



# EPR Policy in the US

**RESA DIMINO**

Managing Partner, Signalfire Group

---





# Who is Signalfire Group?

## SUPPORTING BUSINESS & GOVERNMENT MOVING TOWARD A CIRCULAR ECONOMY



Assist in Policy  
Development &  
Implementation



Assess Markets &  
Policies to  
Understand Impact



Develop Strategies to  
Align Goals &  
Compliance



Design/Assess  
Programs & Pilot  
Implementation



# Agenda

1. What is EPR & how has it been applied in the US
2. EPR Impacts
3. EPR for Packaging and Printed Paper
4. EPR for Other Products
5. Closing Thoughts





# What is EPR and How Has it Been Applied in the U.S.



# What is Extended Producer Responsibility?

Extended producer responsibility is a policy approach and practice in which producers take responsibility for management of the products and/or packaging they produce at the end of their useful life. Responsibility may be fiscal, physical, or a combination of the two.

---

## WHO ARE THE PRODUCERS?

- Brand Owners





# EPR: History & Trends

**1990**

Thomas Lindhqvist coins the phrase EPR in report to Swedish Government

**1991**

German Packaging EPR/ Green Dot

**1994**

EU Directive on Packaging & Packaging Waste

**1996-2006**

OECD Analyses/ reports on EPR

**1996-1998**

US President's Council on Sustainable Development Explores EPR

**1994-1996**

Rechargeable Battery EPR

**1999**

MN Product Stewardship Policy Statement

**2002-2006**  
Mercury Switch EPR

**2003-2014**  
E-Scrap EPR

**2006-2013**  
Thermostat EPR

**2009-2016**  
Fluorescent Light Bulb EPR

**2009-current**  
Paint EPR

**2010**  
CA Carpet EPR  
ME EPR Framework

**2012 - current**  
Pharmaceuticals EPR

**2013**  
Mattress EPR

**2014**  
VT Single Use Battery Recycling EPR

**2022**  
Gas Cylinder EPR

**2021**  
Packaging & Printed Paper

**2023**  
HHW EPR  
& Tire EPR



# EPR is Widely Applied Across the U.S.

## BEVERAGE CONTAINERS

CA, CT, HI, IA, ME, MA, MI, NY, OR, VT



## CARPET

CA, NY



## MERCURY SWITCHES

AR, IA, IL, IN, LA, MA, MD, ME, NC, NJ, RI, SC, UT, VA, VT



## MATTRESSES

CA, CT, RI, OR



## FLUORESCENT LIGHTING

MA, ME, VT, WA



## RECHARGEABLE BATTERIES

CA, IA, MD, MN, NY, NJ, ME, VT\*, DC\*  
(\*includes alkaline)



