

## California Mattress Stewardship Annual Report Review Checklist

(Updated June 22, 2023)

By July 1 of each year, a mattress recycling organization shall submit to the Department of Resources Recycling and Recovery (CalRecycle) an annual report. This checklist includes statutory and regulatory requirements that mattress stewardship annual reports must address. Annual reports must also meet requirements specific to a mattress recycling organization's program found in its approved stewardship plan and CalRecycle Request for Action documents on CalRecycle's Stewardship Plan (<https://calrecycle.ca.gov/Mattresses/Plans/>), Annual Reporting (<https://calrecycle.ca.gov/Mattresses/MROReports/>), and Program Goals (<https://calrecycle.ca.gov/Mattresses/Baseline/>) webpages. This checklist is not intended as a comprehensive list of all applicable legal requirements. It is provided for reference only and may not reflect recent changes in statutes and regulations.

**Table 1. Statutory Requirements (Public Resources Code)**

Requirement	Complete per 14 CCR section 18962(c)? (Yes/No)	Requirement met? (Yes/No/Partially)	Reported metric or summary of how requirement was met	Annual report page number(s)	Comments
42990.1 (a) The mattress recycling organization's costs and revenues					
42990.1 (b) The quantity of mattresses disposed of in solid waste landfills					
42990.1 (c) The quantity of discarded used mattresses collected for recycling in the program					
42990.1 (d) The quantity of used mattresses collected for recycling from different categories of sources					
42990.1 (e) The quantity of each category of materials recycled					

42990.1 (f) The uses for the recycled materials					
42990.1 (g) The quantity of otherwise disposed of materials					
42990.1 (h) A description of methods used to collect, transport, and process used mattresses in this state					
42990.1 (i) Examples of educational materials that were provided to consumers the first year and any changes to those materials in subsequent years as well as other mechanisms, including advertising of the program, to increase consumer awareness.					
42990.1 (j) The total volume, number, and weight of used mattresses collected recycled, renovated, and reused in this state during the preceding calendar year, including any conversion factor used to determine the number of mattresses recovered					
42990.1 (k) A report by the advisory committee, established pursuant to paragraph (3) of subdivision (a) of Section 42987 that includes a summary of the consultative process between the advisory committee and the mattress recycling organization relating to the ongoing implementation of the plan, as well as any other information deemed					

<p>pertinent by the advisory committee to maximizing the recovery and recycling of used mattresses in the state</p>					
<p>42990.1 (l) For reports submitted on and after April 1, 2020, a demonstration of good faith effort with the state mattress recycling goals established pursuant to Section 42987.5.</p>					
<p>42990.1 (m) For reports submitted on and after July 1, 2021, all of the following:  (1) A report on activities, which the mattress recycling organization shall undertake, to meet consumer and retailer accessibility goals, and on the progress the organization has made in meeting those goals, and on the organization's planned efforts to meet those goals. Factors to be considered may include, but are not limited to, availability of retailer take-back options, proximity to recyclers and no-cost collection points, availability of no-cost local curbside collections services, and proximity to collection events.</p>					

<p>429901. (m)(2) A report on activities, which the mattress recycling organization shall undertake, to prioritize, to the extent economically practical, the use of in-state processing facilities over out-of-state processing facilities. If the mattress recycling organization decides to use out-of-state processing facilities, the organization shall provide an explanation of that decision.</p>					
<p>42990.1 (m)(3) A report on research activities, which the organization shall undertake, to improve used mattress collection, dismantling, recycling operations, source reduction and green product design, and the response to the problem of illegal dumping and a report on the progress made as a result of the research activities.</p>					
<p>42990.1 (m)(4) A report on pilot programs, which the organization shall undertake, to test new processes, methods, or equipment on a local, regional, or otherwise limited basis, such as those designed to clean up illegally dumped mattresses, gather data and identify strategies to reduce the number of illegally dumped mattresses, in partnership with the cities and counties identified by the mattress recycling organization</p>					

