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Massachusetts Department of Environmental Protection (MassDEP) Waste Ban on Mattresses and Textiles Frequently Asked Questions (FAQ)

1. When do the waste bans on mattresses and textiles take effect?

A: The revised waste ban regulations that ban mattresses and textiles took effect on November 1, 2022.

Mattresses

2. What type(s) of mattresses are subject to the mattress waste disposal ban?

A: Mattresses are defined in the regulations as “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 sleeping upon, except for mattresses that are contaminated with mold, bodily fluids, insects, oil, or hazardous substances. Mattress includes any foundation or box spring.

“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 waterbed and any air mattress that does not contain upholstery material between the ticking and the mattress core, and mattresses in futons and sofa beds.”

All sizes of mattresses are included under the ban: California king, king, queen, full, twin XL, twin, and crib mattresses.

3. What about full-foam or latex mattresses, or “mattresses in a box”?

A: Yes, those specific mattress products are included in the waste ban.

4. How can a municipality or state agency find a mattress recycling vendor?

A: The state contract FAC 90 provides mattress recycling services for any state agency, municipality, or political sub-division as defined in the contract. For more information, please see the User Guide for this contract: <https://tinyurl.com/mattguid> While it is likely that the state contract will be the best option for municipalities, they are not required to purchase off of state

contract. If a municipality wants to consider other mattress recyclers, they should refer to the response under #5 below.

5. How can a business find a mattress recycling vendor?

A: Businesses can search for recycling service providers for mattresses (or for any material) through <https://www.recyclingworksma.com>. Recycling Works is a free business assistance program run under contract to MassDEP by the Center for EcoTechnology. If you are a business that needs further assistance with mattress recycling, you can contact the RecyclingWorks program at info@recyclingworksma.com or at (888)254-5525.

6. I am a resident and have a mattress that I want to recycle or donate for reuse. How can I find a convenient outlet?

A: You may want to start with your municipal recycling program, as many municipalities accept or collect mattresses from residents. You may also want to visit MassDEP's mattress recycling webpage: <https://tinyurl.com/depmatt> That page includes contact information for mattress recycling vendors. You may search MassDEP's Beyond the Bin recycling directory for organizations near you that accept mattresses for donation and reuse: <https://tinyurl.com/massbtb> Finally, you can search for cleanout companies near you that may collect materials such as mattresses.

7. I am a municipality or business sending mattresses for recycling. What determines whether a mattress is "clean" enough to be recycled?

A: This should be determined working with your mattress recycling vendor. Under the state contract for mattress recycling, customers shall adhere to all acceptance and storage criteria for mattresses as specified by the Vendor and will be responsible for the disposal of any mattresses that do not meet the recycling acceptance criteria. They shall not send for recycling:

- Excessively torn, punctured, soiled or moldy items
- Twisted or crushed mattresses or broken box springs
- Wet or frozen mattresses or box springs
- Mattresses or box springs infested with bed bugs or other pests
- Futon mattresses, fold-out sofa beds
- Mattress pads or toppers
- Infant sleeping pads; air or water beds; any other furniture or textiles

8. How will MassDEP determine whether a load of trash that contains mattresses is considered a waste ban violation, i.e., a "failed load" potentially subject to enforcement? If a trash truck delivers a load of trash to a disposal facility that contains a single mattress, will this load be treated as a violation of the waste ban regulations? -

A: There is no acceptable amount of mattresses that can be disposed of under the waste ban regulations. Therefore, disposal of one mattress or more would be considered a failed load. MassDEP will determine the appropriate compliance and enforcement response based on review of a specific failed load, the origin of that load, and the ability to identify the waste generator. MassDEP generally does not issue waste ban enforcement to individuals, and instead typically

issues enforcement to businesses and institutions (including municipalities) as well as waste haulers.

9. What documentation do I need if I have mattresses that I need to send for disposal because they are not acceptable by a mattress recycler?

A: If you have materials such as mattress pads or toppers that do not meet the regulatory definition of a mattress, those can be sent for disposal without further documentation. If you have mattresses that are not recyclable because they are wet, moldy, or infested with bed bugs, you should document the number of mattresses, the condition of each, and how they have been stored and managed to prevent contamination. For example, it is not acceptable to store mattresses uncovered outside and then send them for disposal because they are wet. This, along with any intentional contamination of waste ban materials, would be considered a violation of MassDEP's waste ban regulations. However, as long as materials are stored and managed properly and this documentation is maintained and provided to MassDEP upon request, unrecyclable mattresses can be sent for disposal without requiring a MassDEP waste ban waiver.

MassDEP has developed a Contaminated Mattress Certification Form that, while not required by MassDEP, is recommended for use by municipalities, mattress recyclers, businesses, or haulers when sending a contaminated mattress for disposal. This form provides assurance to solid waste facilities in the form of a certification that this mattress(es) that are being sent for disposal are in fact not recyclable. Therefore, these mattresses can be accepted for disposal in compliance with the waste bans. This form is available at:

<https://www.mass.gov/forms/contaminated-mattress-certification-form>.