## ELECTRONICS

CA, CT, DC, HI, IL, IN, ME, MD, MI, MN, MO, NJ, NY, NC, OK, OR, PA, RI, SC, TX, UT, VT, VA, WA, WV, WI



## CELL PHONES

## PESTICIDE CONTAINERS

## SHARPS

CA



## MERCURY THERMOSTATS

CA, CT, IA, IL, MA, ME, MN, MT, NH, NY, PA, RI, VT



## PHARMA

CA, WA, NY, OR, MA, ME, IL



## PAINT

CA, CO, CT, DC, IL, ME, MN, NY, OR, RI, VT, WA,



## SOLAR PANELS

WA, Niagara County, NY



## TIRES

CT



## PACKAGING AND PRINTED PAPER

CA, CO, ME, OR



## HOUSEHOLD HAZARDOUS WASTE

VT



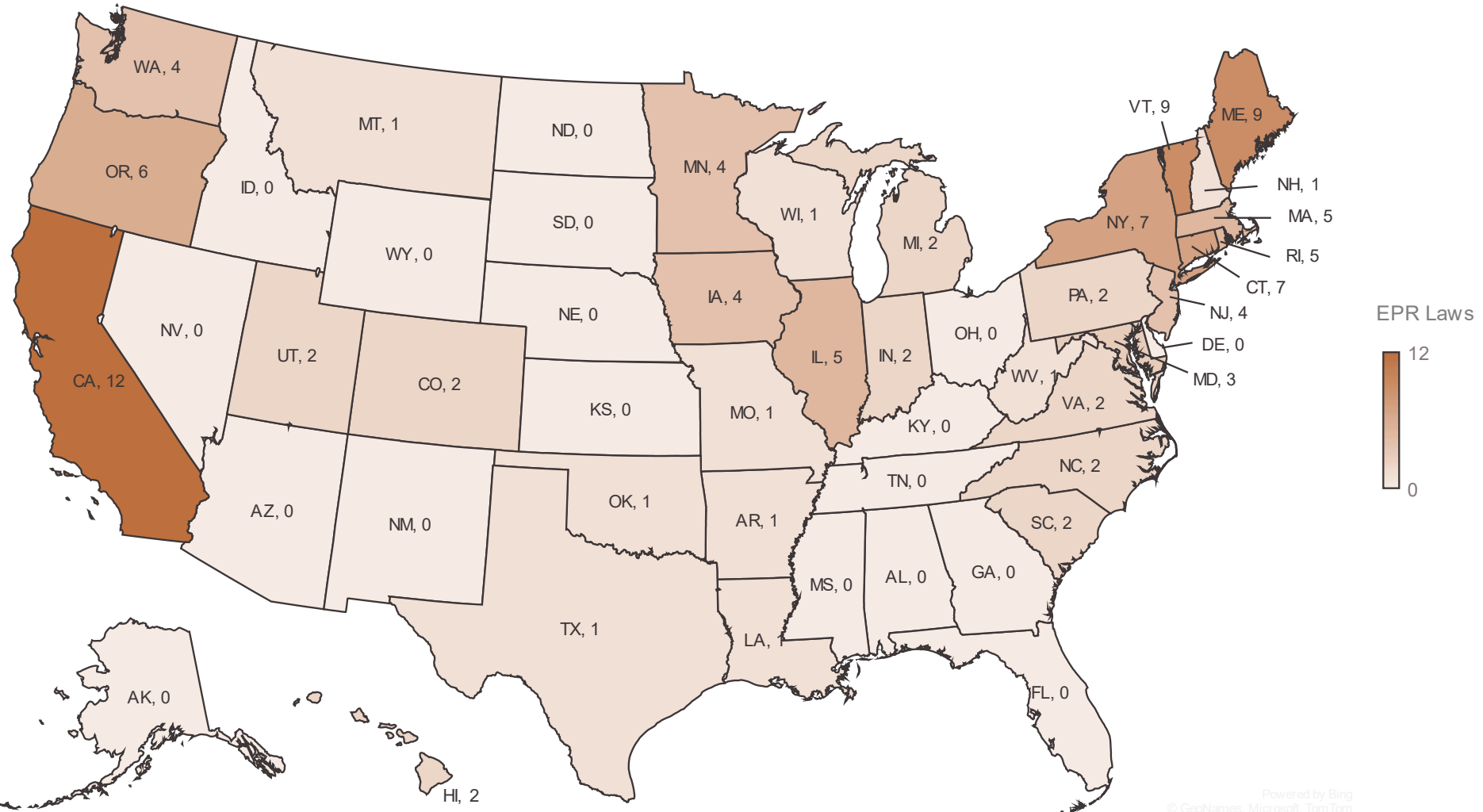
## GAS CYLINDERS

CT, VT





# EPR Policies Enacted Across the U.S.



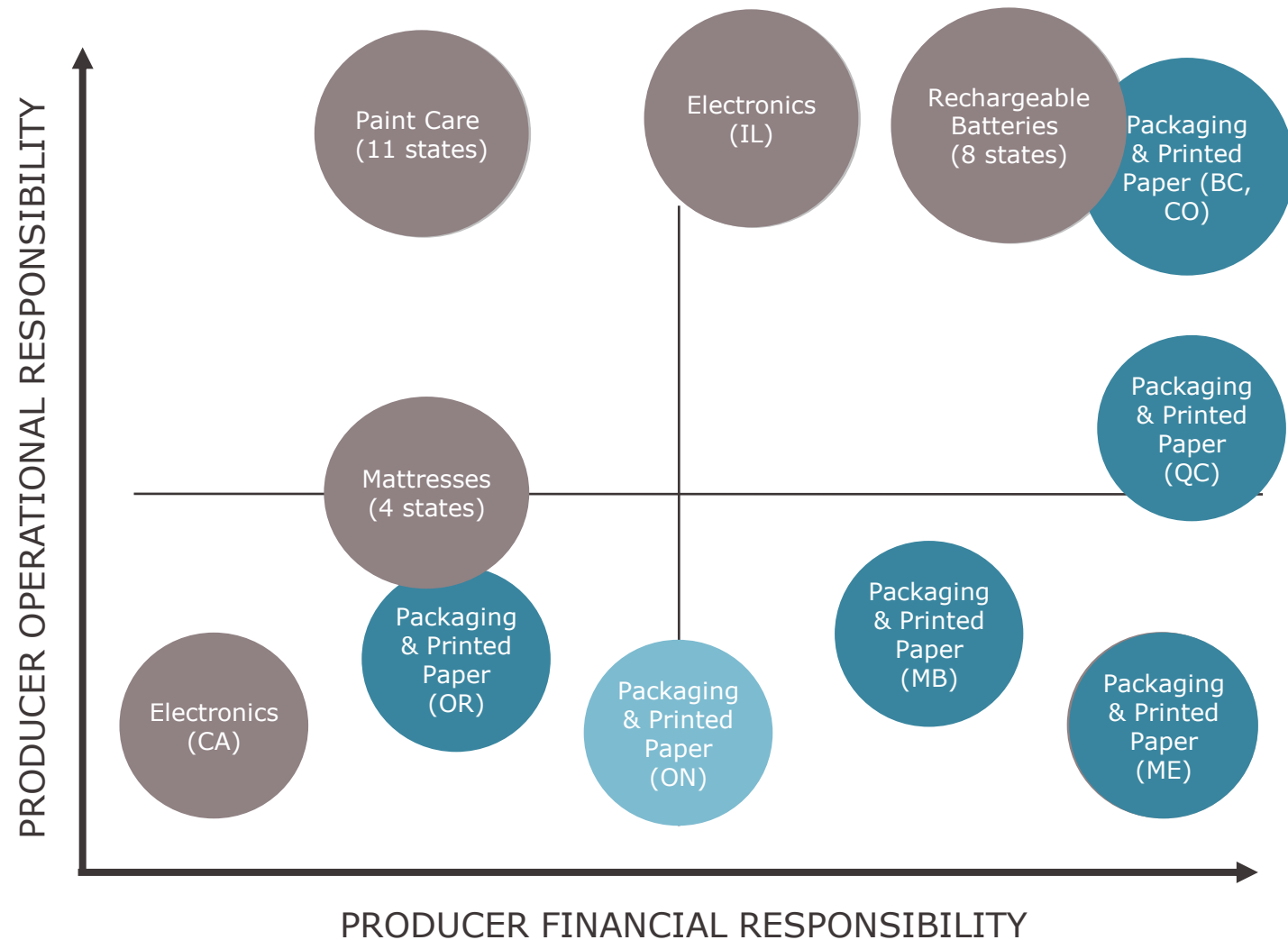


# Spectrum of EPR Management Structures

The level of financial and operational responsibility varies depending on the structure of the program

## Color Key:

- EPR for Products
- EPR for PPP
- EPR for PPP (in transition)



