From: EDL-DPW taskforce [mailto:taskforce@dpw.lacounty.gov]
Sent: Wednesday, February 04, 2015 5:31 PM
To: Harley, Ashley@CalRecycle
Cc: Pat Proano; Carlos Ruiz; Bahman Hajialiakbar; Mike (mikemohajer@yahoo.com)
Subject: Comments Regarding Proposed Regulations for the Used Mattress Recovery and Recycling Program

LOS ANGELES COUNTY
SOLID WASTE MANAGEMENT COMMITTEE/
INTEGRATED WASTE MANAGEMENT TASK FORCE

TO: Ms. Ashley Harley
Materials Management and Local Assistance Division
California Department of Resources, Recycling, and Recovery

Please see attached letter from the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force dated February 4, 2015, on comments regarding proposed regulations for the Used Mattress Recovery and Recycling Program.

If you have questions, please contact Ms. Francisca Mandujano at (626) 458-3585 or fmandujano@dpw.lacounty.gov.

GAIL FARBER, CHAIR
MARGARET CLARK, VICE - CHAIR

LOS ANGELES COUNTY
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February 4, 2015

Ms. Ashley Harley
Materials Management and Local Assistance Division
California Department of Resources, Recycling, and Recovery
P.O. Box 4025
Sacramento, CA 95814

Dear Ms. Harley:

COMMENTS REGARDING PROPOSED REGULATIONS FOR THE USED MATTRESS RECOVERY AND RECYCLING PROGRAM

The Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force (Task Force) appreciates this opportunity to comment on the Proposed Used Mattress Recovery and Recycling Program Regulations (Regulations) dated December 26, 2014. As a longtime supporter of extended producer responsibility, the Task Force looks forward to successful implementation of the mattress recovery and recycling program, established pursuant to Senate Bill 254 (Hancock, 2013) and Senate Bill 1274 (Hancock, 2014). We have reviewed the Regulations and offer the following comments:

> <u>§ 18960 (c): Definitions</u> – The Regulations do not define "program participant" in the definition of "collection." The term should be defined and clearly specify whether it includes consumers, local jurisdictions, and/or other entities. In particular, the term, among other things, needs to include any means by which a local government collects discarded or abandoned mattresses from public streets, highways, alleyways, and public right of ways.
>
> <u>§ 18962: Used Mattress Recovery and Recycling Plan</u> - The Regulations should be revised to require that the plan substantially reduce public agency costs for end-of-life management of used mattresses. As indicated in Public Resources Code 42985 (a) (1), the intent of SB 254 is "to reduce illegal dumping, increase recycling, and <u>substantially reduce public agency costs</u> for end-of life management of used mattresses" (emphasis added). The Regulations only address reimbursement to local jurisdictions for *illegally disposed* mattresses; however, many jurisdictions must manage a substantial number of mattresses that are not illegally disposed. For instance, various jurisdictions provide bulky item pickup services, including for used mattresses. According to the intent of

SB 254, jurisdictions' costs associated with this type of service would also need to be substantially reduced.

To enhance the success of the program, we believe that is prudent for the Mattress Recycling Organization's (MRO) Annual Reports to identify the points, and/or recommendations, raised in the Advisory Committee Report [Paragraph (8) of Subdivision (a)] that still need to be addressed by the MRO.

For the purpose of ensuring that the program assists in advancing the Statewide goal established pursuant to Assembly Bill 341 (Chesbro, 2011), the Regulations should require that the baseline fully encapsulates mattresses generated, disposed, and recycled in the State.

In order to help assure the mattress recovery and recycling program's long term viability, methods and activities identified in the plan should include a protocol to address potential barriers to recycling. For instance, a description of handling and sanitation procedures should be included in the plan to ensure that bedbugs do not migrate to new mattresses during retailer take-back of used mattresses, avoiding potential bedbug infestation. The unfortunate result of leaving this problem unaddressed could be the collapse of the mattress recycling market and ultimately this program.

<u>§ 18964: Mattress Recycling Organization Annual Report</u> –

- Subdivision (b), Paragraph (13), Page 10, Line 25 – To assist in the success of the program, the term "Good faith effort" needs to be clearly defined to avoid future confusions and misinterpretations by the involved entities.

- Subdivision (c) – On Page 10 Line 30, there seems to be an incorrect reference to the "plan" when it should reference the "report" as the focus of this section is on the annual report.

Pursuant to Chapter 3.67 of the Los Angeles County Code and the California Integrated Waste Management Act of 1989 (Assembly Bill 939 [AB 939], as amended), the Task Force is responsible for coordinating the development of all major solid waste planning documents prepared for the County of Los Angeles and the 88 cities in Los Angeles County with a combined population in excess of ten million. Consistent with these responsibilities and to ensure a coordinated, cost-effective, and environmentally sound solid waste management system in Los Angeles County, the Task Force also addresses issues impacting the system on a countywide basis. The Task Force membership includes representatives of the League of California Cities -Los Angeles County Division, County of Los Angeles Board of Supervisors, City of Los Angeles, the waste management industry, environmental groups, the public, and a number of other governmental agencies.

The Task Force has a long history of supporting product stewardship efforts and appreciates your consideration of the comments above. If you have any questions, please contact Mr. Mike Mohajer of the Task Force at MikeMohajer@yahoo.com or (909) 592-1147.

Sincerely,

Margaret Clark

Margaret Clark, Vice-Chair
Los Angeles County Solid Waste Management Committee/
Integrated Waste Management Task Force and
Mayor Pro Tem, City of Rosemead

CA:fm
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cc: CalRecycle (Carol Morteneon and Howard Levenson)
Each Member of the County of Los Angeles Board of Supervisors
San Gabriel Valley Council of Governments
South Bay Cities Council of Governments
San Fernando Valley Coucil of Governments
Gateway Cities Council of Governments
Westside Cities Council of Governments
Each City Mayor and City Manager in the County of Los Angeles
Each Member of the Los Angeles County Integrated Waste Management Task Force