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AB-2097 Carpet recycling: annual reports. (2017-2018)

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Assembly Bill No. 2097

CHAPTER 340

An act to amend Sections 42975 and 42976 of the Public Resources Code, relating to recycling.

[Approved by Governor September 11, 2018. Filed with Secretary of State September 11, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2097, Acosta. Carpet recycling: annual reports.

Existing law requires a manufacturer of carpet sold in this state to submit, either individually or through a carpet stewardship organization, a carpet stewardship plan that meets specified requirements to the Department of Resources Recycling and Recovery. Existing law requires a carpet stewardship organization, on or before July 1 of each year, to demonstrate to the department that it has achieved the amount and rates of recycling, and a reduction in disposal, of postconsumer carpet subject to its stewardship plan and in meeting the other specified goals included in the organization's plan. Existing law requires a manufacturer of carpet sold in this state to submit to the department, either individually or through a carpet stewardship organization, on or before July 1 of each year, a report describing its activities to achieve the purposes of the carpet stewardship laws.

This bill would change the date by which the annual demonstration and the annual report are required to be completed from July 1 of each year to September 1 of each year.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 42975 of the Public Resources Code is amended to read:

42975. (a) In order to achieve compliance with this chapter, a carpet stewardship organization shall, on or before September 1 of each year, demonstrate to the department that it has achieved the amount and rates of recycling and a reduction in disposal of postconsumer carpet subject to its stewardship plan and the other goals included in the organization's plan pursuant to paragraph (2) of subdivision (a) of Section 42972. In determining compliance, the department shall consider all of the following:

(1) The baseline rate of compliance against which the demonstrated improvement is compared, including progress in achieving the goals outlined in subparagraphs (A) to (E), inclusive, of paragraph (2) of subdivision (a) of Section 42972.

(2) The quantifiable five-year goals and annual goals included in the carpet stewardship plan pursuant to paragraph (2) of subdivision (a) of Section 42972.

(3) Information provided in the organization's report to the department pursuant to Section 42976.

(b) If more than one organization submits a carpet stewardship plan pursuant to this chapter, the department shall use information submitted by the organization in its annual report pursuant to Section 42976 to determine to what extent the recycling rates, the reductions in disposal rates, and the achievement of the other goals included in the plan are attributable to each organization and shall determine compliance with this chapter accordingly.

SEC. 2. Section 42976 of the Public Resources Code is amended to read:

42976. On or before September 1 of each year, a manufacturer of carpet sold in the state shall, individually or through a carpet stewardship organization, submit to the department a report describing its activities to achieve the purposes of this chapter, as described in Section 42970, and to comply with Section 42975. At a minimum, the report shall include all of the following:

(a) The amount of carpet sold by square yards and weight, in the state during the reporting period. A carpet stewardship organization with more than one manufacturer may use average weight.

(b) The amount of postconsumer carpet recycled, by weight, during the reporting period.

(c) The amount of postconsumer carpet recovered but not recycled, by weight, and its ultimate disposition.

(d) The total cost of implementing the carpet stewardship plan.

(e) An evaluation of the effectiveness of the carpet stewardship plan, and anticipated steps, if needed, to improve performance.

(f) Examples of educational materials that were provided to consumers during the reporting period.