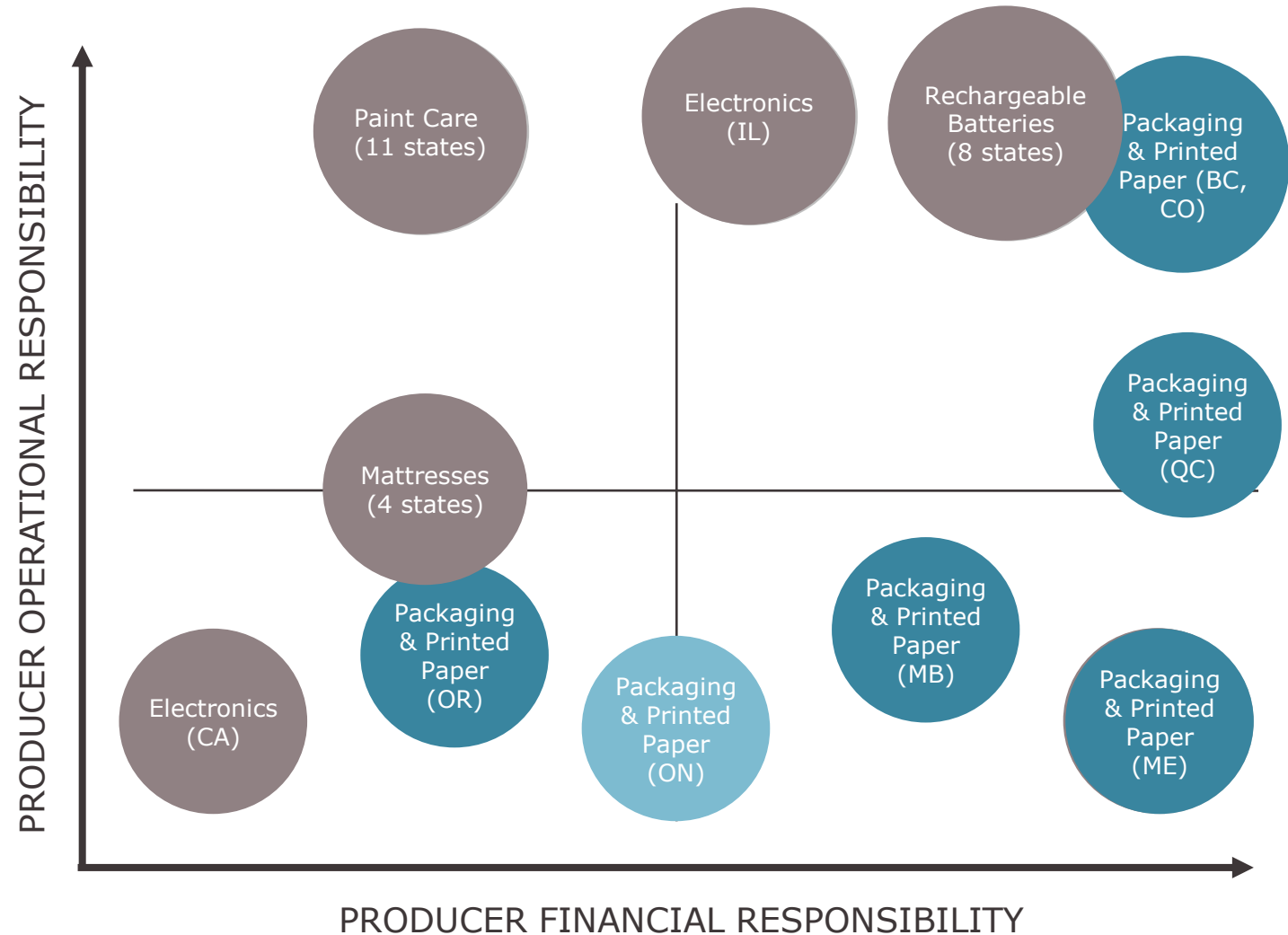


# Spectrum of EPR Management Structures

The level of financial and operational responsibility varies depending on the structure of the program

## Color Key:

- EPR for Products
- EPR for PPP
- EPR for PPP (in transition)







## Key Elements of Successful EPR Programs

- Convenient collection
- Dedicated financing streams
- Clear responsibility & accountability
- Performance standards (convenience or “rates & dates”)
- Incentives
- Oversight & enforcement



# Other Contributors to Successful Programs

- Transparency/reporting requirements
- Environmental management standards
- Disposal bans
- Education & outreach





# Common Features of EPR Programs



Created by  
legislation  
establishing rules  
and targets



Managed by one or more  
Producer Responsibility  
Organizations (PRO)



Guided by a  
Program Plan



# Legislative Structure

- Sets requirements for brand/retailer responsibility for residential recycling programs
- Creates performance standards (e.g., recycling rates, service standards, etc.)
- Establishes oversight





# What is a PRO?

- Authorized in legislation to represent brands/retailers
- Manages obligations set in legislation
- Develops and implements Program Plan
- Sets and collects fees





# What is a Program Plan?

Blueprint for meeting goals and obligations, which could include

- Proposed list of recyclables
- Collection/processing arrangements
- Education and outreach
- End market development

Must be approved by oversight entity (e.g., state agency)





# Financing Mechanism

## ECO FEE VS COST INTERNALIZATION

### Eco-fee

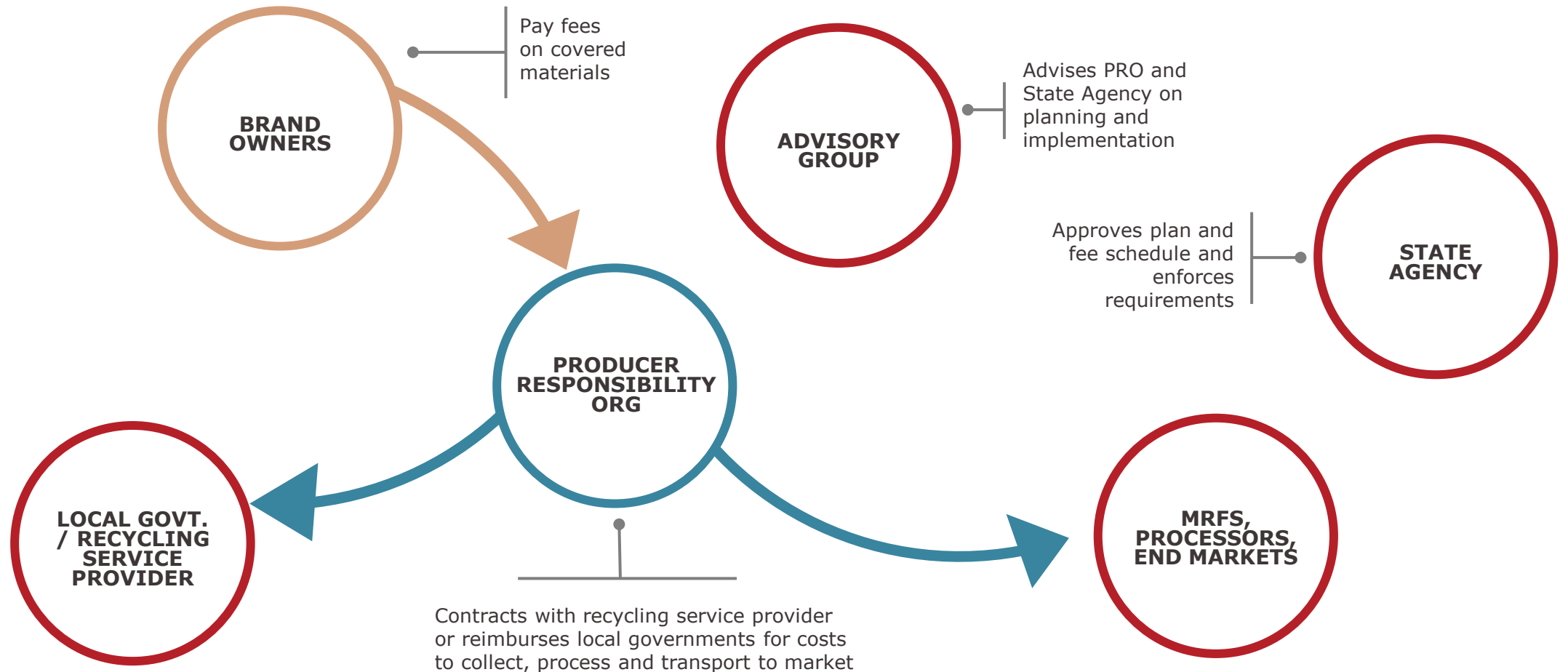
- A fee added to the cost of the product and remitted to the product stewardship organization to create a dedicated financing stream
- Fee can be visible to the consumer, or can be paid at another point in the supply chain (e.g., at the distributor)

