

Statewide Commission on Recycling Markets and Curbside Recycling Draft Meeting Notes

Date: December 16, 2020

Time: 8:30 AM – 12:30 PM

Present:

Commissioners Bouchard, Cadena, Davis, Dell, Donlevy, Ferrante, Kalpakoff, Lapis, Medrano, Oseguera, Potashner, Sanborn, Schneider, Skye, Toyoda, and Ward.

Absent:

Commissioner Valle

Agenda:

Agenda Item 1: Call to Order, Roll Call, and Establishment of Quorum

Chair Sanborn called the meeting to order and conducted roll call. A quorum was established. She mentioned that V. Chair Valle notified her that he could not attend the entire meeting but supported the policies being presented and he would attend the final approval meeting on the 18th. She mentioned that comments given in writing would not be read out and only those provided during the meeting pertaining to agenda items would be read.

Public Comments: None

Agenda Item 2: Review and Potential Approval of Meeting Notes

Chair Sanborn moved to approve the meeting notes from November 18 and December 2, 2020. It was seconded and approved.

Public Comments: None

Agenda Item 3: Public Comment Review - Items Not on the Agenda

Chair Sanborn announced that advanced recycling will be taken up by the Commission before the final July report.

Commissioner Donlevy joined at 8:38am.

Public comments:

- Eric Nelson
- Gail Brice 1

Agenda Item 4: 8:55 am (60 min) Discussion of Draft Policy Recommendations Report and the Process

Chair Sanborn and Commissioner Ward explained the changes to the formatting by keeping the report simple and attaching all the policies to the report and make it more readable but might not be as accessible.

Chair Sanborn and Commissioner Ward presented on changes to the structure of the January report. Chair Sanborn inquired if the commissioners were comfortable with including the combined number of hours the commissioners have put in (>1200hrs). While many of the policy proposals are sufficiently prepared for the January Report, some will have to wait for finalization in the July 2021 report.

Commissioner Toyoda inquired if it would be possible to schedule formal feedback from legislators or CalRecycle on the report. Chair Sanborn agreed to share any feedback she gets from legislators.

Public comments: None

Break: 9:55 am (5 min)

Agenda Item 5: 10:00 am (2 hrs 20 min) Committee Reports on Policy Recommendations for Commission Discussion and Possible Approval

In the interest of time, Chair Sanborn proposed to go over policies that were already heard and fully approved and those needing only minor changes first. Following those, any policies being read for the first time would be heard.

Commissioner Bouchard arrived at 9:11am

Chair Sanborn listed 11 policies that were previously approved and asked if any changes were necessary. Commissioners Davis and Oseguera discussed language changes to the Consolidated Permit Process Utilization and Enhancement proposal. Commissioners Ward and Schneider added language to emphasize the need for communication with regional environmental agencies. Chair Sanborn made a motion to accept the edits on this policy as the first reading. The motion was approved. The ten other policies were approved without modification.

Chair Sanborn discussed three revised proposals: the EPR for household hazardous waste proposal (H1), propane gas cylinders proposal (H2) and precautionary principle proposal (O1). Commissioner Toyoda proposed changes in language to the EPR on household hazardous waste policy and the precautionary principle policy. A motion to approve this as the final reading of the three policy proposals was made by Chair Sanborn. The motion was approved.

Commissioners Skye and Lapis presented on the Compostable Products Certification and Approval for Composting or Anaerobic Digestion policy. The commissioners discussed the contamination in composting facilities by plastics labeled as compostable that cannot break down in real world conditions. The proposal insists that a high threshold be set to ensure products labeled as compostable are compostable in existing facilities. Commissioners Skye and Lapis voiced concern that this will de facto ban compostable plastics. Chair Sanborn made a motion to approve the policy as written and amended for its first reading. The commission approved the motion to create a compostable certification standard.

Commissioner Dell presented on Label Restriction to Stop Plastic Bag, Film Contamination on Curbside Recycling proposal. Plastic wraps and film are the most prolific contamination item in curbside recycling. The policy recommendation is to ban the word recycle and the recycling symbol from plastic bags and films as it misleads the public. Language was added to ensure that if a bag were produced with recycled content then the word “recycled” could be used. Commissioners Donlevy and Lapis voiced agreement with the proposal. Commissioner Dell and Chair Sanborn voiced concern about potentially misleading recycling content labels, and she asked that the Labelling, Media and Education Committee take up the issue of recycled content and other labelling clarity issues in the next year. Chair Sanborn made a motion to approve this proposal for its first reading. The motion passed.

