



# Connecticut Mattress Stewardship Plan

July 1, 2014

*Revised December 29, 2014*

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## INTRODUCTION

In 2013, Connecticut passed legislation to develop the nation's first statewide mattress stewardship program (the Program). The legislation was the result of a partnership between the Department of Energy and Environmental Protection (DEEP), the mattress industry, led by the International Sleep Products Association (ISPA), local cities and towns and various other stakeholders. The purpose of the Program is to implement a statewide mattress stewardship program that is funded through a visible fee collected from consumers on all mattress and box spring sales in the state. Through the plan described here, the Program will establish a network of consolidation locations throughout Connecticut from which discarded mattresses will be transported and recycled.

This Program seeks to maximize both the recovery of discarded mattresses and the recycling of mattress components that are readily recyclable and used to manufacture new products.

The Mattress Recycling Council (MRC), a non-profit entity created by ISPA, submits this Connecticut Mattress Stewardship Plan (the Plan) to the Department of Energy and Environmental Protection pursuant to Section 2 of Public Act 13-42, as amended by Public Act 14-170 (collectively referred to as the Act). The Act identifies the following six important Plan components that will be described in detail throughout this document:

1. **Participating Producers** – Mattress producers, through MRC, are responsible for developing a sustainable program that meets the statutory obligations of the law. MRC will maintain a publically available list of participating producers.
2. **Mattress Fee** – MRC will meet its legal obligations while administering the Program in a financially efficient manner that minimizes Program costs. The Program costs will be financed by a visible mattress stewardship fee (the Fee) collected on the sale of every mattress sold to Connecticut consumers. By acting in a financially efficient manner, MRC will minimize the Fees paid by Connecticut purchasers.
3. **Performance Goals** - The Plan and the associated Fee are based on a number of important assumptions that affect program costs and the number of mattresses recycled by the Program. The Plan identifies the sources, diversion potential, and anticipated recovery of mattress units across the state. MRC will evaluate and adjust the assumptions and performance goals in the Plan over time.
4. **Proposed Recycling Facilities** – MRC will contract with regional staff, transporters and recyclers to create and operate a Program that meets the specific needs of the state of Connecticut.
5. **Sources of Mattresses** - Discarded mattresses originate from transfer stations, residences, hotels, health care facilities, schools and other locations. The Plan describes these sources and how to divert these discarded mattresses to an MRC-contracted recycler.
6. **Education Program** - Developing a successful public relations program includes targeted messaging to consumers, mattress retailers, producers, municipal solid waste programs and recyclers.

## **1. Public Act 13-42 and Public Act 14-170**

In 2013, Connecticut enacted Public Act 13-42, and then amended that law the next year in Public Act-14-170, to clarify which products are covered, the law's implementation schedule and other aspects of the law. For purposes of simplicity, we refer to Public Act 13-42 as amended by Public Act 14-170 as the "Act" and are included in Appendix A.

The Act requires mattress producers to create the Program. To the extent technologically feasible and economically practical, the Program will:

1. Minimize public sector involvement in the management of discarded mattresses;
2. Provide for free, convenient and accessible state-wide opportunities for the receipt of discarded mattresses from any person with a mattress that was discarded in the state, including but not limited to, participating covered entities that accumulate and segregate a minimum of 50 discarded mattresses for collection at one time and municipal transfer stations that discard a minimum of 30 mattresses at one time;
3. Provide for free collection of discarded mattresses from municipal transfer stations that accumulate and segregate fewer than 30 mattresses, provided the transfer stations require such collection due to space or permit requirements;
4. Provide for MRC-financed end-of-life management for discarded mattresses;
5. Provide suitable storage containers at, or make other mutually agreeable storage and transport arrangements for, permitted municipal transfer stations, for purposes of storing segregated discarded mattresses, at no cost to such municipality, provided such municipal transfer station makes space available for such purpose and imposes no fee or similar charge for placement of such storage container on the municipal transfer station's premises;
6. Include a Fee that is sufficient to cover the costs of operating and administering the Program; and
7. Establish a financial incentive that provides for the payment of a monetary sum, established by MRC, to any consumer who recycles a discarded mattress in accordance with the requirements of the Program.

The Act states that recycling shall be preferred over any other disposal method to the extent that recycling is technologically feasible and economically practical.

## **2. Mattress Recycling Council**

Following enactment of the Act, the mattress industry, through its trade association, the International Sleep Products Association, formed MRC for the sole purpose of designing, implementing and administering stewardship programs in states with such laws. MRC serves as the responsible party for meeting the industry's obligations in this regard.

MRC is a non-profit corporation incorporated in the state of Delaware and has requested Section 501(c)(3) tax-exempt status designation from the Internal Revenue Service. As shown in Appendix B hereto, MRC's board of directors is comprised of bedding manufacturers and retailers.

MRC will oversee all aspects of the Program, including:

- Developing and implementing stakeholder outreach efforts.
- Coordinating outreach to and registration of producers of mattresses sold in Connecticut as appropriate.
- Contracting with service providers to transport and properly recycle discarded mattresses.
- Setting the Fee amount that retailers and other mattress sellers will collect from purchasers and remit to MRC to fund the Program.
- Coordinating service to covered entities throughout Connecticut.

As required by the Act, MRC's activities will be funded by a Fee that is collected from purchasers of mattresses for use in Connecticut and visible on the invoice or sales receipt that the seller provides the purchaser. In addition to administrating the Program, MRC will implement mattress recycling laws enacted in other states. The Connecticut Program will be managed by MRC staff who will work with covered entities to develop the collection site network.

### **3. Definitions**

In this document, MRC describes the Program required by the Act. The following terms defined in the Act are relevant to the Plan:

1. Section 1(8) of the Act defines "mattress" as follows:

“Mattress” means any resilient material or combination of materials that is enclosed by a ticking, that is used alone or in combination with other products, and that is intended for or promoted for sleeping upon. "Mattress" includes any foundation, renovated foundation or renovated mattress. "Mattress" does not include any of the following: (A) An unattached mattress pad, an unattached mattress topper, including any item with resilient filling, with or without ticking, that is intended to be used with or on top of a mattress, (B) a sleeping bag or pillow, (C) a car bed, (D) juvenile products, including a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper and any pad for such juvenile product, (E) a product that contains liquid or gaseous filled ticking, including any water bed or any air mattress that does not contain upholstery material between the ticking and the mattress core, or (F) any upholstered furniture that does not otherwise contain a detachable mattress, including, but not limited, to a fold-out sofa bed or a futon;

For purposes of the Plan, the term “mattress” refers to both mattresses and foundations (also known as box springs). For clarity the following products are included and excluded from the Program:

#### *Included Products:*

- Any mattress, innerspring or specialty except those listed below

- Mattress foundations or box springs
- Any renovated mattress or box spring

Products NOT included:

- Mattress pads
- Mattress toppers
- Sleeping bags
- Pillows
- Car beds
- Water beds
- Air mattresses
- Upholstered furniture that does not otherwise contain a detachable mattress, including, but not limited, to a fold-out sofa bed or a futon;
- Futons
- Juvenile products including, carriages, baskets, dressing tables, strollers, playpens, infant carriers, lounge pad, crib bumpers
- Crib and bassinet mattresses\*

\*These products are eligible for collection, but will not be assessed the Fee when purchased.

2. Section 1(16) of the Act defines the term “recycling” as follows:

"Recycling" means any process in which discarded mattresses, components and by-products may lose their original identity or form as they are transformed into new, usable or marketable materials. "Recycling" does not include the use of incineration for energy recovery.

3. Section 1(15) of the Act defines the term “producer” as follows:

"Producer" means any person who manufactures or renovates a mattress that is sold, offered for sale or distributed in the state under the producer's own name or brand. "Producer" includes (A) the owner of a trademark or brand under which a mattress is sold, offered for sale or distributed in this state, whether or not such trademark or brand is registered in this state, and (B) any person who imports a mattress into the United States that is sold or offered for sale in this state and that is manufactured or renovated by a person who does not have a presence in the United States.

4. Section 1(18) of the Act defines the term “renovate” as follows:

"Renovate" or "renovation" means altering a mattress for the purpose of resale including any one, or a combination of, the following: Replacing the ticking or filling, adding additional filling, or replacing components with new or recycled materials. "Renovate" or "renovation"

does not include (A) the stripping of a mattress of its ticking or filling without adding new material, (B) the sanitization or sterilization of a mattress without otherwise altering the mattress, or (C) the altering of a mattress by a renovator when a person retains the altered mattress for personal use, in accordance with regulations of the Department of Consumer Protection.

5. Section 1(17) of the Act defines the term “renovator” as follows:

"Renovator" means any person who renovates discarded mattresses for the purpose of reselling such mattresses to consumers.

6. Section 1(3) of the Act defines the term “covered entity” as follows:

"Covered entity" means any political subdivision of the state, mattress retailer, permitted transfer station, waste-to-energy facility, health care facility, educational facility, correctional facility, military base or commercial or nonprofit lodging establishment that possesses a discarded mattress that was discarded in this state. "Covered entity" does not include any renovator, refurbisher or any person who only transports a discarded mattress.

7. Section 1(19) of the Act defines the term “retailer” as follows:

"Retailer" means any person who sells mattresses in this state or offers mattresses in this state to a consumer.

## **STATUTORY REQUIREMENTS**

Section 2(b) of the Act provides:

The plan submitted pursuant to subsection (a) of this section shall: (1) Identify each producer participating in the program; (2) describe the fee structure for the program; (3) establish performance goals for the first two years of the program; (4) identify proposed facilities to be used by the program; (5) detail how the program will promote the recycling of discarded mattresses; and (6) include a description of the public education program.

We address each of these elements below:

### **1. Participating Producers:**

Section 2(a) of the Act requires that all producers selling mattresses for use in the state join MRC. As noted above, the term “producer” for purposes of the Plan includes “renovators,” as well as “importers” of mattresses produced outside the United States.

To inform producers of their obligations under the law and to encourage compliance, MRC distributed several communications to producers that manufacture or import mattresses for sale or use in Connecticut. MRC created a comprehensive distribution list from industry sources and

information obtained from the Connecticut Department of Consumer Protection (DCP), which maintains a list of mattress importers, manufacturers, renovators, secondhand dealers and sterilizer registrants. Under Connecticut law, DPC requires each of these parties to register with that agency in order to sell mattresses in the state. Using these lists, MRC sent two mailings to over 900 potential Program registrants, notifying them of their responsibility to join MRC. MRC also sent numerous electronic notices to all ISPA members, notifying them of their potential obligations under the Connecticut law. MRC also publicized this requirement at industry events, through industry publications, and through phone calls to individual mattress producers.

To facilitate this process, MRC established an on-line registration portal that participating entities may use to join MRC. The address of this portal is:

<http://www.mrcreporting.org/>

Participating producers that have registered with MRC at the time of Plan submission are listed in Appendix C. MRC will include an updated Producers list in each annual report.

## **2. Fee:**

The Program will be funded by a Fee, collected on all mattresses sold for use in the state and visible on the invoice or sales receipt that the seller provides the purchaser. Retailers and other parties selling mattresses will collect this Fee and remit it directly to MRC.

As required by Section 2(c) of the Act, the Fee is calculated to fund the cost of developing the Plan, operating and administering the Program, and maintaining a financial reserve sufficient to operate the Program over a multi-year period in a fiscally prudent and responsible manner. Pursuant to Section 2(h) of the Act, MRC requested the auditing firm of Lydon Fetterolf Corydon P.A. to review the reasonableness of the Fee and render a determination within 60 days of the Fee being proposed on July 1, 2014. Lydon Fetterolf Corydon P.A. determined the Fee to be reasonable to achieve the goals of the Program on August 15, 2014. The determination, which was previously provided to DEEP, is included in Appendix D. The Fee is calculated based on the assumption that the Program will commence on February 1, 2015, subject to DEEP approval.

Beginning in early 2015, subject to DEEP approval, each retailer and other seller must collect the Fee on each mattress and foundation sold to Connecticut consumers. The Fee will be a flat rate per unit, regardless of mattress type or size. For these purposes, each mattress and each foundation is considered a separate unit. Retailers or other sellers may neither increase nor decrease the Fee. The Fee must be visible on the invoice or sales receipt that the retailer or other seller provides the customer, and is subject to state sales tax, if applicable.

Once collected, retailers and other sellers will remit the Fees they collect to MRC at regular intervals through an easy-to-use, secure on-line reporting system accessible through MRC's website.

**Stewardship Fee** - Section (2)(i) of the Act states that “each retailer shall add the amount of the mattress stewardship fee, established in accordance with subsection (h) of this section, to the purchase price of all mattresses sold in this state. “ In accordance with this requirement:

- Retailers must collect the fee on all sales of mattresses and box springs that take place in Connecticut.
- On-line retailers must collect the fee on all mattresses and box springs sold for delivery in Connecticut, regardless of where the online retailer is located.
- The fee does not apply to mattresses or box springs sold by brick-and-mortar stores located outside of Connecticut for delivery in Connecticut.

The Fee must be stated separately on the sales receipt or invoice for all units sold to Connecticut users. The Fee description on the sales receipt or invoice shall read “Recycle Fee \$9.00” to provide a clear description to purchases regarding the purpose of the Fee. The description may be displayed in upper, lower or a combination of upper and lower case letters, and is not required to be displayed in a specific font, provided the description is displayed in English and is easily readable.

If MRC concludes that in the future it is necessary to raise or lower the Fee to maintain the Program’s financial viability, MRC will seek the required auditor approval and will change the Fee pursuant to the relevant provisions of the Act. As required by the Act, MRC will provide not less than 90 days public notice prior to any new Fee being implemented.

Retailers and other sellers shall remit collected Fees to MRC through a secure on-line system no later than 30 calendar days following the last day of each calendar month. Retailers and other sellers must register with MRC so that they may remit Fees through the on-line reporting system.

**Fee Implementation** - As required by Sec. 2(e) of the Act, the proposed Fee will go into effect not less than 120 days after DEEP approves the Plan (or 180 days if DEEP modifies the Plan)

**Fee Adjustment** - As required by Section 2(h) of the Act, MRC shall propose a Fee every two years or more frequently if needed to “avoid funding shortfalls or excesses.” MRC will follow the same audit review process described above and will allow retailers not less than 90 days to implement any Fee changes.

### **Program Budget**

MRC has developed a multi-year budget to finance the development and implementation of the Program in a long-term sustainable manner. As a result of this process, MRC has set the Fee at \$9.00 per mattress unit. In preparing the budget, MRC considered revenues and costs based on the following:

### **Revenue**

The number of mattress units sold for use in Connecticut will directly influence MRC’s Program revenue, since the Fee will be collected on each such unit. The Program has no other

sources of revenue. Based on national and regional mattress sales statistics, MRC has assumed for budgeting purposes that approximately 450,000 mattress units will be sold in Connecticut in 2015. The Program budget assumes that Fee collection will commence on February 1, 2015, pending DEEP's approval of the Plan.

### **Operating Costs**

**Transportation** – Because the Program is designed to service all regions of the state, transportation costs will vary significantly, depending on the distance from the collection zone site to the designated MRC-contracted recycling facility. MRC issued a request for binding proposals (RFPs) from parties that were interested in providing transport services for the Program (APPENDIX E). The proposals were based on MRC's zone structure and requested stop charge rates for servicing all municipal transfer stations located in each zone. Municipal transfer stations must use the designated hauler and recycler listed in APPENDIX G to participate in the program.

Contracted transporters and recyclers may service other eligible participating covered entities located anywhere in the state. Using transportation rates provided to MRC during the bidding process as a basis for negotiation, MRC will contract with selected recyclers to service these locations.

**Mattress Recycling** – Mattress recycling will make up the most significant portion of Program costs. MRC also issued an RFP from parties that were interested in providing recycling services for the Program. The RFP requested bidders provide recycling rates from each collection zone. MRC based the recycling costs in its budget on these rates.

In describing the nature of the service that proposers were to provide, MRC developed mattress recycling standards (APPENDIX F) which require recyclers to maximize the recovery of mattress components, including metal, foam, fabric, and wood through the dismantling process. Non-recyclable scrap will be disposed of through the solid waste system using appropriate means.

To qualify for compensation, a MRC-contracted recycler must recycle the mattress components through approved downstream recyclers or other appropriate intermediaries that will facilitate the use of such components in a manner that they will “lose their original identity or form as they are transformed into new, usable or marketable materials,” as required by Section 1(16) of the Act. Potential MRC-contracted recyclers provided lists of these downstream vendors as part of the RFP process.

The Program budget assumes that contracted recycling will commence on February 1, 2015 and that the majority of mattresses will originate from municipalities and retailers. The Program also anticipates the number of units received and processed by the Program will increase by 6-10% per year.

When a retailer delivers a new mattress to a consumer, the retailer typically offers to remove the consumer's old mattress, if applicable. However, each new mattress transaction doesn't necessarily result in a discarded unit. Industry research estimates that roughly 50% of new

mattress deliveries generate a discarded unit. These discards may be, but are not required to be, recycled through the Program. MRC estimates that Connecticut retailers collect from consumers approximately 175,000 – 200,000 discarded mattress units per year. However, we do not anticipate that all of these units will come through the Program.

Mattresses from permitted transfer stations will be another source of discarded units. MRC estimates these locations generate 50,000 to 150,000 units per year.

**Consumer Monetary Incentive** - The Program will provide a monetary incentive for Connecticut residents delivering their mattresses directly to MRC designated locations. Residents may deliver no more than 4 mattresses at any one time, and up to 8 mattresses per year, per household.

MRC incentive payment locations will pay the incentive by cash or check. MRC has set the incentive at \$2 per unit. However, this amount is subject to change, depending on a variety of factors, including funds availability and the volume of discarded mattresses collected in this manner. The incentive program will be promoted on MRC’s website in conjunction with a list of authorized Connecticut drop-off locations. Promotion of the incentive will begin once the Program commences. MRC’s two mattress recycling facilities will be two locations where consumers can collect incentive payments:

1. Recyc Mattresses  
12 Eastern Park Road  
East Hartford, CT 06108
2. Park City Green  
459 Iranistan Avenue  
Bridgeport, CT 06605

The facilities where the incentive is received may change if MRC decides to work with other recyclers in the future.

**Public Relations Costs** - MRC will develop and distribute retailer and consumer educational and promotional materials for use primarily at the point of sale. MRC will work closely with retailers and other stakeholders to create a variety of effective educational and promotional materials that meet their needs. MRC will monitor the effectiveness and change the public relations activities as needed. Section 6 on page 19 provides further details regarding the proposed public relations activities.

**Start-up Administrative Costs** - MRC anticipates that administrative costs for the first several years of the Program will be higher than future expenses. The Program has incurred significant pre-launch costs necessary to design and implement the Program. Categories of Program start-up administrative expenses include:

- Financing – Interest expenses on loans taken out to fund the development and launch of the Program
- Personnel – In-house staff and consultants hired to develop and manage the Program

- Administrative and Overhead – Legal support, accounting, human resources related expenses
- Auditing and compliance functions – External auditor to review and approve the proposed Fee, as well as to confirm retailer and recycler compliance with the Program
- Communications – Creation and maintenance of MRC website and education and outreach materials, printing and mailings, stakeholder meetings

***On-going Administrative Costs*** - Once MRC begins receiving Fees from retailers, expenses will be reduced as MRC pays off current balances and financing liabilities. Personnel, administration and overhead, auditing and compliance and communications will be ongoing expenses. MRC’s goal is to run an efficient and cost effective program, thereby minimizing the Fee paid by Connecticut consumers.

### **Program Surplus/Deficit**

Section 2 of the Act requires that MRC’s Fee allow it to “maintain” a financial reserve sufficient to operate the program over a multi-year period of time in a fiscally prudent and responsible manner.” MRC has budgeted to achieve a reserve by 2018 that should be sufficient to fund at least three, and up to, six months of operations.

### **3. Covered Entities and Performance Goals:**

As provided in the Act, “Covered Entity” means any political subdivision of the state, mattress retailer, permitted transfer station, waste-to-energy facility, health care facility, educational facility, correctional facility, military base or commercial or non-profit lodging establishment, which possesses a discarded mattress that was discarded in the state. The Program intends to fund the management of discarded mattresses from these and other entities, as described in this section.

Connecticut was the first state to enact mattress stewardship legislation, and will be the first state mattress stewardship Program to go into effect. Because there is little historical data on which to base a mattress recovery or recycling goal, the goals for the initial years of the Program will be to develop a convenient and accessible statewide program for all covered entities. MRC’s goals for the first two years of the Program include setting percentages of each covered entity participating in the Program. MRC will pursue these goals through targeted education and outreach to each covered entity.

**Municipal Transfer Stations** – Connecticut has 146 permitted municipal transfer stations. Discarded mattresses consolidated at these sites are eligible for container storage, transport and recycling at MRC’s expense. MRC-selected transporters will transport mattresses obtained at these locations to the assigned recycling facility. MRC has assigned participating municipal transfer stations a specific transporter and recycler based on their geographic location and assigned service zone. A list and maps of Connecticut towns and associated service providers is included in Appendix G.

MRC staff will contact all municipal transfer stations in the state to promote the program and encourage participation. MRC will then visit interested locations to evaluate site configuration for storage and accessibility for transport vehicles. MRC will offer storage options or make other arrangements to provide the location with pick-up services. Due to variation in transfer station

size, the type of storage containers and frequency of transportation service may vary across the state. The Program will be seeking the most efficient and effective consolidation packaging methods from participating locations. For these purposes, storage containers may include, but are not limited to roll-off containers or trailers.

Municipal transfer stations will be provided with storage containers to keep mattresses dry and to otherwise maximize the recyclability of each unit. Mattresses that cannot be recycled (for example, because they are severely damaged, twisted, wet, frozen, soiled or infested with bed-bugs) should be disposed of through the existing solid waste stream and not placed in MRC containers. MRC recognizes that many units received through municipal sources will be dirty, cut, ripped or damp. These will not usually be sufficiently extreme to prevent a mattress from being recycled.

Interested transfer stations will be educated about the following logistical considerations:

- Transfer station participation in the Program is voluntary. MRC-contracted recyclers will service participating transfer stations with regard to eligible products. Transfer stations may withdraw from participation at their discretion.
- Participating collection locations will be provided with MRC Collector Guidelines to maximize the number of units recycled while providing safe and efficient handling practices.
- Participating locations will be serviced by the transporter and recycler associated with each town listed.
- Care must be taken to efficiently stack units to maximize the number placed in the storage container. Products other than mattresses and foundations may not be loaded into the storage container.
- To request pick-up of full mattress containers, transfer station staff will be instructed to contact their assigned transporter directly.
- MRC-contracted transporters will provide participating transfer stations with evidence of transportation insurance coverage.
- Service issues with regard to MRC transporters or recyclers should be brought to the attention of MRC for resolution.

