Overview of the IL Carpet Recycling Working Group and Proposed Legislation (SB 3546)

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Presentation Agenda

- The Formation of the IL Carpet Recycling Working Group (CRWG)
- Update on the Progress of the IL CRWG
- Overview and Status of SB 3546
- Questions
Formation of the IL CRWG

- In 2012 the IL chapter of Solid Waste Association of North America (SWANA) decides to hold fall workshop on carpet recycling
- Briefing paper prepared for Carpet Recycling Summit by SWANA-IL
Formation of the IL CRWG

- Summit held on October 30, 2012
  - Over 70 participants
  - Presentations from CARE, Interface, Shaw Industries, PCI FlorTech, 3 collectors/recyclers and CalRecycle

12th Annual CARE Conference | Overview of IL CRWG and SB 3546
Formation of the IL CRWG

• SWANA prepares Carpet Recycling Summit Action Plan (January 29, 2013), recommendations include:
  - SWANA-IL to develop webpage on its website (www.swanaillinois.com/carpet) dedicated to carpet recycling
  - SWANA-IL to take lead in forming working group and holding periodic calls to discuss collection, processing infrastructure, market development, and public awareness/education
  - All stakeholders to work together to increase the number of carpet collection sites
  - SWANA-IL to have carpet recycling session at 2013 IL State recycling conference
  - SWANA-IL to work with various stakeholders to determine if funding can be dedicated to market development and in particular the PET issue
Formation of the IL CRWG

- First meeting of the IL CRWG held on March 11, 2013, monthly calls since that date
  - Co-chairs elected (Jennifer Jarland and Cameron Ruen)
  - 14 original members, now up to nearly 40 members/followers
    - Includes CLEAR, Kruse, Heritage Recycling, Interface, Fiberon Decking, Ecostrate, Turf Reclamation Services, IEPA, U of I Sustainable Technology Center, IL Environmental Council, Republic Industries, 2 C&D recyclers, 6 units of local government and two waste agencies
  - Four sub-groups formed and leaders assigned: Education, Increasing Collections, Market Development, and Legislation & Policy
Progress of the IL CRWG

• First meeting March 2013
• Presentation at June 2013 IL State Recycling Conference
• Website developed and posted in July 2013
• Four sub-groups formed in August 2013 with specific tasks outlined
• CRWG votes unanimously in September 2013 to pursue development of EPR based legislation
  ➢ Primary drivers of need for legislation were: 1) increasing share of PET and lack of recyclability/negative impact on recyclers’ business model, 2) inadequate statewide carpet collection and recycling infrastructure and 3) relatively large amount of carpet and pad disposed of in IL landfills, estimated at 280,000 tons per year
Progress of the IL CRWG

• Press release issued on November 1, 2013 regarding the CRWG efforts to increase carpet recycling in IL; collection flyer developed and posted to website

• Presentation at the IL state conference of solid waste coordinators in November 2013
• SB 3546 filed by Senator Melinda Bush in January 2014
Progress of the IL CRWG

- End Market Development and Best Practices Report completed in February 2014
- Toolkit on how to conduct a carpet recycling program finalized in April 2014
Progress of the IL CRWG

• Status of collection programs in Illinois
  - Over 70 carpet retailers participating with Go Green and CLEAR’s collection and processing program
  - One collection site at a landfill, located at the Advanced Disposal landfill in Zion, IL
  - Numerous C&D recycling facilities began collecting carpet, contamination issues become problem, primarily wet carpet
  - Several one day collection events held by solid waste/recycling departments in Will and Kane County in 2013 and more coming in 2014
  - One at the curb program on-going in Oak Park, Heritage Recycling is the service provider
Overview of SB 3546