Commissioners Lapis and Donlevy presented the Anti Greenwashing Policy. The aim of this policy is to create a list of items that are recyclable by facilities statewide. Using seven criteria listed in the Public Resources Code to identify truly recyclable items, they have already identified 15 that are recyclable to go on the statewide list. The proposal would allow local programs to add other items which have local markets. They also identified a pathway for approval of new materials to be put on the list. Chair Sanborn emphasized that these are preliminary findings and that more items could be included in the July report. The Recycling Committee was tasked with taking a closer look at polypropylene and plastic thermoforms for potential inclusion.

Commissioner Potashner highlighted the need for a mechanism by which the list is constantly updated. Commissioner Schneider and Davis expressed concerns about the number of hurdles the list requires for new additions. Commissioner Donlevy proposed a motion to approve the first reading of this policy with the caveat that more materials may be added in the coming year. Commissioner Dell seconded, and the motion was approved.

Commissioner Skye presented on a labeling system for what products should be placed in different bins (e.g. trash, recycling, compost, or not permitted in curbside bins). It also proposes a reusable symbol and a private takeback system label. Some drafts of what the labels might look like were included in the proposal. Commissioner Lapis dissented on a mandate to use such labels. A language change was made to remove the mandate. Chair Sanborn suggested other potential labelling categories and the delegation of the labelling to CalRecycle. The Commission agreed to hold this recommendation to be finalized in the January meetings so it will not be included in the January recommendations report.

Commissioner Davis presented on the policy recommendations to increase carpet recycling and a new prohibition on PFAS in carpets and flooring. Chair Sanborn commented that an insufficient amount of disposed carpet reaches carpet recyclers which endangers their presence in California. Commissioner Oseguera added language to item 9 regarding disposal of residuals. Chair Sanborn stressed that carpet recycling is a priority due to its high greenhouse gas footprint. Commissioner Davis moved to approve the first reading and Commissioner Oseguera seconded the motion. The motion passed.

Commissioner Oseguera moved to approve the first reading of the right to repair proposal. Commissioner Ward seconded, and the motion passed.

Public comments (for complete text of comments, see Appendix I):

- Gail Bryce 2
- Gail Bryce 3
- Bob Peoples
- Shirley Freriks
- Mike Robson
- Randy Pollack
- Nicole Quinonez
- Kelly Cramer
- Kelly Cramer 2
- Kelly Cramer 3
- Caren McNamara
- Adam Regele
- Randy Pollack 2
- Gail Brice 4
- Caren McNamara 2
- Andrew Jolin
- Shirley Freriks 2
- Gail Brice 5
- Andrew Jolin 2
- Nicole Quinonez 2
- Andrew Jolin 3

- Andre Jolin 4
- Gail Brice 6
- Bob Peoples 2
- Gail Brice 7
- Bob Peoples 3

Agenda Item 6: 12:20 pm (5 min) Agenda Items for Future Meetings and 2021 Commission Calendar

Chair Sanborn discussed finishing the policy proposal discussion at the next meeting on December 18, 2020, as well as having CalEPA Secretary and CalRecycle Director at the January 6, 2021 meeting. Chair Sanborn reminded commissioners they were interested in inviting Kip Lipper to meet with us about the bottle bill which could not be fit in the first six months, and there was agreement for him to be invited but at a meeting after Jan. 6th.

Agenda Item 7: 12:25 pm (5 min) Meeting Summary and Closing

Chair Sanborn commended the Commission for getting so much work done and closed the meeting.

Appendix I:

Eric Nelson, Circonomey Innovations

Thanks again to the MD committee for the attention to the carpet program. This comment comes from both Eric Nelson from CI and Franco Rossi from Aquafil. Increasing collections is critical job one for 2021 as the processors in the state are starving. A requirement that all old carpet stop at a sortation facility prior to a landfill seems like the best way to achieve this quickly. But setting up these sorting facilities will cost the program a lot so funding will be critical. Because of the deselection from carpet to hard surfaces, the idea of expanding the program to all flooring was meant to go side by side with the sortation facility idea. Without an assessment on the flooring going in, like resilient or laminate, then there is no funding for the collection of the carpet coming out. This is a funding conundrum that could be resolved by expanding the program to multiple categories of flooring.