**Municipal Bulky Waste or Curbside Collection** – Discarded mattresses from municipal curbside bulky waste pick-up are eligible for recycling under many of the same transfer station conditions discussed above, recognizing that the mattresses must be separated from other waste prior to pick up by MRC-contracted recyclers, and that the recyclers may be unable to recycle waterlogged, heavily soiled and otherwise unsuitable mattresses.

Bulky waste collection programs may choose to consolidate units at their regional transfer station or to deliver them directly to an MRC-contracted recycling facility. Local MRC staff will contact and visit Connecticut communities collecting mattresses at curbside to discuss logistics and options including;

- Deliver directly to MRC-contracted recycling facility

- If delivering directly to an MRC contracted recycling facility, obtain clearance and time slot from recycler to facilitate an efficient transaction.
- Complete bill of lading before delivering to recycling facility to document location, source and number of units delivered.
- If at least 50 units are segregated for each recycling pick-up, MRC staff will work to evaluate storage and pick-up at regional transfer station or other suitable location.

**Goal:** MRC surveyed Connecticut municipalities to ask whether they would be interested in participating in the Program, and has received positive responses from 40 locations throughout the state (see Appendix H). The Program seeks to have at least 88 municipal transfer stations participating in the Program by the end of the first two years of operation. This represents 60% of the 146 permitted municipal transfer stations in the state. MRC also understands that in a study conducted by the City of Hartford, communities representing approximate 47% of the state's population reported that their municipal transfer stations collect nearly 63,000 discarded mattresses annually. If other non-reporting communities in the state collect discarded mattresses at roughly the same rate as the reporting communities, approximately 135,000 mattresses would be collected annually by all communities in Connecticut. MRC's goal will be to recycle approximately 60% of the mattresses (or approximately 81,000 units) currently collected by these communities within the first two years of operation.

**Private Transfer Stations** – Discarded mattresses consolidated at private transfer stations are eligible to receive a storage container, transport and recycling at MRC's expense, provided a given transfer station segregates a minimum of 50 units each for recycling pick-up. Local MRC staff will contact all private transfer stations in the state to determine interest in participating in the Program. MRC staff will then visit interested locations to evaluate site configuration and accessibility for transport vehicles. MRC will be seeking the most efficient and effective consolidation packaging methods from participating locations.

In all cases, transfer stations must make every effort and use storage containers to keep mattresses dry in order to maximize the recyclability of each unit. Mattresses that cannot be recycled because they are severely damaged, twisted, wet, frozen, soiled, infested with bed-bugs or otherwise unsuitable for recycling should be disposed of through the existing solid waste stream.

Interested transfer stations will be educated about the following logistical considerations:

- Transfer station participation in the Program is voluntary. MRC-contracted recyclers will service participating transfer stations with regard to eligible products. Transfer stations may withdraw from participation at their discretion.
- Participating collection locations will be provide with MRC Collector Guidelines to maximize the number of units recycled while providing safe and efficient handling practices.
- Participating locations will be serviced by the transporter and recycler associated with each town.
- MRC has encouraged creative approaches to divert mattresses into the Program and will support these efforts. Transfer stations may self-haul mattresses that qualify for

participation in the Program directly to MRC-contracted recyclers or may choose to combine resources with neighboring consolidation locations.

- Care must be taken to efficiently stack units to maximize the number placed in the storage container. Products other than mattresses and foundations may not be loaded into the storage container.
- To request pick-up, transfer stations staff will contact their assigned transporter directly.
- MRC-contracted transporters will provide participating transfer stations with evidence of transportation insurance coverage.

**Goal:** Connecticut has at least 12 privately run transfer stations. MRC's goal is to serve 60% of these locations within the first two years of the Program.

**Connecticut Retailers** –MRC has held numerous calls, meetings and discussions with both Connecticut and national retailers to discuss program logistics and their obligations under the law, request their feedback, and explain benefits to them from participating in the Program. As part of this process, MRC has communicated through the press, phone calls, email and direct mail to reach retailers and has worked with the Connecticut Retail Merchants Association and the North American Home Furnishing Association to reach their members that may be selling mattresses to Connecticut retailers.

MRC will continue retail outreach as the Plan is implemented. However, retailer participation may be limited as clean, dry discarded mattresses have a positive value in secondary out of state markets.

Interested retailers will be educated about the following logistical considerations:

- Mattresses must be discarded in Connecticut in order to be recycled through the Program.
- Some Connecticut retailers are already recycling through MRC contracted recyclers. MRC will assume financial responsibility for these units when the program commences.
- Retailers who operate or contract with a third party to provide mattress delivery and removal services may drop off collected used mattresses at designated locations.
- Retailers consolidating more than 50 units for each pick-up may receive a storage container and transport through the Program at no cost.
- MRC will work directly with retailers to arrange for site specific storage and transportation.
- The mattresses will be picked up by MRC-contracted transporters, which in turn will provide evidence of insurance to participating retailers.
- Retailers may also choose to self-haul discarded Connecticut mattresses directly to a MRC-contracted recycler.
- Recycling mattresses through MRC is voluntary.

**Goal:** Many discarded mattresses collected by retailers from consumers during delivery are currently diverted out of state. Furthermore, some retailers may currently dispose of their discarded mattresses through traditional solid waste disposal systems in Connecticut (that is, municipal and private trash collection operations), and would

otherwise enter the Program through that system. Given these circumstances, MRC's goal is to inform all retailers in the state of the benefits to them from participating in the Program, and to recycle approximately 40,000 mattresses collected by Connecticut retailers in the first two years.

**Lodging Establishments** – MRC estimates Connecticut has 400 lodging establishments (including hotels and motels) that are potential sources of discarded mattresses. As with retailers, a hotel or motel's participation in the Program is voluntary.

Based on MRC's discussions with recyclers, hotels and the Connecticut Green Lodging Program, we understand that mattresses discarded from these establishments are often removed by a third party, who may sell the units to other lodging establishments. Much like mattress units collected from consumers by retailers, it may not be feasible to recycle large quantities of mattresses discarded by the lodging industry through the Program.

Interested lodging establishments will be educated about the following logistical considerations:

- If at least 50 units are segregated for each recycling pick-up, MRC will work with establishments to evaluate them for on-site transportation and recycling.
- Discarded mattresses may be directed to participating MRC collectors for consolidation in an MRC storage container.
- Lodging establishments who operate or contract with a third party to provide delivery and removal services for mattress may drop off used mattresses at designated consolidation locations or directly at an MRC contracted recycler at no cost to the generator.
- If a lodging establishment delivers directly to an MRC-contracted recycling facility, it will arrange a drop off time with the recycler to facilitate an efficient transaction.
- The establishment must complete a bill of lading before delivery to a collector or recycler to document the location, source and number of units delivered for recycling.

**Goal:** MRC lacks any statistics that would allow it to estimate the quantity of new mattresses that the lodging industry buys, or the quantity of used mattresses that it discards, annually. Furthermore, MRC understands that most discarded lodging mattresses are diverted out of state. Given these circumstances, MRC's goal is to contact 70% of the lodging entities in the state to inform them of the program, and seek to persuade them to send as many as 5,000 mattresses for recycling through the Program within the first two years.

**Prisons and Other Incarceration Facilities** – MRC discussions with recyclers have indicated that prison mattresses rarely contain innersprings and for sanitary reasons are not considered recyclable unless the pad is uncontaminated. As a result, we expect a low recycling rate from incarceration facilities, but will be contacting all 19 incarceration facilities located in Connecticut to evaluate their individual circumstances. Interested prisons will be educated about the following logistical considerations:

- Facilities must segregate a minimum of 50 units for each recycling pick-up.

- For small volumes, facilities may deliver directly to a participating consolidation site or MRC contracted recyclers.
- For special situations, the facility should contact MRC directly to arrange for recycling logistics.
- Mattresses that contain contaminated foam, or are severely damaged, twisted, wet, frozen, soiled, infested with bed-bugs or otherwise unsuitable for recycling, cannot be recycled and should be disposed of through the existing solid waste stream. Participating entities should work with MRC to determine acceptability.
- If the facility is delivering directly to an MRC-contracted recycling facility, it should schedule a drop-off time with the recycler to facilitate an efficient transaction.
- Before delivering to a collector or recycler, the facility must complete a bill of lading to document the location, source and number of units delivered.

**Goal:** MRC will contact all Connecticut prisons to discuss program logistics and encourage participation. However, at this time MRC does not know how many uncontaminated mattresses these entities discard annually, but would anticipate that such volumes are very small. MRC has a goal of recycling acceptable discarded mattresses from 4 incarceration facilities in the first two years of the Program.

**Health Care Facilities** – MRC understands that Connecticut has an estimated 274 health care facilities including acute care, nursing, hospitals and clinics. MRC discussions with recyclers have indicated that when a medical facility discards a hospital mattress, the product often retains a high residual value in secondary markets and are rarely dismantled for recycling. These units are expensive when new and are typically paired with an articulating base and air bladders for comfort adjustability. Unlike residential mattresses, worn parts and materials on hospital beds often may be repaired or replaced, and then reused by the original or a subsequent owner, and the full hospital bed unit is rarely discarded for full dismantling and recycling.

By contrast, mattresses used in ambulances and hospital emergency rooms may in some cases be discarded for recycling. These products tend to have a solid foam core and are surrounded by a thick vinyl cover. If the cover has not been breached and the interior contaminated by bodily fluids or other contaminants, recyclers inform MRC that these units may be recyclable. MRC will work with the Connecticut Hospital Association and the Connecticut Association of Health Care Facilities to identify sources of mattresses that are suitable for recycling and encourage those facilities to participate in the Program. Interested health care facilities will be educated about the following logistical considerations:

- Facilities must segregate a minimum of 50 units for each recycling pick-up.
- For small volumes, facilities may deliver directly to a participating consolidation site or MRC contracted recyclers.
- For special situations, the facility should contact MRC directly to arrange for transportation and recycling logistics.
- Health care facilities must be keenly aware of the need to segregate units that are biologically contaminated from others, and exclude the contaminated units from pick-up for recycling.

- Mattresses that have breached vinyl covers, or are severely damaged, twisted, wet, frozen, soiled or infested with bed-bugs cannot be recycled and should be disposed of through the existing solid waste stream. Participating entities should work with MRC to determine acceptability.
- If the facility is delivering its discarded mattresses directly to a mattress collector or an MRC-contracted recycling facility, it should schedule a drop off time with the recycler to facilitate an efficient transaction.
- Before delivering them to the collector or recycler, the facility must complete a bill of lading to document the location, source and number of units delivered.

**Goal:** MRC will work with industry associations to disseminate Program information and has a goal of recycling acceptable discarded mattresses from 30 health care facilities in the first two years of the Program.

**Educational Facilities** – MRC understands that Connecticut is home to an estimated 56 educational facilities including universities, colleges and boarding schools. MRC has discussed recycling options with Keep America Beautiful and the College and University Recycling Coalition, two groups that are encouraging recycling at educational institutions. These groups have indicated a strong interest in working with MRC to promote mattress recycling services at the end of each semester or other education term in cities and towns in which colleges and universities are located. MRC will actively work with these and other entities to develop a process for collecting and recycling units from these institutions. Interested schools and universities will be informed about the following logistical considerations:

- Facilities must segregate a minimum of 50 units for each recycling pick-up.
- For small volumes, facilities may deliver their discarded mattresses directly to a participating collector or MRC-contracted recyclers.
- If delivering directly to an MRC contracted recycling facility, it should schedule a drop off time with the recycler to facilitate an efficient transaction.
- Before delivering discarded mattresses to a collector or recycler, the facility must complete a bill of lading to document location, source and number of units delivered.
- For end of semester, special event or large volume pick-ups, the facility should contact MRC directly to arrange for transportation and recycling logistics.
- Mattresses that are severely damaged, twisted, wet, frozen, soiled, infested with bed-bugs or otherwise unsuitable for recycling cannot be recycled and should be disposed of through the existing solid waste stream. Participating entities should work with MRC to determine mattress acceptability.

**Goal:** MRC will contact all Connecticut Educational facilities to encourage their participation in the program and has a goal of recycling discarded mattresses from 15 different educational facilities in the first two years of the Program.

**Military Bases** – Connecticut has one military base in New London. MRC will work directly with the base to divert mattresses through the Program. The base staff should:

- Work directly with MRC staff to evaluate whether a mattress is suitable for recycling.

- For small volumes, the base could consider delivering its discarded mattresses directly to a participating MRC collection facility.
- If the base delivers its discarded mattresses directly to an MRC-contracted recycling facility, it should schedule a drop off time with the recycler pick-up with the recycler to facilitate an efficient transaction.
- Before delivering them to the collector or recycler, the base must complete a bill of lading to document the location, source and number of units delivered.
- Mattresses that cannot be recycled (because they are severely damaged, twisted, wet, frozen, soiled infested with bed-bugs or are otherwise unsuitable for recycling) should be disposed of through the existing solid waste stream.

**Goal:** MRC will directly contact the base to encourage their participation in the program.

**Waste to Energy Facilities** – Connecticut has 6 waste to energy (WTE) facilities. MRC will contact each location to evaluate its processes and best management methods to recover mattresses. Ideally, mattresses should be separated from mixed solid waste stream before arrival at a waste to energy facility. Each facility should consider the following:

- If the facility delivers its discarded mattresses directly to an MRC-contracted recycling facility, it should schedule a drop off time with the recycler to facilitate an efficient transaction.
- Before delivering them to the collector or recycler, the facility must complete a bill of lading to document the location, source and number of units delivered.
- Mattresses that cannot be recycled (because they are severely damaged, twisted, wet, frozen, soiled infested with bed-bugs or are otherwise unsuitable for recycling) should be disposed of through the existing solid waste stream. Mattresses should avoid contact with free liquids from mixed municipal solid waste.

**Goal:** MRC will directly contact each WTE Facility to encourage their participation in the program. The Program annual report will describe the annual recycling rate, the condition and recyclability of these mattresses, how many were recycled and how to improve the recycling rate.

**Other Entities** – Other entities may have discarded mattresses that are eligible for recycling under the Program. Each entity has different circumstances that may affect how it should participate in the Program. To allow MRC to evaluate whether and under what circumstances an entity may participate in the Program, such entities should follow these steps:

- Work with MRC to evaluate eligibility.
- If the entity delivers its discarded mattresses directly to an MRC-contracted recycling facility, it should schedule a pick-up with the recycler to facilitate an efficient transaction.
- Before delivering them to the collector or recycler, the entity must complete a bill of lading to document the location, source and number of units delivered.

- Mattresses that cannot be recycled (because they are severely damaged, twisted, wet, frozen, soiled infested with bed-bugs or are otherwise unsuitable for recycling) should be disposed of through the existing solid waste stream.

**Goal:** MRC will document discussions with other entities and encourage their participation in the program. The Program annual report will identify these other sources and what happens to these units at end of life and how they might be serviced by the Program.

**Stakeholder Outreach** - Since passage of PA 13-42 in 2013, MRC has held stakeholder meetings with municipalities, retailers, manufactures and recyclers to address concerns and promote interest in the development of the Program. A list of these outreach efforts and events are included in Appendix I.

**Goals:**

- Develop effective point-of-sale materials that explain the purpose of the recycling Fee to consumers.
- Conduct outreach to all Connecticut mattress retailers to get them registered with MRC and prepared to collect and remit the Fee.
- Facilitate stakeholder meetings for each covered entities subgroup and other interested parties.
- Attend stakeholder events and meetings to increase awareness of the Program and the benefits of participation.
- Contact and visit stakeholders to educate them on how to participate in the Program and the parameters for participation.

**Recycling Mattress Components** - Collect data from Program recyclers to verify compliance among participants and service providers. Develop auditing procedures to verify program participant compliance with Program objectives

**Goal:** Contracted MRC recyclers will recycle 85% of collected mattresses by weight, and implement appropriate verification measures to confirm compliance.

#### **4. Public Education Program:**

To promote the Program’s objectives, MRC is committed to providing a robust education and outreach program that will inform covered entities and others about the Act and how they can participate in the Program.

**Objectives** - A critical component of this effort involves building awareness of the Program by:

- Identifying and contacting all relevant stakeholder groups and consumers
- Tailoring educational messages that are appropriate to each group
- Increasing participation in the Program
- Promoting Program compliance by informing parties of their obligations

**Audience** - MRC’s outreach and education plan will focus appropriate messages to each of the following audiences:

- Covered entities
- Consumers
- Mattress industry

**Program Timeline:**

Connecticut Mattress Recycling Communications	Completed	Summer 2014	Fall 2014	Winter 2014	2015
<b>Education and outreach</b>					
Program website development	●	●	●	●	●
Identify local government, utilities and other partnership opportunities		●	●	●	●
Design and printing of program materials		●	●	●	●
Downloadable availability of brochures to retailers, collection sites etc.				●	●
Establish and manage social media platforms				●	●
Launch collection site finder on web page					●
Develop consumer awareness campaign					●

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**Messaging-** MRC has commenced its messaging efforts with the mattress industry, and will begin its communications outreach with consumers in coming months. The following summarizes the general messages we will develop and deliver:

**Mattress Retailers 2014:**

- Who – must participate in the Program
- What – are retailers’ legal obligations
- Where – are the mattresses recycled and by whom
- How – is the Program administered
- Why – is it important to recycle mattresses

**Industry 2014:**

- What – are the industry’s current obligations
- Who – must participate in the program
- How – to support your customers/retailers
- Where – to get additional Program information
- Why – should manufacturers take an active role in the Program

**Consumers 2015:**

- Who – can use the program
- How – to participate in the Program
- What – do the Fees pay for
- Why – it is important to recycle mattresses
- Where – can I recycle my old mattresses

The audience-specific messages will be developed based on research and assessment of responses from MRC forums, surveys, presentations, and retailer focus groups.

**Communication & Outreach Tools:**

**Retailers** - MRC will assist retailers in developing a strategy, message, and materials to help sales associates communicate Program details accurately and efficiently to consumers. ISPA publishes an industry magazine that is directed to the retail community named *Sleepy Savvy*. Using this publication and other outreach, MRC will continue to inform retailers about the Program. Our tools will include:

- Webinars and other web-based tools
- Sleep Savvy surveys
- Individual calls and visits
- Stakeholder meetings
- MRC participation in events involving retailers
- Furniture Today Bedding Conference (annual)
- Las Vegas Furniture Market (biannual)
- Trade Shows

**Initial Retailer Contact** - MRC has developed a mailing list of all known mattress retailers in the state. MRC has distributed by mail and posted on its website the first of several informational documents to alert retailers to their obligations under the law. MRC has also held several retailer-specific conference calls and appeared at various retailer events to inform them of their obligations. Examples of MRC outreach material is provided in Appendix J. MRC will continue to educate retailers with additional mailings, webinars and conference calls.

**Retailer Point-of-Sale Materials** - MRC will work with retailers to prepare content for point-of-sale collateral materials they can use with consumers, including:

- Materials that explain the purpose of the Fee
- Materials that explain how mattresses are properly recycled
- Information on finding a location to recycle a mattress

**Consumers** - In addition to the point-of-sale materials, MRC will use multiple means for reaching consumers, including:

- Recycling facility location information via MRC's website (Appendix K)
- PSAs in partnership with local media
- Earned media
- Press Releases
- Reporter one-on-ones
- Editorial Board meetings
- Electronic media outreach
- Community outreach events

**Additional Audiences** - MRC will develop messaging to raise Program awareness among municipal and county authorities, the lodging industry, colleges, universities, correctional institutions and environmental organizations using the following tools:

- Newsletter article opportunities
- Web and social media partnerships
- Online information through the MRC web-site
- Reciprocal online information
- Participation in community events to raise Program awareness

## **5. Annual Report and Financial Audit:**

**Annual Reporting** - As required by the Act, MRC will submit an annual report to DEEP by October 15<sup>th</sup> of each year, using a form prescribed by the Commissioner of DEEP. The report will include statistics on the quantity of mattresses collected from various sources, the weight of mattresses recycled, the weight of mattress materials recycled and the weight of materials sent for disposal at waste-to-energy facilities, landfills and other disposal facilities. In order to properly gather and sort this information, MRC will also require each of its contract recyclers to report such data to MRC, and MRC will verify this information by examining reports from covered entities participating in the program and downstream recyclers. MRC is working with an auditing firm to create a process to verify these figures.

The Annual Report will also contain a report on the MRC's public education activities, including an updated list of registered producers, and an evaluation of the efforts to meet the Program's performance goals.

Finally, the Annual Report will include any proposed changes to the Program.

**Performance Goals** - Not later than October 1, 2016, MRC will submit updated performance goals to the DEEP Commissioner based on the original goals included in the Plan and the experience of the Program.

**Financial Audits** – MRC will have its Connecticut Program audited on these occasions:

- Two years after program implementation
- Upon the request of the Commissioner of DEEP, but not more frequently than once per year

MRC will revise the Fee every two years. MRC may propose a new Fee more frequently if necessary to avoid surplus funds or a funding shortfall. Upon a change in the Fee, MRC will retain an auditor to verify the “reasonableness” of the Fee. The new Fee will go into effect not later than 90 days after the auditor renders its determination.

## **6. Timeline for Connecticut Used Mattress Recovery and Recycling Act:**

Major milestones for implementation of the Program are listed below. Though these dates are subject to change, they represent the framework for implementing the program.

