

Extended Producer Responsibility

for Packaging and Paper Products (EPR for PPP)

**IL EPA Materials Management Advisory Committee
April 27, 2021**

Product Stewardship Institute

Building capacity for product stewardship and EPR in the U.S. for *20 years*



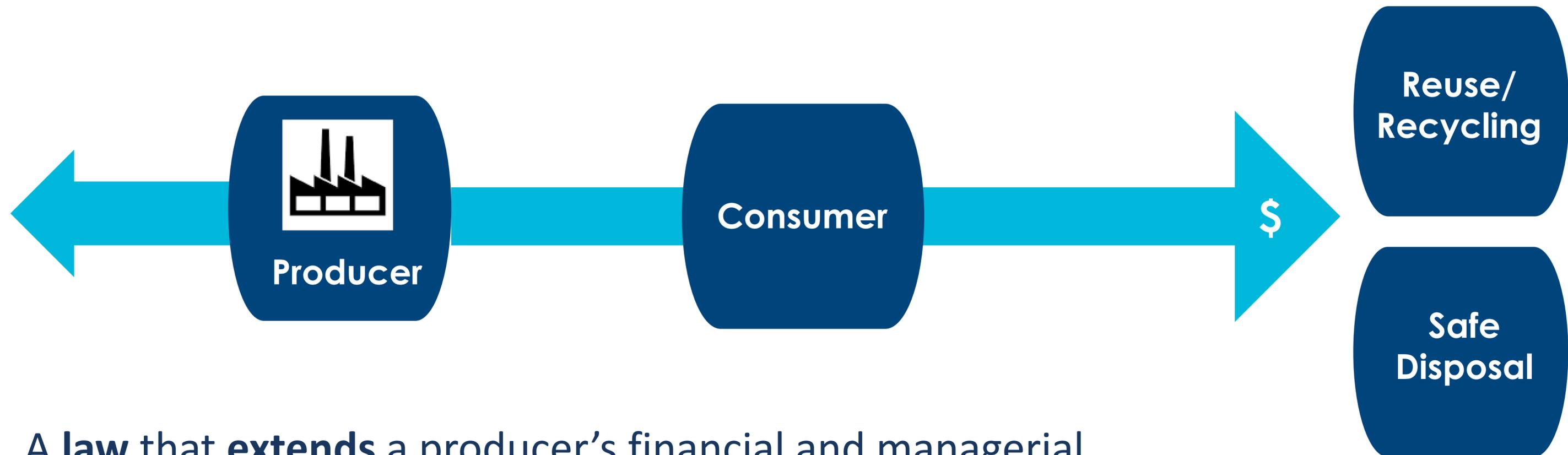
Members from
47 **state** gov't agencies
hundreds of **local** gov'ts

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

EPR is the Centerpiece of the Circular Economy



Extended Producer Responsibility (EPR)