### Cost internalization

- Producers pay into the producer responsibility organization
- Fee schedule determined by the PRO
  - Can be based on weight (e.g., packaging) or units (e.g., batteries)



# Common Roles and Responsibilities in EPR Programs





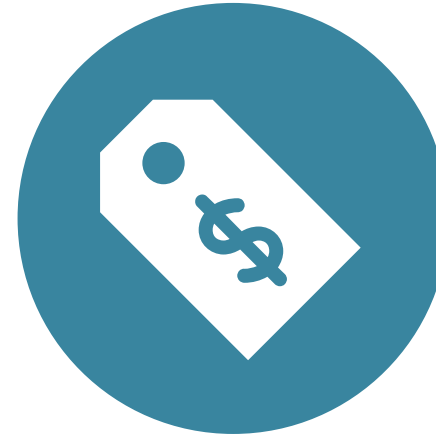
# Why Are We Seeing More EPR Policy?



Increase  
diversion and  
recovery



Reduce  
cost to  
government



Incorporate the  
cost of recycling/  
end-of-life  
management in  
the cost of the  
product



Improve the  
design of  
products to  
reduce  
environmental  
impact

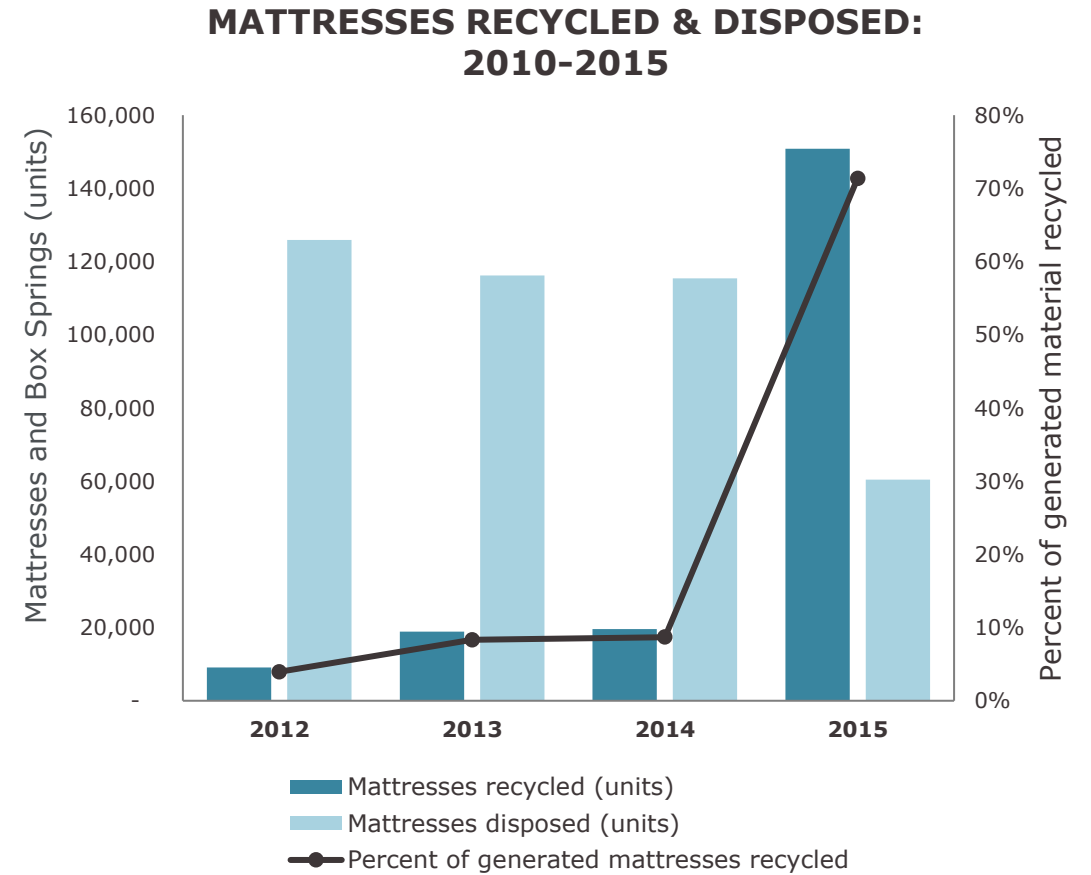
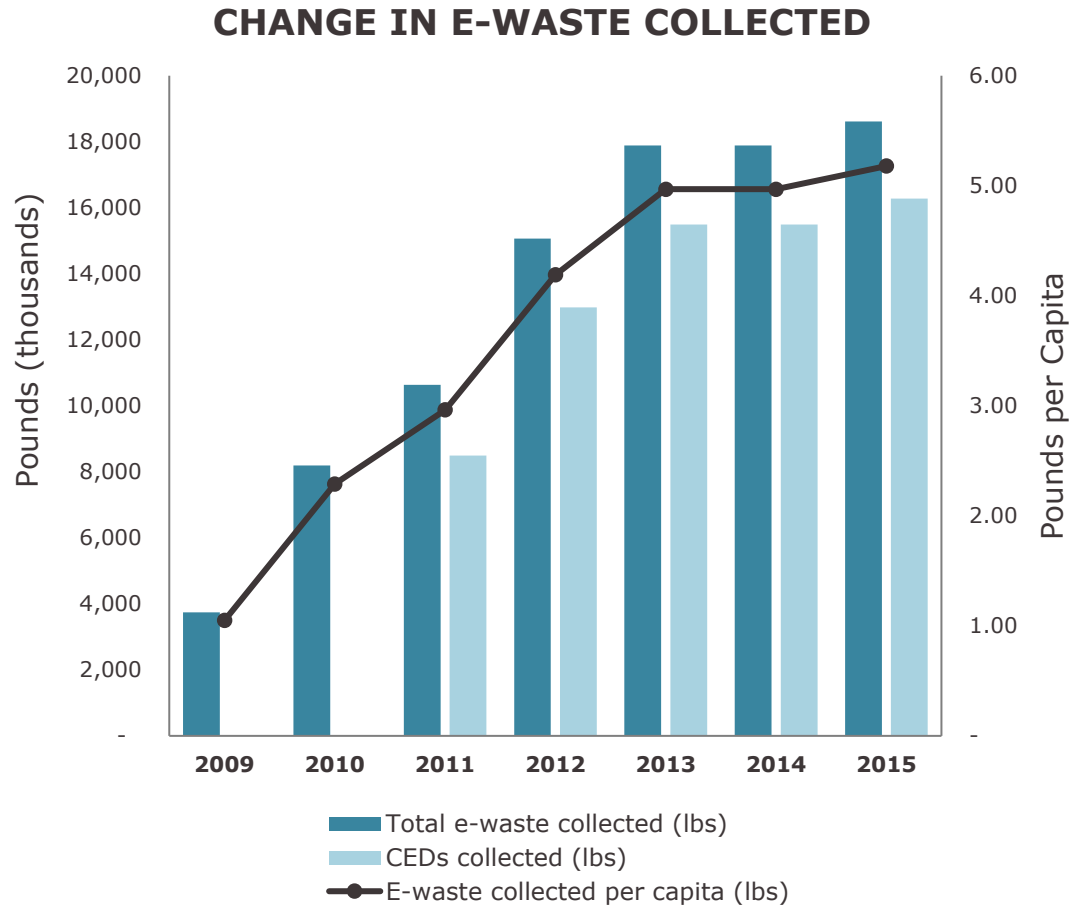




