

Comment on CalRecycle Carpet Product Stewardship Regulations

Section 18943. Criteria for Plan Approval

[prior language]

"(a)(5)(E) Description of how each consumer that pays a carpet stewardship assessment, including but not limited to those in rural areas, will have an opportunity to conveniently and properly manage their post-consumer carpet."

[current language]

"(a)(5)(E) Description of how each consumer that pays a carpet stewardship assessment, including but not limited to those in rural areas, will have reasonably convenient opportunity(ies) located in each county that has a carpet retailer or desires to manage their post-consumer carpet."

I appreciated the comment by Mary from the Association of Rural Counties as to the intent of the change. But I'm sorry, the words "or desires" really confuses this paragraph. Without the "or desires" phrase, the intent is clear: "Description of how each consumer ... will have ... opportunity ... in each county that has a carpet retailer ... to manage their ... carpet." In this construction, "county" refers to the geographic area.

What are the subject and object of the verb "desires"? Subject can't be "county" as a geographic area does not have desires. The object is not the phrase "to manage their ... carpet" because that phrase is already used as a modifier for the word "opportunity."

The "or" should set up an alternate construction, but I can't find a logical construction or unambiguous meaning.

Here is my proposed language for this section:

"(a)(5)(E) Description of how each consumer that pays a carpet stewardship assessment, including but not limited to those in rural areas, will have reasonably convenient opportunity(ies) to manage their post-consumer carpet in each county that has a carpet retailer and in each county in which a local city or county governmental jurisdiction desires such opportunity to exist."

In underline/strikeout it looks like:

"(a)(5)(E) Description of how each consumer that pays a carpet stewardship assessment, including but not limited to those in rural areas, will have reasonably convenient opportunity(ies) to manage their post-consumer carpet located in each county that has a carpet retailer ~~or~~ and in each county in which a local city or county governmental jurisdiction desires such opportunity to exist ~~to manage their post-consumer carpet.~~

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