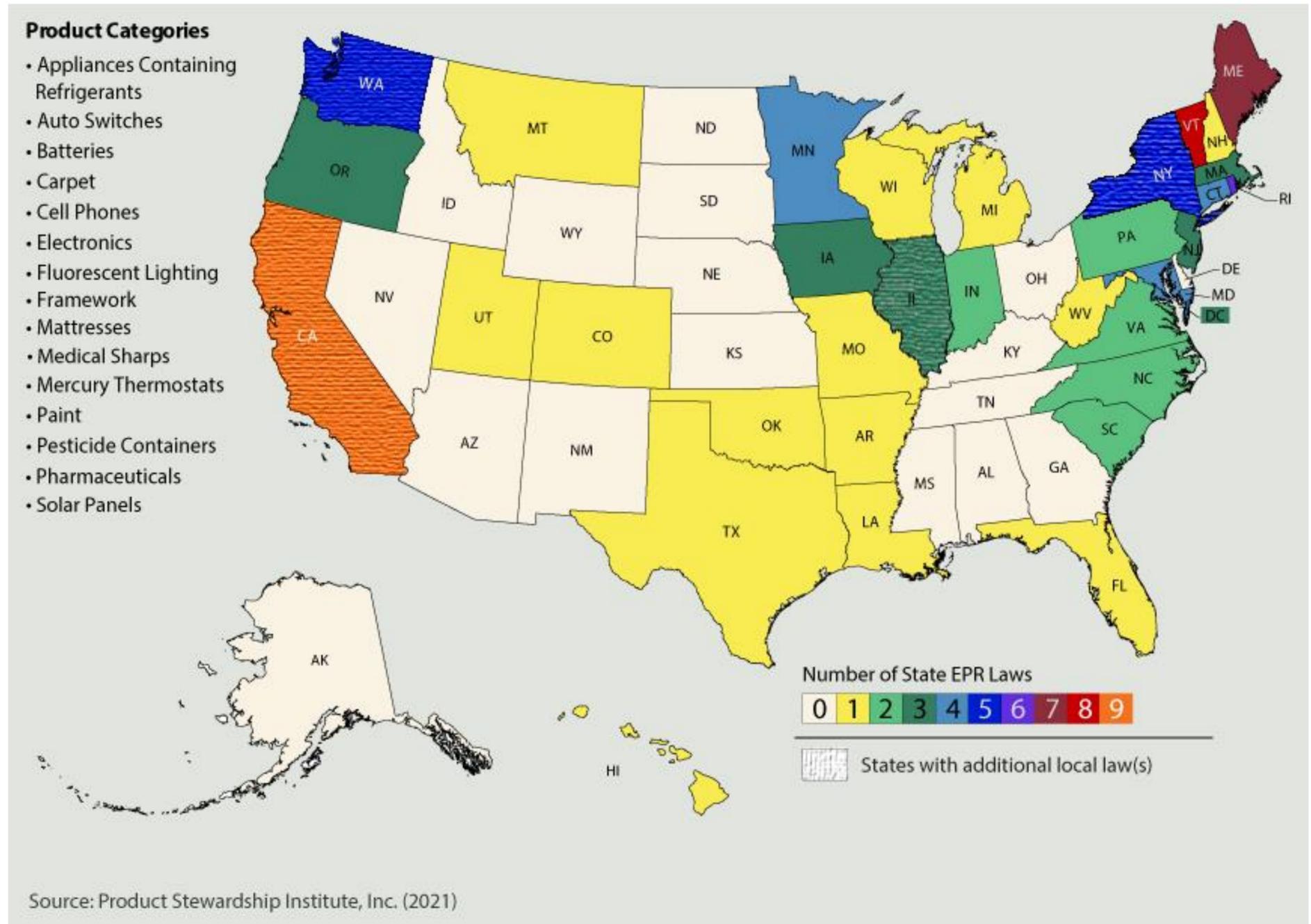


A **law** that **extends** a producer's financial and managerial **responsibility** for its products and packaging beyond the manufacturing stage – both **upstream** to product design and **downstream** to **post-consumer** reuse, recycling, or safe disposal.

2021: EPR in the U.S. (no packaging – yet...)

120 EPR Laws
14 Products
33 States + D.C.

While **bottle bills are highly effective at recovering beverage containers, this count does not include the **10 state bottle bills** in the U.S. due to the different ways in which the disparate policies shift responsibility to producers.*



