

Extended Producer Responsibility

**Connecticut Coalition for Sustainable Materials Management
EPR Work Group**

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Product Stewardship Institute

National Non-profit Building the capacity for product stewardship and EPR in the U.S. to reduce the health & env'l impacts of products across their lifecycle for **20 years**



Members from
47 **state** gov't agencies
hundreds of **local** gov'ts

> 100 **Partners** representing
producers, recyclers, waste management,
retailers, NGOs, academics, international gov'ts

Eight Key Elements of EPR Systems

1. legislation: levels the playing field
2. scope of products: what's covered?
3. producers responsible for financing (and managing) programs
4. financing mechanism: how the system is financed
5. stewardship organization(s) manage programs
6. design for environment & eco-modulated fees
7. options for local government (recycling cost coverage)
8. government oversight of industry's plan

Legislative Elements of EPR for PPP Framework for Discussion

- Covered materials/products
- Covered entities
- Responsible party (“producer”)
- Stewardship organization(s)
- Funding mechanism/Covered Costs
- Performance standards
- Convenience standards
- Design for environment & incentives
- Stewardship plan contents
- Reporting requirements
- Outreach/education requirements
- Antitrust & competition
- Pre-emption and related laws
- Penalties for violation
- Administrative fees
- Audit requirements
- State & local government roles
- Implementation schedule
- Markets, research & infrastructure



Elements of Packaging and Paper Products (PPP) EPR Legislation Updated June 2020

This document provides a menu of legislative "elements" and options for state and local officials to use to develop extended producer responsibility (EPR) bills for packaging. The document provides guidance on elements that are necessary components of effective state EPR legislation in the United States. It is also intended to harmonize state legislation across the country. The document was developed by the Product Stewardship Institute (PSI) and a working group consisting of PSI state and local government members and will be updated periodically as appropriate. If you are developing an EPR bill for packaging, please contact PSI's Sydney Harris (sydneyh@productstewardship.us) for additional resources.

ELEMENT	BASE MODEL	OPTIONS AND ADDITIONAL CONSIDERATIONS
1. COVERED MATERIALS/ PRODUCTS/MARKET SECTOR	<i>Packaging</i> is defined by its functions: containment and/or protection. Packaging includes consumer-facing (i.e., intended for the consumer market) primary, secondary, or tertiary packaging, as well as service packaging designed and intended to be filled at the point of sale (such as carry-out bags, bulk goods bags, take-out and home delivery food service packaging, and prescription bottles). <i>Paper products</i> include paper and paper	<p>Note: When determining what materials and what entities will be covered, keep in mind that Covered Materials and Covered Entities (Element #2) should <i>align</i> (i.e., the program should pick up material that producers are paying for under Covered Materials).</p> <p><u>Options to include in Covered Materials:</u></p> <ul style="list-style-type: none"> • Single-use plastic products (e.g., cutlery). • Packaging-like products (e.g., aluminum pie plates, sandwich bags, corrugated cardboard moving or file boxes, plastic wrap, aluminum foil). <p><i>Rationale: Consumers don't distinguish between PPP and these products, which are often put in recycling bins but are not Covered Materials under the base model. Therefore, producers that pay into the recycling system would subsidize the recycling of these other products.</i></p>

Modulated Fees

How EPR Systems are Funded

Most basic material fees for EPR systems

Based on: material, weight (or unit), and net recycling costs

Lower fees: easy-to-recycle materials w/high market value

Incentivizes: waste reduction, recyclability



Eco - Modulated Fees

Design for Environment

Goal: incentivize packaging with minimal env'l impacts

How: bonuses/credits or extra fees

Criteria:

recycled content

recyclability

resource use

toxics reduction

GHG emissions

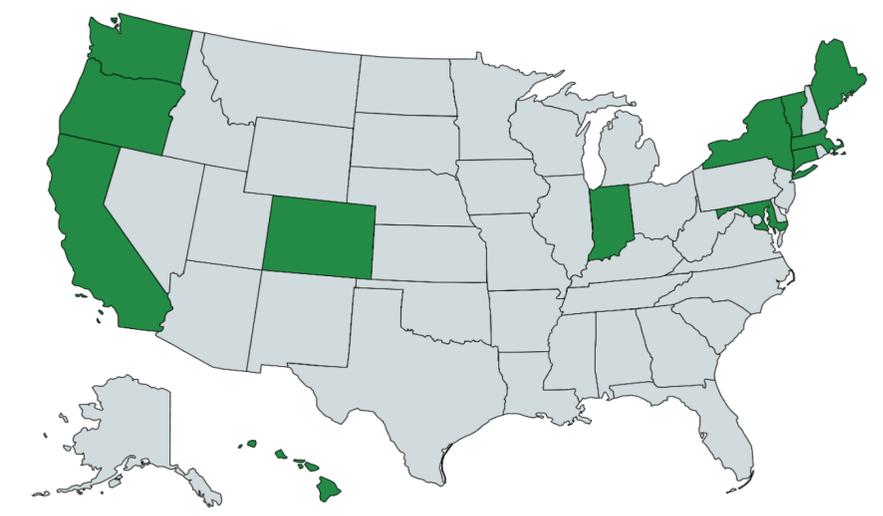
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EPR for PPP: PSI's Model in Action