### ***July 2014***

- Responsible producers must register with mattress recycling the Mattress Recycling Council
- Mattress Recycling Council submits Plan to CT Department of Energy & Environmental Protection
- Mattress Recycling Council proposes Fee to CT Department of Energy & Environmental Protection as part of the Plan
- Mattress Recycling Council proposes recycling baseline/goals

### ***September 2014***

- DEEP to review and rule on Plan approval

### ***February 2015***

- Plan is implemented, subject to approval of DEEP

### ***October 2015***

- First Annual Report to DEEP

### ***July 2016***

- Mattress Recycling Council reviews/proposes Fee

### ***October 2016***

- Submit updated performance goals to DEEP as part of Annual Report

### ***February 2017***

- First audit conducted by the Mattress Recycling Council

# APPENDIX A – PUBLIC ACT 13-42 AND PUBLIC ACT 14-170



**Substitute House Bill No. 6437**

**Public Act No. 13-42**

***AN ACT CONCERNING A MATTRESS STEWARDSHIP PROGRAM.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2013*) For the purposes of this section and sections 2 to 7, inclusive, of this act:

(1) "Brand" means a name, symbol, word or mark that attributes a mattress to the producer of such mattress;

(2) "Commissioner" means the Commissioner of Energy and Environmental Protection;

(3) "Covered entity" means any political subdivision of the state, mattress retailer, permitted transfer station, waste-to-energy facility, health care facility, educational facility, correctional facility, military base or commercial or nonprofit lodging establishment that possesses a discarded mattress that was discarded in this state. "Covered entity" does not include any renovator, refurbisher or any person who only transports a discarded mattress;

(4) "Department" means the Department of Energy and Environmental Protection;

(5) "Discarded mattress" means any mattress that a consumer

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discarded, intends to discard or abandoned;

(6) "Energy recovery" means the process by which all or a portion of solid waste materials are processed or combusted in order to utilize the heat content or other forms of energy derived from such solid waste materials;

(7) "Foundation" means any ticking-covered structure that is used to support a mattress and that is composed of one or more of the following: A constructed frame, foam or a box spring. "Foundation" does not include any bed frame or base made of wood, metal or other material that rests upon the floor and that serves as a brace for a mattress;

(8) "Mattress" means any resilient material or combination of materials that is enclosed by ticking, used alone or in combination with other products, and that is intended for or promoted for sleeping upon. "Mattress" includes any foundation and any renovated mattress. "Mattress" does not include any mattress pad, mattress topper, sleeping bag, pillow, car bed, carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper, liquid or gaseous filled ticking, including any water bed and any air mattress that does not contain upholstery material between the ticking and the mattress core, and any upholstered furniture that does not otherwise contain a detachable mattress;

(9) "Mattress core" means the principal support system that is present in a mattress, including, but not limited to, springs, foam, air bladder, water bladder or resilient filling;

(10) "Mattress recycling council" or "council" means the nonprofit organization created by producers or created by any trade association that represents producers who account for a majority of mattress production in the United States to design, submit and implement the

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mattress stewardship program described in section 2 of this act;

(11) "Mattress stewardship fee" means the amount added to the purchase price of a mattress sold in this state that is necessary to cover the cost of collecting, transporting and processing discarded mattresses by the council pursuant to the mattress stewardship program;

(12) "Mattress stewardship program" or "program" means the state-wide program described in section 2 of this act and implemented pursuant to the mattress stewardship plan;

(13) "Mattress topper" means any item that contains resilient filling, with or without ticking, that is intended to be used with or on top of a mattress;

(14) "Performance goal" means a metric proposed by the council to measure, on an annual basis, the performance of the mattress stewardship program, taking into consideration technical and economic feasibilities, in achieving continuous, meaningful improvement in improving the rate of mattress recycling in the state and any other specified goal of the program;

(15) "Producer" means any person who manufactures or renovates a mattress that is sold, offered for sale or distributed in the state under the producer's own name or brand. "Producer" includes (A) the owner of a trademark or brand under which a mattress is sold, offered for sale or distributed in this state, whether or not such trademark or brand is registered in this state, and (B) any person who imports a mattress into the United States that is sold or offered for sale in this state and that is manufactured or renovated by a person who does not have a presence in the United States;

(16) "Recycling" means any process in which discarded mattresses, components and by-products may lose their original identity or form as they are transformed into new, usable or marketable materials.

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"Recycling" does not include the use of incineration for energy recovery;

(17) "Renovate" or "renovation" means altering a mattress for the purpose of resale including any one, or a combination of, the following: Replacing the ticking or filling, adding additional filling, or replacing components with new or recycled materials. "Renovate" or "renovation" does not include (A) the stripping of a mattress of its ticking or filling without adding new material, (B) the sanitization or sterilization of a mattress without otherwise altering the mattress, or (C) the altering of a mattress by a renovator when a person retains the altered mattress for personal use, in accordance with regulations of the Department of Consumer Protection;

(18) "Renovator" means any person who renovates discarded mattresses for the purpose of reselling such mattresses to consumers;

(19) "Retailer" means any person who sells mattresses in this state or offers mattresses in this state to a consumer;

(20) "Sanitization" means the direct application of chemicals to a mattress to kill human disease-causing pathogens;

(21) "Sale" means the transfer of title of a mattress for consideration, including, but not limited to, the use of a sales outlet, catalog, Internet web site or similar electronic means;

(22) "Sterilization" means the mitigation of any deleterious substances or organisms, including human disease-causing pathogens, fungi and insects from a mattress or filling material using a process approved by the Commissioner of Consumer Protection;

(23) "Ticking" means the outermost layer of fabric or material of a mattress. "Ticking" does not include any layer of fabric or material quilted together with, or otherwise attached to, the outermost layer of

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fabric or material of a mattress; and

(24) "Upholstery material" means all material, loose or attached, between the ticking and the core of a mattress.

Sec. 2. (NEW) (*Effective October 1, 2013*) (a) On or before July 1, 2014, each producer, or such producer's designee, shall join the mattress recycling council and by said date such council shall submit a plan, for the Commissioner of Energy and Environmental Protection's approval, to establish a state-wide mattress stewardship program, as described in this subsection. Retailers may participate in said council. Such mattress stewardship program shall, to the extent it is technologically feasible and economically practical: (1) Minimize public sector involvement in the management of discarded mattresses; (2) provide for free, convenient and accessible state-wide opportunities for the receipt of discarded mattresses from any person in the state with a discarded mattress that was discarded in the state, including, but not limited to, participating covered entities that accumulate and segregate a minimum of fifty discarded mattresses for collection at one time and municipal transfer stations that discard a minimum of thirty mattresses at one time; (3) provide for free collection of discarded mattresses from municipal transfer stations that accumulate and segregate fewer than thirty mattresses, provided the transfer stations require such collection due to space or permit requirements; (4) provide for council-financed end-of-life management for discarded mattresses collected pursuant to subdivisions (2) and (3) of this subsection; (5) provide suitable storage containers at, or make other mutually agreeable storage and transport arrangements for, permitted municipal transfer stations for segregated, discarded mattresses, at no cost to such municipality, provided such municipal transfer station makes space available for such purpose and imposes no fee for placement of such storage container on the municipal transfer station's premises; (6) include a mattress stewardship fee that is sufficient to

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cover the costs of operating and administering the program; and (7) establish a financial incentive that provides for the payment of a monetary sum, established by the council, to any consumer who recycles a mattress in accordance with the requirements of the mattress stewardship program.

(b) The plan submitted pursuant to subsection (a) of this section shall: (1) Identify each producer participating in the program; (2) describe the fee structure for the program; (3) establish performance goals for the first two years of the program; (4) identify proposed facilities to be used by the program; (5) detail how the program will promote the recycling of discarded mattresses; and (6) include a description of the public education program.

(c) The council shall establish and implement a fee structure that covers, but does not exceed, the costs of developing the plan described in subsection (b) of this section, operating and administering the program described in subsection (a) of this section and maintaining a financial reserve sufficient to operate the program over a multi-year period of time in a fiscally prudent and responsible manner. The council shall maintain all records relating to the program for a period of not less than three years.

(d) Pursuant to the program, recycling shall be preferred over any other disposal method for mattresses, to the extent that recycling is technologically feasible and economically practical.

(e) The Commissioner of Energy and Environmental Protection shall approve the plan for the establishment of the mattress stewardship program, provided such plan meets the requirements of subsections (a) to (d), inclusive, of this section. Not later than ninety days after submission of the plan pursuant to this section, the commissioner shall make a determination whether to approve the plan. Prior to making such determination, the commissioner shall post the plan on the

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department's Internet web site and solicit public comments on the plan. Such solicitation shall not be conducted pursuant to chapter 54 of the general statutes. In the event that the commissioner disapproves the plan because it does not meet the requirements of subsections (a) to (d), inclusive, of this section, the commissioner shall describe the reasons for the disapproval in a notice of determination that the commissioner shall provide to the council. The council shall revise and resubmit the plan to the commissioner not later than forty-five days after receipt of notice of the commissioner's disapproval notice. Not later than forty-five days after receipt of the revised plan, the commissioner shall review and approve or disapprove the revised plan, and provide a notice of determination to the council. The council may resubmit a revised plan to the commissioner for approval on not more than two occasions. If the council fails to submit a plan that is acceptable to the commissioner because it does not meet the requirements of subsections (a) to (d), inclusive, of this section, the commissioner shall modify a submitted plan to make it conform to the requirements of subsections (a) to (d), inclusive, of this section, and approve it. Not later than one hundred twenty days after the approval of a plan pursuant to this section, or one hundred eighty days, in the case of a plan modified by the commissioner, the council shall implement the mattress stewardship program.

(f) (1) The council shall submit any proposed substantial change to the program to the Commissioner of Energy and Environmental Protection for approval. For the purposes of this subdivision, "substantial change" means: (A) A change in the processing facilities to be used for discarded mattresses collected pursuant to the program, or (B) a material change to the system for collecting mattresses. If the commissioner does not disapprove a proposed substantial change within ninety days of receipt of notification of such proposed substantial change, such proposed substantial change shall be deemed approved.

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(2) Not later than October 1, 2016, the council shall submit updated performance goals to the commissioner that are based on the experience of the program during the first two years of the program.

(g) The council shall notify the Commissioner of Energy and Environmental Protection of other material changes to the program on an ongoing basis, without resubmission of the plan to the commissioner for approval. Such changes shall include, but not be limited to, a change in the composition, officers or contact information of the council.

(h) On or before July 1, 2014, and every two years thereafter, the council shall propose a mattress stewardship fee for all mattresses sold in this state except crib and bassinette mattresses. The council may propose a change to the mattress stewardship fee more frequently than once every two years if the council determines such change is needed to avoid funding shortfalls or excesses for the mattress stewardship program. Any proposed mattress stewardship fee shall be reviewed by an auditor to assure that such assessment does not exceed the cost to fund the mattress stewardship program described in subsection (a) of this section and to maintain financial reserves sufficient to operate said program over a multi-year period in a fiscally prudent and responsible manner. Not later than sixty days after the council proposes a mattress stewardship fee, the auditor shall render an opinion to the Commissioner of Energy and Environmental Protection as to whether the proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed fee shall go into effect. If the auditor concludes that the mattress stewardship fee is not reasonable, the auditor shall provide the council with written notice explaining the auditor's opinion. Not later than fourteen days after the council's receipt of the auditor's opinion, the council may either propose a new mattress stewardship fee or provide written comments

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on the auditor's opinion. If the auditor concludes that the fee is not reasonable, the Commissioner of Energy and Environmental Protection shall decide, based on the auditor's opinion and any comments provided by the council, whether to approve the proposed mattress stewardship fee. Such auditor shall be selected by the council. The cost of any work performed by such auditor pursuant to the provisions of this subsection and subsection (k) of this section shall be funded by the mattress stewardship fee described in this subsection.

(i) On and after the implementation of the mattress stewardship program, the mattress stewardship fee, established pursuant to subsection (a) of this section and described in subsection (h) of this section, shall be added to the cost of all mattresses sold to retailers and distributors in this state by each producer. On and after such implementation date, each retailer or distributor, as applicable, shall add the amount of such fee to the purchase price of all mattresses sold in this state. In each transaction described above, the fee shall appear on the invoice and shall be accompanied by a brief description of the fee. The council may, subject to the commissioner's approval, establish an alternative, practicable means of collecting or remitting such fee. Any producer who fails to participate in such program shall not sell mattresses in this state.

(j) Not later than October fifteenth of each year, the council shall submit an annual report to the Commissioner of Energy and Environmental Protection, on a form prescribed by the commissioner. The commissioner shall post such annual report on the department's Internet web site. Such report shall include: (1) The tonnage of mattresses collected pursuant to the program from: (A) Municipal transfer stations, (B) retailers, and (C) all other covered entities; (2) the tonnage of mattresses diverted for recycling; (3) the weight of mattress materials recycled, as indicated by the weight of each of the commodities sold to secondary markets; (4) the weight of mattress

***Substitute House Bill No. 6437***

materials sent for disposal at each of the following: (A) Waste-to-energy facilities, (B) landfills, and (C) any other facilities; (5) a summary of the public education that supports the program; (6) an evaluation of the effectiveness of methods and processes used to achieve performance goals of the program; and (7) recommendations for any changes to the program.

(k) Two years after the implementation of the program and every three years thereafter, or upon the request of the Commissioner of Energy and Environmental Protection but not more frequently than once a year, the council shall cause an audit of the program to be conducted by an auditor as described in subsection (h) of this section. Such audit shall review the accuracy of the council's data concerning the program and provide any other information requested by the commissioner, consistent with the requirements of this section, provided such request does not require the disclosure of any proprietary information or trade or business secrets. Such audit shall be paid for by the council. The council shall maintain all records relating to the program for not less than three years.

Sec. 3. (NEW) (*Effective July 1, 2014*) Upon implementation of the mattress stewardship program described in section 2 of this act, any covered entity that participates in such program shall not charge for the receipt of discarded mattresses that are discarded in this state provided covered entities may charge a fee for providing the service of collecting mattresses and may restrict the acceptance of mattresses by number, source or physical condition.

Sec. 4. (NEW) (*Effective October 1, 2013*) Not later than three years after the approval of the mattress stewardship plan pursuant to section 2 of this act, the Commissioner of Energy and Environmental Protection shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to the environment

***Substitute House Bill No. 6437***

Such report shall provide an evaluation of the mattress stewardship program, establish a goal for the amount of discarded mattresses managed under the program and a separate goal for the recycling of such mattresses, taking into consideration technical and economic feasibilities.

Sec. 5. (NEW) (*Effective October 1, 2013*) Each producer and the council shall be immune from liability for any claim of a violation of antitrust law or unfair trade practice, if such conduct is a violation of antitrust law, to the extent such producer or council is exercising authority pursuant to the provisions of sections 1 to 7, inclusive, of this act.

Sec. 6. (NEW) (*Effective October 1, 2013*) (a) The Commissioner of Energy and Environmental Protection may seek civil enforcement of the provisions of sections 2 and 3 of this act pursuant to chapter 439 of the general statutes.

(b) Whenever, in the judgment of the commissioner, any person has engaged in or is about to engage in any act, practice or omission that constitutes, or will constitute, a violation of any provision of section 2 or 3 of this act, the Attorney General may, at the request of the commissioner, bring an action in the superior court for the judicial district of New Britain for an order enjoining such act, practice or omission. Such order may require remedial measures and direct compliance with the provisions of section 2 or 3 of this act. Upon a showing by the commissioner that such person has engaged in or is about to engage in any such act, practice or omission, the court may issue a permanent or temporary injunction, restraining order or other order, as appropriate.

(c) Any action brought by the Attorney General pursuant to this section shall have precedence in the order of trial, as provided in section 52-191 of the general statutes.

***Substitute House Bill No. 6437***

Sec. 7. (NEW) (*Effective October 1, 2013*) In the event that another state implements a mattress recycling program, the council may collaborate with such state to conserve efforts and resources used in carrying out the mattress stewardship program, provided such collaboration is consistent with the requirements of sections 1 to 6, inclusive, of this act.

Approved May 28, 2013



**Substitute Senate Bill No. 71**

**Public Act No. 14-170**

**AN ACT CONCERNING CERTAIN REVISIONS TO THE MATTRESS STEWARDSHIP PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subdivision (8) of section 22a-905 of the 2014 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(8) "Mattress" means any resilient material or combination of materials that is enclosed by a ticking, that is used alone or in combination with other products, and that is intended for or promoted for sleeping upon. "Mattress" includes any foundation, [and any] renovated foundation or renovated mattress. "Mattress" does not include any of the following: (A) An unattached mattress pad, an unattached mattress topper, including any item with resilient filling, with our without ticking, that is intended to be used with or on top of a mattress, (B) a sleeping bag [,] or pillow, (C) a car bed, (D) juvenile products, including a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper [,] and any pad for such juvenile product, (E) a product that contains liquid or gaseous filled ticking, including any water bed [and] or any air mattress that does not contain upholstery material between the ticking and the mattress core, [and] or (F) any upholstered furniture that does not otherwise contain

***Substitute Senate Bill No. 71***

a detachable mattress, including, but not limited, to a fold-out sofa bed or a futon;

Sec. 2. Subsections (h) and (i) of section 22a-905a of the 2014 supplement to the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) On or before July 1, 2014, and every two years thereafter, the council shall propose a mattress stewardship fee for all mattresses sold in this state except crib and bassinette mattresses. The council may propose a change to the mattress stewardship fee more frequently than once every two years if the council determines such change is needed to avoid funding shortfalls or excesses for the mattress stewardship program. Any proposed mattress stewardship fee shall be reviewed by an auditor to assure that such assessment does not exceed the cost to fund the mattress stewardship program described in subsection (a) of this section and to maintain financial reserves sufficient to operate said program over a multiyear period in a fiscally prudent and responsible manner. Not later than sixty days after the council proposes a mattress stewardship fee, the auditor shall render an opinion to the Commissioner of Energy and Environmental Protection as to whether the proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed fee shall go into effect not less than ninety days after the auditor notifies the commissioner that the fee is reasonable. If the auditor concludes that the mattress stewardship fee is not reasonable, the auditor shall provide the council with written notice explaining the auditor's opinion. Not later than fourteen days after the council's receipt of the auditor's opinion, the council may either propose a new mattress stewardship fee or provide written comments on the auditor's opinion. If the auditor concludes that the fee is not reasonable, the Commissioner of Energy and Environmental Protection shall decide, based on the auditor's opinion

***Substitute Senate Bill No. 71***

and any comments provided by the council, whether to approve the proposed mattress stewardship fee. Such auditor shall be selected by the council. The cost of any work performed by such auditor pursuant to the provisions of this subsection and subsection (k) of this section shall be funded by the mattress stewardship fee described in this subsection.

(i) On and after the implementation of the mattress stewardship program, [the mattress stewardship fee, established pursuant to subsection (a) of this section and described in subsection (h) of this section, shall be added to the cost of all mattresses sold to retailers and distributors in this state by each producer. On and after such implementation date, each retailer or distributor, as applicable,] each retailer shall add the amount of [such fee] the mattress stewardship fee, established in accordance with subsection (h) of this section, to the purchase price of all mattresses sold in this state. In each transaction described above, the fee shall appear on the invoice and shall be accompanied by a brief description of the fee. The council may, subject to the commissioner's approval, establish an alternative, practicable means of collecting or remitting such fee. Any producer who fails to participate in such program shall not sell mattresses in this state.

Approved June 11, 2014

**APPENDIX B – MRC BOARD OF DIRECTORS**

<b>MRC Board of Directors</b>	
Ryan Trainer	MRC, President
Richard Diamondstein	Paramount Sleep; MRC Chairperson
Catherine Lyons	MRC Treasurer
Dale Carlsen	Sleep Train
Doug Guffey	Sleep Inc.
Dan Hige	Sealy
Matt Kershner	Select Comfort
Mark Kolovson	King Koil
Kristen McGuffey	Serta/Simmons

# APPENDIX C – PARTICIPATING PRODUCERS

Welcome to the MRC Online Registration System | Mattress Recycling Council Reporting



## Welcome to the MRC Online Registration System

The Mattress Recycling Council (MRC) is a non-profit organization that will develop and operate mattress recycling programs required by law in California, Connecticut, and Rhode Island.

Are you already registered with MRC?

If not, register here to join MRC as a new participant today.

For more information on the MRC program, visit [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org).

### New Registrants

Register here to join the MRC as a new participant. Please do **NOT** complete the registration system again if your company has already registered.

Click on the button below to complete the registration process.

Register for MRC

### News and Notifications

- [Important Requirement for Anyone Selling Mattresses in CT](#)
- [Important Announcement for Connecticut Mattress Retailers](#)

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<http://www.mrcreporting.org/>[6/23/14, 8:11:35 AM]

## Connecticut Producer List:

Alessanderx SpA
American Excelsior Company
Ascion, LLC
Ashley Furniture Industries, Inc.
Bedinabox, LLC
Benamy International Inc.
Blue Bell Mattress Co. LLC
Bob Barker Company, Inc.
Bourdon's Institutional Sales, Inc.
Boyd Flotation Inc.
Brick Church Manufacturing LLC
Carico International, Inc.
Carpe Diem USA LLC
Carpenter Co.
Columbia mattress & upholstery company Inc.
Comfort Bedding of the USA LLC
Comfort Revolution, LLC
Comfort Sleep Systems Inc.
Corsicana Bedding, Inc.
Denver Mattress Company, LLC
Dorel Home Products
DUX Interiors, Inc.
E&E Bedding Co. Inc.
E.S. Klufft & Company, LLC
Elite Foam, Inc.
Ergomotion Inc.
Ethan Allen Operations, Inc.
Exel Inc.
Flotation Innovations, Inc.
Fredman Bros. Furniture Company, Inc.
Friendship Upholstery Company Inc.
Future Foam Inc.
GF Health Products, Inc.
Hickory Springs Manufacturing Company
Hickory Springs of California, LLC
Hill-Rom, Inc.
J & J Upholstery and Window Treatments Inc.

Jeffco Fibres, Inc.
Jiaying Taien Springs Co., LTD
Keetsa, Inc.
Kingsdown, Inc.
Klaussner Home Furnishings, INC
Lema LLC
Magniflex USA Ltd
McNeilly's Inc.
Medical Depot, Inc.
MFL, Inc.
Neiser Mattress and Furniture Corp.
Norix Group Inc.
Norwalk Mattress Co., Inc.
Oddello Industries, LLC
Organic Mattresses, Inc.
Paramount Industrial Cos., Inc.
Rainbow Bedding, Ltd.
Restmore, LLC.
Restopedic, Inc.
Revive Sleep Inc.
Select Comfort Retail Corporation
Select Comfort SC Corporation
shanghai shenbao mattress factory
Sleep Studio, LLC
Sleepmaster Ltd
Sommex Bedding Corporation
Southerland Inc.
Span America Medical Systems, Inc.
Suite Sleep, Inc.
Technogel US Inc.
Tempur Sealy International, Inc.
The Bedding Group Inc.
The House of Foaming Case, Inc.
The Original Mattress Factory, Inc.
The Standard Mattress Co
Therapedic of New England, LLC
Therapedic Sleep Products Inc.
Tudor House Furniture Co., Inc.
University Loft Company
Ureblock S.A. DE C.V.

Vinyl Products Mfg. Inc.
Vi-Spring Limited
Woodhaven Furniture Industries
Yankee Mattress Factory, Inc.
Zhejiang Alright Home Textiles Co.,Ltd.
Zinus Inc.

## APPENDIX D – FEE DETERMINATION



August 15, 2014

Ryan Trainer, President  
Mattress Recycling Council  
501 Wythe Street  
Alexandria, VA 22314

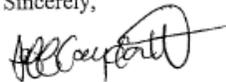
Dear Mr. Trainer:

Enclosed please find two bound copies and one loose copy of the Examination Report for Mattress Recycling Council's Forecasted Summary Schedule of Budgeted Revenues, Expenses (costs), and Financial Reserve Fund and the Calculated Average Unitized Mattress Stewardship Fee for the State of Connecticut.

As required by Section 2(h) of Connecticut Public Act 13-42, attached is our Examination Report in which our opinion states that the per unit mattress stewardship fee of \$9 that MRC has proposed to the Commissioner of Energy and Environmental Protection for the state of Connecticut, is "reasonable to achieve the goals" set forth in Section 2 of the Act.

If you have any questions regarding the enclosed forecasted statements, please do not hesitate to contact me.

