

Fact Sheet - AB 2398 (Pérez, 2010) Carpet Producer Responsibility

Summary/Background

AB 2398 establishes a producer financed, designed and managed carpet recovery program.

Carpet makes up 3.2% of all waste disposed in California. It's bulky and difficult to manage and has the fourth largest greenhouse gas footprint of any product waste in California.

Adds Chapter 20 to Part 3 of Division 30 of the Public Resources Code. Repeals Section 42980.

Impacts on Manufacturers

Carpet producers, individually or through a designated stewardship organization, will be required to submit a stewardship plan containing specific elements to the Department of Resources, Recycling and Recovery (CalRecycle).

The Carpet America Recovery Effort (CARE), a 3rd-party nonprofit carpet stewardship organization, will serve as the carpet stewardship organization until April 1, 2015.

The law prohibits carpet producers from selling carpet in California unless they are participating in the carpet stewardship program. Producers must submit an annual report to CalRecycle describing carpet recovery efforts.

Impacts on Retailers/Wholesalers

Retailers must make sure that carpet producers are in compliance before selling their carpet.

Retailers and wholesalers will also add the \$0.05 per square yard assessment to the purchase price of all carpet sold in the state.

Impacts on Consumers

California consumers will now have more locations to discard of their unwanted carpet for recycling with no costs upon return. Consumers will pay fees at point of sale to cover the program costs.

State Oversight (CalRecycle)

CalRecycle will review and approve submitted stewardship plans from carpet producers within 60 days of receipt. They must list participating producers on their website, review the annual report submitted from producers and adopt findings or compliance or noncompliance with their plan.

CalRecycle and the Department of General Services (DGS) must also complete a study examining the specifications for carpet purchases by the state and submit it to the Governor and the Legislature.

Key Dates

- January 2011 – Effective date
- September 30, 2011- Carpet manufacturers submit a stewardship plan to CalRecycle
- July 1, 2011 to January 1, 2013 - Assessment of \$0.05 per square yard upon the purchase price of all carpet sold in CA
- July 1, 2013 (annually) – Producers submit an annual report to CalRecycle
- January 1, 2014 - CalRecycle/DGS complete a study on the carpet purchases by the state.
- Until April 1, 2015 - CARE serves as the carpet stewardship organization
- After April 1, 2015 – Other carpet stewardship organizations, besides CARE, may operate and submit plans to CalRecycle.

Cost/Funding

- The stewardship organization will pay CalRecycle annual administrative fees sufficient to cover the full costs of administering and enforcing the program.
- The \$0.05 per square yard assessment on carpet will be spent by CARE or an individual producer, prior to approval of its carpet stewardship plan.

For More Information

- Sign up for CalRecycle's AB 2398 [listserv](#).