# EPR Impacts



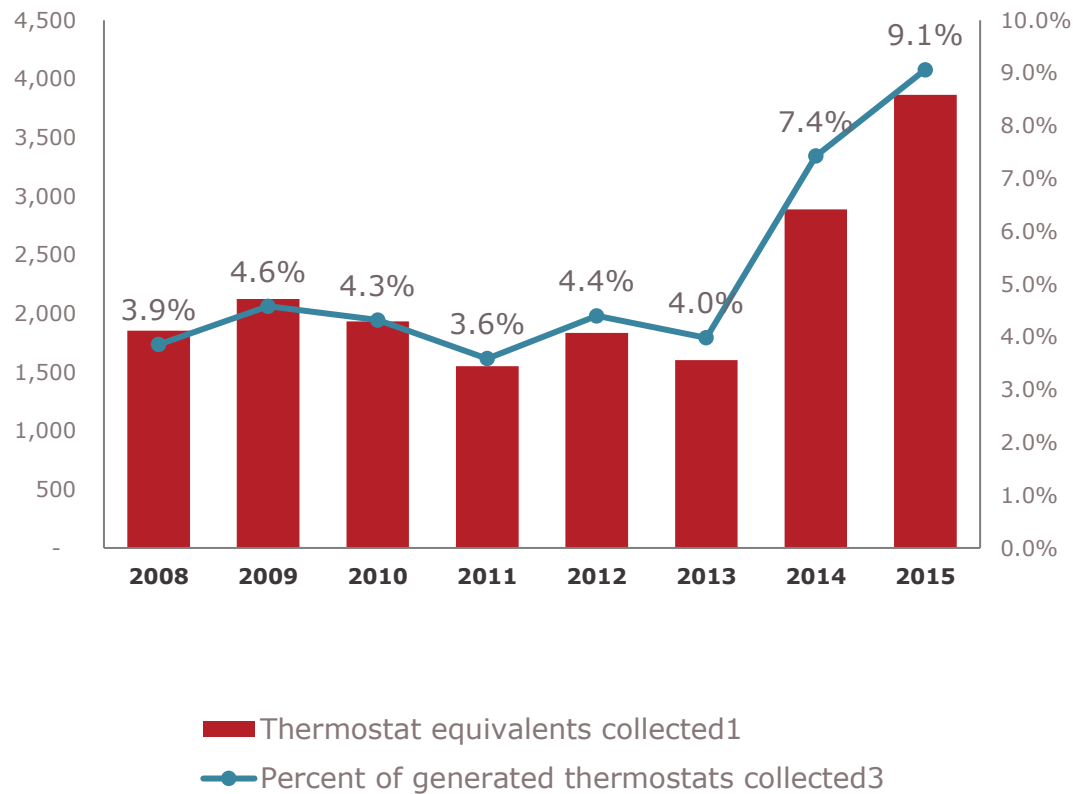
# Does EPR Increase Recovery? CT Example