Sincerely,



Jeff Corydon, IV, CPA, CFP®

## APPENDIX E – TRANSPORTATION AND RECYCLING SERVICES RFP



# Connecticut Mattress Transportation and Recycling Services

Request for Proposal

Due: March 31, 2014

## 1. INTRODUCTION AND GENERAL INFORMATION

### **A. PURPOSE OF THE MATTRESS RECYCLING COUNCIL (MRC) AND REQUEST FOR PROPOSAL**

In 2013, Connecticut was one of three states (along with California and Rhode Island) to enact used mattress recycling laws (Connecticut Public Act 13-42). The purpose of these laws is to promote and encourage the proper recycling of mattresses at the end of their life. The Mattress Recycling Council (MRC) is a non-profit organization formed by the International Sleep Products Association (ISPA) to design and implement mattress recycling programs required by these laws. In Connecticut, the program proposed by the MRC must be approved by the Connecticut Department of Energy and Environmental Protection.

To fund the Connecticut mattress recycling program, the MRC will set a point-of-sale recycling fee. Mattress retailers in Connecticut will collect that fee (which will be visible on the invoice or receipt that the retailer provides the customer) on each mattress sale. Retailers will remit this fee to the MRC. The fees collected will:

- (1) fund the MRC's operational and administrative costs (including public relations and communications activities)

- (2) pay recyclers that process discarded mattresses, and
- (3) potentially pay an incentive to parties that collect discarded mattress for recycling.

The purpose of this Request for Proposal (RFP) is to assess the qualifications of service providers interested in providing recycling and related transportation services to the MRC.

## B. CALENDAR OF IMPORTANT DATES

Event	Date
Optional Pre-bid conference call: 877-722-1471 conference code: 4243585597	March 3, 2014 2:00 EST
Deadline for RFP questions	March 7, 2014
Response to RFP questions	March 14, 2014
RFP due date	March 31, 2014; 4:00 PM EDT
Evaluation Period	April, 2014
Service Provider Audits	April, 2014
Contracting	Spring, 2014
Develop program budget	Spring, 2014
Program plan due to DEEP	July 1, 2014
Program Implementation	2015

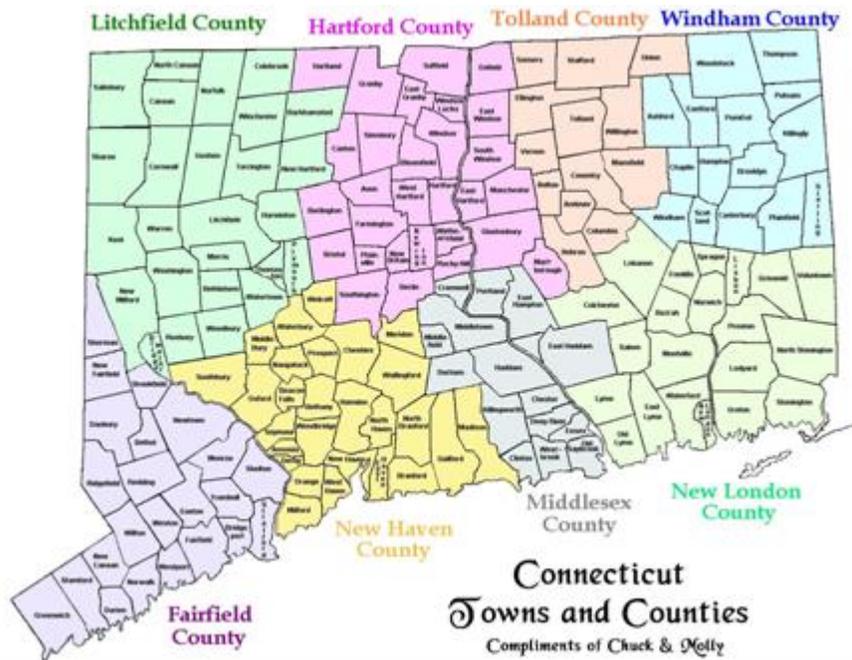
## 2. STATEMENT OF WORK & TERMS AND CONDITIONS

### A. DEFINITIONS

“**Bidder**” refers to a person or entity providing a response to this RFP.

“**Collection Site**” means a physical location designated under the Program to collect Discarded Mattresses. Collection Sites may include, but are not limited to, participating Covered Entities.

“**Collection Zone**” means the geographically defined areas in Connecticut from which Mattresses will be collected at Collection Sites and subsequently transported to Recyclers. **Recyclers may provide services to one or more Zones:**



“**Collector**” means a party that collects Mattresses discarded in Connecticut and provides them to a Recycler. A Collector may qualify for an Incentive.

“**Consumer**” means an individual residing in the state of Connecticut that has used a Mattress in a Connecticut residence. A Consumer may qualify as a Collector.

“**Covered Entity**” means any political subdivision of the state, Mattress retailer, permitted transfer station, waste-to-energy facility, health care facility, educational facility, correctional facility, military base or commercial or nonprofit lodging establishment that possesses a Discarded Mattress that was discarded in this state. "Covered Entity" does not include any renovator, refurbisher or any person who only transports a Discarded Mattress.

“**DEEP**” means the Connecticut Department of Energy and Environmental Protection.

“**Discarded Mattress**” means any Mattress that was used in Connecticut and a Covered Entity has discarded, intends to discard or has abandoned in Connecticut.

“**Energy Recovery**” means the process by which all or a portion of solid waste materials are processed or combusted in order to utilize the heat content or other forms of energy derived from such solid waste materials.

“**Foundation**” means any ticking-covered structure that is used to support a Mattress and that is composed of one or more of the following: A constructed frame, foam or a box spring. "Foundation" does not include any bed frame, futon frame or base made of wood, metal or other material that rests upon the floor and that serves as a brace for a Mattress or futon.

**“Incentive”** means a monetary amount set by the MRC and that the MRC may authorize a Recycler to pay to designated Collectors that provide Discarded Mattresses to the Recycler in accordance with rules and procedures set by the MRC. The MRC will reimburse the Recycler for qualified Incentives it paid out.

**“ISPA”** means the International Sleep Products Association.

**"Mattress"** means any resilient material or combination of materials that is enclosed by ticking, used alone or in combination with other products, and that is intended for or promoted for sleeping upon. **NOTE: For purposes of this RFP, the term "Mattress" should be interpreted to include both Mattresses and Foundations.** "Mattress" does not include any mattress pad, mattress topper, sleeping bag, pillow, car bed, carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper, liquid or gaseous filled ticking, including any water bed and any air mattress that does not contain upholstery material between the ticking and the mattress core, or any upholstered furniture that does not otherwise contain a detachable mattress (such as a sleeper sofa with a permanently attached mattress).

**"Mattress Recycling Council" or "Council" or “MRC”** means the nonprofit organization created by the International Sleep Products Association to design and implement the Mattress Recycling Program.

**"Program"** means the Mattress Recycling Program created by the MRC to comply with Connecticut Public Act 13-42, subject to approval by DEEP.

**“Recycler”** means a party under contract with MRC to provide Recycling services. A Recycler must abide by the Recycling Standards attached to this RFP (which may be revised or supplemented from time to time at the MRC’s discretion).

**“Recycle” or "Recycling"** means, for purposes of qualifying for Recycling Compensation from MRC, the process by which Discarded Mattresses are dismantled and their materials (steel, foam, fiber, fabric, wood, etc.) are sold to scrap dealers and other third parties for use in making new, usable or marketable materials. Pursuant to Connecticut Public Act 13-42, Recycling does not include incineration of mattress materials for purposes of Energy Recovery.

**“Recycler Compensation”** means the money that MRC will pay a Recycler under contract to Recycle Discarded Mattresses.

**"Retailer"** means any person who sells mattresses to consumers and other purchasers in Connecticut or otherwise sells mattresses for use in Connecticut.

**“Roll-off”** is a portable metal container in various sizes used to store and transport Discarded Mattresses.

**"Storage Container"** is a container used by Collection Sites to hold mattresses discarded by Connecticut Consumers, and may include weather tight roll-off containers with lid, trailers, sea containers or end dumps of various sizes.

## B. PROGRAM CONTRACTS AND TERMS AND CONDITIONS

This RFP does not constitute an offer, or promise to offer, to enter into any business agreement or relationship, nor should any intent to enter into a contract, agreement or relationship be construed from this document. This RFP provides parties interested in Recycling Mattresses for MRC with information that will help them prepare a proposal for providing such services.

MRC will negotiate a formal contract with selected bidder(s) based on their proposals. Attached hereto as Exhibit 1 is a draft contract MRC has prepared for this purpose. MRC reserves the right to modify the terms of the attached draft contract.

Bidders are advised that the Terms and Conditions specified in Section (D) below will apply to any contract awarded in connection with this RFP and will apply to the RFP process.

## C. PROGRAM OVERVIEW

**Estimated Volume of Discarded Mattresses:** Over the past 15 years, U.S. mattress manufacturers have sold between 35 and 43 million new Mattresses and Foundations each year. Based on industry statistics and municipal collection surveys, the number of Mattresses available for collection is based on the following assumptions:

Category	Estimated number of mattress and foundation units:
U.S. annual sales	35,400,000
Connecticut annual sales (i.e., 40 million * 1.14%)	360,000 – 410,000
Units picked-up by retailers from consumers when new product is delivered	175,000 – 200,000
Units delivered to municipal transfer stations	50,000 - 150,000

**Note:** The MRC cannot guarantee any minimum quantity of Discarded Mattresses that will be available for Recycling at any point covered by a response to this RFP.

**Mattress Sources:** Connecticut Public Act 13-42 requires that MRC provide Recycling services for mattresses discarded by Covered Entities in Connecticut. Participation in the Program is voluntary. Likely sources of Discarded Mattresses will include:

- Participating municipal transfer stations

- Mattress retailers
- Hotels/motels
- Schools and universities
- Hospitals
- Consumers
- Waste to energy facilities
- Junk haulers and other refuse collectors
- Construction and demolition debris facilities

**Storage and Transportation:** Public Act 13-42 requires the MRC to “provide suitable storage containers at, or make other mutually agreeable storage and transport arrangements...” for municipal transfer stations participating in the Program.

Your response should include costs associated with providing such suitable storage and transportation services to participating municipal transfer stations, using either in-house resources or subcontracted third party haulers.

**Recycler Compensation:** MRC will compensate a Recycler for Recycling Discarded Mattresses and related transport services that it provides at contracted rates. Recycler Compensation will be calculated in 2 parts:

1. **Recycling Services:** The first part will be at a flat rate per Recycled unit for Recycling-related activity, which will include: receiving and handling Discarded Mattresses; dismantling segregating and preparing the Recycled component materials for sale; disposing of any non-recycled remnants; and maintaining records and data in a manner specified by the MRC. MRC may, if appropriate, provide a collector incentive to parties that collect Mattresses for Recycling. The rate you propose to provide the Recycling Services offered must also include your administrative costs associated with paying the Incentive to be paid to Collectors. Please refer to the instructions for Form 4 below for further details regarding the services that you must provide in exchange to the Recycling services part of your compensation.
2. **Transport Services:** The second part compensates the Recycler for transporting Discarded Mattresses from Collectors to the Recycler’s facility. Transport services may be provided by the Recycler’s own internal resources, third-party subcontractors, or a combination of internal and third-party services. A response to this RFP may offer to provide services in one, multiple or all eight Collection Zones in Connecticut. Transport services will include providing Storage Containers that are suitable for each Collection Site within a Collection Zone. Servicing these locations may include switching full storage containers for empty storage containers or hand loading mattresses to a transport truck. Volumes at each collection site will dictate which method is the most effective. The transport part of the Recycler Compensation will be a flat fee per stop charge. The same fee will

apply to all locations serviced in the same zone and must include fuel surcharges relevant at the time you submit your response to this RFP. Please refer to the instructions for Form 5 below for further details.

3. **Optional Transport Services:** The MRC may require Recycler to provide storage containers and transportation to other large volume Covered Entities generating a minimum of fifty discarded mattresses at one time. Recycler will be compensated at the same zone stop charge for these services.

Both the Recycling and associated transport services must be provided in compliance with all applicable federal, state, local and other laws and regulations. Furthermore, the Recycling and transport flat rates that you propose must include all applicable taxes and/or fees.

To be compensated for providing Recycling and associated transport services, a Recycler will submit a monthly invoice to MRC. Only Discarded Mattresses that have been collected and Recycled in compliance with rules and procedures specified by MRC will qualify for Recycler Compensation. (For example, the Mattresses must have been used and discarded in Connecticut.) Mattresses that have been received, but not processed (that is, dismantled) cannot be included on the monthly invoice.

A Recycler must accurately document the quantity and weight of Discarded Mattresses it receives from any source on an incoming Bill of Lading (BOL), and submit copies of all BOL's with the monthly invoice. The number and weight of processed mattresses and weight of materials sold to secondary recyclers (scrap dealers) and residue (material that is not recyclable) sent to disposal facilities will be recorded on a monthly summary sheet. This sheet will provide data required by the program annual report and verification that weight of in-bound mattresses and outbound commodities match.

MRC shall have the right to inspect a Recycler's premises and records without notice to verify compliance with such rules and procedures, and to request appropriate back up documentation to support a request for Recycler Compensation.

Only mattresses Recycled in compliance with rules and procedures specified by MRC will qualify for Recycler Compensation. In this regard, the Recycler must accurately document the quantity and weight of Discarded Mattresses that it transports and receives (as recorded on an incoming Bill of Lading provided by a Collector or other party and as reflected in the Recycler's internal records), and the quantity and weight of Mattresses Recycled in accordance with the MRC's rules (based on the Recycler's sales of Recycled materials and disposition of non-recycled materials). MRC will have the right to inspect the premises and records of the Recycler and associated transporters without notice to verify compliance with such rules and procedures, and to request appropriate back up documentation to support a request for Recycler Compensation.

**Incentive:** Collectors providing Mattresses discarded in Connecticut to a Recycler may qualify for an Incentive. The following details regarding this Incentive are relevant to your response to this RFP:

- The MRC will determine the amount (if any) of the Incentive and under what circumstances parties qualify for the Incentive. Specific terms of the incentive program will be stated in the Program Plan to be submitted to DEEP on July 1, 2014. A Consumer may deliver Mattresses to a Recycler twice per year, and the Recycler will pay the Consumer the Incentive upon delivery.
- For all other Collectors, Recycler will pay the Incentive on a regular cycle (such as once or twice a month).
- MRC will reimburse Recycler for the Incentive as part of its regular billing/payment cycle upon Recycler providing documentation that the collected Mattresses are covered by the Program and that it recycled such products.
- The Recycler may pay the Incentive in the form of cash, check, electronic payment or other authorized means.
- The Recycler may not withhold any part of the Incentive from a Collector that provided qualifying mattresses to the Recycler.
- Since MRC will reimburse a Recycler for the Incentive that it pays for the qualifying Mattresses, your response to this RFP should NOT include the amount of the Incentive itself. However, your response must cover your activities associated with (1) disbursing this Incentive to the Collector and (2) collecting and maintaining documentation sufficient to demonstrate that you recycled those Mattresses so that you can be reimbursed for the Incentive.
- MRC will specify rules and procedures that a Recycler must follow in obtaining and processing Mattresses obtained from Collectors and in remitting the Incentive to the Collector(s).

**Invoicing:** Recyclers must electronically submit monthly invoices to MRC in a format required by MRC and accompanied by a monthly summary sheet. Recycler invoices must include a summary of mattress units processed and transportation costs. MRC payment terms are net 30 days upon receipt of invoice and complete set of supporting documentation.

**Reporting:** The MRC will collect and maintain certain data, much of which it will obtain from Recyclers, including the following:

1. Number of units, tonnage and type (that is, mattress or foundation or box-spring) collected from each municipal transfer station
2. Number of units, tonnage and type collected from Retailers
3. Number of units, tonnage and type collected from all other covered entities (schools and universities, prisons, consumer drop off)
4. Total number of units, tonnage and type received (this would be the sum of 1, 2 and 3 above)
5. The weight of mattress materials Recycled, based on the weight of each commodity (e.g., steel, foam, fiber, etc.) sold to secondary markets
6. The weight of mattress materials sent for disposal at each of the following

- Waste to Energy facilities
- Landfills
- Any other facilities

The sum of 5 and 6 above, with appropriate adjustments for inventories and work in progress, should reconcile with the total tonnage of units received (reflected in 4 above).

Your response to this RFP should reflect all costs (including any taxes, fees or similar costs you would incur in providing these services) that you or your subcontractors would incur in preparing and providing this data to the MRC on a monthly basis in a format that the MRC will specify.

## **D. RFP TERMS AND CONDITIONS**

- 1. Content and Liability Disclaimer:** MRC has used reasonable care in preparing the information set forth in this RFP. However, MRC shall not be responsible for any errors or omissions contained in this RFP or other documents issued or prepared by MRC. MRC provides no warranty, either expressed or implied, regarding the accuracy, reliability, or completeness of those documents.

FURTHER, MRC DISCLAIMS ALL WARRANTIES WITH REGARD TO THE INFORMATION PROVIDED, INCLUDING THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT OF PROPRIETARY RIGHTS.

In no event shall MRC be liable for any damages whatsoever, and in particular MRC shall not be liable for special, indirect, consequential, or incidental damages, or damages for lost profits, loss of revenue, or loss of use, arising out of or related to this document or other pre-contract documents, or the information contained in them, whether such damages arise in contract, negligence, tort, under statute, in equity, at law or otherwise.

- 2. Pre-Bid Questions:** Any questions pertaining to this RFP must be transmitted by e-mail to: [mikeo@mattressrecyclingcouncil.org](mailto:mikeo@mattressrecyclingcouncil.org). The MRC will respond to all questions. However, the MRC is not responsible for questions that are not received. It is the Bidder's responsibility to confirm MRC's receipt of any questions.

If substantive questions are received that, in the MRC's opinion, require a modification or clarification of the RFP, the resulting modification or clarification will be provided in the form of an Addendum that will be forwarded to all prospective Bidders in advance of the submittal deadline. MRC reserves the right to extend the RFP deadline.

- 3.** Submit one (1) electronic copy in Microsoft Word or pdf of the RFP forms, including any and all attachments and addendums to [mikeo@mattressrecyclingcouncil.org](mailto:mikeo@mattressrecyclingcouncil.org). MRC will confirm receipt of each RFP submittal.

4. Bidders responding to this RFP must be aware that if selected by MRC to provide services under a formal contract with MRC, their status will be that of an independent contractor, and not an agent or employee of MRC or ISPA. Nothing contained herein shall be construed as constituting any relationship other than independent contractor.
5. As such, a successful Bidder would be responsible for (i) making day-to-day and critical decisions regarding the collection, transportation, processing, Recycling, and/or disposal of mattress components under their contracts and the undertaking, management and supervision of those activities; and (ii) achieving compliance with all applicable federal, state, local or other laws and regulations.
6. It is the responsibility of Bidders to clearly identify any information provided in response to this RFP that they consider to be proprietary, confidential, or trade secret. Bidder acknowledges that under Connecticut Public Act 13-42, MRC has certain reporting obligations regarding the status and progress of the Program. This may include providing information that is furnished by service providers, including contract administration data. Bidder acknowledges that any information it provides to MRC in response to this RFP and for which it has claimed proprietary, confidential, or trade secret designation may nevertheless be subject to the disclosure provisions under Connecticut law.
7. Bidders are asked to provide responses that cover both the transport of Mattresses from Collection Sites in Collection Zones to Recycler's premises, and associated Recycling services.
8. Bidders must provide the necessary Storage Containers, Transport and Recycling services for mattresses collected from one, multiple or all Collection Zones. For purposes of this RFP, MRC has defined the Collection Zones as the eight Connecticut counties. See Form 4 for a map of Connecticut that shows these eight zones.
9. The base contract term will run from the effective date of the Program (as approved by DEEP) through December 31, 2016. The MRC may, at its discretion, extend the contract for additional one-year periods. If both parties mutually agree, contracts for longer than this contract time period may be executed.
10. Submitted responses to this RFP are binding on the Bidder and may not be withdrawn without the express permission of the MRC until the later of (a) 180 days following the close of the RFP period, or (b) DEEP approves a Recycling plan proposed by MRC. Proposals conforming to all RFP specifications will be evaluated by MRC staff. MRC anticipates that awards will be made within 180 days after the close of the RFP period, but may be conditioned on DEEP's approval of a Recycling plan proposed by MRC.
11. At a minimum, a proposal must:
  - a. be received by the response deadline stated in this RFP;
  - b. contain all required RFP forms properly completed and signed by an authorized individual;

- c. clearly note in its Technical Proposal any and all proposed exceptions and/or deviations from the requirements this RFP;
  - d. contain a Technical Proposal that in the MRC's sole judgment meets or exceeds the requirements of this RFP; and
  - e. contain at least two references that are relevant to the services described in this RFP.
12. Failure to comply with the terms and conditions specified in the RFP could lead to the response being considered non-responsive and ineligible for further evaluation.
13. MRC shall not be obligated to disclose any information about the winning (or losing) bid or bids.
14. MRC shall not be responsible for any costs that a Bidder or others incur in preparing a response to the RFP.
15. All Bidders acknowledge that the award of a contract as a result of this RFP process will be at the sole discretion of MRC.
16. This RFP does not commit the MRC to contract with any party that responds to the RFP. The MRC may, in its sole discretion, decide:
- a. to re-bid these goods and/or services if, in its sole discretion, such action is deemed appropriate;
  - b. to split the award or to make multiple awards;
  - c. to negotiate the proposal to further refine, clarify, amend, or expand any and all aspects of the proposal;
  - d. to reject any and all proposals if it determines, in its sole discretion, that such action is in its best interest;
  - e. to reject RFP responses from parties whose firm, or any principal of the firm, is currently involved in a lawsuit or claim against the MRC or ISPA, or is involved in other legal proceedings that are in MRC's view relevant to this services that are the subject of this RFP;
  - f. to accept RFP responses that do not offer the lowest price;
  - g. to withdraw this RFP, or to supplement, amend, or modify this RFP, and to request any additional information, at any time and without prior notice of any kind;
  - h. to postpone the award of a contract; and
  - i. to confirm references and contact further references obtained from other sources as the MRC deems necessary.
17. If you are selected to enter into a contract with MRC, Recycler and any subcontracted transporters will be required to furnish at that time:
- a. Appropriate documentation that your company (as necessary) is qualified to do business in Connecticut (and any other relevant jurisdictions if your company is headquartered or located in another state) to provide the services described in this RFP.
  - b. A valid, currently dated Certificate of Insurance that is satisfactory to the MRC as evidence that you are adequately insured by a recognized and responsible insurer

authorized to do business in Connecticut for the period of the contract with the MRC. Minimum limits include:

- Commercial General Liability Insurance (including coverage for bodily injury, property damage, complete operations and contractual liability) of not less than \$1 million per occurrence and \$2 million aggregate;
- Business Automobile, \$1,000,000 Combined Single Limit; and
- Workers' Compensation Coverage as required by Connecticut state law.