- Senate Bill 3546 introduced February 14, 2014 by Senator Melinda Bush
- Primary elements of the bill:
  - Product scope – Same as CA, except with addition of artificial turf.
  - Funding Mechanism – Assessment fee of $0.15 per square yard of PET, PTT and blended carpet only; no fee on nylon. Fee must be lowered if the fund balance is greater than 12 months operating costs. Fee must be visible on all invoices.
  - Incentive Payments to Processors – Plan must address payment of incentive fees to processors and annual report must report on incentive program.
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ Performance standards – Plan must include 3 year goals for percentage of carpet that will be collected, reused and recycled, goals must be based on most recent and reliable data and methodology must be stated for determining goals.
  ➢ Convenience standards – Plan must include a description of how the program will be convenient and adequate to serve needs of residents and businesses in both rural and urban areas, and how it will achieve a convenience standard of having collection sites in 50% of counties by July 2017 and 90% by July 2018 (IL has 102 counties).
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ Stewardship organization – CARE is sole stewardship group until Jan. 2020, after that producers may form one or more separate groups as long as they represent at least 20% or greater of carpet sales.
  ➢ Outreach and education requirements – Plan must describe activities and budget for encouraging participation, and must include a method for evaluating program effectiveness. Producers must provide consumers with information on available end-of-life management options and a notification that a charge for the operation of the end-of-life program is included in the purchase price of PET, PTT and blended carpet.
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ Stewardship plan contents - Plan contents similar to CA, with addition of:
    ✓ 3 year performance goals and projected 3 year budget
    ✓ Discussion of the status of end markets
    ✓ Discussion of carpet design and manufacturing changes being considered to reduce toxicity, water use, etc. and efforts being made to increase recyclability
    ✓ An evaluation of the feasibility and effectiveness of a landfill ban
    ✓ A discussion of the cost, feasibility and effectiveness of labeling the backside of carpet by polymer type
    ✓ Plan must be updated at least once every 3 years, or sooner if IEPA determines need
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ State review of plan – Plan due to IEPA by January 1, 2016 for 3 year planning period (July 2016 through June 2019). Within 14 days of receipt IEPA must post draft plan on website for 30 day comment period and stewardship group must respond to comments within 30 days. Within 90 days IEPA must determine if plan is sufficient. If rejected must be resubmitted within 60 days.
  ➢ Audit requirements – Plan must include a process by which financial activities are independently audited. Annual reports must include the final audit.
  ➢ Antitrust – Contains specific State action antitrust exemption.
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ Annual reporting – Reports are due annually beginning in April 2017 (for the previous calendar year), to include:
    ✓ Amount of carpet sold in square yards, with separate reporting of PET, PTT and blended carpet.
    ✓ Description of program, listing of persons and facilities involved in program, and data on the amount collected, recycled, reused and disposed of (with a comparison to performance goals in Plan).
    ✓ Total cost of the program and copy of independent audit.
    ✓ Proposed budget for subsequent calendar year.
    ✓ A discussion of the carpet design changes and evaluation of landfill ban.
    ✓ Education samples and evaluation of the campaign’s effectiveness
Overview of SB 3546

• Primary elements of the bill (cont’d):
  ➢ Administrative fees – Annual administrative fee payment of $10,000 to IEPA.
  ➢ Disposal ban – No ban, but Plan and annual reports must discuss the feasibility and effectiveness of a ban.
  ➢ State procurement requirements – Beginning in January 2017 at least 35% of carpet purchased by state agencies shall be recycled carpet and comply with the NSF/ANSI 140-2009 Standard. Thereafter the rate shall increase 10% per year until it reaches 75%. By January 2018, CARE must provide IL State purchasing department with a report on products (carpet and non-carpet) made from carpet the State should consider purchasing.
Current Status of SB 3546

- Stakeholder meeting held on March 24th by Senator Bush, CRI and its lobbyist in attendance with approximately 15 other stakeholder lobbyists (including manufacturers, homebuilders, retailers, IEPA, local government, waste industry, and environmentalists)
- Has been re-assigned to Assignments, this means it did not meet the Senate Environment Committee deadline for bills to be sent to full Senate. This was expected as Senator Bush let it be known the bill would not move this year, needs more time for stakeholder discussions
- 7 Senators have been added as co-sponsors of the bill, including the Chair of the Senate Environment Committee
- Anticipate Senator Bush will call second stakeholder meeting towards end of session in mid to late May
That’s all

QUESTIONS?

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