EPR in IL

IL EPR Laws



Mercury Auto Switches
2006



Mercury Thermostats
2010



Electronics
2008, 2011, 2015, 2017



(Cook County) Pharmaceuticals
2016

2021 Bills



IL EPR Bills – past



2019, 2020



2014, 2015, 2019, 2020



2012, 2016



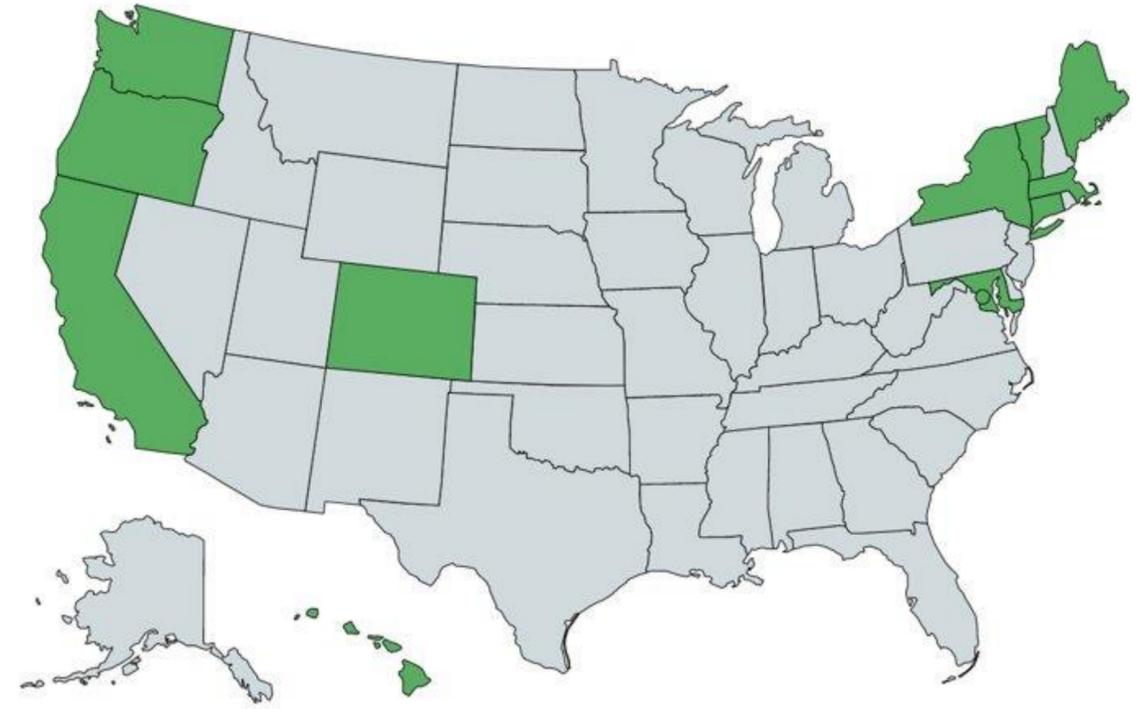
2013, 2014, 2015



2021 Packaging EPR Bills

11 Active States

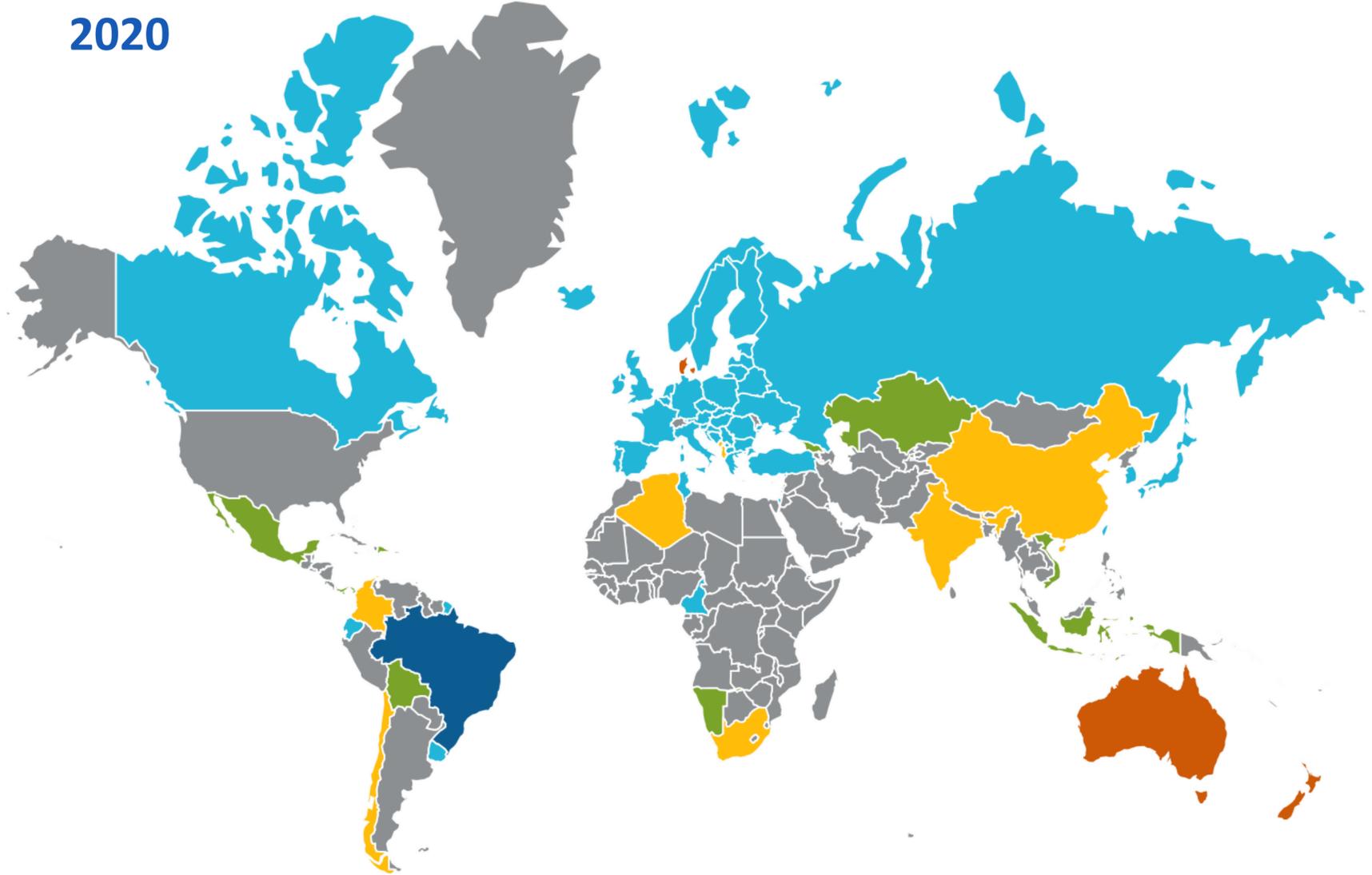
- Washington
- **Oregon**
- **California**
- Hawaii
- Colorado
- **Maine**
- Vermont
- **New York**