Gail Brice, XT Green 1

The following is a replication of the Market Development Committee's Carpet Stewardship and Flooring policy recommendations which is designated Committee Proposal: and surrounded by "quotation marks." The "XT Green Comment" within the proposal provide suggestions specific to that section of the document. Committee Proposal: "Background: California is the first state to require a statewide carpet recycling program designed and implemented by carpet manufacturers with CalRecycle oversight. Carpet America Recovery Effort (CARE) is the manufacturers' stewardship

organization that implements the program. As an extended producer responsibility recycling program, carpet manufacturers (either individually or through their stewardship organization) design and implement their own stewardship program but it is funded by a visible fee assessed at point of sale paid for by consumers. The stewardship organization prepares and implements a plan to reach program goals, finances and distributes funds to support the stewardship program, and reports to CalRecycle on their progress. CalRecycle's role in the carpet stewardship program is to review and approve plans, check progress, and support industry by providing oversight and enforcement to ensure a level playing field among carpet manufacturers." XT Green Comment: It would be helpful to expand on the CARE "Plan" by noting that it is a 5-year Plan that has gone through CalRecycle oversight and public comments including by the California Carpet Stewardship Advisory Board. Also, it may be helpful to note that CARE produces quarterly reports and an Annual Plan to report on its progress relative to the 5-year Plan. Committee Proposal: "California's Carpet Stewardship Law states that the amount of the assessment shall be sufficient to meet, but not exceed, the anticipated cost carrying out the plan. The current assessment is \$0.35 per square yard of carpet sold in California, amounting to \$28.2 million in 2019. Subsidies are paid to Collectors/Sorters, Processors and Manufacturers totaling \$14.56 million in 2019. Direct program costs (\$7.24 million) and CARE administration (\$2.16 million) comprise the remaining 2019 expenses for a grand total of \$23.96 million. AB 1158 statute set a recycling rate of 24% by January 1, 2020. The program achieved an overall 19.1% rate for 2019, reaching 22.5% in the 4th Quarter. CARE's 2019 California Annual Report indicates that 73.6 million pounds were collected by the program, yielding 58 million pounds of output primarily PET (24.5 million) and Nylon 6 (10.5 million) fibers, and calcium carbonate (14.1 million)." XT Green Comment: CARE publishes Quarterly Reports including the most recent one for 3rd Quarter 2020. The Commission may want to include results in this narrative including proactive efforts to save the California carpet stewardship infrastructure during the effects of Covid-19. Committee Proposal: "The California Department of Toxic Substances Control issued a "Product – Chemical Profile for Carpets and Rugs Containing Perfluoroalkyl or Polyfluoroalkyl Substances" in October 2019. The Profile is a report generated by DTSC to explain its determination that a proposed Priority Product meets the Safer Consumer Products regulatory criteria for potential significant or widespread adverse impacts to humans or the environment. The Profile is not a regulatory document and does not impose any regulatory requirements." XT Green Comment: The DTSC profile is the background document to demonstrate the need to include "carpet and rugs" in the DTSC Safer Program. This program only applies to PFAS associated with the sale of new carpet and rugs into California. Applicable regulations will be issued by DTSC in the Spring of 2021. Although the DTSC profile includes valuable information relative to end-of-life issues associated with PCC, the program does not apply to PFAS in post-consumer carpet. (See later comment regarding alternative strategy.) Committee Proposal: "The Profile addresses carpet recycling: Given the relatively long useful life span of carpets, on the order of one to two decades (Arcuri 2015), the carpets and rugs entering the waste stream now may contain side-chain fluorinated polymers that degrade into longer-chain PFAAs. Because PFASs are not removed during recycling, new carpets containing recycled carpet content will inadvertently perpetuate the presence of longer-chain PFASs in California

