

METRO 2022 LEGISLATIVE ISSUE IDENTIFICATION

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ISSUE: Extended Producer Responsibility for Mattresses

BACKGROUND: Extended Producer Responsibility (EPR) legislation for mattresses will create jobs, recover materials that can be recycled into new products and divert mattresses from solid waste facilities, where they are difficult and dangerous to manage.

Mattresses are present in the waste stream in significant numbers and pose a problem for the solid waste system. Thousands of mattresses from the Metro region and across Oregon are discarded each year. These bulky, hard-to-handle items are difficult to process as garbage and can pose a safety hazard to solid waste workers. Metal springs in the mattresses can damage equipment at our solid waste facilities.

A stewardship program will create new jobs at facilities set up to recycle mattresses. Disassembling mattresses can provide permanent employment and training opportunities for populations that face significant barriers to employment, including a history of incarceration or homelessness.

Once disassembled, up to 85 percent of a typical mattress is recyclable. Materials such as metal, foam, cotton and wood can be used to make new products and prevent the harvesting of virgin materials.

This program will build on Oregon's legacy of establishing successful EPR programs such as those for beverage containers, leftover paint and discarded electronics. Manufacturers selling their products into the state will be required to belong to a stewardship organization. The stewardship organization will be required to achieve certain standards of convenience to ensure services are available to all Oregonians. Like the Oregon paint producer responsibility law, an assessment will be collected at the point of sale when a consumer purchases a mattress; there will be no charge to drop off for recycling. The state will approve the assessment to ensure it will cover, but not exceed, the cost of the program.

RECOMMENDATION: Support a statewide EPR for mattress legislation.

A statewide program would be more beneficial than a regional program as it offers greater coverage and potentially greater efficiencies than a regional one and would be overseen by the DEQ, which has developed expertise with these types of programs. However, if the state legislation does not pass, Metro would develop and implement a program at the regional level.

LEGISLATIVE HISTORY: An unfortunate miscommunication last session resulted in the state wide EPR program for mattresses (SB 570) not passing. The Senate policy committee passed the bill (4-1-0) and it went to the Joint Ways and Means Committee. The mattress industry sent a letter to that committee in support of the bill. However, this fact apparently was not understood by the committee, leading to the bill not getting a hearing.

We have heard from the committee that this was unintended and that the bill should be brought forward again in 2022. The bill's 2021 sponsor, Senator Manning, has agreed to sponsor the bill in 2022. We also have heard that the mattress industry stands by their previous endorsement.

Metro has supported state legislation establishing a producer responsibility program for mattresses for the last three legislative sessions. After the 2019 session, the Metro Council passed Resolution 20-5069 supporting a state bill, but expressing Councilors' interest in pursuing such legislation regionally if it failed to pass at the state level.

Three other states (Connecticut, Rhode Island and California) have passed similar legislation and are successfully collecting and recycling hundreds of thousands of mattresses.

OTHER INTERESTED PARTIES: The Association of Oregon Recyclers (AOR) (composed of, among others, solid waste and recycling companies and local and state governments) supported the bill. BRING, a Eugene based reuse and recycling non-profit was strongly supportive. Other supportive parties include mattress recyclers. As noted above, the main association of mattress manufacturers has endorsed the bill.

IMPACT IF PROPOSED ACTION OCCURS: An EPR program for mattresses will provide the following for the region:

- **Policy:** An EPR program for mattresses aligns with multiple goals and actions within the 2030 Regional Waste Plan.
- **Equity:** The legislation requires provision of free, convenient and accessible collection opportunities for any person in the state. The legislation will increase collection from multifamily residences, low-income communities and communities of color.
- **Operations:** The increased services will reduce the number of mattresses in the waste stream and improve safety conditions for workers at transfer stations. More convenient disposal options should also reduce illegal dumping of mattresses.
- **Employment:** Mattress recycling facilities that will be supported by this legislation can create permanent employment and training opportunities for populations that face significant barriers to employment, including a history of incarceration or homelessness.
- **Climate:** Significant reductions in greenhouse gases and energy use have been shown to result from reuse and recycling of mattress components.