10. If the municipality or business determines that a mattress cannot be recycled, where should it be disposed of?

A: If a mattress cannot be recycled because it is contaminated as noted in the definition above; it is not subject to the waste ban and can be disposed as solid waste. This can mean that it can be sent to any solid waste disposal facility or handling facility. MassDEP has developed a Contaminated Mattress Certification Form that, while not required by MassDEP, is recommended for use by municipalities, mattress recyclers, businesses, or haulers when sending a contaminated mattress for disposal. This form provides assurance to solid waste facilities in the form of a certification that this mattress(es) that are being sent for disposal are in fact not recyclable. Therefore, these mattresses can be accepted for disposal in compliance with the waste bans. This form is available at:

<https://www.mass.gov/forms/contaminated-mattress-certification-form>.

11. Can municipalities use a shredder or other equipment to shred, destroy, or deconstruct a mattress at a municipal transfer station or recycling center?

A: Yes, however this activity would be regulated as either a General Permit or a Recycling, Composting and Conversion (RCC) Facility Permit. General permits have a 10 percent residual limit. If an operation cannot comply with that limit, it would need to apply for an RCC permit. If you operate a site assigned solid waste transfer station and want to incorporate a recycling operation, this would need to be addressed through a permit modification. If you are interested

in considering this option, you should consult with the solid waste section chief in your MassDEP regional office: <https://tinyurl.com/depregoff>

12. Does a municipality have to amend their trash collection contract with their current waste hauler due to the new waste ban on mattresses? A: MassDEP recommends that curbside trash collection contracts include language that states that the hauler should not actively collect “waste ban materials” for solid waste disposal. This general statement is recommended rather than listing out every single waste ban item. If this is the case and the municipality has this language in their contract, then the municipality would be covered. MassDEP has contract templates online if a municipality and/or hauler wishes to update the language: <https://tinyurl.com/depcont> MassDEP also recommends that the municipality notify their hauler in writing of the new waste bans, to be effective on November 1, 2022. MassDEP will also be conducting outreach to solid waste haulers and other service providers on the new waste ban requirements.

13. Will MassDEP continue to offer Sustainable Material Recovery Program (SMRP) grants for mattress recycling?

A: MassDEP’s intent is that these grants will be phased out as our mattress recycling infrastructure becomes more widely established. The next round of SMRP grants is expected to be released in the spring of 2022. MassDEP is finalizing specific grant offerings and will share those in the coming months. In addition to these grants, municipalities that have earned funds through the Recycling Dividends Program may use these funds to collect, transport, and recycle mattresses.

Textiles

14. What type of textiles are subject to the waste disposal ban?

A: Textiles are defined in the regulations as “clothing, footwear, bedding, towels, curtains, fabric, and similar products, except for textiles that are contaminated with mold, bodily fluids, insects, oil, or hazardous substances.” Even textiles that are worn, torn, or stained can be recycled by textile recovery organizations.

15. Are used wiping clothes or “shop rags” considered textiles subject to the waste disposal ban?

A: No, these would be considered as contaminated and would not be subject to the waste disposal ban.

16. I am a textile recovery organization and have some textiles that I need to send for disposal because they are not recoverable or recyclable. How do I do this in compliance with the waste disposal bans?

A: If these textiles are not reusable or recyclable due to contamination with mold, bodily fluids, insects, oil, or hazardous substances, as defined in the regulations, those may be sent for disposal in the trash without violating the waste ban regulations. However, you should maintain documentation that documents the volume or weight of textiles sent for disposal and the reason that they are being sent for disposal. This documentation should be made available to MassDEP

upon request. If a textile recovery organization has other residual textiles that do meet the definition in the waste ban regulations, but for which a company cannot identify a reuse or recycling outlet, the organization should contact MassDEP to request a waste ban waiver to allow those materials to be sent for disposal. In order to request a waiver, the organization should identify the type and amount of textiles that require disposal and identify what outlets the organization has contacted to attempt to reuse or recycle those textiles.

17. I am a business that generates textile waste. How can I find a textile recovery organization that will accept my textiles?

A: Businesses can search for recycling service providers for textiles (or for any material) through the RecyclingWorks in Massachusetts (RecyclingWorks) Find A Recycler tool at <https://www.recyclingworksma.com> RecyclingWorks is a free business assistance program run under contract to MassDEP by the Center for EcoTechnology. If you are a business that needs further assistance with textiles recovery, you can contact the RecyclingWorks program at info@recyclingworksma.com or at (888)254-5525.

18. I am a municipality and want to establish a textiles recovery program for my residents. How can I identify a textiles recovery organization that I can work with?

A: Municipal officials can use the Find a Recycler tool at Recycling Works in Massachusetts available at www.recyclingworksma.com. Municipalities may also want to contact their MassDEP Municipal Assistance Coordinator, who can share information on textile recovery organizations that other municipalities work with: <https://tinyurl.com/depmac>

19. I am a resident and have textiles I want to donate for reuse or recycling. How can I find a textiles recovery organization for my textiles?

A: You may want to start with your municipal recycling program, as many municipalities partner with textile recovery organizations to accept or collect textiles from residents: <https://tinyurl.com/depmunirec> You may also want to visit MassDEP's textile recovery web page at <https://tinyurl.com/deptextile>

20. What about pillows, cushions, and rugs – are these banned from disposal?

A: Pillows, cushions, and rugs are not considered to be “textiles” in this context and may be disposed of in the trash in compliance with the waste disposal bans. However, some textile recovery organizations may accept pillows or cushions, so you may want to check with the organization that is accepting your textiles.