<p>as having areas with the highest rate of illegal dumping in the state. Pilot program descriptions shall include a mechanism to measure success, such as establishing a baseline and goals when possible and report on the progress made in undertaking the pilot programs.</p>					
<p>42990.1 (m)(5) If the mattress recycling organization determines during a particular year that any of the activities undertaken to implement paragraph (3) or (4) were unsuccessful, the organization shall identify the problems with the current activities, and report on the new activities undertaken and progress made, in the following year's annual report.</p>					
<p>42990.1 (m)(6) A hard copy of, or an electronic reference to, each research study and report completed by the organization during the period covered by the annual report and a brief explanation of how the organization anticipates the research may benefit the program. The organization shall make these studies and reports publicly available free of charge. If the study or report contains trade secret or confidential information protected by law, the</p>					

<p>organization shall only be required to provide a description of the research and its relevance to the program that omits any of the trade secret or confidential information.</p>					
<p>42990.1 (n)(1) Any modifications or revisions to the mattress recycling plan including those required pursuant to Section 42987.1, necessary to achieve the statewide mattress recycling goals established pursuant to Section 42987.5</p>					
<p>42990.1 (n)(2) Any proposed modifications or revisions to the mattress recycling plan are subject to the department review process prescribed in Section 42987.3.</p>					
<p>42990.1 (o) For reports submitted after January 1, 2020, the progress toward attainment of the goals included in the organization's mattress recycling plan submitted pursuant to Section 42987.1</p>					
<p>42990.1 (p) Other information relevant to compliance with the plan</p>					

<p>42989.2(a) The mattress recycling organization may conduct an audit of the following:</p> <p>(1) Those parties that are required to remit the charge to the mattress recycling organization to verify that the charges paid are proper and accurate and to ensure all parties required by this chapter to pay or collect the charge are paying or collecting the proper amount.</p> <p>(2) Those parties that are exempt from remitting the charge.</p>					
<p>42989.2 (b) An audit conducted pursuant to this section shall be carried out in accordance with generally accepted auditing practices and shall be limited in scope to confirming whether the charge has been properly collected on all sales of mattresses to consumers in the state.</p>					
<p>42989(c) For purposes of conducting audits pursuant to this section, the mattress recycling organization shall hire independent third-party auditors that are approved by the department.</p>					
<p>42989.2(d) If the mattress recycling organization conducts an audit pursuant to this section, the organization shall provide a copy of</p>					

the audit to the department upon request by the department.					
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**Table 2. Regulatory Requirements (California Code of Resources Title 14)**

Requirement	Complete per 14 CCR section 18962(c)? (Yes/No)	Requirement met? (Yes/No/Partially)	Reported metric or summary of how requirement was met	Annual report page number(s)	Comments
18964 (b)(1) Contact information. Identify the corporate officer of the mattress recycling organization responsible for annual report submittal					
18964 (b)(2) Executive Summary. The purpose of the Executive Summary is to provide a broad understanding of the mattress recycling organization's program as a whole and to put into context the data and information that will follow. Provide a brief description of the mattress recycling organization's used mattress recovery efforts during the calendar year pursuant to section 18962					
18964 (b)(3) A description of the methods used to collect, transport,					



and process used mattresses in California					
18964 (b)(4) Include an updated list of participating manufacturers, renovators, and retailers and any updates to their respective contact information per section 18961(a)(2) and an updated list of brands covered under the plan per section 18961(a)(3)					
18964 (b)(5) Description of how consumers of mattresses in California had an opportunity to recycle and properly manage their used mattresses, including the number, location, and type of collection points in the program					
18964 (b)(6) May include a description of activities to ensure proper collection and management of used mattresses					
18964 (b)(7) A description of methods used by the mattress recycling organization to coordinate with existing used mattress collection and recycling programs with regard to the proper management or recycling of discarded or abandoned mattresses					

<p>18964 (b)(8) Description of objectives and activities based on the used mattress recovery and recycling plan, per section 18962(a)(2). State objectives from the approved plan and describe progress toward achieving those objectives during the reporting period. Describe any adjustments to objectives stated in the approved plan that may be made for the upcoming reporting period and accompanying rationale for those changes. If any changes are significant or material, as defined, the mattress recycling organization shall amend and resubmit its plan for approval by the department</p>					
<p>18964 (b)(8)(A) Quantitative information on subdivisions (b), (c), (d), (e), (f), (g), and (j) of section 42990.1 of the Public Resources Code, including conversion factor(s), if used. When describing the uses for the recycled materials, the annual report shall identify the secondary markets to which those materials are sold, and potential end uses of those materials</p>					
<p>18964 (b)(8)(B) Qualitative and/or quantitative information on subdivisions (g), (l), and (m) of section 42987.1 of the Public Resources Code</p>					

