
From: Georgina Sikorski [gsikorski@carpetrecovery.org]
Sent: Friday, August 12, 2011 9:28 AM
To: Frevert, Kathy
Cc: Frank Hurd
Subject: Comments to Proposed Product Stewardship for Carpet Regulations
Attachments: AB2398CommentFINAL.doc

Hello Kathy. Attached please find comments from CARE relative to the Proposed Product Stewardship for Carpet Regulations. Thank you.

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CARPET AMERICA RECOVERY EFFORT SM
*Developing market-based solutions for the recycling and reuse of
post-consumer carpet*

Mark Leary, Acting Director
Department of Resources, Recycling and Recovery (CalRecycle)
801 K Street, MS 19-01
Sacramento, CA 95814

Re: California Code of Regulations, Title 14, Division 7, Chapter 11, Article 1 commencing with section 18940.

August 12, 2011

Dear Mr. Leary,

On behalf of the Carpet America Recovery Effort (CARE), I am respectfully submitting comments to the Proposed Product Stewardship for Carpet Regulations (March 16, 2011).

The Carpet America Recovery Effort (CARE) is a nationwide, voluntary, 501(c) 3 non-profit organization. CARE began as a result of a Memorandum of Understanding (MOU), signed by the carpet industry, federal and state government representatives and entrepreneurs, in 2002. The mission of CARE is to divert and recycle carpet from the landfill. CARE has over 360 members, including carpet collectors and other entrepreneurs, carpet manufacturers, carpet dealers/retailers, government representatives, NGOs, and other interested parties. Many of our members reside in the state of California.

*AB 2398 Chapter 20 Section 42971 has provided:
Until April 1, 2015, CARE shall be the sole carpet stewardship organization
pursuant to subparagraph (A) of paragraph (1) of AB 2398.*

Summary Comments: Since AB 2398 was signed in September, 2010, CARE has been working with all interested parties and stakeholders to implement the law fairly and consistently, in order to meet the requirements for compliance beginning July 1, 2011. In the course of carrying out our duties as the carpet stewardship organization, it has been brought to our attention that the definition of 'carpet' has been subject to interpretation. Please see the letter from Speaker Perez (June 3, 2011) on this matter.

Further, the definition of 'rug' in the Proposed Product Stewardship for Carpet Regulations (March 16, 2011), has also raised questions of clarity and interpretation.

Therefore, we submit the following revisions to the definitions of 'carpet' and 'rug' in order to clarify what is included in the scope of the law.

Proposed Revision to the definition of carpet Chapter 20, Section 42971:

(d) (1) "Carpet" means a manufactured article that is used in commercial or residential flooring applications as a decorative or functional feature and that is primarily constructed of a top visible surface of synthetic or natural face fibers or yarns or tufts attached to a backing system derived from synthetic or natural materials.

(2) "Carpet" includes, but is not limited to, a commercial or a residential broadloom carpet or modular carpet tiles.

(3) "Carpet" does not include a rug, pad, cushion, or underlayment used in conjunction with, or separately from, a carpet.

Proposed Revision to the definition of "Rug", Proposed Product Stewardship for Carpet Regulations Section 18941

"Rug" means a loose laid (not installed or attached at wall base) soft floor covering manufactured from natural or synthetic fiber, including carpet cut into room or area dimensions that is not intended to cover the entire floor.

Thank you very much for considering these comments. We urge CalRecycle to incorporate these revised definitions in the final Product Stewardship for Carpet Regulations. Inclusion of these changes will insure that all effected stakeholders will implement the law fairly and consistently, in order to meet the requirements for compliance.

Sincerely,

Georgina W Sikorski

Georgina W Sikorski, Executive Director

Carpet America Recovery Effort (CARE)

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