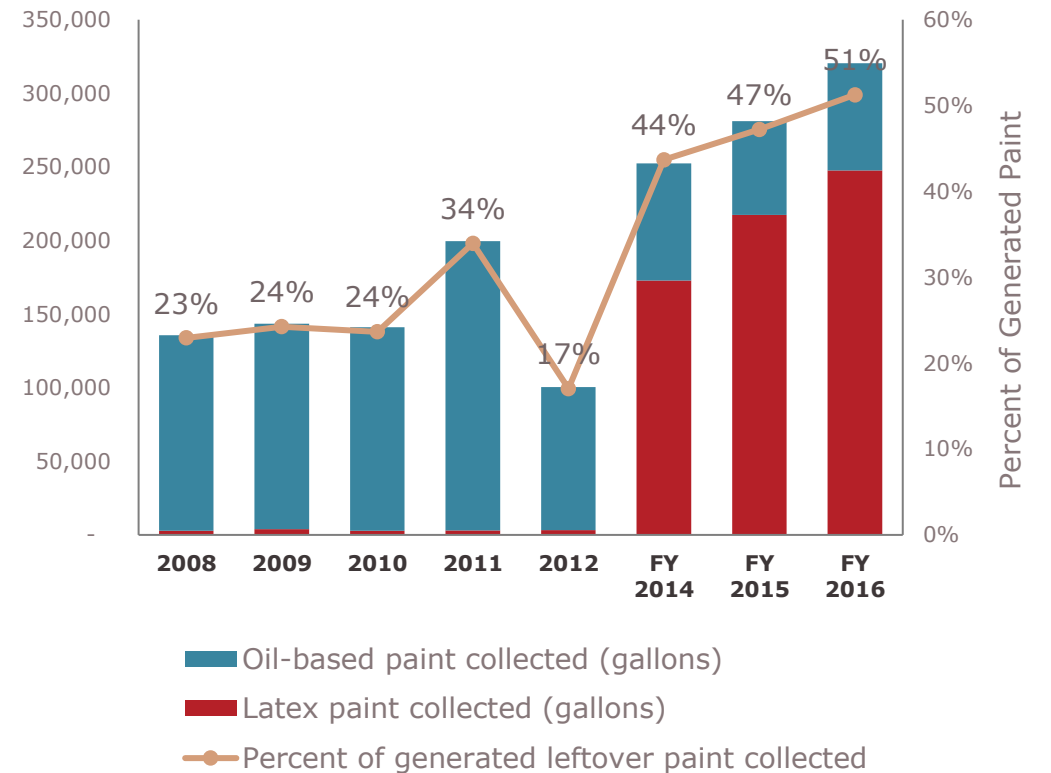


# Does EPR Increase Recovery? CT Example

**TRC CT THERMOSTAT COLLECTIONS, 2008-2015**



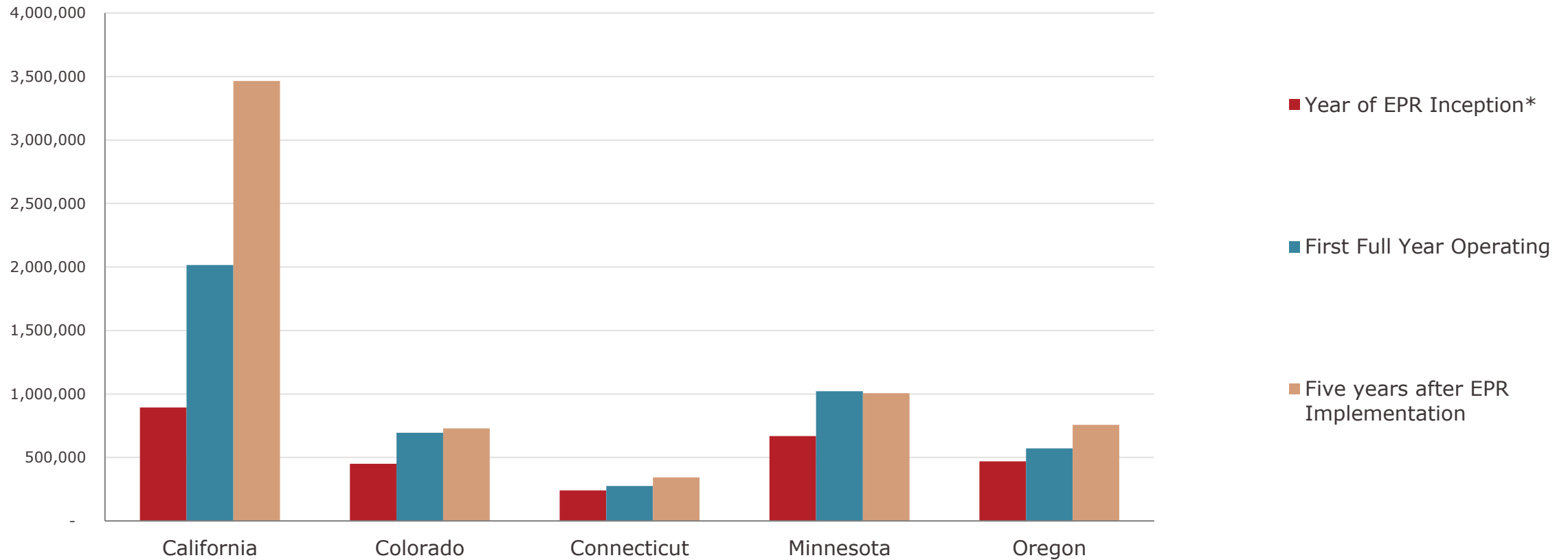
**LATEX AND OIL-BASED PAINT COLLECTED: 2008-2016**