homes. Recycled carpet content may lead to the presence of PFASs even in carpets without intentionally added PFAS-based treatments (Changing Markets Foundation 2018). The Profile notes that impacts occur from other end-of-life carpet options, including combustion (PFCAs and CFCs as well as fluorocarbons) and landfill leachate and treated leachate from Waste Water Treatment Plants. This proposal addresses the goal of PRC 42005(b)(2) Increasing demand for recycled content products, especially high quality, value-added products. Purpose(s): The Commission and Market Development Committee received public comments and proposals focused on collection and product toxicity. This proposal addresses those concerns and other issues identified by the Committee. Would this policy proposal require legislation, or interaction with an agency other than CalRecycle? CARE is the product stewardship organization for carpet and is responsible for the program. Legislation is needed. Possible 2021 Legislative Priority? Yes. Ban sale of any flooring product, carpet/pad etc. containing PFAs; Require all non-natural flooring and padding to be tested for safety by Dept. of Consumer Affairs; Ban the disposal of carpet in California without first being sent through qualified sorters. Does this proposal require additional funding or changes to resource allocation? Collection costs would increase to provide hard to handle reimbursement. Collection costs may increase for installers network expansion. Proposal(s): CARE is preparing recommendations around highest recyclability and differential assessments that were originally expected in October 2020 but are now due to CalRecycle by June 2021 due to an extension to the deadline approved by CalRecycle. The following proposals involve more reporting and planning detail around resin types. 1. CalRecycle should require that CARE submit a clearly stated annual implementation plan showing anticipated generation and yield, needed collection and processing, and end use destinations for sufficient carpet and resulting by-products (by resin type) to meet or exceed annual goals. 2. CalRecycle should require a clearly stated annual financial plan showing anticipated revenue and its use to support the implementation plan elements, with expenditures linked to subsidized activity and cumulative expenditures by resin type." XT Green Comments: Many of this reporting is already being done by CARE. Suggest that that recommendations only include additional information requested and specific need that that will be met by this reporting. Committee Proposal: "Carpet toxicity concerns are amplified by DTSC's Profile: https://dtsc.ca.gov/wp-content/uploads/sites/31/2020/02/Final_Product-Chemical_Profile_Carpets_Rugs_PFASs_a.pdf. These recommendations focus on issues raised in the Profile they may impact CARE's program and reflect Precautionary Principle approaches endorsed by the Commission. 3. CalRecycle should provide public written preapproval for any studies to be conducted with public fee money, and ensure that those studies remain public and transparent to CalRecycle and the public, and results provided in a timely fashion." XT Green Comments: Agree that studies should be more transparent and should require "pre-approval" prior to funding and conduct studies. This pre-approval should include review by the California Carpet Stewardship Advisory Board. (See later comments regarding additional expansion of AC responsibility.) Committee Proposal: " 4. CARE needs to address concerns raised by DTSC's Profile, identifying protocols to reduce worker and continued public exposure impacts from carpet recycling. Exposures include continued circulation of PFAs through fiber and calcium carbonate recycling." XT Green Comments: Addressing health and

safety concerns associated with recycling post-consumer carpet is beyond the charter and expertise of CARE. This is especially true for complex substances such as PFAS whose regulation is just in the initial stages throughout numerous California agencies and U.S. EPA. Additionally, CARE is an industry group that shouldn't regulate itself. The Commission may want to consider recommending that CalRecycle develop the appropriate strategy for protecting human health and the environment from effects of recycling carpet and other materials with PFAS. This effort should utilize the expertise in DTSC, CalOSHA and the Air Resources and Water Boards. The strategy should include: Considering all types of PFAS including shorter chain substances; protecting drinking water supplies and wastewater treatment plants from PFAS leaching from landfills; and developing maximum PFAS levels in recycled content from PCC. Besides this longer-term effort to develop a regulation strategy for PFAS in post-consumer carpet recycling, the Commission should recommend that the California Carpet Stewardship Program immediately ban subsidies for any use of recycled carpet content in open environments that would cause it to be exposed to storm water runoff, and/or discharge PFAS into surface or ground water. Committee Proposal: "5. Ban sale of any flooring product, carpet/pad etc. containing PFAS 6. Require all non-natural flooring and padding to be tested for safety by Dept. of Consumer Affairs." XT Green Comments: Item 5 & 6 are already in the DTSC Safer Program who are also addressing PFAS contamination in new Priority Products sold in California. The Recycling Commission should consider eliminating these items from its recommendations. However, as noted in the previous comment, CalRecycle should develop a strategy that includes the maximum levels of PFAS allowed in recycled content from post-consumer carpet. Committee Proposal: "CARE needs to assure that carpet collection keeps up with demand for California recycled materials as recycled carpet manufacturing operations open and expand. There are existing recycled carpet markets, infrastructure is more developed. After ten years the carpet stewardship program has a greater market in California that needs to receive the material. The continued expansion of recycled carpet markets depends on expanded effective collections, currently estimated at 27%. 7. CARE needs to set and meet resin-specific collection goals for materials and volume to serve in-state recycling manufacturers. 8. Professional carpet installers, and installers replacing carpet with other flooring, handle up to 90% of carpet discards. CARE needs to increase its efforts to secure carpet from installers, working with retailers, wholesalers and distribution facilities to provide efficient collection options. If CARE does not offer to incentivize collection of carpet and pay the people that must keep it clean, dry, rolled up fiber in, and delivered to a facility for their labor, they cannot claim they cannot meet the goals due to lack of collection. 9. CARE should collect carpet at no cost from the installers' network in order to avoid conflicts with local hauling arrangements or make arrangements with local haulers under existing arrangements to deliver installers' loads to a CSE or processor. 10. CARE should collect carpet at no cost from MRFs, landfills, and transfer stations, including a hard-to-handle reimbursement such as is done in the very similar mattress stewardship program." XT Green Comments: The above has numerous unintended consequences that I assume will be addressed by CARE and the carpet collector community. As noted above, XT Green's concerns about being able to secure adequate PCC to process may result in not building our facility. Besides supporting #11 below, the following is a list of recommendations for consideration by the

