Trash Talk:
What is Extended Producer Responsibility?
Why is CRC Involved?

This year volunteers used Ocean Conservancy’s Clean Swell app as well as CRC’s Trash Tally form to report trash data. Hardworking Source to Sea volunteers haul so much trash from in and around rivers and streams that it’s impossible to account for everything. Actual numbers/weights are likely much higher than listed here.

**Trash Tally 2020**

- 3,036 plastic bottles
- 3,149 aluminum cans
- 2,074 glass bottles
- 2,395 nips

- 1,363 volunteers—1,093 adults, 270 youth
- 200 cleanup groups
- 34.9 tons of trash
- 262.75 miles cleaned
- 946 tires

*Data reported from CRC Trash Tally only. All other data is reported from Trash Tally + Clean Swell app.*
Contributing Factors

Overconsumption
Easy access to throw-away items

Lack of Producer Accountability
Waste disposal is the responsibility of individuals/municipalities

Poor Waste Management
Lack of recycling, composting programs in the USA

Transboundary Watershed
Various state laws and practices from state-to-state
Priority Items

STOP TRASH
BEFORE IT STARTS
Types of Cylinders

- **Single Use Propane** – 1lb. Camping cylinders
- **Refillable Propane at retail** – Typically 7lb. and above. Most common is the 20lb. gas grill tanks
- **Self Refillable Propane** - i.e. Flame King
- **Propane Exchange programs** – AmeriGas and Blue Rhino
- **Helium**
- **CO2** – i.e. soda stream
Fuel Cylinders
The Problem

• **Difficult to manage and recycle** – Must de-value or puncture a hole before discarding into scrap metal

• **Few Outlets** – Nearly all scrap yards don’t want them, pose risk and danger

• **Litter** – Thousands of cylinders are left behind in parks every year (estimated 10,000 in Connecticut State Parks)

• **Costly** – They are a cost burden on municipalities and the state

• **Dangerous** - Often are hidden in the recycling stream and are an extreme danger to Material Recovery Facilities where they can explode
Cylinders
Are small bombs

This is what is left of a 20lb. tank after it has exploded inside the Hartford MIRA Facility.
Fuel Cylinder Explosion inside a Connecticut Material Recovery Facility
Connecticut Product Stewardship Council

Tire

Extended Producer Responsibility
Tires
The Problem

- **Few Outlets** – Sterling Plant closed (burned 10 million tires annually)
- **Illegal Dumping** – Thousands of tires are pulled from Connecticut rivers each year.
- **Costly** – They are a cost burden on municipalities and the state
- **Dangerous** - Stockpiled tires can catch fire and burn indefinitely or provide breeding grounds for disease-carrying mosquitoes.¹
Packaging
The Problem

• **Cost** – Municipalities bear the risk
• **Poor Public Outreach/Education** – Inconsistent education. Greenwashing
• **Contamination** – A result of lack of education and greenwashing
• **Low Recycling Rates** - Only 9% of plastic products are recycled. Not everyone has access to recycling.
• **Litter** – Environmental impact, municipal cost burden, lack of accountability
The Solution - Extended Producer Responsibility

- Producers share the responsibility and burden of end-of-life management
- Stewardship Program formed like Paintcare and Bye-Bye Mattress
- Design for the environment
- Performance targets
- Collection convenience standards
- Outreach and Education
REASONS FOR BILL: Tires, gas cylinders and smoke detectors are necessary to life but hazardous materials to the environment. These products end up in the waste stream without due proper concern. To ensure these materials are efficiently and effectively properly disposed, recycled or reclaimed the necessary regulatory frame work is required. Connecticut has a successfully extended producer responsibility programs for other items, these conditions are extended with specific instructions for tires, gas cylinders and smoke detectors. Substitute Language – LCO No. 6127
Stand Out – Take Action
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What Is Extended Producer Responsibility (EPR)?

