

Mattress Recycling Program

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Issues

1. Describe the state's mattress recycling program created by [Public Act \(PA\) 13-42](#).
2. What reasons were given for establishing the program?
3. How many mattresses have been recycled through the program?
4. Do other states have similarly structured mattress recycling programs?

Summary

Connecticut's mattress recycling law requires mattress producers to establish and join a nonprofit organization charged with creating a mattress stewardship (recycling) program to manage unwanted mattresses and box springs in the state ([CGS § 22a-905 et seq.](#)). The mattress industry created the Mattress Recycling Council (MRC) to fulfill this requirement. The state neither administers the program, nor collects its fees.

MRC branded the program as "Bye Bye Mattress." As required by law, a fee is charged at the point of sale, which the retailer transmits to MRC. The fee is currently set at \$9 per unit (mattress or box spring) and pays for such things as collecting, transporting, and processing discarded mattresses; audits; public education materials; and maintaining a financial reserve. Although MRC is principally responsible for the program, the state's Department of Energy and Environmental Protection (DEEP) is, however, tasked with enforcing the law's requirements.

According to the legislative record, the legislature passed the mattress recycling law to address illegal mattress dumping and the burden on municipal budgets from having to collect, transport, and dispose of mattresses. Other reasons cited in support of the law included addressing problems associated with disposing mattresses, rather than recycling them, and potential job growth in the mattress recycling business.

MRC reported in its most recent annual report, covering FY 16-17, that the program collected 313,661 mattresses for recycling during its first two years.

Similar mattress stewardship programs exist in California and Rhode Island.

Mattress Stewardship Program Components

The state's mattress recycling law requires mattress producers to join a nonprofit organization that is tasked with designing and implementing a mattress stewardship program. The mattress industry created MRC for this purpose.

Stewardship Plan

The law requires the nonprofit (MRC) to submit a plan for creating a mattress recycling program to the DEEP commissioner for his approval. The plan must, to the extent it is technologically feasible and economically practical:

1. minimize public sector involvement in managing discarded mattresses,
2. provide (a) free and convenient statewide opportunities for residents to discard mattresses and (b) free collection of discarded mattresses from municipal transfer stations,
3. cover the cost of recycling the collected mattresses,
4. provide municipal transfer stations with suitable storage containers for discarded mattresses at no cost,
5. include a fee to cover the program's cost, and
6. establish a monetary amount paid to consumers who deliver mattresses directly to recyclers.

In addition, the plan must (1) identify mattress producers participating in the program, (2) establish goals for the program's first two years, and (3) describe the program's public education efforts and how it will promote mattress recycling.

(DEEP approved MRC's plan on December 31, 2014 and the program officially began on May 1, 2015. The plan established a \$9 per unit fee to fund the program and a \$2 per unit financial incentive for residents who bring mattresses or box springs directly to a mattress recycler, up to four per visit and no more than eight per year).

Mattress Stewardship Fee

Under the law, the fee that pays for the program is referred to as the "mattress stewardship fee," and it must be added to the purchase price of a mattress or box spring sold in the state. The fee structure cannot exceed the cost of (1) developing the plan, (2) administering the program (e.g., collection, transport, recycling, education, auditing), and (3) maintaining a financial reserve to sustain the program.

The fee is currently \$9 per unit and is subject to state sales tax. Every two years, or more frequently if needed to avoid funding shortfalls or excesses, MRC must adjust the fee amount needed to cover the program's costs. An auditor reviews the proposed fee amount.

Education and Outreach

The law requires the program to include a public education component. According to MRC's annual reports on the program (see below), the purpose of the public education campaign is to inform people about the program, including its fee and how to recycle mattresses through the program. To this end, MRC uses targeted direct mail, advertising and media relations, websites and social media, community and industry events, and site visits.

Reporting Requirements

Under the law, MRC must annually by October 15, submit a report to DEEP on the program. The report must include such things as:

1. the tonnage of mattresses collected,
2. the weight of mattress materials recycled or disposed of at certain facilities,
3. a summary of the public education methods used to support the program, and
4. recommendations for any program changes.

Three years after it approves the mattress stewardship plan, DEEP must submit a report to the legislature evaluating the program and providing a goal for the amount of discarded mattresses managed under the program.

Other Provisions

The law also provides for the following:

1. program audits, paid for by the program ([CGS § 22a-905a](#));
2. allowance of charging a fee for the service of mattress collection ([CGS § 22a-905b](#));
3. immunity from antitrust or unfair trade practice violations if acting in accordance with the law ([CGS § 22a-905d](#)); and
4. collaboration with other states with mattress recycling programs to conserve efforts and resources ([CGS § 22a-905f](#)).

Reasons for the Legislation

The Environment Committee's [Joint Favorable \(JF\) Report](#) for HB 6437 (the bill which became PA 13-42), specifies the following various reasons the bill's proponents gave for establishing the program:

1. reduce municipal cost associated with collecting and disposing of mattresses;
2. decrease illegal mattress dumping;
3. reduce transport of mattresses to landfills, which is expensive, or to trash-to-energy facilities, which can be damaged by mattresses during the incineration process; and
4. create new jobs in the mattress recycling industry.

The JF report notes that similarly structured product stewardship programs already existed for things such as electronics and paint.

These points were repeated during the House and Senate debates on the bill, with several legislators emphasizing the recyclability of mattresses and the importance of encouraging recycling in the state. (Some concerns about the bill discussed during the debates included: (1) the additional cost to mattress purchasers (e.g., consumers, businesses, the state); (2) potential for shifting mattress purchasing out-of-state to avoid the fee; (3) possibility of separate programs for other types of bulky items in the future; and (4) program oversight.)

The legislation passed 117-21 in the House; 28-8 in the Senate.

Mattress Collection Data

Data about the state's mattress recycling program is available through MRC's annual reports.

According to MRC's [most recent annual report](#), covering FY 16-17, the program collected 313,661 mattresses for recycling during its first two years, including more than 162,000 in FY 16-17. There were also 114 collection locations, including 107 municipal transfer stations, and MRC collected mattresses from 169 public and private entities that dispose of large volumes of mattresses (e.g., retailers, hotels, universities, apartment complexes). On average, 70% of a mattress's components were recycled.

MRC's report for FY 17-18 is not due until October 15, 2018.

Other States' Programs

California and Rhode Island have mattress recycling programs similar to Connecticut's program. Both employ the stewardship model with MRC serving as the program administrator. The programs provide no-cost drop-off for mattresses and box springs at MRC-contracted recyclers. California requires retailers to offer no-cost take-back when a new mattress or box spring is delivered to a customer, unless delivered by common carrier.

California's per unit (i.e., mattress or box spring) recycling fee is \$10.50, whereas Rhode Island's fee is \$16 per unit. The fee is collected when a mattress or box spring is purchased. In California, the fee is not subject to sales tax; in Rhode Island, it is.

The California program provides a \$3 per unit incentive for residents who drop off discarded mattresses and box springs at a recycling facility, up to five units per day. Rhode Island residents receive a \$1 per unit incentive, up to four units per visit but no more than eight units per year, when mattresses or box springs are dropped off at a recycling facility.

Additional information about these two state's programs is available on [MRC's program webpage](#).

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