- **Massachusetts**
- Connecticut
- Maryland



Federal Break Free From Plastic Pollution Act

- **EPR** for packaging
- National bottle bill
- Single-use bag & plastics bans, fees
- Environmental justice provisions

EPR for PPP: Spreading Worldwide

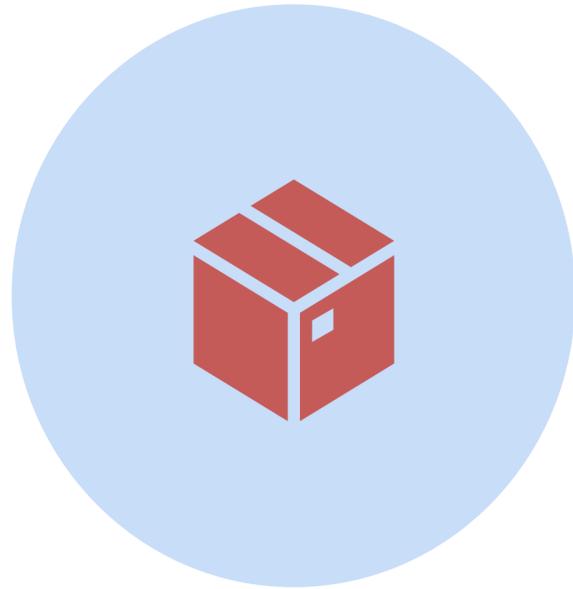


- Mandatory EPR in Effect
- Voluntary EPR in Effect
- EPR in Effect (province-level);
In Implementation (country-level)
- In Implementation
(India and China expected by 2022)
- Framework EPR Legislation

