
5. Unless Certified Carpet Processors can meet ALL the exclusion requirements in the CDI Transfer/Processing Regulations, they are considered Solid Waste Facilities under State Law, NOT Recycling Centers, and their operation requires a Solid Waste Facility Permit, issued by the LEA in their jurisdiction, prior to operating in California.
6. In order to be Excluded from regulation as a Solid Waste Facility, a Carpet Collection/Processing Facility must meet the following regulatory requirements:
  - a. CDI debris (carpet) stored at Recycling Centers must be processed and sorted for resale or reuse within 30 days or it is deemed unlawfully disposed and is subject to enforcement action.
  - b. CDI debris that has been processed and sorted for resale or reuse must not be stored on site for more than one year or it is also deemed to have been unlawfully disposed.

c. The residual, defined in regulation as material destined for disposal, further transfer/processing or transformation, shall be less than 10% by weight of the amount of debris received at the site, calculated on a monthly basis.

7. CARE should add the requirement, for Certified Carpet Collectors (also called Processors in the Carpet Stewardship Plan), to provide a copy of a valid SWFP issued by the LEA or, written determination from the LEA that a permit is not required at the time of application, prior to disbursement of any funds through this program.
8. Unused Funds from this program should be earmarked for clean-up of abandoned stockpiles of residual carpet and made available to local jurisdictions to aid in remediation efforts.
9. Some of the definitions in the Plan are inconsistent with the regulatory definitions in Title 14 for Excluded Recycling Centers and the Public Resources Code. Examples include the definitions in the Plan of "Collection", "Input" and "Processing". These inconsistencies can create confusion and lead to violations of the regulations.
10. The education and outreach component of the Plan should include education of potential Carpet Collectors or Processors about State Regulatory requirements and Industry Best Management Practices and ongoing verification of compliance with both should be integral to this program.
11. The assumption in the Plan that the expected increase in the volume of carpet diverted and recycled can be handled by the existing processing infrastructure has yet to be seen as it also states in the Plan that not all carpet diverted from the landfill is recyclable.
12. We appreciate the opportunity to provide our comments today. We have also prepared a more detailed comments on the Plan for your consideration.