

REQUEST FOR APPROVAL

To: Ken DaRosa
Acting Director

From: Matt Henigan
Deputy Director, Materials Management & Local Assistance
Division

Request Date: October 20, 2020

Decision Subject: Consideration of Proposed State Mattress Recycling Baseline and Goals (effective January 1, 2022)

Action By: November 3, 2020

Summary of Request:

The Used Mattress Recovery and Recycling Act (Public Resources Code sections 42985-42994) requires CalRecycle to establish convenience goals specific to consumer and retailer access to the mattress recycling program. This request is for approval of staff's proposed state mattress recycling baseline and goals for consumer and retailer access to the program, which will be effective January 1, 2022.

Recommendation:

Staff recommend approval of the proposed state mattress recycling baseline and goals for consumer and retailer access to the mattress recycling program.

Action:

On the basis of the information and analysis in this Request for Approval, I approve the proposed state mattress recycling baseline and goals for consumer and retailer access to the mattress recycling program, as indicated in Tables 1 and 2 on page 2.

Dated: October 21, 2020

Signed by Ken DaRosa, Acting Director

Ken DaRosa, Acting Director

Table 1 – Mattress Recycling Baseline and Goals: Consumer and Retailer Access

	Baseline	Goal by 2024
Consumer Access to the Program	89.6%	94%
Rural Retailer Access to the Program	81%	95%
Urban Retailer Access to the Program	63%	80%

Table 2 – Mattress Recycling Program Statutory Requirements

	Effective January 1, 2022
Consumer Access	The mattress recycling organization shall provide convenient consumer access to the program, including at least one permanent mattress drop-off location in each county. The requirement to have at least one permanent mattress drop-off location in each county shall not apply to a county with a population of less than 2,000 people as long as the organization continues to provide at least two collection events in the county each year. The department may require additional drop-off locations to ensure that consumers have sufficient convenient access to drop-off locations.
No-Cost Freight Service	The mattress recycling organization shall provide no-cost freight services to any mattress retailer, health care facility, educational facility, military base, or lodging establishment that has at least 100 used mattresses to pick up at one time.

Attachments:

1. [Proposed 2020 State Mattress Recycling Baseline & Goals Workshop Discussion Document, as presented at the March 9, 2020 Workshop:](https://www2.calrecycle.ca.gov/Docs/Web/117153)
<https://www2.calrecycle.ca.gov/Docs/Web/117153>
2. [The Mattress Recycling Council's 2018 California Annual Report:](https://www2.calrecycle.ca.gov/PublicNotices/Details/3764)
<https://www2.calrecycle.ca.gov/PublicNotices/Details/3764>
3. [Proposed 2020 State Mattress Recycling Baseline and Goals Request for Approval:](https://www2.calrecycle.ca.gov/PublicNotices/Details/3965)
<https://www2.calrecycle.ca.gov/PublicNotices/Details/3965>

BACKGROUND

The California Used Mattress Recovery and Recycling Act (Act) of 2013 [Public Resources Code (PRC) sections 42985-42994] was enacted to reduce illegal dumping, increase recycling, and substantially reduce public agency costs for the end-of-life management of used mattresses. The Mattress Recycling Council (MRC) is currently the only mattress recycling organization certified by CalRecycle and operating a used mattress recycling program in California. CalRecycle must establish convenience goals specific to the MRC's program by January 1, 2021, to be effective January 1, 2022, for each of the following, for which the MRC must demonstrate its good faith effort to comply:

- Consumer access to the program, including at least one permanent mattress drop-off location in each county, except for counties with a population of less than 2,000 people as long as the mattress recycling organization continues to provide at least two collection events in the county each year. The department may require additional drop-off locations to ensure consumers have sufficient convenient access to drop-off locations.
- The mattress recycling organization shall provide no cost freight services to any mattress retailer, health care facility, military base, or lodging establishment that has at least 100 used mattresses to pick up at one time.
- Retailer access to the program.

In March 2020, staff conducted a state mattress recycling baseline and goals public workshop to solicit ideas and feedback on potential concepts and metrics for the baselines and goals. A discussion document (Attachment 1) was released in advance of the workshop that included a broad list of potential goal concepts and metrics under consideration. CalRecycle consulted with the MRC throughout the process to develop the consumer and retailer access goals and determined that the baselines would be established using data from the MRC's 2018 Annual Report (Attachment 2) and additional data and information provided by the MRC.