Sydney Harris
Policy and Programs Manager, PSI

CT River Conservancy Trash Talk
Product Stewardship Institute

Building capacity for product stewardship & EPR
Convening public & private sectors in dialogue for 20+ years

Government Members & Board:
47 state agencies
& hundreds of local gov’ts

Multi-Stakeholder Partners:
100+ producers, recyclers, waste management, retailers, NGOs, academics, international gov’ts

Our mission: Reduce the health and environmental impacts of products across their life cycle

20+ Products:
& more…
EPR is the Centerpiece of the Circular Economy
Extended Producer Responsibility (EPR)

A law that extends a producer’s financial and managerial responsibility for its products and packaging beyond the manufacturing stage — both upstream to product design and downstream to postconsumer reuse, recycling, or safe disposal.
EPR in the United States – 2021

124 Laws
15 Products
33 States + D.C.
Current Regional EPR

Vermont
- Mercury Auto Switches, Lights, Thermostats
- Dry-Cell and Primary Batteries
- Electronics
- Paint
- Pharmaceuticals

Massachusetts
- Mercury Auto Switches, Lighting, Thermostats
- Pharmaceuticals

Connecticut
- Electronics
- Paint
- Mercury Thermostats
- Mattresses

New Hampshire
- Mercury Thermostats
PaintCare in CT: EPR for Consumer Paint

Consumer pays small recycling fee (e.g., $0.75 for 1-gallon can); returns leftover paint to retailer.

- Transportation & Processing (Paint Recycling!)
- Education & Outreach
- Staff & Overhead
- State Oversight
Key Elements of (most) EPR

1. **Legislation**: levels the playing field
2. **Producers** responsible for financing and managing programs
3. **Stewardship organization(s)** manage program
4. **Retailers** voluntarily collect products
5. **Performance** goals/convenience standards
6. **Government oversight** of industry’s plan
EPR LANDSCAPE EVOLVING AT FAST PACE
UPDATED JUNE 2021

Packaging EPR in 2000

Packaging EPR in 2021

Packaging EPR in 2025

Mandatory EPR: Specific legislation in place for packaging
Voluntary EPR: Subset of businesses engaged in a scheme not mandated by law
Limited EPR: EPR limited in geographical/packaging type scope; in some cases, may not apply to consumer packaging
Framework EPR: Draft regulations exist calling for packaging EPR to be developed
Emerging/Under Implementation: Expected to deliver EPR legislation shortly or have passed EPR legislation that has not yet come into effect

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Increased Recycling; Reduced Contamination

- **Belgium**: since 1994; PPP recycling rate 92%; contamination <10%
- **British Columbia**: since 2014; PPP recycling rate 90%; contamination <10%
- **US**: avg. PPP recycling rate 50%; contamination >25%
Legislative Momentum in the U.S.

2 New Laws
First two PPP laws passed in 2021: OR, ME

A Dozen State Bills
At least 9 state bills expected 2022 & beyond

Federal Break Free From Plastic Pollution Act
- EPR for packaging
- national bottle bill
- bag ban + fee
- other single-use plastics bans
U.S. Waste Management
EPR for PPP

- Consumer Education
- Infrastructure Expansion
- Market Development
- Transparency

- More Recycling
- Less Contamination
- Less Disposal
- Design-for-Environment
- Upstream Change
Achieving Circularity

**EPR**
- Systemic economic change
- Upstream waste reduction
- Improved recycling
- Lifecycle impact reduction (toxics, GHG)

**Complementary Policies**
- Bans
- Phase outs/ins
- Reuse directives
- Tax incentives
What PSI Can Do for You

**Partnership**
For producers, recyclers, retailers, NGOs, academics, international governments

- Market intelligence, legislative tracking, newsletters
- Business development, webinar sponsorships, promotion
- Strategic alliances, policy analysis, briefing calls
- Recognition as a leader in product stewardship

**Membership**
For state and local government agencies

- Policy strategy calls, legislative updates and tracking
- Free webinars, newsletters, and alerts
- Curated resources and content
- Networking, conference discounts, and more

**Consulting**
Customizable projects

- Research, pilot programs, evaluation
- Facilitation and consensus building
- Education
- Policy development
Thank You!

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productstewardship.us
State-by-State: New Hampshire

What EPR bills exist now?
- Mercury thermostat take-back program established in 2008 (RSA 149-M:58-a)

Potential EPR legislation?
- None that we know of currently
State-by-State: Vermont

What EPR bills exists now?
- **Certain Dry-Cell Batteries**: effective 1992
- **Lead-acid Batteries**: effective 1993
- **Automobile Switches**: effective 2006
- **Mercury Thermostats**: effective 2008
- **Electronic Waste**: effective 2011
- **Mercury Lamps**: effective 2011
- **Architectural Paint**: effective 2013
- **Primary Batteries**: effective 2016
  - Plus bottle bill