<p>18964 (b)(9) Financing Mechanism. Include the mattress recycling organization's total expenses and revenues associated with the implementation of the used mattress recycling program. Changes to the mattresses recycling charge shall be reflected in the annual program budget for approval by the department. If a mattress recycling organization changes the amount of the mattress recycling charge in the first 12 months during which the mattress recycling charge is being collected per subsection (1) of subdivision (c) of section 42989 of the Public Resources Code, the mattress recycling organization shall provide the department no less than 90 days' notice before the change in the amount of the mattress recycling charge takes place. If a mattress recycling organization conducts activities that are separate from the implementation and management of the California used mattress recycling program, then the annual report shall include documentation on how the collection and use of funds from the California mattress recycling charge were kept separate from other activities of the mattress recycling organization, including the</p>					
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<p>methodology for distribution of shared costs. Consistent with subdivision (a) of section 42990.1 of the Public Resources Code</p>					
<p>18964 (b)(13) Good faith effort. For annual reports submitted on and after July 1, 2019, a demonstration of good faith effort with the state mattress recycling goals established pursuant to section 42987.5 (b) of the Public Resources Code.</p>					
<p>18964 (b)(9)(A) The annual report shall include the following:(A) Mattress recycling charge per mattress size</p>					
<p>18964 (b)(9)(B) Capital costs</p>					

18964 (b)(9)(C) Education/Outreach costs					
18964 (b)(9)(D) End-of-life used mattress management costs with line items, if applicable, for collection, transportation, recycling, renovating, reuse, and proper disposal					
18964 (b)(9)(E) Program administration costs including, but not limited to, the department's costs pursuant to subdivision (a) of section 42988.2 of the Public Resources Code, and third party legal costs. Surplus funds, if any, and detailed rationale for the specified level of surplus.					
18964 (b)(9)(F) For the first 12 months during which the mattress recycling charge was collected, include a description of any changes to the amount of the mattress recycling charge, and how implementation of the change complied with subsection (1) or (2) of subdivision (c) of section 42989 of the Public Resources Code, if applicable. The mattress recycling organization may also include a description of why the change was made.					

<p>18964 (b)(10) Education and Outreach. Provide a description of educational materials that were provided, including electronic examples of these materials. Identify any method(s) used to determine the effectiveness of educational and outreach efforts (e.g., surveys, hits on specific web pages, number of participants at events, etc.), if applicable. Describe any changes to those materials that are planned for subsequent years, if applicable.</p>					
<p>18964 (b)(11) Audits. The annual report shall include an independent financial audit of the used mattress recovery and recycling program funded from the mattress recycling charge. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America, and standards set forth in Government Auditing Standards issued by the Controller General of the United States. The financial audit submitted to the department shall be prepared by an Independent Certified Public Accountant (CPA). The CPA shall not perform non-audit services for the mattress recycling organization that would impair independence as defined in the Government Auditing</p>					

Standards issued by the Controller General of the United States (e.g., accounting services, development of internal controls, management decisions). The independent financial audit shall include:					
18964 (b)(11)(A) Mattress recycling program financial statements, as required by GAAP.					
18964 (b)(11)(B) An opinion on the mattress recycling organization's compliance with the financial aspects of Chapter 21 (commencing with section 42985), Part 3, Division 30 of the Public Resources Code and Title 14, Division 7, Chapter 11, Article 3 of the California Code of Regulations.					
18964 (b)(11)(C) Findings and recommendations as they relate to the financial aspects of the program.					
18964 (b)(11)(D) Management Letter, if issued, by the mattress recycling organization's CPA					
18964 (b)(12) Advisory Committee Report. The annual report shall include the report of the advisory committee required by subdivision (k) of section 42990.1 of the Public					

Resources Code. The mattress recycling organization's annual report may include a description of how it addressed the points or recommendations raised in the advisory committee report					
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