MATTRESS RECYCLING BASELINE AND GOALS: CONSUMER AND RETAILER ACCESS

Consumer Access to the Program

PRC section 42987.5(a)(1)(D)(i)(I)

Effective January 1, 2022, statute requires the MRC to establish at least one permanent mattress drop-off location in each county. This does not apply to a county with a population of less than 2,000 people as long as the MRC continues to provide at least two collection events in the county each year. In 2018, the MRC established a permanent collection site in 52 out of 58 counties, which increased to 56 out of 58 counties in 2019. The two remaining counties that do not have permanent sites are Alpine and Trinity. Since Alpine county has a population of less than 2,000 people, the MRC is not required to establish a permanent site, but must hold two collection events each year in that county. The MRC must establish a permanent mattress drop-off location in Trinity County by January 1, 2022.

Additionally, statute requires a convenience goal for consumer access to the program and allows CalRecycle to require additional mattress drop-off locations to ensure that consumers have sufficient convenient access. To address this, staff analyzed statewide consumer access to the MRC's program and propose a baseline of 89.6% of California consumers living within 15 miles of an MRC collection site or participating curbside bulky item pickup opportunity. By 2024, the MRC shall increase consumer convenience to 94% (see Table 3).

This goal measures access to the MRC's permanent collection network, which includes MRC-contracted recyclers and collection sites, as well as participating local jurisdictions' curbside bulky item collection programs. According to the MRC, only contracted curbside bulky item pickup programs that service both single family and multi-family dwellings are included in its analysis. In all of these cases, there is no additional cost to the consumer at the time of collection/drop-off.

Staff determined that the proposed goal will increase opportunities for consumers to discard used mattresses. This goal is expected to benefit both consumers and the MRC since increased convenience will increase the number of mattresses collected for recycling. When staff evaluate the MRC's good faith effort to comply with this goal, CalRecycle will consider if the MRC provided supplemental service options in counties that did not have a permanent collection site, such as by holding collection events. CalRecycle will re-evaluate consumer convenience in 2024 to determine whether adjustments to this goal are needed.

Table 3 – Consumer Access to the Program

	Baseline	Goal by 2024
Consumer Access to the Program	89.6%	94%

Retailer Access to the Program

PRC section 42987.5(a)(1)(D)(ii)

Staff propose establishing retailer access goals for urban and rural areas of the state to account for the different distances businesses typically drive to conduct business and dispose of waste. After consulting with numerous retailers throughout the state, staff determined that retailers in rural areas generally drive farther to deliver new mattresses to consumers and to dispose of discarded mattresses in less populated areas. This is due to waste management facilities being less prevalent in rural areas. While surveying businesses, urban retailers stated that they generally drive between five to 25 miles to dispose of used mattresses, while rural retailers stated that they drive about 30 to 50 miles. For the purposes of this goal, “rural county” is defined as “a county that disposes of less than 200,000 tons of solid waste annually,” consistent with the definition in PRC section 40184. The retailer access goals evaluate the percentage of the population with convenient access to no-cost collection sites that accept mattress units from retailers and their associated delivery parties. When a retailer picks up a used mattress from a consumer, they may drive the used mattress back to their storefront or warehouse location, or drive directly to a mattress drop-off site or consolidation location. For this reason, using the origin of used mattresses (consumers’ residences) as the basis for this goal is the best measurement of retailer access to the program.

Staff propose the following retailer access goals (see Table 4):

Urban: A baseline of 63% of California consumers in urban areas are located within 20 miles of a no-cost collection site that accepts used mattresses from retailers and their associated delivery parties. By 2024, the MRC shall increase convenience for urban retailers to 80%.

Rural: A baseline of 81% of California consumers in rural areas are located within 40 miles of a no-cost collection site that accepts used mattresses from retailers and their associated delivery parties. By 2024, the MRC shall increase convenience for rural retailers to 95%.

Staff determined the proposed goals will improve access to available mattress collection sites for retailers who are obligated to pick-up used mattresses from customers when delivering a new mattress. These goals will help to increase the number of mattress drop-off sites participating in the MRC’s program that accept units from retailers, thus reducing the burden on retailers to transport mattresses long distances to collection locations or obligating retailers to pay to recycle the units collected.

Table 4 – Retailer Access to the Program

	Baseline	Goal by 2024
Rural Retailer Access to the Program	81%	95%
Urban Retailer Access to the Program	63%	80%

No-Cost Freight Services

PRC section 42987.5(a)(1)(D)(i)(II)

This statutory requirement related to no-cost freight services is specified in PRC section 42987.5(a)(1)(D)(i)(II) and is effective January 1, 2022. The provision requires a mattress recycling organization to provide no-cost freight services to retailers, health care facilities, educational facilities, military bases and lodging establishments. This requirement will help increase program convenience by providing direct pick-up of used mattresses to entities that have more than 100 units to pick up at one time.

Staff note that the MRC currently provides no-cost freight service to some of the above entities, such as mattress retailers, educational facilities, and hotels as part of its commercial volume pickup program. Increased convenience for these entities may lead to an increase in good quality units entering the program for recycling to advance the statewide recycling rate and efficiency rate goals that were established July 1, 2020 (Attachment 3).