# Does EPR Increase Recovery? Paint Example

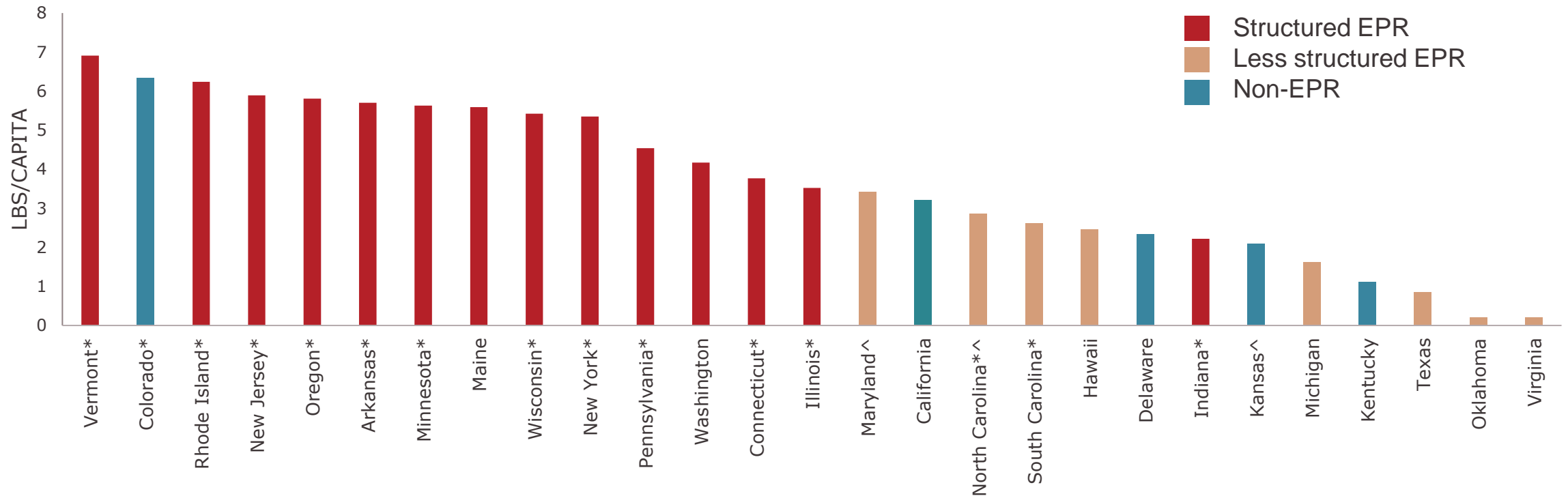
**Impact of EPR on Paint Collection**





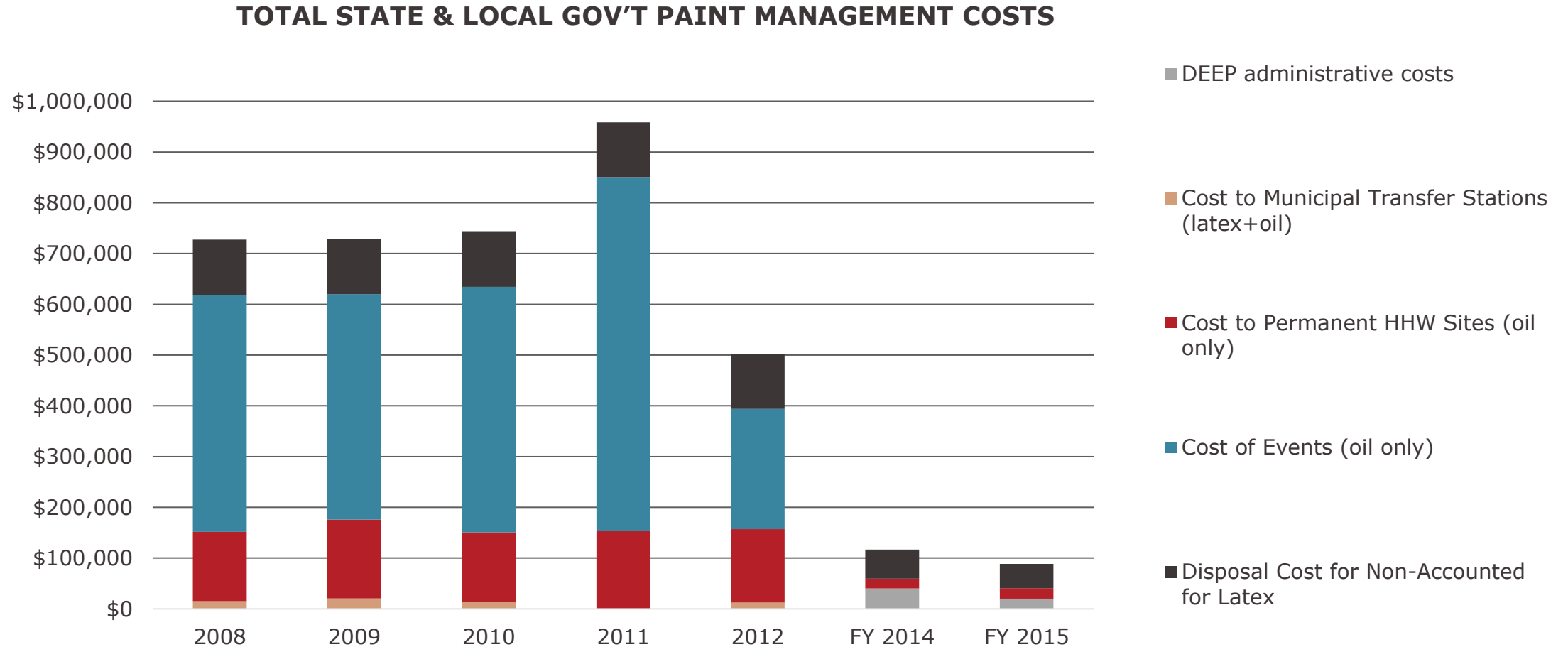
# Does EPR Increase Recovery? E-Scrap Example

PER CAPITA E-WASTE COLLECTION, 2017





# Does EPR Save Government Money? CT Example

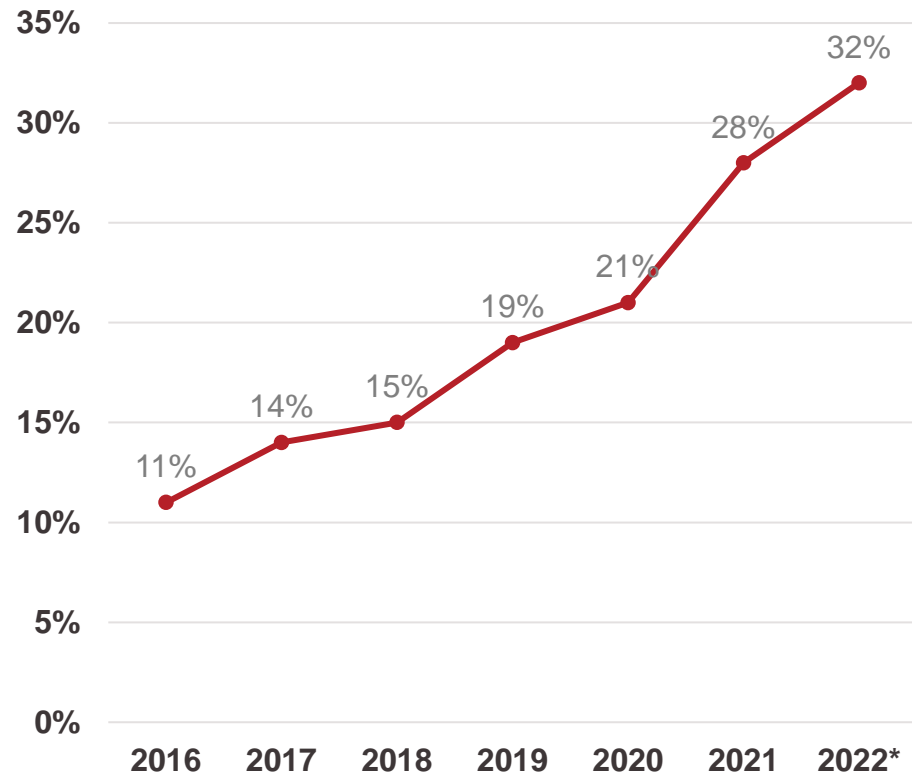


Source: Product Stewardship Institute for CT Department of Energy and Environmental Protection



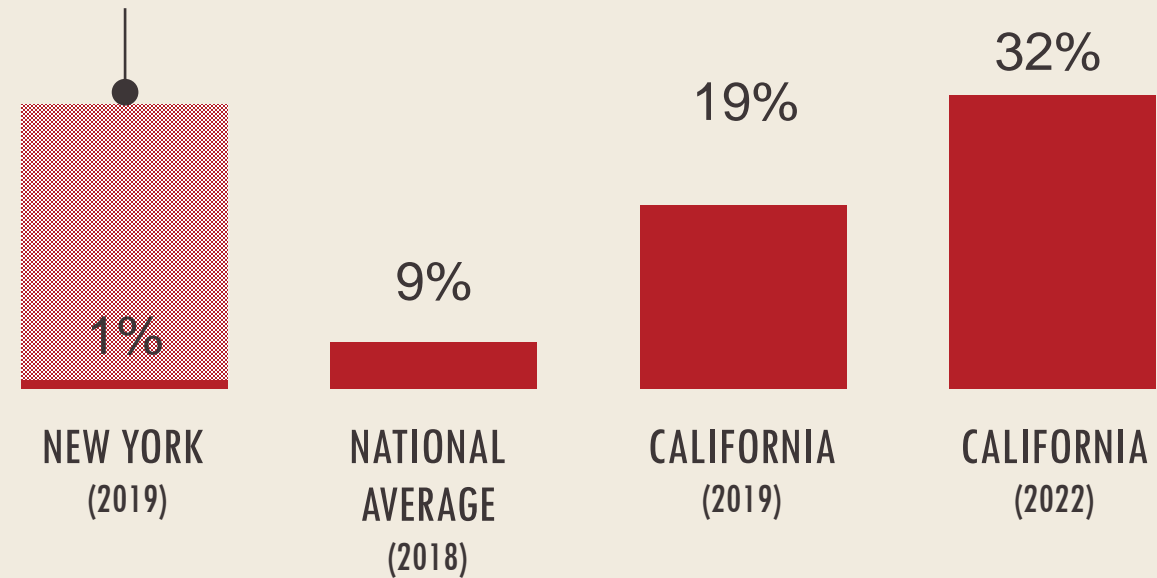
# Does EPR Increase Recovery? Carpet Example