Commission for expanding California PCC collections (additional details will be provided upon request): a) Stop California PCC from leaving California (and support California Green Jobs) by eliminating California subsidies to out-of-state processors if there is a need for this material as feedstock by California processors. b) Enforce the existing "California Mandatory Commercial Recycling" regulations that require those that generate 4 cubic yards or more of commercial waste per week to arrange for recycling services. Most of the carpet retailers/contractors in California should meet this requirement. c) Remove "carpet" from the definition of Construction & Demolition Waste. Under the C&D recycling requirements, there is no motivation to keep this material out of landfills because the diversion rates can be met without recycling the carpet. Carpet from demolition sites should be managed under the California Carpet Stewardship Program. CARE should provide procedures to CalRecycle include in State and Local C & D Ordinances that require PCC to be removed from demolition sites first before other material to avoid contamination and kept separate from C & D disposal bins. d) Ensure there are adequate CARE collections drop-offs by expanding the "Convenient Collections" requirements to include a minimum of one CARE drop-off sites to service every 500,000 in population. Committee Proposal: "11. Ban the disposal of carpet in California without first being sent through qualified sorters." XT Green Comments: This is an excellent idea, but the current wording is somewhat confusing. The Commission may want to consider changing it to something like: "Direct disposal of post-consumer carpet into landfills is not allowed. It must first be sent to a CARE-certified collector/sorter to sell the recyclable PCC to processors in the California stewardship program." Non-recyclable PCC that is sent to landfills should be handled as a special waste in a separate cell. Leachate should be prohibited from being discharged to a wastewater treatment plants. XT Green suggestions not included in Commission Recommendations: A. Monetize Climate Benefits of Carpet Recycling. Suggest that the Commission request ARB to correct the Greenhouse Gas (GHG) emission reduction benefit calculations for carpet recycling based on life cycle analyses and California-specific data. The GHG program should also be expanded to create more value for California recyclers to sell as offsets for cap and trade and/or companies wanting to reduce their carbon footprint. Monetizing this benefit for California recyclers would be extremely helpful to offset the high cost of operating in California and be a tool to attract out-of-state recycling facilities into California. B. Expand Responsibility of the Advisory Committee. The California Carpet Stewardship Advisory Committee (AC) members are appointed by the Director of CalRecycle, Senate Committee on Rules and the Speaker of the Assembly. The Advisory Committee Members represent stakeholders in the carpet collection/sorting, processing community, manufacturers that use recycled content from carpet, carpet mills, carpet retailers, local governments, environmental community, and the trade union representing flooring installers. Current legislation only gives the AC the responsibility to review the CARE annual report (six months after the year has been completed) and participate in the development of the 5-year Plan. The Commission should consider recommending the expansion of the role of the AC to ensure that the experience and expertise of the represented stakeholders are utilized to optimize the effectiveness of the program and identify potential programs before they occur. Committee Proposal Ending: "Related Issues: Precautionary Principle" XT Green Comment: Thank you for considering our recommendations.