The Certificate of Insurance should name the MRC, its directors, officers, employees, agents, assigns as additional insureds for the Commercial General Liability Insurance. Any exclusions or exceptions to the types of claims and amounts which may be collected against a legitimate claim must be clearly delineated. The Bidder's insurer will be required to provide the MRC with notification of any cancellation or change in the Bidder's insurance coverage during the period of the contract with the MRC. Such notification must be made not less than 60 days prior to the date said cancellation or change becomes effective.

Recycler shall require all third parties that it uses to provide any services under its contract with MRC to comply with the same insurance requirements specified above.

Failure of Recycler or third parties to maintain the insurance required shall be cause for immediate termination by the MRC of its contract with Recycler.

### **3. INSTRUCTIONS FOR COMPLETING RFP FORMS**

All RFP responses will become the property of the MRC and will not be returned except as otherwise provided. All costs incurred in connection with responding to this RFP shall be borne by the Bidder.

#### **FORM 1 – LETTER OF TRANSMITTAL**

Complete and sign Form 1. This will become the cover page for your proposal.

#### **FORM 2 – TECHNICAL PROPOSAL: MATTRESS RECYCLING**

MRC wants to understand how your company plans to provide the services described in this RFP. A Recycler must disassemble each Discarded Mattress and Recycle not less than 85% (by weight) of the mattress components obtained through that process, including, but not limited to, metal, foam, fabric, and wood. Although not required, the amount of "residual" materials from the Mattress Recycling process ideally should not exceed 5% of the total weight. Merely opening the mattress and removing the steel innerspring for Recycling is not sufficient for these purposes. To qualify for Recycler Compensation, mattress components must be recycled through scrap dealers or other appropriate customers in secondary markets, or dispose of non-recycled scrap through appropriate means (waste-to-energy facilities, landfills, etc.).

MRC will periodically inspect and audit a Recycler's premises and activities to verify compliance with the above requirements. In addition, successful Bidders must supply copies of all pertinent government approvals and permits associated with its operation that will be needed to provide the services that are the subject of this RFP.

### **FORM 3 – REFERENCES**

Please provide two references that MRC may contact to demonstrate your ability to provide the Recycling services required by this RFP, two references to demonstrate your ability to provide associated transport services (using either your own internal resources, third party contractors or a combination thereof) and two credit references that MRC may contact. With regard to transport services, we need two references that MRC may contact for each party that you intend to use to provide these services. For example, if you intend to provide transport services using internal resources exclusively, then for the transport references, you only need to provide two references for your company. If, however, you plan to use a combination of internal resources and two subcontractors, then you need to provide two references for your company and two each for the subcontractors. If you expect to use only two third parties, then you provide only two references for each of them and none for your company (with respect to the transport services). If MRC selects your company to provide services, the contract will require you to inform MRC if you make any changes to the parties providing transport services.

Please use multiple pages if needed to provide the necessary references.

### **FORM 4 – RECYCLING RATE**

Form 4 asks which of the Collection Zones you propose to service and the stop charge rate that you propose to charge for your Recycling services (that is, the price you would charge to service the location). The stop charge rate must:

1. Apply to all storage container types including roll-offs or other stationary structures requiring hand loading of mattresses.
2. Apply to any volumes of mattresses at the collection point. The MRC anticipates an average of 50 units at each stop. However, MRC cannot guarantee a minimum number of units per location. Include any taxes, operating or permit fees or other administrative or governmental costs that you must incur to provide the services described herein and in your response to this RFP. MRC will not compensate a Recycler separately for such taxes, fees or related expenses.
3. **Not include any Incentive payment that MRC might set. Since MRC will reimburse Recyclers for any Incentive paid to Collectors, DO NOT include the Incentive in your per stop charge rate.** However, the rate must include administrative costs you will incur in paying Incentives to eligible Collectors and in documenting those transactions for reimbursement by MRC. Recycler must also have financial resources to pay the Collector before receiving reimbursement from MRC. See the explanation of the Incentive in the Program Overview for more information on this topic.
4. Include administrative costs for facility operations, overhead and reporting data to MRC.

5. Be your baseline number. If you are able to provide volume discounts, provide this information on the Form.

## **FORM 5 – MATTRESS TRANSPORTATION RATES (Including Pick-Up Services)**

For purposes of collecting Discarded Mattresses and transporting them to Recycling facilities, MRC has defined Collection Zones based on the eight counties in Connecticut. Your response to this RFP may be limited to a single Collection Zone, cover multiple Zones, or cover all Zones in the state.

MRC wants to know which Collection Zones your company proposes to service, and how you will provide that service. Please propose a stop charge rate for all collection locations in Collection Zone that you want to service. That rate will apply to all container sizes and mattress counts at each location.

MRC expects your transport services at a minimum to include the following:

**Container Management:** Under Connecticut Public Act 13-42, MRC must collect Discarded Mattresses from participating municipal transfer stations. Therefore, Recyclers (either using internal resources, third parties, or a combination of the two) must provide Containers to participating transfer stations as follows:

1. Deliver empty Containers to participating transfer stations before Program launch date
2. Provide 3 business-day pick-up of full Containers from participating transfer stations.
3. Deliver replacement Container at time of pick-up
4. Transport full Container to Recycling facility
5. Transfer stations not using Containers may require other mutually agreeable storage and transport services.

**Note:** Transfer stations may have fewer than 30 Mattresses if they are limited by space or permit requirements

**Service Days:** At this point, it is unknown how frequently Mattresses will be picked up from Collection Sites. Collection frequency will likely increase after the Program launches and product volumes increase, but may vary throughout the year, depending on weather, new Mattress sales and other factors. It will be important to develop good working relationships with these sites. In any event, transporters must provide 3 business day pick up service, upon the site's request.

**Bills of Lading (BOL):** All Mattresses arriving at a Recycler must be accompanied by a BOL specified by the MRC that documents the quantity and weight of Mattresses arriving for Recycling and their source. The Collection Site, Transporter and Recycler must each maintain a copy of the BOL and acknowledge the accuracy of the BOL, or note discrepancies. Transporters will provide and complete the BOL form for all Program pick-up activities. If a load is transported by a third-party hauler, the BOL will be completed upon arrival at the Recycling facility. The BOL will include:

1. Unique BOL number
2. Collection Site name and address
3. Pick-up date
4. Type of Covered Entity serviced (Municipal Transfer Station, Retailer, Other Covered Entity)
5. Net weight of mattresses; to be completed by Recycler
6. Number of Mattress units; verified upon receipt at Recycler
7. Incentive (if any) (to be paid only with respect to Mattresses used and discarded in Connecticut)
8. Signature of authorized employees at Collection Site, Transporter, and Recycler

**Loading:** Each transfer station will have unique logistical challenges, including container storage and accessibility limitations. Transporters should not expect assistance from transfer station employees to manage container swaps. Containers will be loaded with all types of twin, full, queen and king size Mattresses (and Foundations) by transfer station personnel. The MRC cannot guarantee a specific number of units per pick-up as the Program will service both small and large transfer stations, and unit quantities are likely to vary seasonally.

Small volume transfer stations may be best serviced by “milk-run” box van transport with manual loading of Mattresses.

**Locations and accessibility:** Connecticut has about 150 municipal transfer stations. Because their participation is voluntary, we do not expect all locations to participate. Local traffic patterns and Collection Site accessibility will affect the size of the truck and Storage Container that can service a location.

Delivery and removal of Storage Containers will typically be on weekdays. However, Bidder should be capable of providing Saturday pick-up if requested. Transfer stations are generally closed during state holidays.

Transporter(s) will provide all labor, tools, equipment, transportation, equipment, bills of lading and services necessary for, and reasonably incidental to picking up and transporting Mattresses from participating transfer stations to the Recycler.

The Transporter or contracted Recycler(s) must staff a phone number from Monday – Friday from 8 a.m. to 5 p.m. ET. Participating transfer stations must be provided with an alternative number to call during weekends and off hours.

## **FORM 6 – RECYCLED MATERIAL PURCHASERS**

Please identify on this form the companies that would purchase the steel, foam, fabric, fiber, wood and other materials that your company would generate from Mattress Recycling.

## 4. RFP FORMS

### FORM 1 - LETTER OF TRANSMITTAL

Please complete this form and include it as the COVER PAGE of your RFP.

Date: \_\_\_\_\_

Full Company Name: \_\_\_\_\_

Company Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Company Telephone/Fax: Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

If a corporation, state of incorporation: \_\_\_\_\_

Federal I.D. Number: \_\_\_\_\_

Name of Company Employee Authorized to Sign the Proposal: \_\_\_\_\_

Title: \_\_\_\_\_

I submit this response to the MRC's Connecticut Mattress Recycling Program Request for Proposal (RFP), on behalf of the company identified above to provide Recycling services, as that term is defined in the RFP. I am authorized to commit this firm to providing the goods and/or services described in this response.

I acknowledge receipt of, and have read, the RFP (including all subsequent addenda). I have prepared the attached response to the RFP. This response is to the best of my knowledge true and accurate. I acknowledge that if facts stated in this response are found to be false, the MRC in its sole discretion may reject this response from consideration, and disqualify me and/or my company from responding to future RFPs issued by the MRC. The response to the RFP that I hereby submit clearly identifies any differences or exceptions between this response and the RFP's requirements.

In the event that the MRC selects my company to provide Recycling and associated Transport services, I am prepared to enter into a formal written contract with the MRC on behalf of my firm to provide such goods and/or services on the terms described in this response. This response to the RFP will remain valid for the latter of one hundred 180 days from the RFP closing date or the date on which DEEP approves a Recycling plan proposed by MRC.

Authorized Signature:

Print Name:

Title:

Date:

## FORM 2 - TECHNICAL PROPOSAL: MATTRESS RECYCLING

Please complete this form and include it with your response. Use additional sheets if necessary.

Company Name: \_\_\_\_\_

1. Provide an overview of your company, why you are qualified to provide Recycling services to the MRC, and your experience (if any) with Recycling Mattresses and other products. Include your Recycling facility address, your capacity (in terms of units you can process per day and the dimensions of that part of your facility that will be devoted to Recycling Mattresses), number of employees, number of years in business, Dun & Bradstreet number, ownership structure, and history of bankruptcy (if any).
2. Describe how you will track, control and document the volume of Discarded Mattresses that enter your facility, and the volume of Recycled mattress components that leave your facility.
3. The MRC estimates that approximately 60% of units received by a Recycler will be Mattresses and approximately 40% will be Foundations. Of the Mattresses, approximately 25% of the units will contain “pocketed coils” (individual steel springs enclosed in fabric) and that this ratio will increase over time. The Recycler will be expected to recycle all of these types of products. Describe your process for Recycling Mattresses (including those that contain pocketed coils) and Foundations.
4. You may consider certain conditions to render an entire Mattress unrecyclable. Please indicate whether you consider the following conditions acceptable or not:

<b>Condition:</b>	<b>Will accept for Recycling:</b>	<b>Unacceptable, will be diverted to solid waste disposal:</b>
Compacted (product may be crushed, twisted or broken)		
Broken wood in the Foundation		
Wet		
Heavily Soiled		
Bed Bugs		
Mattress with pocketed coils		

5. Identify
  - a. which components or materials from used Mattresses and foundations you cannot sell to scrap dealers,
  - b. why these cannot be recycled,
  - c. the percentage (by weight) that these components or materials represent of the total

Mattresses and foundations you obtain, and

d. your definition for each of the mattress conditions above.

6. Describe how you manage bed bugs or otherwise infested Mattresses.

7. How do you intend to transport Discarded Mattresses from Collection Sites to your facility?

\_\_\_\_\_ Using only internal resources

\_\_\_\_\_ Using only third parties

\_\_\_\_\_ Using combination of internal resources and third parties

8. Provide photocopies of your business license and operating permits:

9. Provide photocopies of a current Certificate of Insurance showing valid coverage issued to you for the following:

- Commercial General Liability Insurance (including coverage for bodily injury, property damage, complete operations and contractual liability) of not less than \$1 million per occurrence and \$2 million aggregate
- Business Automobile, \$1,000,000 Combined Single Limit; and
- Workers' Compensation Coverage as required by Connecticut state law.

## FORM 3 – REFERENCES

This form requests that you provide the requisite number of Recycler, Transport and Credit references that MRC may contact for reference.

### RECYCLING REFERENCES

**Name of Responding Company:** \_\_\_\_\_

Please list 2 entities that have used your Recycling services and that the MRC may contact for reference.

<b>Name of Reference Company:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	
<b>Contact Phone:</b>	
<b>E-mail:</b>	
<b>Describe Nature of Work You Provided to Reference Company:</b>	

<b>Name of Reference Company:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	
<b>Contact Phone:</b>	
<b>E-mail:</b>	
<b>Describe Nature of Work You Provided to Reference Company:</b>	

### TRANSPORTATION REFERENCES

Your company may use its own internal resources, third party contractors or a combination of the 2 to provide the transport services described in your response to this RFP. MRC requests 2 references from each party that you intend to provide such transport services and that MRC may contact for reference. Please use separate copies of these 2 pages for each party that will provide transport services. See instructions for Form 3 above for further details.

**Name of Responding Company:**  
\_\_\_\_\_

**Name of Transporting Company:**

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Please list 2 entities that have used your company's transportation services and that the MRC may contact for reference.

<b>Name of Reference Company:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	
<b>Contact Phone:</b>	
<b>E-mail:</b>	
<b>Describe Nature of Work You Provided to Reference Company:</b>	

<b>Name of Reference Company:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	
<b>Contact Phone:</b>	
<b>E-mail:</b>	
<b>Describe Nature of Work You Provided to Reference Company: Description of Services:</b>	

**CREDIT REFERENCES**

**Name of Responding Company:**

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Please list 2 credit references that are familiar with your company's payment history and that MRC may contact for reference.

<b>Name of Creditor:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	

<b>Contact Phone:</b>	
<b>E-mail:</b>	

<b>Name of Creditor:</b>	
<b>Street Address:</b>	
<b>City, State, Zip:</b>	
<b>Contact:</b>	
<b>Contact Phone:</b>	
<b>E-mail:</b>	

## FORM 4 – RECYCLING RATES

Provide the per-unit rate that you propose to Recycle Discarded Mattresses in the Collection Zones covered by this response to the RFP. Note: This rate must reflect all of your costs in providing this service. I intend to provide Recycling services for Discarded Mattresses Collected from the following Collection Zones:

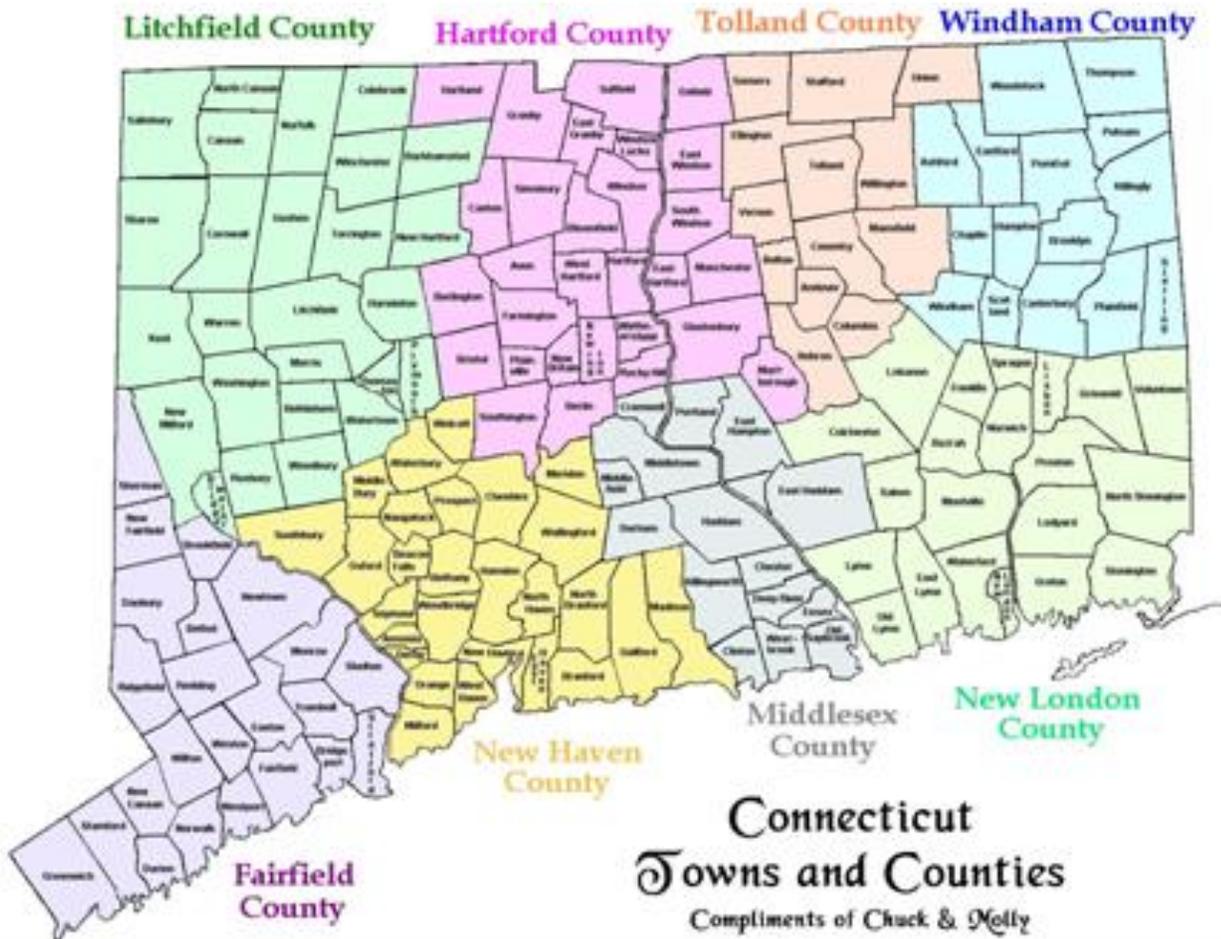
<b>Collection Zones</b>	<b>Yes</b>	<b>No</b>
Zone 1 – Litchfield		
Zone 2 – Hartford		
Zone 3 – Tolland		
Zone 4 – Windham		
Zone 5 – Fairfield		
Zone 6 - New Haven		
Zone 7 – Middlesex		
Zone 8 - New London		

<b>Per Unit Recycling Rate</b>	\$
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Identify any exclusions or exceptions that you propose to make to the Recycling services requirements described in this RFP:

<b>Volume Discount</b>	<b>Monthly Unit Volume Required to Qualify for</b>	<b>Discount Percentage</b>
------------------------	--	----------------------------

	<b>Discount</b>	



# FORM 5 - MATTRESS TRANSPORT RATES

Name of Responding Company: \_\_\_\_\_

Please complete the following chart for the Collection Zones that your company proposes to service:

Collection Zones	Name(s) of Transporting Entity	Stop Charge Transport Rate from this Zone to Your Recycling Facility
Zone 1 – Litchfield		
Zone 2 – Hartford		
Zone 3 – Tolland		
Zone 4 – Windham		
Zone 5 – Fairfield		
Zone 6 - New Haven		
Zone 7 – Middlesex		
Zone 8 - New London		

**Note:** When completing this chart, please confirm that:

- the Collection Zones you have indicated above that your company proposes to serve are the same as those that you have indicated on Form 4, and
- each of the entities noted above as transporters have provided the transport referenced requested on Form 2
- the stop charge rate includes any applicable Storage Container or mattress handling costs appropriate for the collection site

The baseline stop charge must include any fuel surcharges applicable at time of submittal. Please describe any circumstances or methodology under which a fuel surcharge or rebate would be applied to the above rates: \_\_\_\_\_

Identify any exclusions or exceptions that you propose to make to the transport services requirements described in this RFP: \_\_\_\_\_

**For each entity identified above,** please provide the following information:

- 1) Transporter Identification Information:
  - a) Registered Business Name:
  - b) Address:
  - c) Tax ID number:
  - d) Business license number:
  - e) DOT permit number:
- 2) Operating Hours:
- 3) Number of staff employed in transportation functions:

- 4) Number, type, and size of trucks and/or tractors available for this work:
- 5) Number, type and size of available trailers and roll-offs:
- 6) Years in transportation business and number of miles the company has driven in the past 12 months:

The MRC may require Recycler to provide storage containers to Municipal Transfer stations and other large volume Covered Entities generating a minimum of fifty discarded mattresses at one time. Provide monthly rental fees for storage containers left on-site for mattress accumulation purposes. The MRC will compensate the recycler for pre-program or new collection site container drop. This fee will occur once per site.

Possible Storage Container Types	Monthly rate	Pre-Program container drop fee (one time cost to MRC)
40' Roll-off with lid		
40' Sea container		
30' Roll-off with lid		
30' Sea container		
20' Roll-off with lid		
20' Sea container		
53' trailer		
48' trailer		
<b>Other (specify)</b>		

## FORM 6 – RECYCLED MATERIAL PURCHASERS

Please identify the companies that currently would purchase or accept your steel, foam, fabric, fiber, wood and other materials that your company would generate from Mattress Recycling. Use additional sheets if required.

Purchaser's Name:	
Commodity type and intended use:	
Physical Address:	
City, State, Zip Code:	
Contact Person and Phone:	

Purchaser's Name:	
Commodity type and intended use:	
Physical Address:	
City, State, Zip Code:	
Contact Person and Phone:	

Purchaser's Name:	
Commodity type and intended use:	
Physical Address:	
City, State, Zip Code:	
Contact Person and Phone:	

Purchaser's Name:	
Commodity type and intended use:	
Physical Address:	
City, State, Zip Code:	
Contact Person and Phone:	

## APPENDIX F – RECYCLING STANDARDS



### **Mattress Recycling Standards**

The Mattress Recycling Standards (Standards) define the minimum requirements to be an approved Recycler for the Mattress Recycling Council (MRC). Under these Standards, mattresses must be managed and processed in a manner that adequately safeguards the environment, industry employees and consumers. The Standard also includes data tracking and reporting requirements. The MRC reserves the right at its discretion to review and revise these Standards.

For purposes of these Standards, the term “mattress” should be interpreted to include both mattresses and foundations (or box-springs).

#### **Background**

The MRC is a non-profit organization formed by the International Sleep Products Association (ISPA) to develop and implement mattress recycling programs in states with laws requiring recycling of discarded mattresses.

Recyclers must comply with these Standards, contract terms and conditions and all legislative and regulatory requirements. Recyclers must have transparent operations, clear and documented recycling procedures and accurate tracking of all mattresses and components (including non-recyclable waste). All Recyclers will be audited under these Standards.

#### **Disclaimer**

The MRC does not intend for these Standards to constitute or provide legal guidance of any kind. The Recycler must be aware of and abide by all local, state, or federal laws and regulations applicable to the management of post-consumer mattresses or the business operation of the Recycler. In the event that these Standards are inconsistent with any such laws or regulations, the laws or regulations take precedence, and the Recycler must inform the MRC of such inconsistency.

