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January 31, 2024

Delegate Kathy Tran, Chair
House Agriculture Chesapeake and Natural Resources, Natural Resources Subcommittee
Virginia Legislature
House Committee Room B - 205, General Assembly Building
201 N. Ninth Street
Richmond, VA 23219

RE: Support for HB 745, Mattress Stewardship Program

Dear Chair Tran and Members of the Committee:

Thank you for the opportunity to submit testimony in **support** of **HB 745**, which will provide a sustainably funded and producer-managed statewide stewardship program in Virginia for the collection, reuse, renovation, and recycling of unwanted mattresses.

Nationally in the U.S., fewer than five percent of mattresses are recycled annually even though up to 90 percent of mattress components can be recycled and used to make steel, carpet padding, animal bedding, and mulch. Much of this bulky waste ends up in landfills or is illegally dumped, imposing significant management costs on local governments and taxpayers. Legislated stewardship programs provide a continuous flow of high-quality material to mattress renovators, recyclers, and manufacturing operations, allowing long-term investments in local recycling and manufacturing facilities that use recycled mattress components as a feedstock for new product manufacturing. HB 745 will improve collection convenience, increase the number of mattresses recycled, create jobs (including for those with barriers to employment), and reduce the financial burden on local governments.

California, Connecticut, and Rhode Island have reaped the benefits of their mattress stewardship laws, which were enacted in 2013 as a result of PSI's facilitation of a model EPR bill with input from government and industry stakeholders. PSI has since helped develop next generation mattress stewardship legislation in Oregon, which enacted a law in 2022 that is expected to be implemented in 2024.

Since the first program launched in 2015, the three original state programs have recycled more than 10 million mattresses collected from hundreds of cities and towns, including at solid waste facilities and other entities such as retailers, hotels, and universities. In the first year of its program, Connecticut:

- Recycled 63.5 percent of the state's discarded mattresses, an increase from only 8.7 percent recycled in the prior year;

- Recycled 2,800 tons of steel, foam, and other materials;
- Saved 1.7 million cubic feet of landfill space; and
- Saved greenhouse gas emissions comparable to annual emissions from 875 passenger vehicles.

HB 745 contains best practices in all successful stewardship laws, including:

- Plan developed by mattress producers that provides them with flexibility to implement a consistent statewide program;
- Provisions to revise the plan if performance goals are not met or based on lessons learned as the program is implemented and matures;
- Minimum standards to ensure that the public has convenient, equitable, and statewide access to the collection system;
- Performance goals that will lead to increased quantities of unwanted mattresses collected, reused, renovated, and recycled;
- Public education and outreach to raise awareness of the program;
- Funding for the state to oversee and enforce the law;
- Penalties for noncompliance with the law; and
- Annual reporting by producers to the state to monitor program implementation and provide transparency.

PSI recommends the following changes to strengthen the bill:

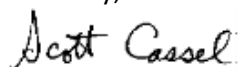
- Provide financial compensation to collection sites for their costs of collection to increase convenience.
- Rather than a uniform assessment on all mattresses, require that the stewardship assessment be differentiated based on the actual cost to the recycling system.

Differentiated fees are more equitable – those buying mattresses that cost less to recycle (e.g., a simple mattress) pay less than those buying mattresses that cost more to recycle (e.g., large, multi-material mattresses with electronic gadgets). These fees should also be lower for mattresses that contain post-consumer recycled content, are toxic-free, and have verified lower environmental impacts associated with mattress production (e.g., reduced energy and water use). At a minimum, PSI suggests that the state oversight agency conduct a study (paid for by industry) to be completed within one year of bill enactment that would recommend how such a system could be put in place. These are standard features in other US legislated stewardship programs.

The Product Stewardship Institute (PSI) is a national policy expert and consulting nonprofit that pioneered product stewardship in the United States along with a coalition of hundreds of state and local government officials. Since 2000, PSI has worked with numerous others to develop producer responsibility policies for many of the 136 such laws enacted for 18 industry sectors. To advance mattress stewardship in the U.S., PSI has facilitated national multi-stakeholder mattress stewardship meetings, developed a mattress stewardship policy briefing document, and held several webinars on the topic. We have also held numerous meetings with governments, mattress collectors, recyclers, renovators, producers, and environmental groups.

I urge you to **support HB 745** for the financial and environmental health of Virginia's economy. If you have any questions, please feel free to contact me at (617) 513-3954, or Scott@ProductStewardship.US.

Sincerely,



Scott Cassel
Chief Executive Officer/Founder