



September 12, 2016

CalRecycle  
1001 I Street  
Sacramento, CA 95814  
[AB901.Reporting@CalRecycle.ca.gov](mailto:AB901.Reporting@CalRecycle.ca.gov)

**RE: AB 901 Proposed Regulations—Recycling and Disposal Facility Reporting**

On behalf of the American Forest & Paper Association (AF&PA), we appreciate the opportunity to provide stakeholder input on draft regulations under consideration to implement AB 901. We reviewed the draft regulations and included some initial feedback in this letter based on the presentations at the workshops, and plan to provide more input as the process advances. As discussed below, we have concerns that the draft regulations would create an unprecedented administrative burden on companies engaged in the recovery of paper and could result in the disclosure of confidential business information.

AF&PA serves to advance a sustainable U.S. pulp, paper, packaging, tissue and wood products manufacturing industry through fact-based public policy and marketplace advocacy. AF&PA member companies make products essential for everyday life from renewable and recyclable resources and are committed to continuous improvement through the industry's sustainability initiative - [Better Practices, Better Planet 2020](#). The forest products industry accounts for approximately 4 percent of the total U.S. manufacturing GDP, manufactures over \$200 billion in products annually, and employs approximately 900,000 men and women. The industry meets a payroll of approximately \$50 billion annually and is among the top 10 manufacturing sector employers in 45 states.

In California, the industry employs more than 21,000 individuals at 420 facilities, with an annual payroll of nearly \$1.6 billion. The estimated state and local taxes paid by the forest products industry totals \$479 million annually.

AF&PA member companies are active at all stages in the recovery of paper for recycling. Our companies operate recycling businesses – collecting, processing and distributing recovered paper to end markets. Others employ brokers and stock dealers of paper to supply their mills that utilize recovered fiber in the manufacture of new products. We are concerned that the draft regulations will not adequately protect our member companies' confidential business information from disclosure. The regulations require disclosure to CalRecycle of volume and receivers of commodity recyclables, including paper. AB 901 purports to streamline and centralize the current reporting system. We believe that the reporting of tonnage and customer lists of members' business transactions unnecessarily exposes confidential business information to a risk of disclosure, and the draft regulations should be revised, at a minimum, to ensure protection of such information.

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AF&PA is also concerned that the draft implementing regulations will create an unprecedented administrative burden and increase costs for companies engaged in recovering paper for recycling by requiring companies to collect and report data that they are not currently required to collect. We are encouraged that the regulations appear to exempt end users, which should include paper mills, however, we encourage further clarification of that section of the rules to ensure that paper mills are intended to be exempt.

We look forward to continuing our work with CalRecycle Please feel free to contact Terry Webber, Director, Government Affairs, AF&PA at (202) 463-2732 or [terry\\_webber@afandpa.org](mailto:terry_webber@afandpa.org) for further information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'EB', is positioned above the typed name.

Elizabeth Bartheld  
Vice President, Government Affairs