### **1. General Requirements**

Each Recycler shall:

- 1.1. Possess a current and valid business license and meet all applicable local, state and federal requirements for providing the type of recycling services required by the MRC.
- 1.2. Possess valid state approved permits, plans, and approvals, as applicable.

- 1.3. Comply, and be in good-standing, with all applicable federal, state, local regulations including but not limited to:
  - Department of Transportation (DOT) if providing any transportation services
  - Occupational Safety and Health Administration (OSHA) and applicable local and state health and safety regulations
  - Local and state fire department regulations, fire and building codes and other applicable building and occupancy safety requirements
- 1.4. Possess Commercial General Liability Insurance, including coverage for bodily injury, property damage, complete operations and contractual liability with combined single limits of not less than \$1 million per occurrence and \$2 million aggregate. Recycler's policy must be endorsed to name MRC, its directors, officers, employees, agents, assigns, as Additional Insureds. Recycler must carry its own Business Auto and Workers Compensation policies. Recycler shall require all third parties that it uses to provide any services under its contract with MRC to comply with the same insurance requirements specified in these Standards.
- 1.5. List the MRC as an additional insured party.
- 1.6. Possess and maintain in good standing workers compensation and unemployment insurance coverage through a state program or through private insurance policy or sufficient self-insurance coverage.
- 1.7. Maintain all records for a minimum of 4 years, including but not limited to shipping documents (both for goods received and shipped), processing, material disposal and sales records.
- 1.8. Develop and keep current a written plan that assures:
  - 1.8.1. proper closure of the Recycler's facility or site in the event of sale, closure, abandonment, bankruptcy, any form of dissolution of the Recycler, or for any other reason;
  - 1.8.2. against abandonment of any mattresses, mattress materials, or other products or materials processed by the Recycler in the event of closure; and
  - 1.8.3. proper remediation of any contamination to the Recycler's facility or site in accordance with all applicable local, state and federal laws and regulations

As part of that plan, the Recycler must obtain a bond or other financial instrument sufficient to pay for the closure activities described in the plan in the event that the Recycler itself is financially unable to perform all or some of such activities. The Recycler shall make such plan and bond or other financial instrument available for inspection by the MRC upon request.

- 1.9. Maintain a process to provide written notice of closure to the MRC with a minimum of 90-days advance notice.

- 1.10. Maintain a process to provide written notice to the MRC of any incidents that required the assistance of first responders within 24 hours of the occurrence. Provide written notice of any corresponding regulatory orders, fines or other governmental or administrative actions taken within 48 hours of receiving such orders or fines.
- 1.11. Maintain a documented process to record and track accidents, injuries or violations and any corresponding corrective and/or preventive actions taken.
- 1.12. Maintain a documented process to identify and communicate physical, mechanical, biological or pathogenic hazards and severity of such hazard to employees, and any corresponding corrective and/or preventive actions taken.
- 1.13. Maintain a documented process to identify and communicate potential fire hazards and severity of such hazards to employees, and any corresponding corrective and/or preventive actions taken.

## **2. Material Processing**

Each Recycler shall implement and maintain a documented plan for deconstructing mattresses, which shall at a minimum require the Recycler to:

- 2.1. Fully disassemble the mattresses.
- 2.2. Recycle at least 85% by weight of the mattresses it processes by selling such material in appropriate markets for use in making new materials or products.
- 2.3. Minimize the quantity of material disposed of through landfills, incineration, or other non-recycling avenues.
- 2.4. Maintain a written policy describing how each mattress type and material (including pocket coils) will be processed.
- 2.5. Process all mattresses within 30 days of receipt at facility.
- 2.6. List criteria applied in determining when a given mattress cannot be processed.

## **3. Material Tracking**

Each Recycler shall implement and maintain a documented plan to track and control mattresses entering their processing facilities and the flow of recyclable and non-recyclable materials generated through mattress deconstruction. The plan shall at minimum require the following:

- 3.1. Weigh or accurately estimate (using a method approved in advance by the MRC) the weight of all in-bound mattresses.
- 3.2. Maintain annually calibrated and certified scale to weigh all outbound materials on-site or document all out-bound shipments using third party calibrated and certified scales.

- 3.3. Maintain daily records of all receipts of used mattresses, mattress processing, sales or other dispositions of recycled or non-recyclable materials, and inventories.
- 3.4. Provide the MRC records for all parties providing discarded mattresses to Recycler in exchange for a collector incentive, including quantities received from and incentives paid to each party, and link such information to the inventory records required in 3.3.
- 3.5. Provide the MRC a list of all purchasers of recycled materials, and notify the MRC of any changes to that list at least 10 business days in advance (the MRC will treat this information as confidential). Recycler must obtain written approval from MRC for new facilities.
- 3.6. Train employees on how to prepare and maintain all necessary records and other documentation related to the receipt, processing, inventory and disposition of mattress and mattress materials.
- 3.7. Provide certificates of recycling for all material received and processed.

#### **4. Downstream Due Diligence**

Each Recycler shall have processes in place to identify, audit and approve all purchasers of recycled materials. The processes shall at a minimum require:

- 4.1. Annual desk audits to verify each purchaser's compliance with all applicable local, state and federal environmental and other requirements, and review of each purchaser's operating permits, environmental compliance permits, business licenses, insurance and certifications.

#### **5. Bed Bug Management**

Each Recycler shall implement and maintain a documented plan to identify and mitigate bed bug infestation in the facility and among employees. Components of the plan shall, at minimum, address the following provisions:

- 5.1. Document that all employees attended bed-bug identification and mitigation training.
- 5.2. Post bed bug identification posters in prominent work place location to encourage proactive identification and isolation of contaminated mattresses.
- 5.3. Clearly identify how infested mattresses will be isolated and either decontaminated or disposed.
- 5.4. Track the number and if possible, source of contaminated units.

## APPENDIX G – TOWNS AND ASSIGNED SERVICE PROVIDERS

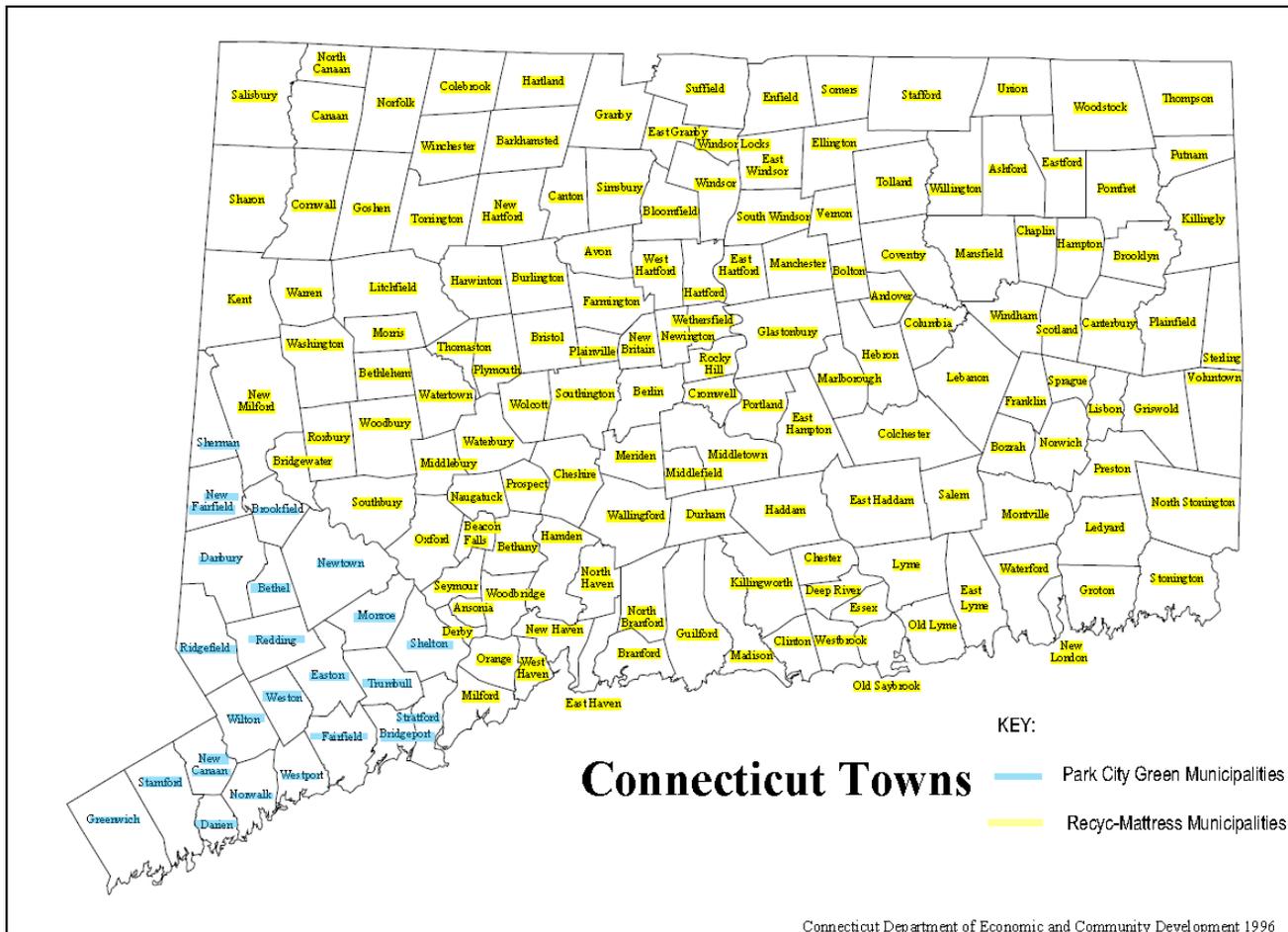
Town	Recycler	Transporter
Andover	Recyc-Mattresses	Willi-Waste
Ansonia	Recyc-Mattresses	CWPM
Ashford	Recyc-Mattresses	Willi-Waste
Avon	Recyc-Mattresses	CWPM
Barkhamsted	Recyc-Mattresses	CWPM
Beacon Falls	Recyc-Mattresses	CWPM
Berlin	Recyc-Mattresses	CWPM
Bethany	Recyc-Mattresses	CWPM
Bethel	Park City Green	Winters Brothers
Bethlehem	Recyc-Mattresses	CWPM
Bloomfield	Recyc-Mattresses	CWPM
Bolton	Recyc-Mattresses	Willi-Waste
Bozrah	Recyc-Mattresses	Willi-Waste
Branford	Recyc-Mattresses	CWPM
Bridgeport	Park City Green	Winters Brothers
Bridgewater	Recyc-Mattresses	CWPM
Bristol	Recyc-Mattresses	CWPM
Brookfield	Park City Green	Winters Brothers
Brooklyn	Recyc-Mattresses	Willi-Waste
Burlington	Recyc-Mattresses	CWPM
Canaan	Recyc-Mattresses	CWPM
Canterbury	Recyc-Mattresses	Willi-Waste
Canton	Recyc-Mattresses	CWPM
Chaplin	Recyc-Mattresses	Willi-Waste
Cheshire	Recyc-Mattresses	CWPM
Chester	Recyc-Mattresses	CWPM
Clinton	Recyc-Mattresses	CWPM
Colchester	Recyc-Mattresses	Willi-Waste
Colebrook	Recyc-Mattresses	CWPM
Columbia	Recyc-Mattresses	Willi-Waste
Cornwall	Recyc-Mattresses	CWPM
Coventry	Recyc-Mattresses	Willi-Waste
Cromwell	Recyc-Mattresses	CWPM
Danbury	Park City Green	Winters Brothers
Darien	Park City Green	Winters Brothers
Deep River	Recyc-Mattresses	CWPM
Derby	Recyc-Mattresses	CWPM

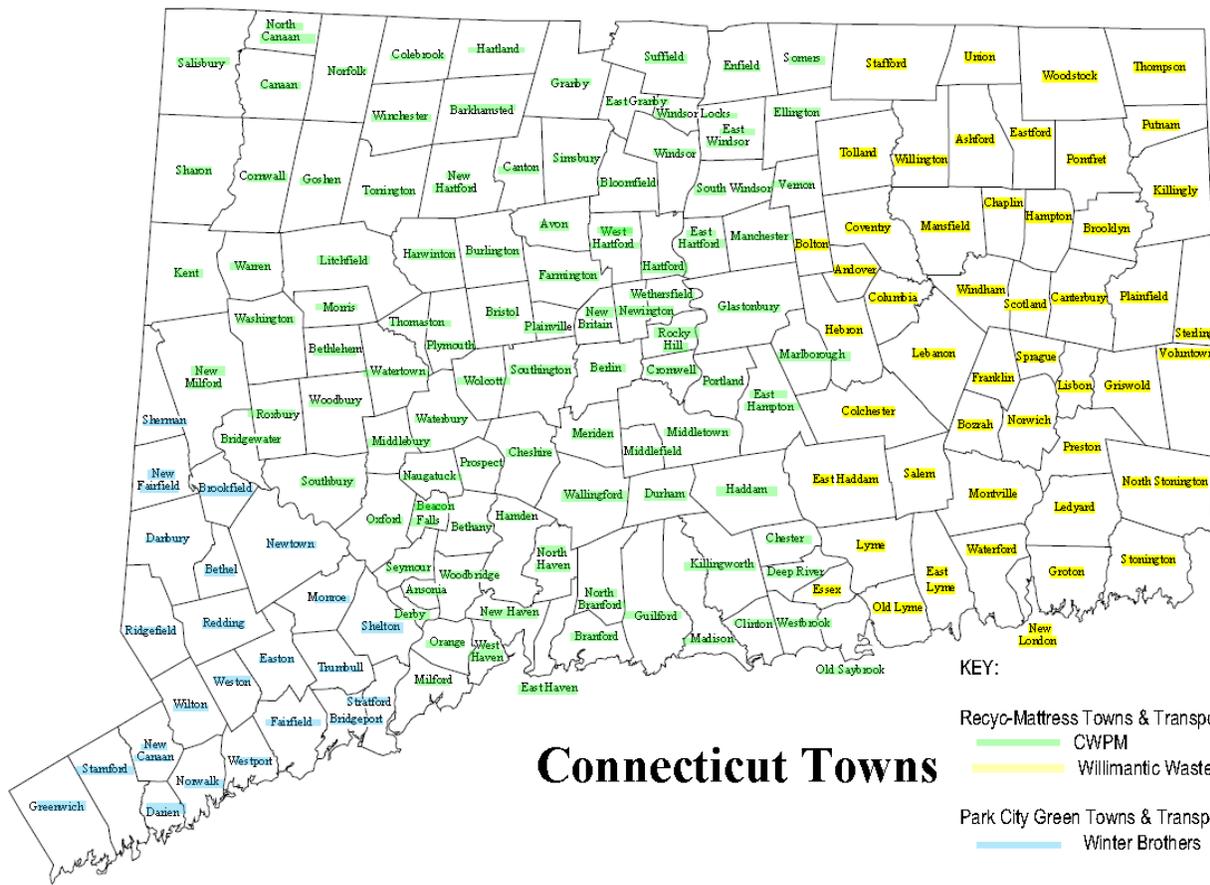
Durham	Recyc-Mattresses	CWPM
East Granby	Recyc-Mattresses	CWPM
East Haddam	Recyc-Mattresses	Willi-Waste
East Hampton	Recyc-Mattresses	CWPM
East Hartford	Recyc-Mattresses	CWPM
East Haven	Recyc-Mattresses	CWPM
East Lyme	Recyc-Mattresses	Willi-Waste
East Windsor	Recyc-Mattresses	CWPM
Eastford	Recyc-Mattresses	Willi-Waste
Easton	Park City Green	Winters Brothers
Ellington	Recyc-Mattresses	CWPM
Enfield	Recyc-Mattresses	CWPM
Essex	Recyc-Mattresses	Willi-Waste
Fairfield	Park City Green	Winters Brothers
Farmington	Recyc-Mattresses	CWPM
Franklin	Recyc-Mattresses	Willi-Waste
Glastonbury	Recyc-Mattresses	CWPM
Goshen	Recyc-Mattresses	CWPM
Granby	Recyc-Mattresses	CWPM
Greenwich	Park City Green	Winters Brothers
Griswold	Recyc-Mattresses	Willi-Waste
Groton	Recyc-Mattresses	Willi-Waste
Guilford	Recyc-Mattresses	CWPM
Haddam	Recyc-Mattresses	CWPM
Hamden	Recyc-Mattresses	CWPM
Hampton	Recyc-Mattresses	Willi-Waste
Hartford	Recyc-Mattresses	CWPM
Hartland	Recyc-Mattresses	CWPM
Harwinton	Recyc-Mattresses	CWPM
Hebron	Recyc-Mattresses	Willi-Waste
Kent	Recyc-Mattresses	CWPM
Killingly	Recyc-Mattresses	Willi-Waste
Killingworth	Recyc-Mattresses	CWPM
Lebanon	Recyc-Mattresses	Willi-Waste
Ledyard	Recyc-Mattresses	Willi-Waste
Lisbon	Recyc-Mattresses	Willi-Waste
Litchfield	Recyc-Mattresses	CWPM
Lyme	Recyc-Mattresses	Willi-Waste
Madison	Recyc-Mattresses	CWPM
Manchester	Recyc-Mattresses	CWPM
Mansfield	Recyc-Mattresses	Willi-Waste
Marlborough	Recyc-Mattresses	CWPM

Meriden	Recyc-Mattresses	CWPM
Middlebury	Recyc-Mattresses	CWPM
Middlefield	Recyc-Mattresses	CWPM
Middletown	Recyc-Mattresses	CWPM
Milford	Recyc-Mattresses	CWPM
Monroe	Park City Green	Winters Brothers
Montville	Recyc-Mattresses	Willi-Waste
Morris	Recyc-Mattresses	CWPM
Naugatuck	Recyc-Mattresses	CWPM
Newington	Recyc-Mattresses	CWPM
Newtown	Park City Green	Winters Brothers
New Britain	Recyc-Mattresses	CWPM
New Canaan	Park City Green	Winters Brothers
New Fairfield	Park City Green	Winters Brothers
New Hartford	Recyc-Mattresses	CWPM
New Haven	Recyc-Mattresses	CWPM
New London	Recyc-Mattresses	Willi-Waste
New Milford	Recyc-Mattresses	CWPM
Norfolk	Recyc-Mattresses	CWPM
North Branford	Recyc-Mattresses	CWPM
North Canaan	Recyc-Mattresses	CWPM
North Haven	Recyc-Mattresses	CWPM
North Stonington	Recyc-Mattresses	Willi-Waste
Norwalk	Park City Green	Winters Brothers
Norwich	Recyc-Mattresses	Willi-Waste
Old Lyme	Recyc-Mattresses	Willi-Waste
Old Saybrook	Recyc-Mattresses	CWPM
Orange	Recyc-Mattresses	CWPM
Oxford	Recyc-Mattresses	CWPM
Plainfield	Recyc-Mattresses	Willi-Waste
Plainville	Recyc-Mattresses	CWPM
Plymouth	Recyc-Mattresses	CWPM
Pomfret	Recyc-Mattresses	Willi-Waste
Portland	Recyc-Mattresses	CWPM
Preston	Recyc-Mattresses	Willi-Waste
Prospect	Recyc-Mattresses	CWPM
Putnam	Recyc-Mattresses	Willi-Waste
Redding	Park City Green	Winters Brothers
Ridgefield	Park City Green	Winters Brothers
Rocky Hill	Recyc-Mattresses	CWPM
Roxbury	Recyc-Mattresses	CWPM
Salem	Recyc-Mattresses	Willi-Waste

Salisbury	Recyc-Mattresses	CWPM
Scotland	Recyc-Mattresses	Willi-Waste
Seymour	Recyc-Mattresses	CWPM
Sharon	Recyc-Mattresses	CWPM
Shelton	Park City Green	Winters Brothers
Sherman	Park City Green	Winters Brothers
Simsbury	Recyc-Mattresses	CWPM
Somers	Recyc-Mattresses	CWPM
South Windsor	Recyc-Mattresses	CWPM
Southbury	Recyc-Mattresses	CWPM
Southington	Recyc-Mattresses	CWPM
Sprague	Recyc-Mattresses	Willi-Waste
Stafford	Recyc-Mattresses	Willi-Waste
Stamford	Park City Green	Winters Brothers
Sterling	Recyc-Mattresses	Willi-Waste
Stonington	Recyc-Mattresses	Willi-Waste
Stratford	Park City Green	Winters Brothers
Suffield	Recyc-Mattresses	CWPM
Thomaston	Recyc-Mattresses	CWPM
Thompson	Recyc-Mattresses	Willi-Waste
Tolland	Recyc-Mattresses	Willi-Waste
Torrington	Recyc-Mattresses	CWPM
Trumbull	Park City Green	Winters Brothers
Union	Recyc-Mattresses	Willi-Waste
Vernon	Recyc-Mattresses	CWPM
Voluntown	Recyc-Mattresses	Willi-Waste
Wallingford	Recyc-Mattresses	CWPM
Warren	Recyc-Mattresses	CWPM
Washington	Recyc-Mattresses	CWPM
Waterbury	Recyc-Mattresses	CWPM
Waterford	Recyc-Mattresses	Willi-Waste
Watertown	Recyc-Mattresses	CWPM
West Hartford	Recyc-Mattresses	CWPM
West Haven	Recyc-Mattresses	CWPM
Westbrook	Recyc-Mattresses	CWPM
Weston	Park City Green	Winters Brothers
Westport	Park City Green	Winters Brothers
Wethersfield	Recyc-Mattresses	CWPM
Willington	Recyc-Mattresses	Willi-Waste
Wilton	Park City Green	Winters Brothers
Winchester	Recyc-Mattresses	CWPM
Windham	Recyc-Mattresses	Willi-Waste

Windsor	Recyc-Mattresses	CWPM
Windsor Locks	Recyc-Mattresses	CWPM
Wolcott	Recyc-Mattresses	CWPM
Woodbridge	Recyc-Mattresses	CWPM





# Connecticut Towns

Connecticut Department of Economic and Community Development 1996

## APPENDIX H – INTERESTED MUNICIPALITIES

City/Town	Facility
Andover	Mid-NEROC transfer station
Ashford	Mid-NEROC transfer station
Bolton	Mid-NEROC transfer station
Canton	Canton Transfer Station
Chaplin	Mid-NEROC transfer station
Cheshire	Central Connecticut Recycling & Transfer, LLC
Clinton	Transfer Facility
Columbia	Mid-NEROC transfer station
Coventry	Mid-NEROC transfer station
Cromwell	town of Cromwell-transfer station
Eastford	Mid-NEROC transfer station
Glastonbury	Glastonbury Transfer Station
Greenwich	Holly Hill Transfer Station
Hamden	Hamden Transfer Station
Hartford	Hartford Bulky Waste & Recycling Center
Kent	Kent Transfer Station
Lakeville	Salisbury-Sharon Transfer Station
Lebanon	Town of Lebanon Solid Waste Facility
Litchfield	Litchfield Recycling Center
Lyme	Town of Lyme Landfill
Manchester	Town of Manchester Landfill and Transfer Station
Mansfield Center	Mansfield Transfer Station
Middletown	Middletown Recycling Center
New Fairfield	Town of New Fairfield Drop Off Center
New Milford	New Milford Recycling Center
Newington	Town transfer station
Old Saybrook	Old Saybrook Transfer Station
Redding	Redding Recycling Center
Rocky Hill	Town of Rocky Hill Transfer Station
Somers	Town of Somers Transfer Station
Stafford Springs	Stafford Transfer Station
Tolland	Mid-NEROC transfer station
Union	Town of Union Transfer Station
Willington	Mid-NEROC transfer station
Windham	Mid-NEROC transfer station
Woodbury	Woodbury Recycling & Transfer Station
Woodstock	Woodstock Transfer Station

