

# Meeting Summary

## Mattress Stewardship Advisory Committee Meeting #1

Dec. 8, 2022, 9 a.m. – 12 p.m.



A rulemaking advisory committee meeting is being convened to discuss rule concepts for the Mattress Stewardship Act of 2022.

### Schedule

<b>9 a.m.</b>	<b>Welcome and Overview of today's meeting</b> <ul style="list-style-type: none"><li>• Review agenda</li><li>• Webinar tips, meeting ground rules</li></ul>
<b>9:10 a.m.</b>	<b>Introductions</b> <ul style="list-style-type: none"><li>• Introduce key DEQ staff</li><li>• Introduce committee members</li></ul>
<b>9:30 a.m.</b>	<b>Committee scope and operating procedures</b> <ul style="list-style-type: none"><li>• About rules and the rulemaking process</li><li>• Role of the Rulemaking Advisory Committee</li><li>• Public involvement</li><li>• Review Committee Charter</li><li>• Q&amp;A</li></ul>
<b>9:45 a.m.</b>	<b>Overview of Mattress Stewardship Act</b> <ul style="list-style-type: none"><li>• Introduction to Act</li><li>• Scope of rulemaking</li><li>• Timeline</li><li>• General Questions about the Act</li></ul> <p>Questions/Comments:</p> <p>Terry: Regarding where you dispose of the mattress after you bought a new one: Would you also be including a place that will reuse the mattress?</p> <p>Response: Program plan that DEQ will review and approve will include the collect network.</p> <p>Angie Marzano: Was there an attempt to get a retailer representative on the committee?</p> <p>Response: We anticipate a retailer and others effected by the rule on the committee next year.</p> <p>Angie: When will the timeline be fully implemented?</p> <p>Response: 2024.</p> <p>Michelle: How would resell work person to person?</p> <p>Response: The law doesn't discuss private sale or prohibit that.</p>

Michelle: What provisions are there for people with physical limitations?

Response: Convenience standard is laid out in the statute - Collection sights and collection events. If they want to provide a more convenient option, they have the option to provide that.

Aimee: FYI – most waste haulers can provide that service for a fee.

Response: There is no charge to drop off the mattress. There is a premium service where a collector can charge for picking up your mattress.

Michelle: Any thought around curbside waste pickup? For people with physical limitations.

Response: It's not written in the law, but it is something that a stewardship organization can take into consideration when planning for submittal.

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**10 a.m.**

### **Rule Concept Presentation and Discussions**

Questions/Comments:

Justine: Can you give us a background on how you got these numbers for fees?

Response: They are based on cost of hours going into this program annually starting mid-year 2022. DEQ forecasted out several years. These cost cover plan review time program implementation, start-up implementation, legal review, enforcement, etc.

Angie: Does cost include a platform to interface with?

Response: We will take that into consideration.

Sabrina: Why would there be a reduced fee when there is major DEQ activity?

Response: 160k is what we expect a smooth-running year to look like – first two years of cost will include 2022-2024 years.

Additional response: A large amount of that work will be in the stewardship organization, and we will expect to see community engagement.

Terry: Is there flexibility in increasing the budget?

Angie: Was the direct cost being modeled after one stewardship organization or several? Does that change the fixed costs?

Response: At this time, we have knowledge of interest from one organization submitting a plan. We are trying to be responsible with the way we constructed the possibility of there being two.

Sabrina: When are the fees going to be set in rule? Is that required?

Response: It is required by statute, that is why we are having this rule making.

Michelle: clarifying stewardship program is a independent agency that manages the collection and reuse and recycling of the mattress. Do they apply to come in and receive fees from mattress sellers and eventually pay DEQ for the administration?

Is there a feedback loop for the budget if the stewardship organization isn't performing as expected?

Response: Unsure if there is financial feedback loop, but the annual fee is what funds DEQ to ensure compliance. Any stewardship organization in Oregon must submit a plan by October 1, 2023.

Michelle: Does this law touch on how many organizations there can be and the benefits?

Response: No law on the number of organizations yet.

Terry: The stewardship organization doesn't handle any of the products being recycled. They oversee the program and report back to DEQ. They seek vendors to recover the product and transportation.

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**10:50 a.m. Break (10 mins)**

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**11 a.m. Public Input Period**

Laura Leebrick: In most EPR programs, as Aimee Thompson said, the funding provided by PRO's is intended to cover costs of management of the material at "intake" at collection point. Think of the e-cycles program, the paint program, the Bottle Bill.

Daniel Redick – solid waste coordinator with Benton County – annual reporting comment: would it be helpful to include in the annual reporting any information necessary to perform a life cycle analysis of the materials going through the program and would that include the types of mattresses that are going through the program and potential collection scenarios.

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**11:15 a.m. Rule Concept Presentation and Discussions (continued)\***

Questions/Comments:

Angie: Flexibility on what the stewardship organization is required to report on. Things we would like to see in the annual reports, include count and tonnage by site, the count of mattresses being reused as-is vs. remanufactured, count of mattresses being dismantled.

Terry: Preference for reuse – much more cost effective to reuse mattresses. Finding a way to do this helps with carbon footprint.

Sabrina: Annual reporting helps build trust in the program so Metro supports this. Is DEQ going to establish requirements for the SO plan to look at where mattresses are being generated?

Aimee: Is there a way to keep track and determine what can be reused to keep them local to help the low economic areas?

