



April 17, 2020

To: Bob Peoples, Exec. Director CARE and Ken DaRosa, Acting Director CalRecycle
From: California Carpet Stewardship Advisory Committee (members listed below)

Re: Advisory Committee Recommendations related to the CARE California Carpet Stewardship Program *Draft* Contingency Plan 3-31-20 (ADA)

As required by the Product Stewardship for Carpets Law (Public Resources Code Section 42970 - 42983) as amended by the Governor's approval of AB 729, the California Carpet Stewardship Advisory Committee ("Advisory Committee") has received a copy of the "CARE California Carpet Stewardship Program *Draft* Contingency Plan" dated March 31, 2020. This is required pursuant to the amended Section 42979 that requires a carpet stewardship organization to include in the carpet stewardship plan a contingency plan should the carpet stewardship plan be revoked. The Advisory Committee received the Draft Contingency Plan 30 days before submittal to CalRecycle as required in Section 42972.1 (b).

Included in this letter are recommendations to CARE by the Advisory Committee based on the review of the "CARE California Carpet Stewardship Program *Draft* Contingency Plan" dated March 31, 2020 during a teleconference on April 7, 2020. As required in Section 42971.1 (c), to the extent feasible the Advisory Committee's recommendations are to be incorporated into the Contingency Plan by CARE before being submitted to CalRecycle. If CARE is unable to incorporate these recommendations, a written explanation must be provided to the Advisory Committee and CalRecycle.

California Carpet Stewardship Advisory Committee Members

The Product Stewardship for Carpets Law (Public Resources Code Section 42970 - 42983), requires CalRecycle to appoint an Advisory Committee to provide recommendations to a carpet manufacturer or stewardship organization and to the department on carpet stewardship plans, plan amendments, and annual reports. An additional appointee to the Advisory Committee is also made by both the Senate Committee on Rules and the Speaker of the Assembly.

The Director of CalRecycle appointed the members to the California Carpet Stewardship Advisory Committee according to the general stakeholder categories recommended in the statute. The committee member from the Senate Committee on Rules and the Speaker of the Assembly have also been appointed.

California Carpet Stewardship Advisory Committee Members

Committee Members	Organizations	Representing
DOUGLAS WILLIAMS	Los Angeles Fiber Co./ Reliance Carpet Cushion	Collection and sorting, processing and manufacturing
ERIC NELSON	Interface	Carpet Mills, Collection, processing & recycling of carpet
FRANCO ROSSI	Aquafil USA	Processing & recycling of carpet, Manufacturing
GAIL BRICE	XT Green, Inc.	Processing & recycling of carpet
HOWARD SAPPER	Carpet Manufacturers Warehouse	Carpet Retailers
JOANNE BRASCH, Ph.D	CA Product Stewardship Council	Environmental Community
JOE YARBROUGH	The Carpet & Rug Institute	Carpet Mills
JOHN DAVIS	Mojave Desert & Mountain Recycling Integrated Waste Mgmt Joint Powers Authority	Local Government
JORGE OROZCO	SCOR Industries	Speaker of Assembly
NAT ISAAC	City of Los Angeles Environment and Sanitation	Local Government
RACHEL PALOPOLI	Planet Recycling	Carpet Collections/Sorting
ROBERT NUNEZ	Californians Against Waste	Environmental Community
STEVE BELONG	Carpet, Linoleum, & Soft Tile Workers Local Union No. 12, District Council 16	Northern CA Floor Covering Finishing Trades Institute Joint Apprenticeship Training Committee
STEVE LANDRETH	ProSpectra Flooring	Senate Committee on Rules
WES NELSON	GreenWaste Carpet Recycling	Carpet Collections/Sorting

Advisory Committee Plan Review Meeting and Recommendations

The California Carpet Stewardship Advisory Committee met through a teleconference on April 7, 2020 to discuss the "CARE California Carpet Stewardship Program *Draft* Contingency Plan" dated March 31, 2020. All committee members attended the meeting except: Joe Yarbrough attended the beginning of the meeting but was unable to stay on the call and did not participate in the vote. Steve Landreth attended the meeting but was not able to vote on the final two motions votes. The committee chair Rachel Palopoli was not able to attend, Vice Chair Joanne Brasch chaired the meeting in her place.

A quorum was met. Members of the public also attended through the teleconference. The meeting was conducted in compliance with the Bagley-Keene Open Meeting Act (with minor modifications due to the coronavirus emergency).

The Committee recommendations from the April 7, 2020 meeting regarding the "CARE California Carpet Stewardship Program *Draft* Contingency Plan" are provided as Attachment 1. We hope there won't be a need to implement the Contingency Plan, but should the situation arise, CalRecycle or designated party should continue to maintain appropriate communication with advisory committee pursuant to Section 42972.1 (b) and (c) of the Public Resources Code.

The committee looks forward to working with CARE and CalRecycle regarding the California Carpet Stewardship Program.