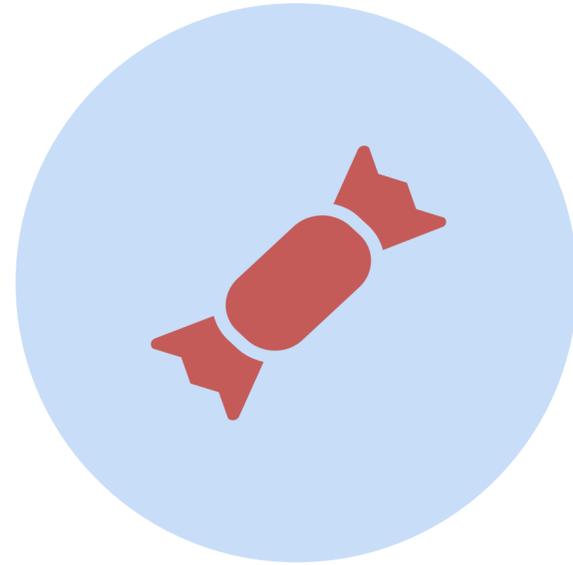
Map source:
June 2020



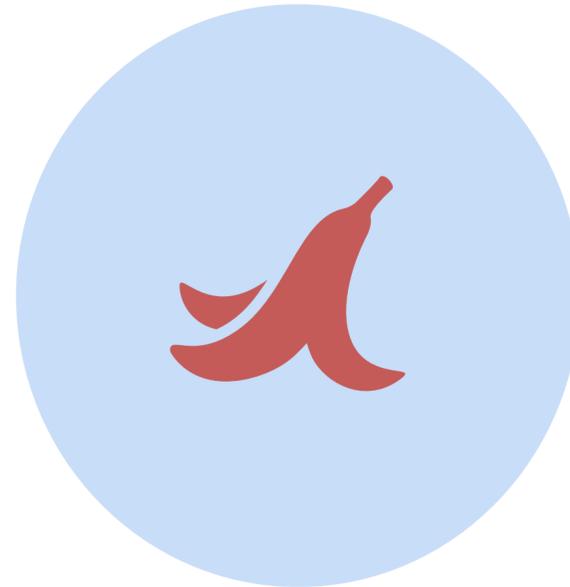
The Packaging Problem



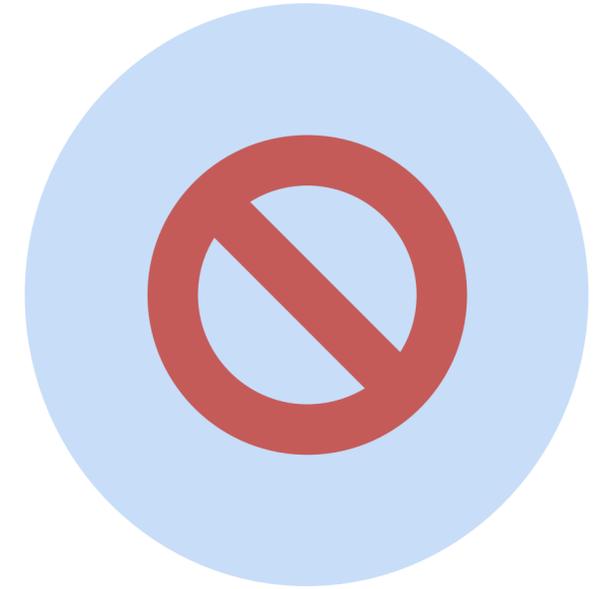
**Market flooded
with packaging**



**Increasingly
complex
materials**



**Contamination
and confusion**



Market disruptions

COVID-19: Household Recycling Impacts

- Avg. cost increase **\$887,570/year**
- Programs closing, shrinking, suspended
- **Volumes up 30+%**
- **9 of 10 bottle deposit programs affected**
(all except Hawaii)



EPR for PPP

Shifting responsibility for recycling to producers

Includes financial responsibility;
sometimes day-to-day management



Key Aspects of EPR Systems: Legislation

- Levels the playing field
- Sets program boundaries
- Clarifies definitions
 - Who is a “producer”?
 - What is “packaging”?



