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March 29, 2022

Senator Bill Ingebrigsten, Chair
Senator Carrie Ruud, Vice-Chair
Senator Patricia Torres Ray, Ranking Minority Member
Senate Environment and Natural Resources Finance Committee
Minnesota Senate Building
95 University Avenue W.
Saint Paul, Minnesota 55155

RE: Support for Sec. 53. Mattress Recycling of SF 4062, Environment and natural resources appropriations, as amended (SCS4062A-6).

Dear Chair Ingebrigsten, Vice-Chair Ruud, Ranking Minority Member Torres Ray, and Members of the Committee:

Thank you for the opportunity to submit testimony in support of Sec. 53. of SF 4062 as amended (SCS4062A-6), which will create a statewide mattress stewardship program for Minnesota with sustainable funding from producers. This bill will improve collection convenience, increase the number of mattresses collected and recycled, create jobs (including for those with barriers to employment), and significantly reduce the financial burden on local governments.

California, Connecticut, and Rhode Island have reaped the benefits of their mattress extended producer responsibility (EPR) laws, which were passed in 2013 as a result of PSI's facilitation of a model EPR bill with input from government and industry stakeholders. Since implementation, these three programs have collected more than eight million mattresses from hundreds of cities, towns, solid waste facilities, landfills, and other entities such as retailers, hotels, and universities.

In the first year of its program, Connecticut:

- recycled 64 percent of the state's discarded mattresses, an increase from only 9 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.

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. EPR programs generally 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.

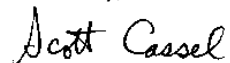
Although the three currently implemented mattress EPR laws have notably increased recycling, there are fundamental problems with the programs that we have identified since the first laws were enacted eight years ago. Just last week, Oregon enacted the newest mattress EPR law in the U.S. with PSI's active participation. This legislation was supported by the mattress industry and has incorporated lessons learned from the three existing state programs. Minnesota should too. Based on PSI's research on these programs, discussions with government officials who oversee them, and EPR best practices, PSI recommends the following changes to [the bill](#) that will strengthen the mattress program:

- 1) **Establish objective, measurable minimum convenience standards** to provide convenient collection to consumers.
- 2) **Require that a new stewardship plan be submitted at least every five years** as is standard in effective EPR laws throughout the U.S. Lack of a plan renewal limits the ways in which the program can be improved based on unforeseen "lessons learned" as the program is implemented and matures.
- 3) **Establish an Advisory Committee** comprised of representatives from local government, the solid waste industry, the environmental community, environmental justice groups, and those involved in the collection, processing, and recycling of mattresses. This approach provides greater transparency and an opportunity for local governments and the community to provide ongoing input into the program, which will better ensure that the program will work for all stakeholders.
- 4) **Include funding for the state to oversee and enforce** the mattress stewardship law.
- 5) **Include provisions for penalties** for violation of the mattress stewardship law as a strong incentive to comply.
- 6) **Rather than a uniform assessment on all mattresses, require that the stewardship assessment be differentiated** to: (1) be fairer so that people 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); (2) incentivize use of post-consumer recycled content; and (3) incentivize the reduction of toxics and resources (e.g., energy and water) associated with mattress production. 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.

PSI is a national nonprofit organization committed to reducing the health, safety, and environmental impacts of consumer products with a strong focus on sustainable end-of-life management. With members from 47 state environmental agencies and hundreds of local governments, as well as 120 partners from companies, organizations, universities, and international governments, we promote product stewardship initiatives across North America.

Thank you for your consideration and strong leadership on this important issue. If you have any questions, please feel free to contact me at (617) 236-4822, or Scott@ProductStewardship.US.

Sincerely,



Scott Cassel

Chief Executive Officer / Founder

PSI | March 29, 2022

Support for Sec. 53 of MN SF 4062 as amended (SCS4062A-6) – Mattress Stewardship

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