Gail Brice 2

As the current carpet proposal is significantly different than the preliminary proposal, I support Bob Peoples' request to wait for CARE's comments prior to reviewing carpet proposal. Also, I'd like the Commission to have time to read my comments submitted last night that are based on 10 years of experience in carpet recycling and are part of my effort to support the construction of the XT Green carpet recycling facility. I understand that the Commission needs two "bites of the apple" before finalizing proposal. As the Commission didn't get to the carpet proposal during the last meeting, am I correct that the carpet proposal shouldn't be finalized today? Thank you.

Gail Brice 3

It wasn't clear if my other comment sent a few minutes ago went through so I'm resending: I support Bob Peoples' request to wait for CARE's comments on the carpet proposal. I'd also like the Commission to have time to read my comments that have been posted in Google Drive. These comments are based on my 10 years in carpet recycling and are key in my attempt to move forward with the construction of the XT Green facility. Also, as the carpet proposal was not addressed at the last meeting, wouldn't this be the "first bite of the apple" and therefore could not be finalized today? Thank you for your consideration.

Bob Peoples, CARE

CARE is working to provide additional detailed comments to the Commission. However, due to the complexity and short timeframe, has not been able to finalize those comments. Worth noting, carpet disposal represents well less than 1% in CA. The current program has survived the impacts of Covid-19 and remains on track to continue growth of the recycle rate. This is a direct result of CARE's rapid and aggressive Covid Action Plan as acknowledged by both our recyclers as well as CalRecycle. In, short, the Action Plan increased subsidies and extended this support through the end of Q1 2021. New collections efforts are well underway but were adversely impacted, delayed by the pandemic. CARE will work to provide detailed comments asap. CARE suggests a focus on the biggest impacts to reverse the 5-year slide in the statewide recycling rate.

Shirley Frericks, Nevada County Waste Not

Offering my appreciation as a citizen working on recycling in Nevada County for the many named and unnamed hours you have put into this. Your level of detail is impressive from before a product is designed to renewal to end of life. What is the process after you submit these recommendations? Do your recommendations need to go to legislature? How long before we start implementing?

Mike Robson

can you please refer to the proposals by the numbers you assigned them in the google docs. instead of by words. impossible to follow.

Randy Pollack, Churchwell White

Is it possible to tell the public what document and page you are looking at when you are discussing the proposals? It is difficult to follow what which documents is being discussed. Thank you.

Nicole Quinonez, Madden Quinonez Advocacy

To clarify, would this proposal affect the outer packaging or just the symbol on the actual plastic bag? For example, many garbage bags come in paper boxes which are recyclable. Want to ensure the labelling of the box will not be impacted.

Kelly Cramer, How2Recycle

The How2Recycle Store Drop-Off label reduces contamination in curbside recycling. In a consumer survey of over 8K people at how2recycle.info, 65% of people report they change their recycling behavior as a result of the How2Recycle label. Of that 65%, a specific portion report that they will now recycle their plastic bags and films through Store Drop-Off instead of the curbside cart because of the Store Drop-Off label. Source: <https://brandfolder.com/s/pp94r3ntpw7vjj845vrnthq8>

Kelly Cramer 2

Jan Dell just said that companies can simply label the other packaging components and leave the other component labels off. The How2Recycle program requires that all brand and retailer members label all components of a package. This is so that members do not cherry-pick the packaging components that they want to label and ignore the other components. This confuses consumers to only speak to part of a package's recyclability. So if you required companies to remove the Store Drop-Off label, they would also be required to remove the label of the other components such as Paper Box, Widely Recyclable for that same package.

Kelly Cramer 3

To clarify, the Recycling Partnership report does not speak to the efficacy of the Store Drop Off label, but rather contamination more broadly.

Caren McNamara, Conscious Container

Recycling: Proposed Legislative language was submitted to this Committee several months back regarding statutory changes needed to the CalRecycle program for reusable/refillable containers to be processed in California. Returnable/refillable glass and PET container systems need to be part of our CRV recycling system and proposed legislation from this committee is essential to enabling these containers into our California CRV system. Is this proposed language included?