## APPENDIX I – MRC OUTREACH EVENTS AND ACTIVITIES

<b>Year</b>	<b>Month</b>	<b>Event</b>
2013	August	Resource Recycling Conference
2013	August	Las Vegas Furniture Market
2013	September	Product Stewardship Institute Webinar
2013	September	Recycling Facility Audits
2013	September	Connecticut Stakeholder Meeting
2013	September	Meeting with Connecticut Retailers
2013	September	Mattress Producers Meeting
2013	October	Connecticut Stakeholder Meeting
2013	October	Meeting/Tours Connecticut Mattress Retailers
2013	October	Meeting/Tours Connecticut Mattress Manufactures
2013	October	Meetings with Connecticut Solid Waste Haulers
2013	October	Meeting with Connecticut Retailers
2013	November	NW Regional CT Recycling Advisory Committee Presentation
2013	November	Central Naugatuck Valley Presentation - Connecticut
2013	November	Meeting with C&D haulers and processors
2013	November	Meeting with Connecticut Retailers
2013	November	Bed Bug management workshop
2013	December	Meeting with Connecticut Retailers
2014	January	MRC Board Meeting
2014	January	Meeting with Connecticut Retailers
2014	February	Keep America Beautiful - University Mattress Recycling Call
2014	February	Las Vegas Furniture Market
2014	February	CURC - College and University Recycling Webinar
2014	February	Connecticut Stakeholder Meeting
2014	February	MRC web-site launch
2014	February	Meeting with Connecticut Retailers
2014	March	Rural Connecticut Transfer Station Site Visits
2014	March	ISPA EXPO Presentation- Mattress Industry
2014	March	Rhode Island Stakeholder Meeting
2014	March	Meeting with Connecticut Retailers
2014	April	Waste Expo Presentation - Mattress Industry
2014	April	Furniture Today Bedding Conference
2014	April	Maryland Recycling Network Webinar
2014	April	Meeting with Connecticut Retailers
2014	May	MRC Board Meeting
2014	May	Connecticut Product Stewardship Meeting

2014	May	Recycler meetings and contract negotiations
2014	May	Transporter meetings and contract negotiations
2014	May	Meeting with Connecticut Retailers
2014	June	Meeting with Connecticut Retailers
2014	June	Producer, Retailer, Refurbisher registration

## APPENDIX J – INFORMATION FOR PRODUCERS AND RETAILERS

### 7. Connecticut mattress retailers announcement



April 2014

### **IMPORTANT ANNOUNCEMENT FOR CONNECTICUT MATTRESS RETAILERS**

#### **New Legal Requirements for Mattress Retailers:**

In May 2013, Connecticut enacted Public Act 13-42, which requires mattress manufacturers to create a state-wide recycling program for mattresses discarded in the state. The program is funded through a visible recycling fee collected at retail when consumers buy a mattress or foundation in the state. These fees will pay for the costs of recycling mattresses and foundations discarded by consumers, municipalities, retailers, and other parties in Connecticut.

#### **What is the Mattress Recycling Council?**

The Mattress Recycling Council (MRC) is a non-profit established by the mattress industry to create and manage this recycling program. Using recycling fees that retailers collect from consumers, the MRC will contract with service providers to collect and recycle mattresses. The MRC will also manage similar mattress recycling laws enacted in 2013 in California and Rhode Island.

#### **How will this program affect mattress retailers?**

Beginning in early 2015 (subject to approval by state regulators) each retailer must collect a recycling fee on each mattress and foundation sold in the state. The fee will be a flat rate per unit, regardless of mattress type or size. For these purposes, each mattress and each foundation is considered a separate unit. Retailers may neither increase nor decrease the fee. The fee must be visible on the invoice or sales receipt that the retailer provides the customer, and is subject to sales tax.

Once collected, retailers will remit the fees they collect to the MRC at regular intervals through an easy and secure on-line reporting system. The MRC will provide further details on these processes soon.

#### **Are retailers now required to collect and recycle used mattresses?**

No. The new law does not require retailers to collect or recycle used mattresses. But they may continue to do so voluntarily.

#### **What kinds of mattresses are included in the recycling program?**

Any mattress or foundation used and discarded in Connecticut is eligible to be recycled under the program, including mattresses purchased before the program implementation date. Mattresses discarded in another state are not covered by this program.

**Is this a government-run program?**

No. The non-profit MRC will manage the program, and the MRC, not the state, will receive the recycling fees collected from consumers. The state government's role will be limited to oversight and confirming whether the MRC is meeting its legal obligations.

**How will the consumer fee be kept reasonable?**

The MRC has an incentive to meet its legal obligations as efficiently as possible. The MRC will set the fee, subject to state approval, at a level to cover the MRC's costs. As a non-profit organization, the MRC cannot profit from the program. The MRC will issue an annual report on its activities, including an analysis of how it spent collected fees.

**Will my retail sales data be kept confidential?**

Yes. Any sales data generated from individual retailers selling mattresses in Connecticut is confidential business information that will not be disclosed. However, the law requires the MRC to issue an annual report that includes aggregate sales and fee data for all retailers in the state.

**What's next?**

The MRC will be developing the program plan, hosting webinars, creating point-of-sale educational materials and hosting a comprehensive website to help retailers comply with this new law and discuss this program with consumers.

Please send a note to [info@mattressrecyclingcouncil.org](mailto:info@mattressrecyclingcouncil.org) to be added to our Connecticut information distribution list.

We look forward to your participation and welcome your questions.

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***For more information contact:***

*Mike O'Donnell, MRC Program Director 206.498.5005*

[info@mattressrecyclingcouncil.org](mailto:info@mattressrecyclingcouncil.org)

[www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org)

## 8. Connecticut registration mailing



### TIME-SENSITIVE: YOUR REQUIREMENTS UNDER CONNECTICUT PUBLIC ACT 13-42, RELATING TO MATTRESS RECYCLING

In May 2013, Connecticut enacted Public Act 13-42, which requires the mattress industry to establish a mattress recycling program in the state. To meet this requirement, the International Sleep Products Association, the trade association for the mattress industry, created a non-profit organization, Mattress Recycling Council (MRC). MRC serves as the organization required by the law to plan and implement that state's mattress recycling program.

Public Act 13-42, **requires all mattress and mattress foundation producers, renovators and importers selling or distributing mattresses in Connecticut to join MRC by July 1, 2014.** To join MRC, you must register with the organization at [www.mrcreporting.org](http://www.mrcreporting.org). There is no cost to join the MRC and registration information will only be used by MRC and the state to determine compliance with the requirements of the law.

### FAILURE TO MEET THIS REQUIREMENT PROHIBITS YOU FROM SELLING MATTRESSES IN CONNECTICUT.

For further information see *Public Act 13-42* which, in part, states:

*Sec. 1 (8) "Mattress" means any resilient material or combination of materials that is enclosed by a ticking, that is used alone or in combination with other products, and that is intended for or promoted for sleeping upon. "Mattress" includes any foundation, renovated foundation or renovated mattress. "Mattress" does not include any of the following: (A) An unattached mattress pad, an unattached mattress topper, including any item with resilient filling, with or without ticking, that is intended to be used with or on top of a mattress, (B) a sleeping bag or pillow, (C) a car bed, (D) juvenile products, including a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper and any pad for such juvenile product, (E) a product that contains liquid or gaseous filled ticking, including any water bed or any air mattress that does not contain upholstery material between the ticking and the mattress core, or (F) any upholstered furniture that does not otherwise contain a detachable mattress, including, but not limited, to a fold-out sofa bed or a futon;*

*Sec. 1 (15) "Producer" means any person who manufactures or renovates a mattress that is sold, offered for sale or distributed in the state under the producer's own name or brand. "Producer" includes (A) the owner of a trademark or brand under which a mattress is sold, offered for sale or distributed in this state, whether or not such trademark or brand is registered in this state, and (B) any person who imports a mattress into the United States that is sold or offered for sale in this state and that is manufactured or renovated by a person who does not have a presence in the United States;*

*Sec. 2. (a) On or before July 1, 2014, each producer, or such producer's designee, shall join the mattress recycling council and by said date such council shall submit a plan, for the Commissioner of Energy and Environmental Protection's approval, to establish a state-wide mattress stewardship program, as described in this subsection.*

*Sec. 2. (i) ...Any producer who fails to participate in such program shall not sell mattresses in this state.*

For questions please visit [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org) or contact Mike O'Donnell, MRC Program Director, at [mikeo@mattressrecyclingcouncil.org](mailto:mikeo@mattressrecyclingcouncil.org).

## 9. Connecticut registration e-mail notification

# ISPA INSIDER

Your weekly ISPA update

[Supplies Guide](#)   [ISPA Events](#)   [Industry Calendar](#)   [BedPost Blog](#)

June 10, 2014

### Member Alert!



**TIME-SENSITIVE: YOUR REQUIREMENTS UNDER CONNECTICUT PUBLIC ACT 13-42, RELATING TO MATTRESS RECYCLING**

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Public Act 13-42, **requires all mattress and mattress foundation producers, renovators and importers selling or distributing mattresses in Connecticut to join MRC by July 1, 2014.** To join MRC, you must register with the organization at [www.mrcreporting.org](http://www.mrcreporting.org). There is no cost to join the MRC and registration information will only be used by MRC and the state to determine compliance with the requirements of the law.

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*mattress pad, an unattached mattress topper, including any item with resilient filling, with our without ticking, that is intended to be used with or on top of a mattress, (B) a sleeping bag or pillow, (C) a car bed, (D) juvenile products, including a carriage, basket, dressing table, stroller, playpen, infant carrier, lounge pad, crib bumper and any pad for such juvenile product, (E) a product that contains liquid or gaseous filled ticking, including any water bed or any air mattress that does not contain upholstery material between the ticking and the mattress core, or (F) any upholstered furniture that does not otherwise contain a detachable mattress, including, but not limited, to a fold-out sofa bed or a futon;*

*Sec. 1 (15) "Producer" means any person who manufactures or renovates a mattress that is sold, offered for sale or distributed in the state under the producer's own name or brand. "Producer" includes (A) the owner of a trademark or brand under which a mattress is sold, offered for sale or distributed in this state, whether or not such trademark or brand is registered in this state, and (B) any person who imports a mattress into the United States that is sold or offered for sale in this state and that is manufactured or renovated by a person who does not have a presence in the United States;*

*Sec. 2. (a) On or before July 1, 2014, each producer, or such producer's designee, shall join the mattress recycling council and by said date such council shall submit a plan, for the Commissioner of Energy and Environmental Protection's approval, to establish a state-wide mattress stewardship program, as described in this subsection.*

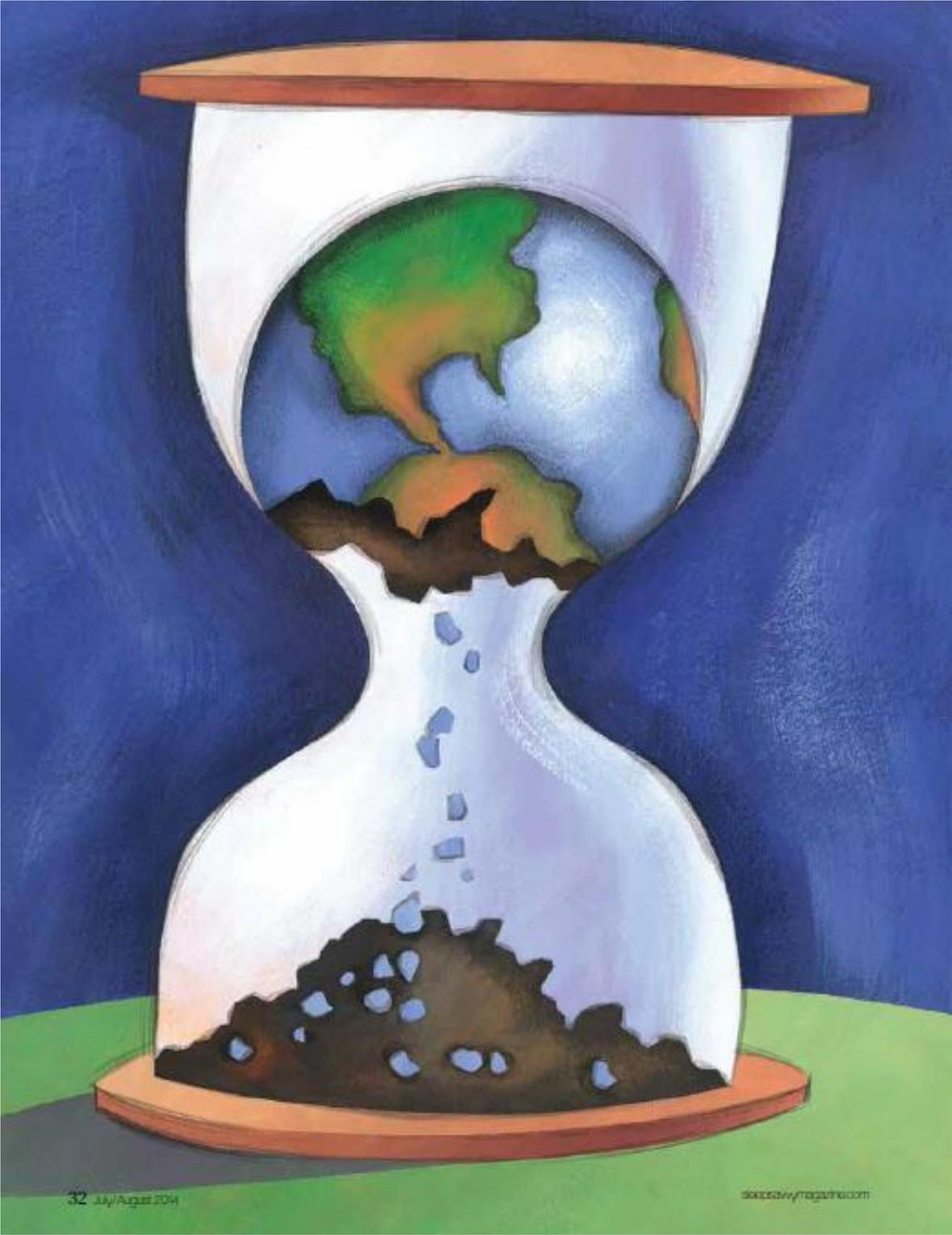
*Sec. 2. (i) ...Any producer who fails to participate in such program shall not sell mattresses in this state.*

**For questions please visit [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org) or contact Mike O'Donnell, MRC Program Director, at [mikeo@mattressrecyclingcouncil.org](mailto:mikeo@mattressrecyclingcouncil.org)**

View past issues of [ISPA Insider](#).



10. Sleep Savvy – Industry retail magazine article



*'We want to work with the retailers to make the mattress-recycling fee and programs positive. We, as an industry, have a good story to tell about mattress recycling and the environment. Recycling keeps mattresses out of the landfills and off the roadsides.'*

—Ryan Trainer,  
president,  
International Sleep  
Products Association  
and the Mattress  
Recycling Council

BY JULIE A. PALM

What you need to  
know about

# MATTRESS RECYCLING



What it  
means



How it  
works



Why it  
matters

## RETAILERS SELLING MATTRESSES AND FOUNDATIONS

in three states soon will need to make some changes to the way they operate, as part of those states' efforts to recycle bed components and reduce the number of mattresses and foundations heading for landfills.

Connecticut, Rhode Island and California passed mattress-recycling legislation in 2013 that will require retailers to collect a small fee on every mattress and foundation they sell. That money then will be used to fund mattress-recycling efforts statewide. To manage the recycling programs, the industry has created the Mattress Recycling Council, a non-profit organization. (See story on page 35.)

Connecticut's law is the first to go into effect. That state's timeline provides a rough idea of what to expect in the other two states. And just because you don't sell mattresses in those states, don't think that the move toward state-mandated mattress recycling doesn't affect you. (For more on that, see page 38.)

## mattressrecycling

### Why it matters



#### Timelines

Let's start with the schedule. Connecticut's law required the mattress industry to submit a plan to the Connecticut Department of Energy & Environmental Protection by July 1, 2014, detailing how MRC will manage the recycling process in that state. Regulators have 90 days to review the plan. Once approved, MRC will have 120 days to implement the program—meaning Connecticut retailers would begin collecting a flat, per-unit fee in early 2015, assuming there are no lengthy delays in the regulatory approval process. Regulators could call for revisions to the plan, which would postpone the process, but to minimize such delays, MRC is actively consulting with regulators in an effort to anticipate as many potential issues as possible before submitting the plan.

The Rhode Island and California laws have similar timelines and processes, but one year later, with plans due to regulators in those states by July 1, 2015, and fee collection expected to begin in early 2016.

#### MATTRESS-RECYCLING STATS

- 35 to 40 million new mattresses and foundations are sold annually in the United States.
- At least 15 to 20 million mattresses and foundations are discarded annually in the United States.
- Discarded mattresses currently are sent to recyclers, landfills and incinerators, used furniture stores and charities, and renovators.

Source: Mattress Recycling Council

#### Registration

Each of the three state laws requires mattress manufacturers to register basic information with MRC—even though they won't be involved in collecting fees on sales to retail consumers or recycling mattresses directly.

As a practical matter, all retailers selling in Connecticut and Rhode Island also need to register with MRC so they can remit their collected recycling fees, says Chris Hudgins, vice president of government relations and policy for the International Sleep Products Association. Hudgins also serves as vice president of industry and external affairs for MRC.

When it comes to registration requirements, the California law differs from the other two. In that state, the law specifically requires all retailers, manufacturers and renovators to register with MRC.

Mattress manufacturers in Connecticut were required to register by July 1, 2014. Retailers also should begin registering soon, says Mike O'Donnell, MRC program director. Companies in Rhode Island and California must register through MRC by July 1, 2015.

For all three states, registration is done through a secure portal on the MRC website at [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org). Registration is free and requires companies to provide basic contact information such as company name, address, phone number, etc. Manufacturers will be asked to provide the Universal Registration Number or brand information. Retailers will need to provide contact information to report sales and remit fees for their locations. During the registration process, a company creates a user name and password.

#### Fees

In all three states, retailers are required to collect a small fee on every mattress and foundation unit sold. The fee, which is subject to state sales taxes, must be clearly displayed on each invoice or receipt. Online retailers selling mattresses in these states also must collect the fee.

Subject to regulatory approval, MRC has proposed the recycling fee in Connecticut to be \$9 per piece. This fee would apply to each mattress and foundation unit sold in the state, regardless of the piece's price, size or type. That means the total recycling fee on a two-piece bed set would be \$18—\$9 for a mattress and \$9 for a foundation. The fee is non-negotiable and cannot be waived or reduced by the retailer.

Each of the state recycling laws sets different requirements, which will affect the costs MRC must incur. Likewise, the cost of labor, real estate overhead and other fac-

tors relevant to transporting and recycling mattresses will vary from one state to the next. Nevertheless, MRC's goal is for the fees in all three states to be as similar as possible.

The fee will pay for the cost of recycling mattresses and foundations discarded by consumers, municipalities, retailers and other parties in each state, including related transportation expenses, O'Donnell says. The fee also covers MRC's overhead and expenses. Consumer education is part of MRC's duty and costs, as well.

All three state laws allow for the industry and MRC to periodically adjust the fee up or down as needed to reflect the actual cost of running the recycling programs.

"The fee is initially based on a projection of mattress sales in that state and the number of mattresses we anticipate will be recycled through the program," O'Donnell says. "Once the program is implemented, MRC may periodically raise or lower the fee to make sure the program has sustainable funding for long-term operations."

As a nonprofit, MRC has an incentive to meet its legal obligations as efficiently as possible and will issue annual reports on its activities, including an analysis of how it spends collected fees, O'Donnell says.

It's important to keep the recycling fee low, says Ryan Trainer, president of ISPA and MRC. "We want the fee and the fee collection process to be as 'low burden' as possible," he says. "Our goal is to recycle more mattresses without disturbing the flow of sales, to keep the process simple and to maintain a level playing field."

Retailers in all three states will remit the fees they collect to MRC at regular intervals, similar to how they remit their sales taxes. As previously mentioned, MRC is setting up a secure, online reporting system for retailers to use.

Any sales data that individual mattress retailers provide to MRC will be exempt from disclosure, Hudgins says. The laws, however, require MRC's annual report to include aggregate sales and fee data in the states.

### Compliance

To monitor compliance of the laws, MRC must submit annual reports detailing its budget, staffing, aggregate fee collection and other information. These public reports will allow state regulators, taxpayers and the industry to monitor MRC's activities.

At a retailer level, MRC will work with regulators in each state to verify that all retailers are complying with the laws and collecting all appropriate fees.

"It's important that everyone participates in the program. We need full participation so that we create an equitable playing field among all retailers," O'Donnell says. "All these programs are self-reporting, but there is an auditing line item in each budget so that we can confirm retailer compliance."

## WHAT IS THE MATTRESS RECYCLING COUNCIL?

THE MATTRESS RECYCLING COUNCIL IS A NONPROFIT organization established by the mattress industry to create and manage state-level recycling programs. Using fees that retailers collect from consumers, MRC contracts with service providers to collect and recycle mattresses.



MATTRESS  
RECYCLING COUNCIL

Mike O'Donnell, MRC program director, was hired last

fall to run MRC. He has spent two decades working on municipal hazardous household waste collection issues and was involved in PaintCare, a multistate paint recycling program, and a Product Care light bulb recycling initiative in Washington.

"MRC will set up and facilitate the recycling programs. We won't recycle the mattresses ourselves. We will contract that function out," O'Donnell says. "Our job is also to listen to stakeholders to provide effective programs at the lowest cost."

MRC's website at [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org) is a good source for the latest information about mattress recycling. Eventually, it also will contain a list of contracted recyclers in the three states with recycling laws (currently California, Connecticut and Rhode Island), portals where companies register and where retailers remit recycling fees, and materials retailers can use to educate consumers about the fees and the value of mattress recycling.

If you have specific questions about industry recycling efforts, email [info@mattressrecyclingcouncil.org](mailto:info@mattressrecyclingcouncil.org).

