



NEW YORK STATE SENATOR

Brian Kavanagh

## Senator Kavanagh's Carpet Recycling Bill Signed Into Law

BRIAN KAVANAGH January 10, 2023

| ISSUE: **CARPET EPR**



Albany, NY — Senator Brian Kavanagh announced that the Carpet EPR bill ([S5027C/A9279A](#)), which he sponsored along with Assemblymember Steven Englebright, was signed into law by Governor Kathy Hochul. The new law requires carpet manufacturers to establish a program for the collection and recycling of discarded and unused carpeting.

Starting in January 2026, carpet sales in New York will be prohibited unless the manufacturers are participating in an approved industry-wide plan for recycling or have established their own program for carpet collection, approved by the State Department of

## Environmental Conservation.

The new legislation establishes carpet recycling performance goals that the industry is required to achieve over time once the programs are approved. The first goal is for 30 percent of carpet recycling in five years, with at least 10 percent of the recovered materials being used as recycled content for new carpets. The final goal, to be achieved by the 15-year mark, calls for 75% carpet recycling, with at least 40% of recovered materials being used as recycled content for new carpets.

“With this new law, New York takes a very big step forward in our goal of reducing waste and promoting a circular economy,” said Sen. Kavanagh. “Every year, hundreds of millions of pounds of carpet and carpeting materials are dumped in landfills and the dangerous PFAS chemicals in these carpets continue to negatively impact our health. This law will lead to a reliable mechanism for consumers to safely and easily recycle their carpet waste and ensure that instead of going into landfill, this material will be recycled into new carpets as well as other products. I thank Governor Kathy Hochul for signing this crucial legislation, Assemblymember Steve Englebright for his sponsorship in the Assembly, and the many advocates who have worked with us for many years to see this program enacted.”

New York State generates about 515 million pounds of carpet waste annually, less than 1% of which are recycled. There is existing demand for more than 90% of the materials in recycled carpets, but government action is needed to spur the creation of systems for collection, transportation and processing of these materials. This legislation also prohibits the sale of carpeting containing hazardous PFAS materials after 2026. PFAS are linked with serious health harms in both children and adults, including impaired neurodevelopment, immune system dysfunction, hormone disruption, and cancer.

The extended producer responsibility (EPR) program required by this new law has the potential to increase carpet recycling in New York State to 25% within four years, add hundreds of jobs, and save more than \$4 million per year in waste disposal costs. Increasing the recycling rate to 25% would reduce CO2 emissions by about 165,000 tons per year, equivalent to taking 32,000 cars off the road.

Kate Kurera, Deputy Director of Environmental Advocates NY said:“Disposed carpet fills up New York landfills at the rate of 515 million pounds per year, and not to mention, often contains dangerous PFAS chemicals that exposure our families and children within the home. This legislation meaningful addresses both of these problems, while importantly requiring the producers of the carpet to take responsibility for the environmental impacts of the products end of life. We commend Governor Hochul for signing this bill and Senator Kavanagh and Assemblymember Englebright for their leadership in establishing this program,”

Julie Tighe, President of the New York League of Conservation Voters said:“We must stop using harmful chemicals and tossing everything in the trash, and instead move toward a circular economy and zero waste. Thanks to Governor Hochul, Senator Kavanagh and Assemblyman Englebright, New York is taking steps to clean up the carpet industry from production to disposal. The Carpet EPR bill moves the state one step closer to zero waste, promotes the circular economy, and cuts forever chemicals out of carpets in our homes and workplaces—that’s a win for the environment and for public health. We applaud Governor Hochul for signing this NYLCV 2022 Scorecard bill into law and Senator Kavanagh and Assemblyman Englebright for getting it through the legislature.”

Resa Dimino, Managing Partner with the Signalfire Group said:“We are very pleased to have been a part of the team that brought this impactful new policy to life in New York. We are grateful to Senator Kavanagh for his leadership and dedication. Thanks to this carefully

crafted bill, we'll be creating jobs, providing feedstock for new products, and reducing greenhouse gasses through carpet recycling, instead of letting all those valuable materials go to waste."

Eric A. Goldstein, NYC Environment Director at the Natural Resources Defense Council said: "This new law promises to deliver less carpeting sent to problematic landfills and incinerators, more carpet recycling, and fewer toxic chemicals in new carpeting. Three cheers for Senator Brian Kavanagh, Assemblymember Steve Englebright, and Governor Kathy Hochul for their leadership and for resisting plastics industry pressure to weaken the bill in the final, frenzied negotiations. The legislation should also save millions of dollars a year in reduced carpeting collection and disposal costs for city taxpayers."

David Bender, Chief Executive Officer of Circular Polymers by Ascend said: "We applaud the NY Legislature and Governor Hochul for the environmental and employment benefits that carpet recycling legislation brings to the Empire State. Circular Polymers by Ascend is excited to recover New York's disposed carpet and transform it into raw materials that can be used to create new products."

Heidi Sanborn, Executive Director of the National Stewardship Action Council said: "We are delighted that after 12 years of having the only carpet stewardship program in the world, that New York has taken the step to join California in reducing waste, toxics and GHG emissions by ensuring carpet gets recycled. People do not realize that most carpet is made from fossil fuel with added chemicals that can negatively affect human and environmental health. We are delighted to have another big state that not only sees these issues, but now has a plan to address them."

Dawn Timm, Chair of New York Product Stewardship Council said: "Manufacturer engagement is essential to move the needle on recovery and recycling efforts in New York.

Extended Producer Responsibility (EPR) for carpets will help get this difficult-to-handle material out of landfills and into recycling systems. The New York Product Stewardship Council has, and will continue, to support meaningful EPR efforts in New York that deliver financial relief to local government."

Bob Rossi, Executive Director of the New York Sustainable Business Council (NYSBC) said: "A carpet recycling program in New York will attract recycled carpet manufacturers and create new sustainable jobs in New York. The raw materials recovered from carpet recycling will provide plastic feedstock for new textiles and other products. This initiative is essential to building a circular economy and is projected to save taxpayers and businesses millions of dollars per year in disposal costs. New York State has the potential to become a national if not global leader in carpet recycling. Our business community applauds Governor Hochul for signing the Carpet EPR bill into law."