State legislative activity (2019-20)

Packaging EPR activity in at least **12 states**

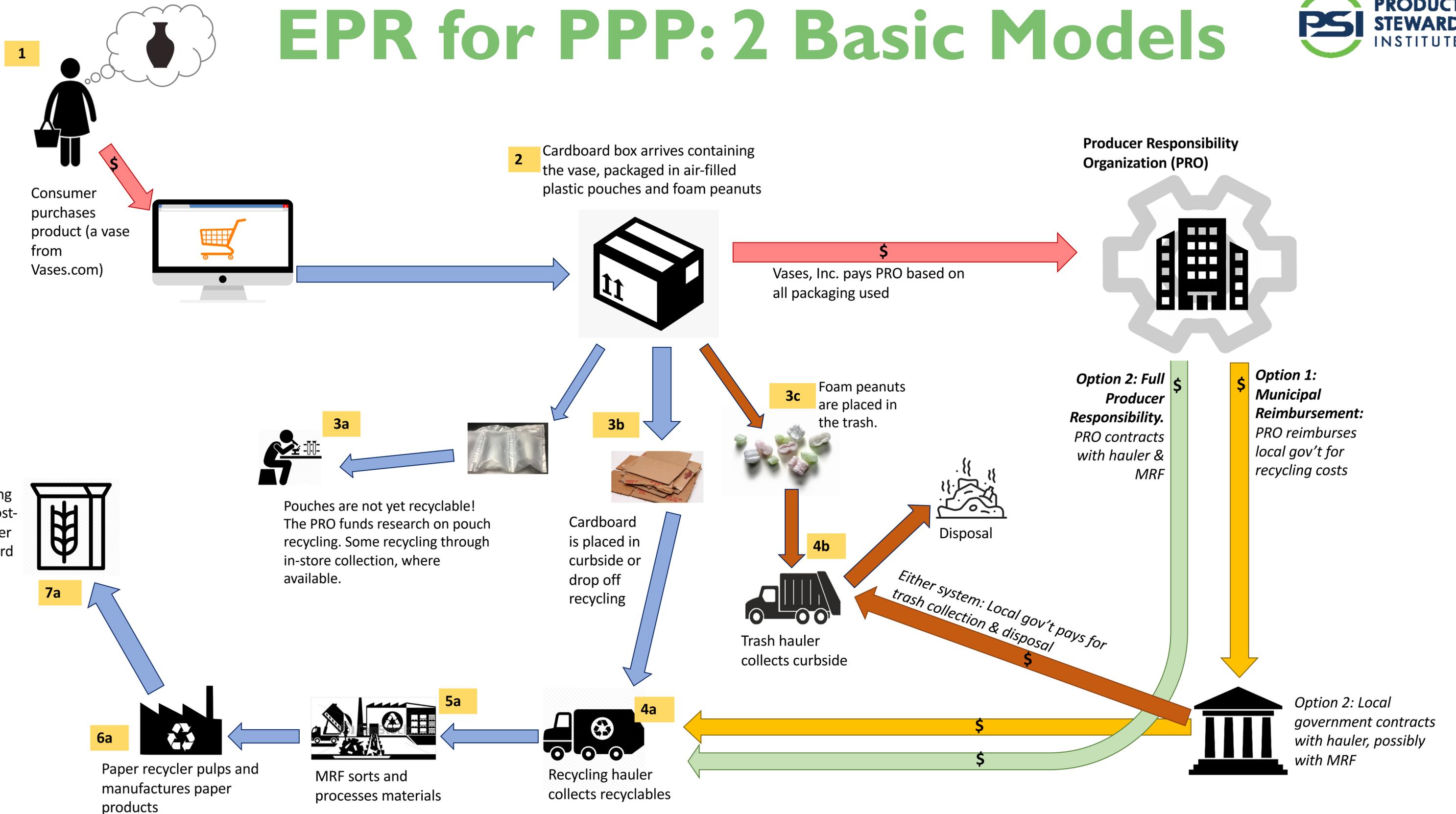


Break Free From Plastic Pollution Act

Federal Legislation by Sen. Tom Udall (D-NM) and Rep. Alan Lowenthal (D-CA)

