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New York State Legislature Passes Carpet EPR Bill

ALBANY, N.Y. — Yesterday, New York moved one step closer to becoming the second U.S. state, along with California, to enact a carpet Extended Producer Responsibility (EPR) law that will significantly increase carpet recycling and reduce toxics in the manufacturing of new carpet. Spearheaded by Senator Brian Kavanagh and Assemblyman Steve Englebright, the bill to establish a carpet EPR program passed both the Senate and Assembly and is expected to be signed by Governor Kathy Hochul. If enacted, New York’s law will be the first to include artificial turf.

Although the national average for carpet recycling is 5%, the rate in New York is just 1% — each year, the state sends 515 million pounds of unused or discarded carpet to fill up New York landfills or be burned in waste-to-energy plants. Local governments and businesses spend more than \$22 million annually to dispose of it.

“Creating a comprehensive EPR program for carpet materials will not only have significant environmental benefits but will result in new investments in carpet recycling technologies as well, paving the way for new jobs and a green future,” said Senator Brian Kavanagh, lead sponsor of S5027C. “For too long our waste systems have been clogged with toxic carpeting materials. By passing this legislation, we begin to correct that, keeping hundreds of tons of carpet waste out of landfills.”

“My legislation requires manufacturers to be responsible for the costs of a carpet recycling program. This bill will reduce environmental issues caused by carpet disposal, increase recycling, and lower costs to property taxpayers. The law will also incentivize manufacturers to design and sell carpets without dangerous chemicals, making indoor spaces safer for our families,” said Assemblyman Steve Englebright Chair of the Assembly Committee on Environmental Conservation.

The new carpet EPR program will significantly address the state’s solid waste crisis and will ban the manufacture of new carpet containing toxic and ubiquitous PFAS “forever chemicals,”

which have been linked to developmental and reproductive disorders and cancer. Children are especially vulnerable to these effects as they spend more time on carpeted surfaces and engage in hand-to-mouth activities.

“An Extended Producer Responsibility (EPR) program for carpet in New York will go a long way in tackling our solid waste crisis, reducing our demand for fossil fuels, and reducing toxic chemicals (like PFAS) in our communities,” said Kate Kurera, Deputy Director of Environmental Advocates NY. “Requiring manufacturers to take responsibility for both the creation and end-of-life management of their products was also an important recommendation of the State Climate Action Council’s Draft Scoping Plan for achieving the goals of the state climate law. We thank Senator Kavanagh and Assemblymember Englebright for helping make New York the second state with a carpet EPR program.”

The law will establish mandatory goals for recycling and post-consumer content in new carpet, convenient collection statewide, education and awareness, and the phase out of per- and polyfluoroalkyl substances (PFAS) chemicals from new carpet production. It will establish a multi-stakeholder advisory board to advise producers and the state, which oversees the program. Requiring carpet producers to finance and manage the collection and recycling of scrap carpet removes the financial burden of managing this bulky material from local governments and taxpayers and will reduce the energy needed to make new carpet, lowering greenhouse gas emissions and saving valuable natural resources.

“As a prevalent bulky material that is frequently discarded, scrap carpet is extremely difficult and costly to manage,” said Dawn Timm, Director of the Division of Environmental/Solid Waste at the Niagara County Department of Public Works, and chair of the New York Product Stewardship Council. “This law will save local governments across New York millions of dollars that can now be used for other high priority waste management needs.”

The bill will also help create permanent full-time recycling jobs. California is currently the only state with a carpet EPR law, which passed in 2010: Since then, the state has created 500 direct and indirect jobs and, in 2020, achieved an annual carpet recycling rate of about 27%. Projections show that New York could achieve those same goals in fewer than five years, decreasing greenhouse gas emissions by 165,000 tons per year, which is equivalent to taking 32,000 cars off the road.

“New York once led the United States in fiber manufacturing,” said David Bender, Chief Executive Office of Circular Polymers, a carpet recycler. “New York will once again become a leader, but this time in the manufacturing of recycled fiber for the Circular Economy. The advancements in recycling technology can enable plastic carpet to be remade into automotive parts, composite lumber, and new carpet fiber, just to name a few.”

“We are very pleased to be part of the team that developed and passed this bill in New York,” said Resa Dimino, Managing Partner of the Signalfire Group. “This legislation – second in the

nation – offers a strong model for other states looking to reduce waste and fight climate change by increasing carpet recycling.”

“The passage of New York’s carpet bill benefited from a decade of advocacy from experts all across the country, including those from state and local governments, environmental groups, and carpet recyclers” said Scott Cassel, the CEO and founder of the Product Stewardship Institute, which works nationally on EPR legislation. “The perseverance of bill sponsors and others in New York was critical to passing this next-generation carpet bill.”

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About the Product Stewardship Institute (PSI)

The Product Stewardship Institute is a policy advocate and consulting nonprofit that powers the emerging circular economy to ensure products are responsibly managed from design to end of life. In 2000, PSI pioneered product stewardship in the United States by convening diverse stakeholders to build extended producer responsibility (EPR) policies, programs, and laws. Together, we advance scalable solutions that protect people and the planet. Join us at www.productstewardship.us.

About the New York Product Stewardship Council (NYPSC)

NYPSC works to implement the principles of product stewardship in New York State and nationally by providing leadership, guidance, resources, and a forum for the exchange of information regarding existing policies and programs. Learn more: www.nypsc.org

About Environmental Advocates New York

Environmental Advocates NY is a statewide advocacy organization that fights for policies that will restore and protect New York’s environment, support healthy, vibrant communities, and secure benefits and outcomes for all within and beyond the state through education, partnerships and advocacy. www.eany.org

About Signalfire

The Signalfire Group is a team of seasoned operations, policy, program, and regulatory leaders who bring thoughtful inquiry, the perspective of experience, and actionable solutions to the complex challenge of transformation toward a new materials management model. Signalfire Group is a subsidiary of RRS. www.signalfiregroup.com

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