Justine: A stewardship organization doesn't have the authority to require collection sites to participate or sell mattresses in the state, to collect information. Something to consider making a part of the rule making, is that these reuse entities have to report to DEQ as opposed to a stewardship organization.

Anna: Data/reporting is important, but we wouldn't want to write something into rule that would be difficult or impossible to track.

Angie: Even in current system it is difficult to track reuse data, so there should be discussions about how to make that better as a state. Oregon wants to focus more on reuse and manufacture. Agree that more data is better with a focus on reuse for the State of Oregon.

Terry: Goal for all of us is to decrease our carbon footprint. Aggregating mattresses cost and shipping cost will be covered by MRC fee so it will not make it a negative revenue for furniture bank to collect usable product. It will allow for a bigger universe to collect. That is something that we should highlight.

Justine: Having a stewardship organization report this information, they must have the information to be able to report. There needs to be a mechanism for DEQ to collect that information or some requirement on the reuse organization to report that data.

Michelle (in chat): Are retailers required to participate in the stewardship program? They need to be registered with a stewardship organization that has approved plan, but retailers are not required to take back a mattress.

Angie provided most recent LCA report in chat: [https://mattressrecyclingcouncil.org/lca-report/?utm\\_source=All+Contacts&utm\\_campaign=ee56644d46-EMAIL\\_CAMPAIGN\\_2022\\_12\\_08\\_02\\_42&utm\\_medium=email&utm\\_term=0\\_-ee56644d46-%5BLIST\\_EMAIL\\_ID%5D](https://mattressrecyclingcouncil.org/lca-report/?utm_source=All+Contacts&utm_campaign=ee56644d46-EMAIL_CAMPAIGN_2022_12_08_02_42&utm_medium=email&utm_term=0_-ee56644d46-%5BLIST_EMAIL_ID%5D)

Most recent Annual Report: [https://mattressrecyclingcouncil.org/wp-content/uploads/2022/07/MRC\\_annual\\_report\\_2021.pdf](https://mattressrecyclingcouncil.org/wp-content/uploads/2022/07/MRC_annual_report_2021.pdf)

Anna: Is the annual fee passed along to the consumer?

Response: DEQ's annual fee is charged to the stewardship organization.

Anna: Since transportation is not funded through this program people may dump them instead. There is a disproportionate impact on the people who cannot physically or financially move these mattresses.

Response: Next meeting we will explain more about what makes up the fees.

Michelle: Would love to hear more about cost associated with initial fee and premium fee.

Angie: Is the MRC reimbursing the hauler for the mattresses they pick up?

Response: If it were a pickup site, they would be reimbursed specifically to dispose of it but not the recovery of the mattress. For a multi-tenant enclosure, it is the property managers responsibility to pay for the recovery fee.

Anna: Community Warehouse offers a \$80 pickup service that picks up anywhere within the boundaries, but it is not accessible to everyone. Looking at the communities who do not have this service available would be very valuable.

Sabrina: More detailed required reporting around disposal not just reuse.

Aimee: That would be hard, but it depends on what we will be reimbursed for. The time it would take to track would be a big logistical piece.

Sabrina: At Metro we have a legal dumping recovery program that have success with using a tablet with a tracking system.

Aimee: We use tablets in all our trucks, but the haulers all use a different software. It depends on how to build the software. We would want to participate but would have to build that into the cost.

Sabrina: Will the rulemaking require the stewardship organization to be clear in the annual report how much the performance goals are accomplished by multi-family?

Angie: Can DEQ inform this committee on what stage that happens, so we are better in the know around the input in the process?

Response: A lot of interest in performance goals and we can prepare conversation for that in the next meeting.

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**12 p.m.**

**Adjourn meeting**

### **Links from meeting:**

CA: [https://mattressrecyclingcouncil.org/wp-content/uploads/2022/07/MRC\\_annual\\_report\\_2021.pdf](https://mattressrecyclingcouncil.org/wp-content/uploads/2022/07/MRC_annual_report_2021.pdf)

CT: [https://mattressrecyclingcouncil.org/wp-content/uploads/2022/10/MRC\\_2021\\_2022\\_CT-AR\\_FINAL\\_web.pdf](https://mattressrecyclingcouncil.org/wp-content/uploads/2022/10/MRC_2021_2022_CT-AR_FINAL_web.pdf)

RI: [https://mattressrecyclingcouncil.org/wp-content/uploads/2022/09/MRC-21-22\\_RI-Annual-Report\\_Final\\_web.pdf](https://mattressrecyclingcouncil.org/wp-content/uploads/2022/09/MRC-21-22_RI-Annual-Report_Final_web.pdf)

### **Alternate formats**

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.oregon.gov](mailto:deqinfo@deq.oregon.gov).

## Attendee List

Gayla McClamma
Rachel Harding
Nicole Hogan
Hannah Carleson
Cheryl Grabham
Justine Fallon
Angie Marzano
Sabrina Gogol
Aimee Thompson
Michelle Colletti
Terry McDonald
Anna Kurnizki
Michael Lee
Darla Arians
Ashley Watkins
Nicole Castagneto
Suna Bayrakal
Michael LaRussa
Jennifer DeFreece
Sophia O'Meara
Laura Leebrick
Tom Metzner
Megan Warfield
Jacob Anderson

Lorie Hensel
Heather Church
Nick Fahey
Heather Trim
Ben Huffine
Chris Papinsick
Steve Siegel
Casey Mellnik
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