- EPR for packaging
- national bottle bill
- bag ban + fee
- other single-use plastics bans

EPR for PPP: 2 Basic Models

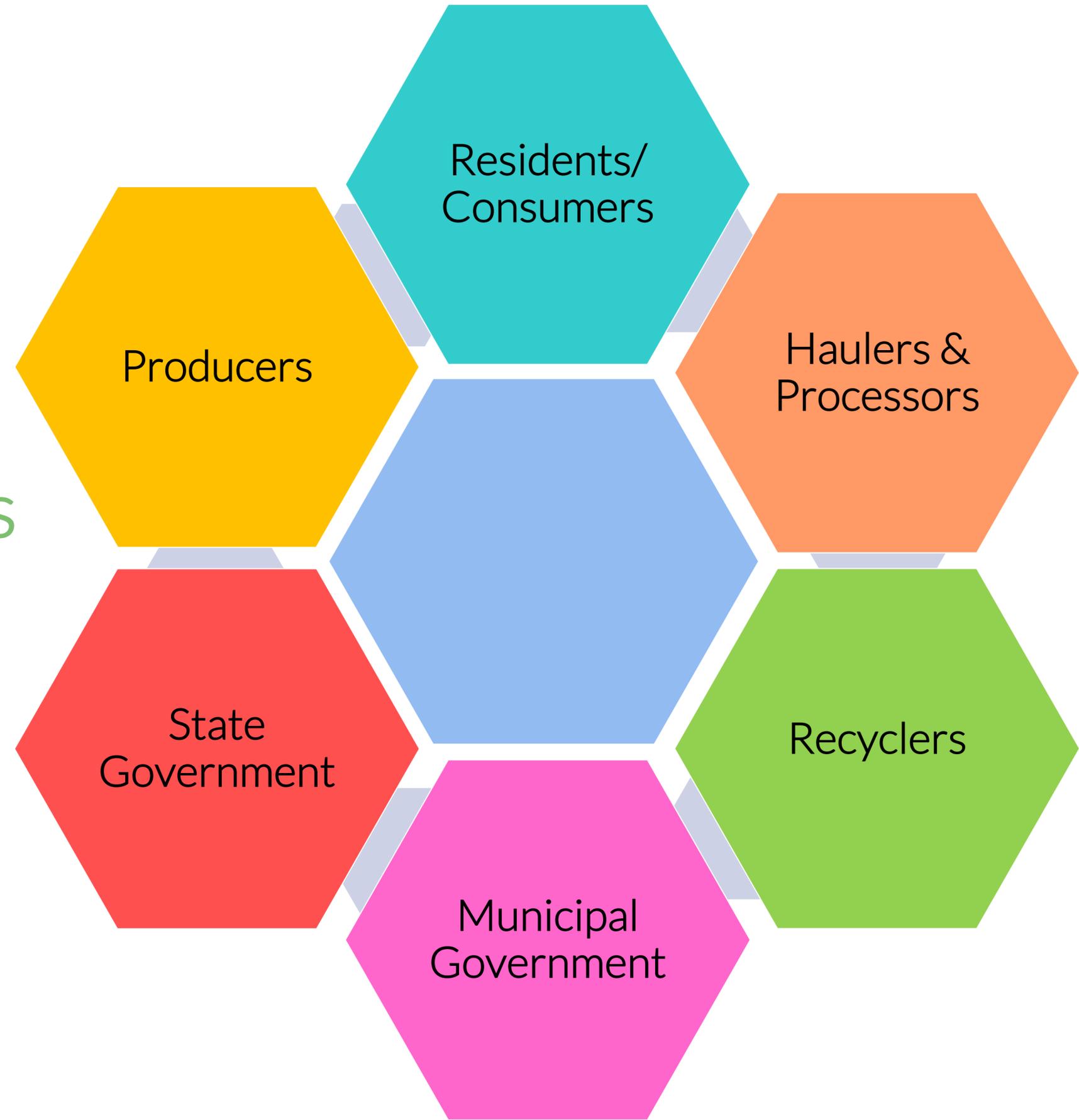


Working in the Northeast Region on EPR for PPP

- Research
- Policy Development & Facilitation
- Tools & Guidance
- Education
- Coalition Building
- Implementation Support & Program Evaluation



Key Stakeholders



Thank You!

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