Potential EPR legislation?
- H. 142 An act relating to extended producer responsibility for **packaging and paper products** (Jan. '21)
- H. 269 An act relating to the collection of recycling of waste **motor vehicle tires** (Feb. '17)
- H. 588 An act relating to an extended producer responsibility program for unused **prescription drugs** (Jan. '16)
State-by-State: Massachusetts

What EPR bills exist now?
- Mercury Management Act (2006)
- MA waste ban items but no EPR:
  - Recyclable Paper and Cardboard
  - Glass/Aluminum/Metal/Plastic Containers
  - Leaf and Yard Waste
  - Commercial Organics
  - Mattresses (effective 11/01/2022)
  - Textiles (effective 11/01/2022)
  - Cathode Ray Tubes (TV’s and Computer Monitors)
  - White Goods (Major Appliances)
  - Asphalt Pavement, Brick, Concrete, Wood, Metal and Clean Gypsum Wallboard – often referred to as Construction/Demolition Materials (C&D)
  - Tires
  - Lead Acid Batteries

Potential EPR legislation?
MA has current bills for:
- Mattresses (H.988)
- Paint (H.938)
- Smoke detectors (S.500)
- Packaging (H.878, An Act reducing recycling costs in the Commonwealth)
State-by-State: Connecticut

What EPR bills exists now?
• Electronics
• Mattresses
• Paint
• Mercury thermostats

Potential EPR legislation
• Packaging
• Tires
• Gas cylinders
• Batteries
Take Action!

• Sign up for Action Alerts: https://www.ctriver.org/email-sign-up/
• Support legislation in your state
Presenters

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EPR FOR PPP: TWO BASIC MODELS

Extended Producer Responsibility (EPR) for packaging and printed paper (PPP) shifts responsibility for post-consumer management to producers. EPR can shift both financial and management responsibility to producers, with government oversight, and provide incentives to design PPP for improved environmental outcomes.

1. **Consumer** purchases a product (a vase from Vases Inc.).
2. **Vases Inc.** pays fees to the PRO based on all packaging materials used.
3. Vase arrives in cardboard box with air-filled pouches and foam peanuts.
4. Nonrecyclable foam peanuts are placed in the trash.
5. Plastic pouches are collected by the PRO for pilot research, or ideally returned to in-store drop-off.
6. Recyclable cardboard is placed curbside or dropped off at a transfer station.
7. Public or private haulers collect recyclables.
8. Sorting and processing
10. New packaging is produced from post-consumer cardboard.
11. **PRODUCER RESPONSIBILITY ORGANIZATION (PRO)**
12. Pouches are not yet recyclable. The PRO uses producer funding to run a pilot program aimed at developing recycling markets.
13. **OPTION 1: MUNICIPAL REIMBURSEMENT**
   - PRO reimburses local government for recycling costs.
14. **OPTION 2: FULL PRODUCER RESPONSIBILITY**
   - PRO contracts with public or private haulers & MRFs.
15. The PRO also contributes to:
   - Educating consumers on proper recycling or disposal
   - Improving & expanding recycling infrastructure
   - Developing end markets for recovered materials
   - Government oversight & enforcement

**PHASE OUT**

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EPR for PPP in the U.S. – 2021

- Reimbursement (up to 100% system costs)
- Packaging only
- Substantive state rulemaking

- Reimbursement (~28% system costs)
- Packaging, food service ware, & paper products
- Some state rulemaking
- Environmental justice provisions

Both: incentives for recyclability & PCR content
EPR for Tires

- U.S. residents scrap **255 million tires annually**.
- **Only ~40% are recycled.**
- No tire EPR laws yet in U.S.
- Potential to create jobs, save govt + taxpayer $, and reduce tire dumping.
- Tire EPR in Canada since 2007:
  - Recover 84%-100% of tires
- In Europe since 1995: Programs over 10 years old successfully reuse, retread, and recycle 100% of tires and have eliminated stockpiles.
## PSI EPR Policy Model

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Key Stakeholders

• Municipalities
• Producers
• Haulers
• Recyclers
• Retailers
• Environmental groups
• Others (by product): e.g., pharmacists, HVAC contractors
• Facilitator, like PSI
PSI Resources

Packaging EPR Toolkit
productstewardship.us/page/PackagingEPR

EPR for PPP Report
productstewardship.us/page/epr-for-ppp-policies-practices-performance