Adam Regele, California Chamber of Commerce

Just to clarify Commissioner Lapiz's comment regarding packaging not on the list but otherwise applying to qualify, is Commissioner Lapiz stating that the Statewide Commission will be the body approving or denying which packaging types meet the requirements, and therefore can or cannot be added to the list? Or that CalRecycle would be making that determination? Thank you.

Keng Baloco-Wong, Athens Services

Athens Services MRF in Sun Valley runs our PET through our optical sorting system to ensure we are recovering the correct grade. We separate PET bottles from PET clamshells and bale each commodity separately.

Amelia Firme, Organicgirl Produce, LLC

organicgirl grows, harvests and packs organic lettuces in recycled PET packaging made by Direct Pack, Inc. Local MRFs including the Marina MRF in Monterey recover PET thermoforms clamshells. After clamshells are sorted from curbside streams they are baled and sold by the truck load to Direct Pack, Inc. of Azusa. Direct Pack washes, flakes, extrudes, and thermoforms new clamshells for local California brands like. Currently we have one clamshell with 10% reclaimed clamshells. We would like to continue to increase the percentage as well include the balance of our clamshells which would effectively close the loop on our PET clamshells. We hope you will recommend and identify PET clamshells as a recyclable regularly collected in curbside recycling programs.

Randy Pollack 2

Were pails considered during the process?

Gail Brice 4

The Greenwashing Committee is generating great information regarding the status of recycling facilities in California and feedstock availability. It would be very valuable for companies interested in investing in new recycling facilities in California. Is there any activity being done by the Commission that would make this backup information that led to the Greenwashing conclusions available to the public?

Caren McNamara 2

To follow-on to refillables/returnables legislation discussion. The proposed statutory changes need to move forward in the 2021 legislative session. Specifically - These changes enable containers to not be 'cancelled or crushed' so CRV bottles can be washed and refilled multiple times within the state of California. And.. there is more than one customer for CRV glass containers in California.

Andrew Jolin, Direct Pack, Inc.

We buy 1.5M lbs of PET thermoforms and reclaim, rethermoform them into new thermoforms for big CA based brands

Shirley Freriks 2

Please clarify contamination in report. I have heard it used with food, plastic film and in a bake that makes it unsaleable. More?

Gail Brice 5

An Appendix showing the back up information would be very helpful.

Andrew Jolin 2

We buy millions of lbs of PET thermoforms from 10 different MRFs in CA and make new thermoforms for big CA brands

Nicole Quinonez 2

Why is the list of Local adds limited? If a local program accepts a particular material, why would they be limited in doing so?

Andrew Jolin 3

We are reclaimer and do not landfill PET thermoforms. We buy from 10 different MRFs in CA for long term and good price

Andrew Jolin 4

We are a PET and thermoformer and reclaim PET thermoforms from MRFs in San Francisco, San Jose, Monterey, Paso Robles, Sun Valley, Wilmington and others, so not sure where Comsnr Dunleavy got information that reclaimers landfill them. We pay higher price for thermoforms than we do for B grade so price is good and we offer MRFs long term contracts. How are these not recyclable?

Gail Brice 6

The current Carpet Proposal was changed significantly and published the weekend before the Market Development reviewed and passed it onto the Entire Commission. There were no opportunity for CARE, individuals who are members of the Carpet Stewardship Advisory Committee or the public to comment prior for it to be sent onto the Commission. Detail comments have now been submitted, CARE will be submitting comments. These comments should be reviewed by the Commission before approving the current version of the program especially as the current Proposal and recommendations are based on inaccurate information.

Bob Peoples 2

CARE has completed a concise and detailed response to all recommendations and will transmit these to the Commission today. CARE has an Advisory Committee that is involved in all aspect of Plans, changes to Plans and Annual Report. Pad was excluded from all carpet stewardship laws therefore, CARE has no authority. CARE agrees intercepting carpet prior to contamination is hugely important and work is underway.

Gail Brice 7

In my line-by-line detailed comments submitted yesterday that are posted on the Google Drive, I've identified the inaccurate information that I noted in my other comments. Please read those comments.

Bob Peoples 3

Your actions here will not solve the collection challenges we face today. CARE is working now with the recyclers, retailers, mills, installers to grow collection.