



County of Sacramento

Sacramento County LEA Comments
On the October 2013 Revised California Carpet Stewardship Plan
Submitted November 27, 2013

Page/Paragraph	Comment
4/2	1. The undefined term “solid waste management hierarchy” is used throughout the Plan. We suggest referring instead to “solid waste laws and regulations”.
4/6	2. Most if not all of the “Carpet Collectors/Processors” in the state are required to have a Solid Waste Facility Permit since they do not meet the requirements of a CDI Recycling Center as defined in Title 14 CCR. There is no mention in the Plan of 14 CCR or that “carpet and carpet related material” is defined as <u>construction and demolition debris</u> and therefore is subject to the processing and storage timelines specified in 14 CCR, Section 17381.1.
4/6	3. A goal stated to “increase the percentage of material diverted from landfills into recycled output”, but should specify that any diversion must comply with 14 CCR Section 17381.1 and the Public Resources Code (PRC) and not result in illegal disposal of carpet.
6/1	4. We commented previously that Carpet Collectors/Processors be educated about Solid Waste Regulations and Permitting requirements. The revised Plan states that Processors must follow BMP’s as outlined on the CARE website, however BMP’s are not the same as State Regulations. Leaving out mention that any carpet collector/recycler/processor that recycles less than (over) 90 percent of incoming material is required to be permitted as a CDI Transfer Processing Facility under California law, will likely result in continued non-compliant practices throughout the industry. <u>This omission is significant and unacceptable.</u>
22/6	5. While CARE claims no responsibility for “recycling” businesses success, failure to educate CARE’s certified carpet recycling processors/recyclers of their obligations/requirements pursuant to the State’s Solid Waste Regulations may set those businesses up for failure and result in violations of the solid waste laws.
24/	6. Are “Reclamation Partners” considered carpet

	recyclers? Use of terms such as “Processors”, “Collectors” and “Reclamation Partners” is confusing and inconsistent with the definitions in State law. If these terms are to be used interchangeably with “Recyclers”, that should be stated up front in the Plan.
24/7	7. Plan states that CARE has established a guideline BMP program but lists these BMP’s only as “guidelines” and “criteria” (p.26). Suggest using “requirements” in order to be a certified CARE processor.
25	8. The “Certified Collector” should be required to show proof of a valid SWFP issued by EA (Enforcement Agency) or a written EA determination that a permit was not required for the facility at the time of application to CARE.
26	9. Add to “Criteria”: Must show proof of a valid Solid Waste Facility Permit issued by the LEA or a written LEA determination that a permit was not required for the facility at the time of application to CARE to be a “Certified Carpet Collector”.
32/4	10. The Plan should state the California “resource” will educate “processors/recyclers/collectors” on where to locate information about the State’s Solid Waste Regulations and Permitting Requirements. There should also be a link on the CARE website to the regulations and LEA regional (permitting) contacts.
34, 35	11. We commented previously that funds should be earmarked for clean-up of abandoned stockpiles of residual carpet and made available to local jurisdictions to aide in remediation efforts. The revised Plan states that SPC is reviewing mechanisms to fund such an assurances pool and CARE hopes to finalize their position on this issue by the end of the first quarter of 2013. This fund is necessary to ensure that local jurisdictions will not have to cover the costs of illegal disposal/dumping of this material.
34/1	12. “Financial Assurances” section states “20 M pound pile amassed by Carpet Collectors in Sacramento”. <u>Correct</u> to state: “35.38 million pounds”.
37 Table VII	13. The list of “Processing Technologies” is inconsistent with the definition of “processing” under 14 CCR and can result in violations and enforcement action by the LEA for not processing within the 30 day required timeline.
37 and 38	14. Any Certified Carpet Collector who claims to meet the definition of a Recycling Center should be required to submit copies of proof of compliance with 14CCR, Section 17381.1, including residual and processing records, and sources of incoming and outgoing material, to CARE, CalRecycle and the LEA on a monthly basis.

42/education	15. Education and Outreach section does not include educating the “Recycler/Processor/Collector” about State solid waste regulations and permit requirements.
55,56, 57/definitions	16. The definitions listed that are inconsistent with 14 CCR and the PRC include: Carpet, Collection, Disposal Diversion, Filler, Input, Output, Processing, and Sorting. There is no definition listed for “Certified Carpet Collector” or “Processor” although the terms are used interchangeably throughout the Plan. In addition, the regulatory definition of “Disposal” should be added as it would include any material that is not processed fully for re-use or recycled within thirty days or processed material that is stored for over one year per 14 CCR.
58/Overview	17. The assumption in this section is only accurate if all current carpet recyclers in California have obtained Solid Waste Facility Permits since, according to CARE’s own recycling statistics, “recyclers/processors” in California currently recycle only 16 percent of the carpet they receive for processing, far less than the 90+ percent requirement in 14 CCR in order to be exempt from the Solid Waste Facility permitting requirement.
78/Reporting Procedures	18. “Reporting Procedures” need to include the requirement to maintain records onsite at the recycling center for the LEA to verify compliance with the solid waste regulations, including records showing the calculated weight of residuals per month.
80/Reporting Format	19. Recommend adding the word “processed” in between “ending” and “carpet” to the list of quarterly reporting totals, and this amount should be broken down by month. Recyclers must fully process for re-use or re-sale all incoming carpet and carpet related materials within thirty days or the material is deemed illegally disposed. There can be no “ending inventory” that exceeds the thirty day processing timeline in regulation.