Respectfully,

Joanne Brasch

Joanne Brasch Ph.D, Advisory Committee Vice Chair

4/17/20
Date

Committee Members	Vote on the Letter
DOUGLAS WILLIAMS	Aye
ERIC NELSON	Aye
FRANCO ROSSI	Aye
GAIL BRICE	Aye
HOWARD SAPPER	Aye
JOANNE BRASCH, Ph.D	Aye
JOE YARBROUGH	Abstain
JOHN DAVIS	Aye
JORGE OROZCO	Aye
NAT ISAAC	Aye
RACHEL PALOPOLI	Abstain
ROBERT NUNEZ	Aye
STEVE BELONG	Aye
STEVE LANDRETH	Aye
WES NELSON	Aye

Attachment 1

California Carpet Stewardship Advisory Committee recommendations related to CARE California Carpet Stewardship Program *Draft Contingency Plan*” 3-31-20 (ADA)

Motion 1.0

The Committee recommends that:

- a) Consistent language be used in specifying who the meetings will be held with, i.e. CalRecycle or their designated party(ies).
- b) Consistent language be used for words previously defined from the law, approved Plan, and CalRecycle regulations e.g. Roll-up Plan, Plan Dashboard.
- c) All action items should have timeline information.
- d) For records turned over, include all accounts receiving California public funds.
- e) Under Grants, sub-section 2, strike the first sentence and replace the first word of the second sentence with “current.”
- f) Under the Escrow section, add language from the Miscellaneous section specifying all unexpended funding and ongoing consumer assessments.

Motion to Approve: Eric Nelson

Second: Jorge Orozco

Ayes (11): Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Wes Nelson

Nays (2): Doug Williams, Steve Landreth

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 2.0

The Committee recommends that CARE will provide an organization chart for current staffing and contractors related to continuing the operation of the program and a timetable laying out the transition period and updates as requested by CalRecycle.

Motion to Approve: John Davis Second: Eric Nelson

Ayes (11): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Wes Nelson

Nays (2): Howard Sapper, Steve Landreth,

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 3.0

The Committee recommends that the excerpt of relevant statutory requirements provided on page 15 be referenced in the Introduction and rather than just state "CARE believes....", they should cite the specific section of the plan that applies.

Motion to Approve: Gail Brice Second: Joanne Brasch

Ayes (4): Gail Brice, Joanne Brasch, Nat Isaac, Robert Nunez,

Nays (9): Doug Williams, Eric Nelson, Franco Rossi, Howard Sapper, John Davis, Jorge Orozco, Steve Belong, Steve Landreth, Wes Nelson

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion does not pass.

Motion 4.0

The Committee recommends that the reference to 45 days in the Timing section (Item 3a on page 3) be removed and replaced with “at CalRecycle or its designee’s request.”

Motion to Approve: John Davis Second: Steve Landreth

Ayes (11): Eric Nelson, Franco Rossi, Gail Brice, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Steve Landreth, Wes Nelson

Nays (2): Doug Williams, Howard Sapper

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 5.0

The Committee recommends that the Contingency Plan include the option to work with CalRecycle to establish the authority to accept or reject the transfer of contracts.

Motion to Approve: Joanne Brasch Second: Franco Rossi

Ayes (9): Eric Nelson, Franco Rossi, Gail Brice, Joanne Brasch, John Davis, Jorge Orozco, Robert Nunez, Steve Belong, Wes Nelson,

Nays (4): Doug Williams, Howard Sapper, Nat Isaac. Steve Landreth

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 6.0

The Committee recommends striking the last sentence under the section of Documentation, subsection A on page 5. CARE should report from the last Annual Report until the time they are no longer running the program as the Stewardship Organization.

Motion to Approve: John Davis Second: Howard Sapper

Ayes (13): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Steve Landreth, Wes Nelson

Nays (0):

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 7.0

The Committee recommends that for any new contracts, language should be added to allow CARE to amend all contracts to allow for the transfer of agreements to a new or replacing Stewardship Organization.

Motion to Approve: Nat Isaac Second: Howard Sapper

Ayes (13): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Steve Landreth, Wes Nelson,

Nays (0):

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 8.0

The Committee recommends that action item A under the Confidential Business Information (CBI) section on page 8 be amended to include a provision that all parties will honor the CBI.

Motion to Approve: Howard Sapper Second: Steve Landreth

Ayes (13): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Steve Landreth, Wes Nelson,

Nays (0):

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 9.0

The Committee recommends that on page 10, an item e should be added to the action items that requires turning over all education/outreach materials and databases produced and created with public funds to the CalRecycle designated party.

Motion to Approve: Howard Sapper Second: Wes Nelson

Ayes (13): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Steve Landreth, Wes Nelson,

Nays (0):

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (1) Joe Yarbrough

The motion passes

Motion 10.0

The Committee recommends that CalRecycle should carefully consider accepting the language under the action items listed under the Models Section as the CCM model is an integral part of running the program.

Motion to Approve: John Davis Second: Gail Brice

Ayes (6): Eric Nelson, Gail Brice, Joanne Brasch, John Davis, Nat Isaac, Robert Nunez

Nays (6): Doug Williams, Franco Rossi, Howard Sapper, Jorge Orozco, Steve Belong, Wes Nelson

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (2) Joe Yarbrough, Steve Landreth

The motion did not pass

Motion 11.0

The Committee recommends that under action item A, on page 12, add “and SJM and copies of all three applicable software should be turned over to the designated party.”

Motion to Approve: Howard Sapper Second: John Davis

Ayes (12): Doug Williams, Eric Nelson, Franco Rossi, Gail Brice, Howard Sapper, Joanne Brasch, John Davis, Jorge Orozco, Nat Isaac, Robert Nunez, Steve Belong, Wes Nelson,

Nays (0):

Abstain (0): Absent (1): Rachel Palopoli

Attended meeting, but Absent for vote: (2) Joe Yarbrough, Steve Landreth

The motion passes