NY: S-1185-B Legislation



- Primary, secondary, tertiary packaging
- Printed paper (fliers, mailers)
- **“Regardless of recyclability”**
- Single-use plastics (e.g. straws, utensils, cups, plates, plastic bags)
- **Includes online sales**
- *Excludes:* beverage containers under NYS bottle bill
- Producers are brand owners, importers, or retailers/distributors
- Producers may not sell into the state if not compliant

Key Aspects of EPR Systems: Financing



- How much do producers pay?
- How is money spent?

NY: S-1185-B Financing



- **Producers fund recycling statewide**
 - Includes: collection, transportation, sorting, processing, public education, program administration
 - Does not include: garbage disposal, commercial & industrial PPP
- **Local gov'ts decide:** continue running programs and be reimbursed, or make producers responsible
 - Where no current recycling: producers must provide

Key Aspects of EPR Systems: Roles & Governance

- Who makes decisions?
- Stakeholder input?
- State gov't oversight and enforcement
- Roles & options for local gov'ts



NY: S-1185-B

Roles & Governance



State gov't:

- Oversight & enforcement
- Approve/Disapprove Stewardship Plan
- Review annual reports from PRO

Multi-Stakeholder Advisory Board:

- Convened within Dept
- Review stewardship plans, recommendations to the State
- Meet annually with PRO

Local gov't:

- Continue operating recycling programs (reimbursed) *or* relinquish to PRO
- Work with PRO on resident education

Key Aspects of EPR Systems: Driving Change



- Design-for-environment
- Eco-modulated fees
- Performance standards
- Convenience standards
- Product bans
- PCR requirements
- Deposit return systems



NY: S-1185-B

Design-for-Environment

- **Financial drivers:**
 - **Reward:** source reduction, recyclability, reuse/refill, PCR content
 - **Disincentivize:** costly-to-manage, contains toxics
- **In-State Investments:**
 - Reuse & recycling infrastructure
 - Market development



NY: S-1185-B

Performance & Convenience Standards

- **Proposed in stewardship plan (approved by State):**
 - Minimum PCR content, recovery, recycling rates
 - *Varied by material type*
- **Convenience & access:**
 - PRO must ensure **convenient, free recycling access** – at least as convenient as curbside collection
 - Where no current recycling: as convenient as waste collection

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%*



Market Development



RECYCLEBC™

- **99%** of plastics managed in **B.C.**

**Éco
Entreprises
Québec**

- \$40+ million USD to develop markets for **100%** of glass



- European markets for **flexibles**

ITALY: BB LINE

- ✓ Recycled content increased to 100%
- ✓ Plastic eliminated
- ✓ Single material packaging
- ✓ 80% more can fit on one pallet
- ✓ Energy, carbon, water use **cut in half**



BELGIUM: L'Oréal

- ✓ Refillable dispensers
- ✓ Saves 0.5 oz plastic per refill



Achieving Circularity

EPR and Complementary Policies

EPR

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



Complementary Policies

- ✓ Bans
- ✓ Phase outs/ins
- ✓ Reuse directives
- ✓ Tax incentives

PSI Resources

Packaging EPR Toolkit & Policy Model

<https://www.productstewardship.us/page/PackagingEPR>

EPR for PPP Report

<https://www.productstewardship.us/page/epr-for-ppp-policies-practices-performance>



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.

Extended Producer Responsibility for Packaging and Paper Products: Policies, Practices, and Performance
March 17, 2020

Producer Responsibility for Packaging Stakeholder Benefits

The collage includes three documents from the Product Stewardship Institute. The top document, 'EPR FOR PPP: TWO BASIC MODELS', illustrates the flow of responsibility from consumer purchase to producer payment of fees, which are then managed by a Producer Responsibility Organization (PRO) through two options: municipal reimbursement or full producer responsibility. The middle document, 'Extended Producer Responsibility for Packaging and Paper Products: Policies, Practices, and Performance', features a photograph of a grocery store aisle and lists benefits for various stakeholders. The bottom document, 'Producer Responsibility for Packaging Stakeholder Benefits', is a circular diagram showing benefits for Consumers, Producers, State Government, Municipal Government, Waste Haulers, and Recyclers/Processors.

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