### Getting mattresses recycled

Under all three laws, the fees collected by retailers from consumers will be used to cover the costs of recycling mattresses. MRC will contract with companies in each state to collect, haul and recycle mattresses and foundations. In Connecticut, for instance, there are expected to be two MRC-contracted recyclers when the recycling program begins in early 2015.

"In Connecticut, MRC also will establish relationships with municipal transfer stations throughout the state to consolidate the mattresses for recycling by the contracted recycling companies. As a result, recyclers will source a fair number of mattresses and foundations through the state's existing solid waste systems," O'Donnell says. "Other pieces will come through retailers who pick up old bedding when delivering new mattress sets."

But, O'Donnell emphasizes, "Retailers in Connecticut and

mattressrecycling  
Why it matters

## WHERE THE PARTS & PIECES GO

The typical mattress and foundation are made with a number of natural, renewable and recycled materials. When beds reach the end of their useful lives, they can be broken down and virtually all of their components recycled into other products.



**THE PROCESS** When breaking down mattresses into components, recyclers bale and count fabrics.



**STEEL INNERSPRINGS & BOX SPRINGS:** Much of the steel wire used to make mattress innersprings and box springs is made from recycled scrap steel. After a bed set is discarded, the steel wire can be removed, melted again and formed into new steel products.



**FABRICS & FIBERS:** A number of renewable plant and animal fibers, including cotton, wool, silk, sisal and coconut, are used in mattress comfort layers. At the end of their life cycle in a mattress, fabrics and fibers can be recycled into cushioning, filter media and insulation materials.



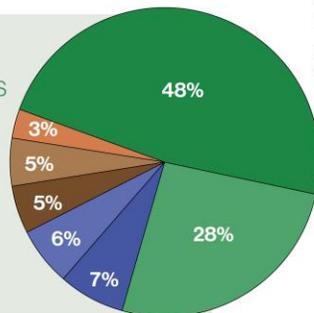
**FOAMS:** Some types of polyurethane foam used in mattresses are made, in part, from renewable materials, such as soy and castor bean oils. Similarly, plant-based latex is combined with other materials to make latex mattress foams. The used foams can then be ground up, mixed with binders and formed into the padding used underneath wall-to-wall carpeting and in other cushioning applications.



**FOUNDATION WOOD:** Most wood used to make foundations is from common, nonendangered tree species—spruce, pine and fir—grown in certified, renewable forests. What's more, no trees are cut just to make foundation wood: In fact, the trees are cut primarily for construction lumber and paper-making pulp. The wood for foundations is made from those parts of a tree that can't be used for construction lumber because the boards are too narrow, too short and too thin to make a 2-by-4. After the consumer discards the foundation, the used wood can be chipped and used as animal bedding, mulch or biomass fuel.

### DISTRIBUTION OF RECYCLABLE MATTER FOUND IN MATTRESSES AND BED BASES

- Metal
- Polyether & polyurethane
- Felt
- Polyester
- Wood
- Nonrecyclable
- Cotton



Sources: International Sleep Products Association and Recyc-Mattresses Corp.

## mattressrecycling

### Why it matters



Rhode Island aren't required to recycle or even collect mattresses themselves." In California, however, retailers that deliver a new mattress to a consumer must, at the consumer's request, pick up the old mattress. Retailers can charge for delivery, but not for used-mattress removal. Even in California, retailers aren't required to actually recycle the mattresses, and they have no obligation to pick up a used mattress if they don't deliver a new mattress to the consumer or deliver via common carrier.

Still, MRC encourages retailers and manufacturers to actively participate in mattress recycling. It reduces the number of bed sets going to landfills and enhances the industry's reputation as good stewards of the environment.

"We want companies to recycle and are prepared to work with them to make that happen," Trainer says.

One retailer already heavily committed to recycling on its own is Sleep Train and its Mattress Discounters and Got Sleep? subsidiaries.

More than 175 stores participate in the company-sponsored recycling program in California and between 65% and 70% of consumers take advantage of the free pickup and removal service. The used bedding is returned to one of five distribution centers in California and then is picked up by one of six Sleep Train regional recycling partners.

"The program has really just evolved over the years to find the best way to keep mattresses out of the landfills, while minimizing our costs," says Mike Combest, Sleep Train's executive vice president of operations.

#### What's ahead?

ISPA, which actively monitors any legislation at the federal and state levels that could affect the mattress industry, expects other states to consider mattress-recycling legislation in 2015, Hudgins says. Although ISPA is not proactively seeking to enact recycling laws in other states, it's prepared to work with stakeholders to create recycling systems that don't unduly burden the

#### UPDATING YOUR STORE SYSTEMS

**COLLECTING THE RECYCLING FEE** on each mattress and foundation sold will require retailers that sell mattresses to customers in California, Connecticut and Rhode Island to make changes to operations and record-keeping in various departments. Here are items store owners, store managers and department managers need to put on their to-do lists:

- **IT:** Modify transaction-invoicing systems to itemize and collect the recycling fee on the correct number of units in each sale. (Remember that the fee is subject to sales taxes.)
- **ACCOUNTING & FINANCE:** Implement processes to remit the fee electronically to the Mattress Recycling Council.
- **SALES:** Develop messaging and train staff to explain the fee to consumers. MRC is creating point-of-purchase and other materials retailers can use to help educate sales associates and consumers.
- **TRANSPORTATION:** Retailers who want to voluntarily participate in MRC's state recycling programs will need to set up a system for getting mattresses to MRC-contracted recyclers. MRC and recyclers will provide more information about this as program implementation dates near.
- **MARKETING:** Create advertising and marketing materials to publicize your participation in the recycling program to consumers.



## mattressrecycling

### Why it matters

#### WHY DO THESE LAWS MATTER TO ME?

**IF YOU'RE A RETAILER** who doesn't sell beds in California, Connecticut or Rhode Island, you may be wondering, "Why does it really matter?"

In recent years, several other states have expressed interest in mattress-recycling legislation and the International Sleep Products Association expects at least a few states to draft or introduce bills in 2015.

"While these mattress-recycling laws may not affect you at this time, other states are considering similar laws, and we expect the number of state recycling laws could grow in time. The three existing laws will most likely serve as models for what other states do, and the programs that MRC is developing now to implement the existing laws will influence how future state recycling laws will work in practice. Now is the time to get familiar with the process and speak up if you see problems or have ideas on how to do things more efficiently," says Chris Hudgins, vice president of government relations and policy for ISPA. Hudgins also is vice president of industry and external affairs for the Mattress Recycling Council.

Retailers should stay in contact with ISPA, MRC and lawmakers in their states regarding potential mattress-recycling legislation.

"We want retailers to be aware of legislative developments in their states," says ISPA and MRC President Ryan Trainer. "Retailers and manufacturers can be an 'early warning' system to alert the industry that mattress-recycling legislation may be introduced soon in their states. The sooner they let ISPA and MRC know, the sooner we can begin working to develop and shape the laws so they don't unduly burden the industry."

In addition, mattress recycling—regardless of whether it is state-mandated or not—is good for the environment and can help your business build goodwill with your consumers. ISPA maintains a list of mattress recyclers that operate in the United States and Canada on its website at [www.sleep-products.org](http://www.sleep-products.org). Click on the ISPA Earth tab and then use the Recycling Facility Locator. Contact a recycler in your area and see what you can do to begin recycling your customers' old mattresses.

#### TO LEARN MORE

**FOR THE LATEST INFORMATION** about mattress recycling, bookmark the Mattress Recycling Council's website at [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org) and check it often. If you have specific questions, email [info@mattressrecyclingcouncil.org](mailto:info@mattressrecyclingcouncil.org). *Sleep Savvy* also offers regular updates about recycling in the print magazine and online at [www.sleepsavvymagazine.com](http://www.sleepsavvymagazine.com).



mattress industry, Trainer says.

And, as programs in Connecticut, Rhode Island and California continue to develop, MRC encourages retailers, manufacturers, suppliers and recyclers to offer suggestions and contribute ideas for improvement.

"We want to reiterate that, while everyone has a different role in this process, we want stakeholders to weigh in and provide feedback to MRC so that the programs we develop are the most practical and least expensive for everyone involved," Hudgins says.

In terms of publicizing and explaining the programs to retailers and consumers, MRC is developing webinars, point-of-purchase materials and other items to educate retailers and consumers about participating in the new programs. All will be available from MRC or posted on its website at [www.mattressrecyclingcouncil.org](http://www.mattressrecyclingcouncil.org).

"We are talking to retailers about the best way to explain the program requirements to sales associates and their customers. We're asking for a lot of input," says Shelly Sullivan, MRC public relations consultant. One plan, Sullivan says, is "to include regular retailer surveys in *Sleep Savvy*. We want to use these surveys both to inform retailers about the mattress-recycling programs and to identify subjects that will require further attention."

For these state programs to be most successful, all parts of the industry must work together. Manufacturers can help retailers educate consumers about the new fees, and suppliers can help to create new markets and uses for recycled components, Trainer says.

"We want to work with the retailers to make the mattress-recycling fee and programs positive," he says. "We, as an industry, have a good story to tell about mattress recycling and the environment. Recycling keeps mattresses out of the landfills and off the roadsides."

*Julie A. Palm is a writer and editor based in Winston-Salem, North Carolina. She can be reached at [japalm623@gmail.com](mailto:japalm623@gmail.com).*

# Recyclers to the rescue

A sampling of facilities that can help take a load off

## Recyc-Mattresses Corp.

**Headquarters:** Montreal

**Founded:** 2007

**Principals:** Eric Castro and Pascal Cohen

**Mission statement:** "Recyc-Mattresses' commitment is to help protect the environment."

**Fees:** Fees vary depending on the contract, but they average about \$10 per piece

**Facilities:** Eight locations in Ontario and Quebec, Canada; Connecticut, Florida and Washington, D.C.; and Paris. A new facility is opening in Belgium.

**Opportunities in Connecticut:** Recyc-Mattresses opened a 30,000-square-foot facility in Bloomfield, Connecticut, near Hartford, in May 2012. The company was aware that the state was considering mattress-recycling legislation and saw opportunities to expand its business there. The company will likely be one of two companies contracted by the Mattress Recycling Council to recycle mattresses in the state beginning in 2015.

**Employees:** The Connecticut facility employs about 10 people, but expects that number to grow to 35 to 40 when the state-mandated recycling program ramps up. The company seeks to provide employment opportunities to individuals with criminal histories, past drug problems or similar issues that make it difficult to find work. About 80% of its workforce falls into these categories, says Recyc-Mattresses President Pascal Cohen.

**Dismantling methods:** To improve efficiency and reduce processing costs, Recyc-Mattresses uses several pieces of patented, proprietary machinery to break down mattresses into their components. "It's becoming more and more automated, but there will always be a manual aspect to it," Cohen says. The company can find markets for as much as 95% of components if the mattresses and foundations are coming directly from retailers or about 90% if they are from the waste stream and therefore, more likely to be dirty, wet or moldy, Cohen says.

**What's ahead:** Beginning in early 2015, Cohen expects its business in Connecticut to grow by 2% to 3% a month for the next two to three years as the state's recycling program picks up steam, but acknowledges that "no one knows exactly what will happen."

**For more information:** Visit [www.recyc-matelas.com](http://www.recyc-matelas.com).

## Dream Green Recycling

**Locations:** Corsicana, Texas, and Gainesville, Georgia

**Founded:** 2009

**History:** Sleep Inc., a branded division of Corsicana Bedding, launched Dream Green Recycling in a dedicated facility adjacent to Corsicana Bedding's headquarters. Steve Cavender, who manages the program, has been inspired by the founders' passion for the value of recycling mattresses. "The executives saw an extreme need for the industry to get involved with recycling mattresses before it became a regulatory burden, and just really made it happen. They did the legwork and took the risks necessary to get it going and have never taken their eyes off the ball."

**Fees:** None. Dream Green provides recycling services at no charge to select retailers who carry Corsicana and Sleep Inc. products, as well as to their hospitality customers. The company also accepts used bedding from its retail customers that is picked up when delivering new mattresses made by competitors. "This is something we provide as a service to our retail customers," Cavender says, "from our small mom-and-pop retailers to major retailers like Mattress Firm."

**Process:** Used bedding is brought to the facilities on company trucks. Dream Green's process was created from the ground up and features conveyers, steel grinders and magnetic sorting that helps about 35 employees in Texas and about 45 in Georgia as they manually tear apart thousands of mattresses and foundations. Dream Green comes close to breaking even by reselling about 97% of the used materials, which are used in the manufacture of new products other than bedding.

**Growth:** During 2013, when a second facility was opened in Gainesville, Dream Green kept 11 million pounds of bedding materials out of landfills. The program more than doubled the number of pieces it recycled in 2013 (about 150,000 in Texas and Georgia) over 2012 (about 60,000 in Texas). "This team is dedicated to being innovators in this arena," Cavender says. "They see it as a long-term, increasing need and they intend to stay ahead of the game." The program has enough capacity to handle more volume, and both Sleep Inc. and Corsicana Bedding continue to build awareness among their retail customers and increase participation. The company will continue to assess other potential locations throughout the country.

**For more information:** Call 816-918-8052.

## Carolina Mattress Recyclers

**Location:** Granite Falls, North Carolina

**Area served:** Eastern and Midwestern United States

**Founded:** 2007

**Fees:** Vary from about \$3 to \$7 per piece, depending on quantity and components in the mattresses, as well as location.

**History:** Carolina Mattress Recyclers grew out of a brainstorming session between Mark Kiser, president, and Rick Detter, vice president of sales and operations. They operate MTJ American, which produces mattresses for the detention, university, medical and military sectors. In addition to implementing a “green” initiative with Carolina Mattress Recyclers, Kiser and Detter recognized an unfilled niche in the market.

“We started the mattress recycling because the service was needed for our customers,” Detter says. “They need to dispose of mattresses and there’s not always a facility nearby, other than a landfill, so they were asking us for that service. Some of our customers—like the military—may recycle 2,000 or 3,000 mattresses at a time—that’s 10 to 15 truckloads right there.

“In North Carolina there’s a law stating that you cannot recycle mattresses in the same facility where you build them, and no components can be reused in a new mattress—so we launched Carolina Mattress Recyclers to handle that.”

**Number of employees:** Varies depending on time of year; from eight to 10 working during the busy season, which is typically summer since that’s when schools replace mattresses.

**Process:** Production workers break down mattresses, separating foam, innersprings, batting, fabric and wood into separate containers. The company bales and sells the scrap foam, sends the innersprings to scrap metal dealers, and the remaining material goes to other companies that use it for everything from oil filters to automobiles to carpet backing. The company says it recycles 99% of the material from the mattresses it handles. The only thing that prevents a 100% recyclable rate, Detter says, is that some institutional mattresses include a vinyl fabric with a polyester scrim that cannot be reused.

**Plans:** The company is exploring an expansion into other markets by working with a company that does contract installation and removal of mattresses for hotels and motels, allowing that company to then offer recycling services to its customers in the hospitality industry.

**Mission statement:** “Our company’s mission is to do our part to make the world a better place. It is our objective to provide our employees stability in an environmentally safe workplace. We encourage our employees as well as our customers to have the same attitude toward making a world of difference by doing their part in helping conserve the world in which we live.”

**For more information:** [www.carolinamattressrecycling.com](http://www.carolinamattressrecycling.com)

## Michigan Mattress Recyclers

**Location:** Traverse City, Michigan

**Founded:** 2011

**Ownership:** Mattress retailers Rick Chelotti and Karen Darner opened Michigan Mattress Recyclers in Gaylord, Michigan, as a way to keep bulky mattresses out of landfills and help put Michigan residents to work. Operating in another part of the state was Bay Area Recycling for Charities Inc. That company, founded five years ago by Andrew Gale and based in Traverse City, Michigan, recycles a variety of products—from paper, plastic and glass to electronics to food waste. In the past, when it received mattresses from its customers, it sent them to Michigan Mattress Recyclers. So, when the original owners decided they wanted to spend more time doing other things, Bay Area stepped in and took over its operations.

**Recent changes:** Bay Area Recycling has moved Michigan Mattress Recyclers’ operations from Gaylord to a 40,000-square-foot facility in Traverse City. Recycling at the new location began in June.

**Employees:** When fully operational at the new site, Michigan Mattress Recyclers will employ about 25 people. Gale acknowledges mattress recycling is “a dirty, grueling job,” but also sees employment at the facility as a good opportunity for unemployed workers who need to get back on their feet. Bay Area Recyclers has a history of hiring special-needs workers through a partnership with Grand Traverse Industries, which trains and helps place special-needs workers, and the company might start a similar arrangement with Goodwill Industries, Gale says.

**The process:** The majority of the dismantling of bed sets and separating of components is done manually.

**Fees:** Fees range from \$10 to \$25 per piece, with the lower prices for truckloads and the higher prices for individuals bringing in a mattress or two at a time. The company has recycling agreements with municipal and county governments, mattress manufacturers, colleges and universities, landfills and waste haulers.

**The future:** Gale plans eventually to change the name of Michigan Mattress Recyclers to something less specific, in part because its stream of recyclable mattresses will come not only from Michigan but also from other states in the upper Midwest, including Illinois, Indiana and Ohio.

**Challenges:** Like most recyclers, Gale says finding markets for specialized components, such as coir, is one of the biggest challenges of making a recycling operation successful.

**For more information:** [michiganmattressrecyclers.com](http://michiganmattressrecyclers.com) 

 To find a recycler in your area, check ISPA’s website at [www.sleepproducts.org](http://www.sleepproducts.org) and click on the ISPA Earth tab, where the association maintains a list of recyclers.

# APPENDIX K – INFORMATION FOR CONSUMERS

## 11. MRC Home Page

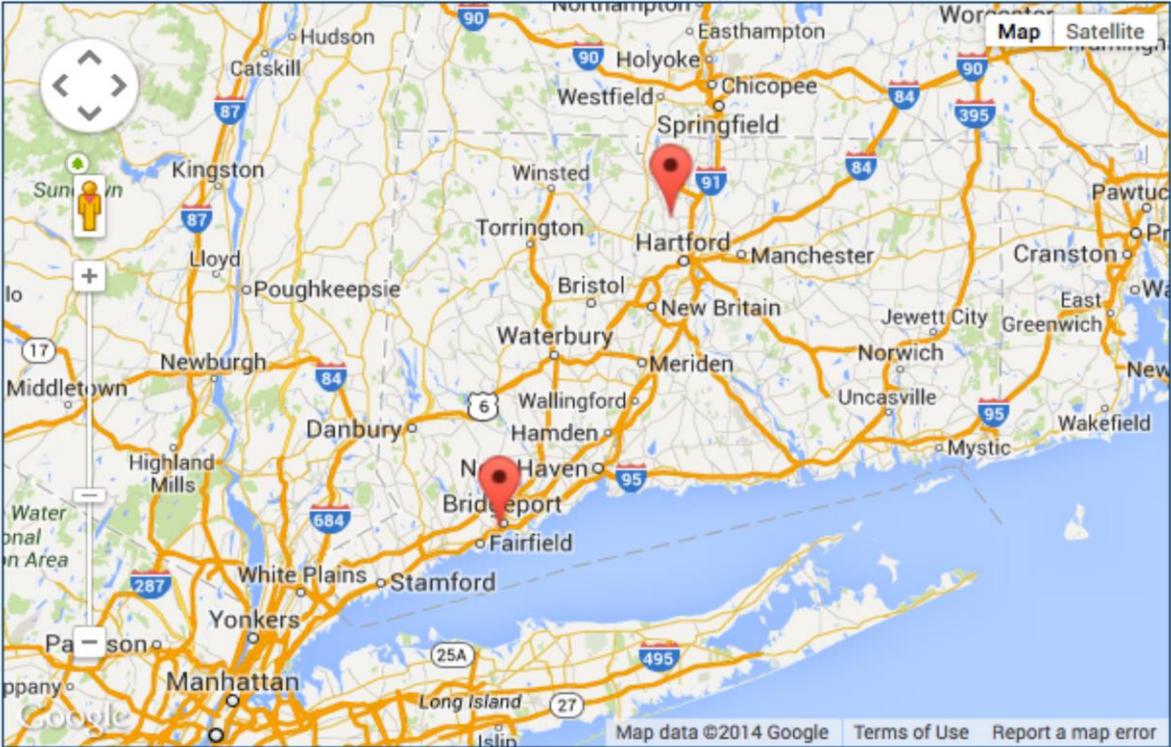
Mattress Recycling Council –

The screenshot shows the homepage of the Mattress Recycling Council. At the top left is the logo, which consists of a stylized mattress inside a recycling symbol, with the text "MATTRESS RECYCLING COUNCIL" to its right. A search bar is located in the top right corner with the placeholder text "Search this website...". Below the logo and search bar is a navigation menu with the following items: HOME, MRC REGISTRATION, CALIFORNIA, CONNECTICUT, RHODE ISLAND, and JOB OPENINGS. The main content area features a horizontal row of four images: a mattress on a truck, a mattress being loaded onto a truck, a mattress being processed in a factory, and a hand holding a small green plant. Below this row is a text block that reads: "The Mattress Recycling Council (MRC) is a non-profit organization that will develop and operate mattress recycling programs in California, Connecticut, and Rhode Island. In 2013, all three states passed laws requiring mattress manufacturers to develop programs to manage discarded mattresses. If you have questions about the MRC, contact us at: [info@mattressrecyclingcouncil.org](mailto:info@mattressrecyclingcouncil.org)." To the right of this text are three promotional boxes: "Join the MRC" with a "register online" button, "Receive MRC Program Updates!" with a woman holding a plant, and "MATTRESS RECYCLING LOCATIONS" with an image of a warehouse. At the bottom of the page is a dark brown footer bar containing the text "Copyright © 2014 Mattress Recycling Council | Log in".

<http://www.mattressrecyclingcouncil.org/>[6/23/14, 8:11:32 AM]



**13. Mattresses recycling locator tool**



## 14. Register for on-line updates

Receive MRC Program Updates



HOME MRC REGISTRATION CALIFORNIA CONNECTICUT RHODE ISLAND JOB OPENINGS



You are here: [Home](#) / Receive MRC Program Updates

### Receive MRC Program Updates

Thank you for your interest in the Mattress Recycling Council.

Established in 2013, the non-profit Mattress Recycling Council [MRC] is an organization created to develop and implement mattress recycling programs in Connecticut, Rhode Island and California to conform with the principles of each state's mattress recycling laws.

This information portal will be used to distribute news about the MRC. We encourage participation from all stakeholders and interested parties.

If you would like to receive regular updates from the MRC, please complete the form below.

**Name \***

First Last

**Company Name**

**Address \***

Street Address

Address Line 2



[http://www.mattressrecyclingcouncil.org/program-updates/\[6/27/14, 3:06:51 PM\]](http://www.mattressrecyclingcouncil.org/program-updates/[6/27/14, 3:06:51 PM])

Receive MRC Program Updates

City

State

ZIP Code

**Email \***

Enter Email

Confirm Email

**Phone**