## CA Carpet Recycling Rates



## CARPET RECYCLING RATES

EPR law in NY sets a 30% recycling target  
5 years from stewardship plan approval





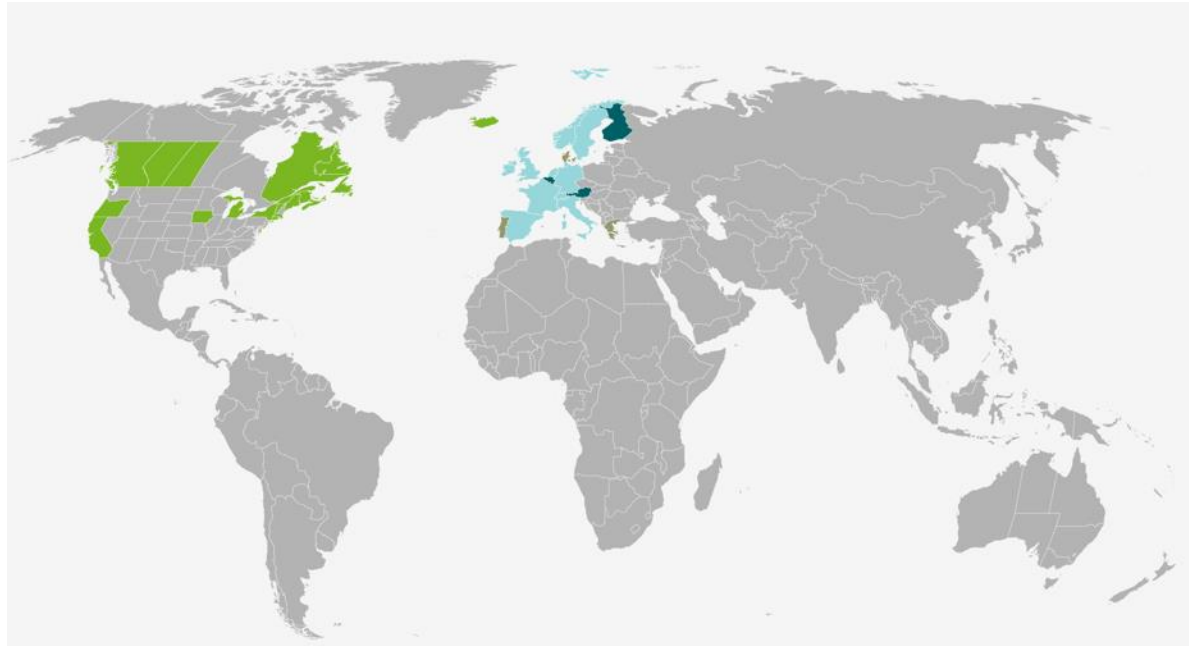


# EPR for Packaging and Printed Paper



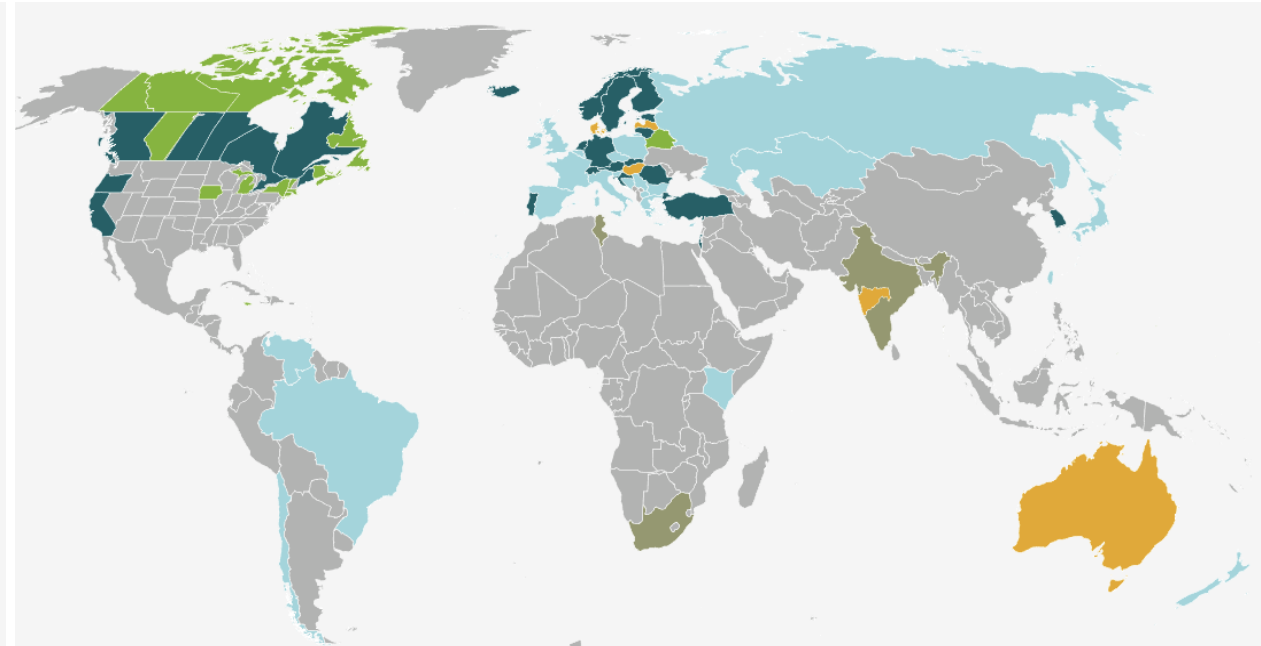
# DRS & EPR for Packaging and Printed Paper

2000



■ No EPR  
■ Beverage Container Deposit  
■ EPR  
■ EPR + Beverage Container Deposit

2022

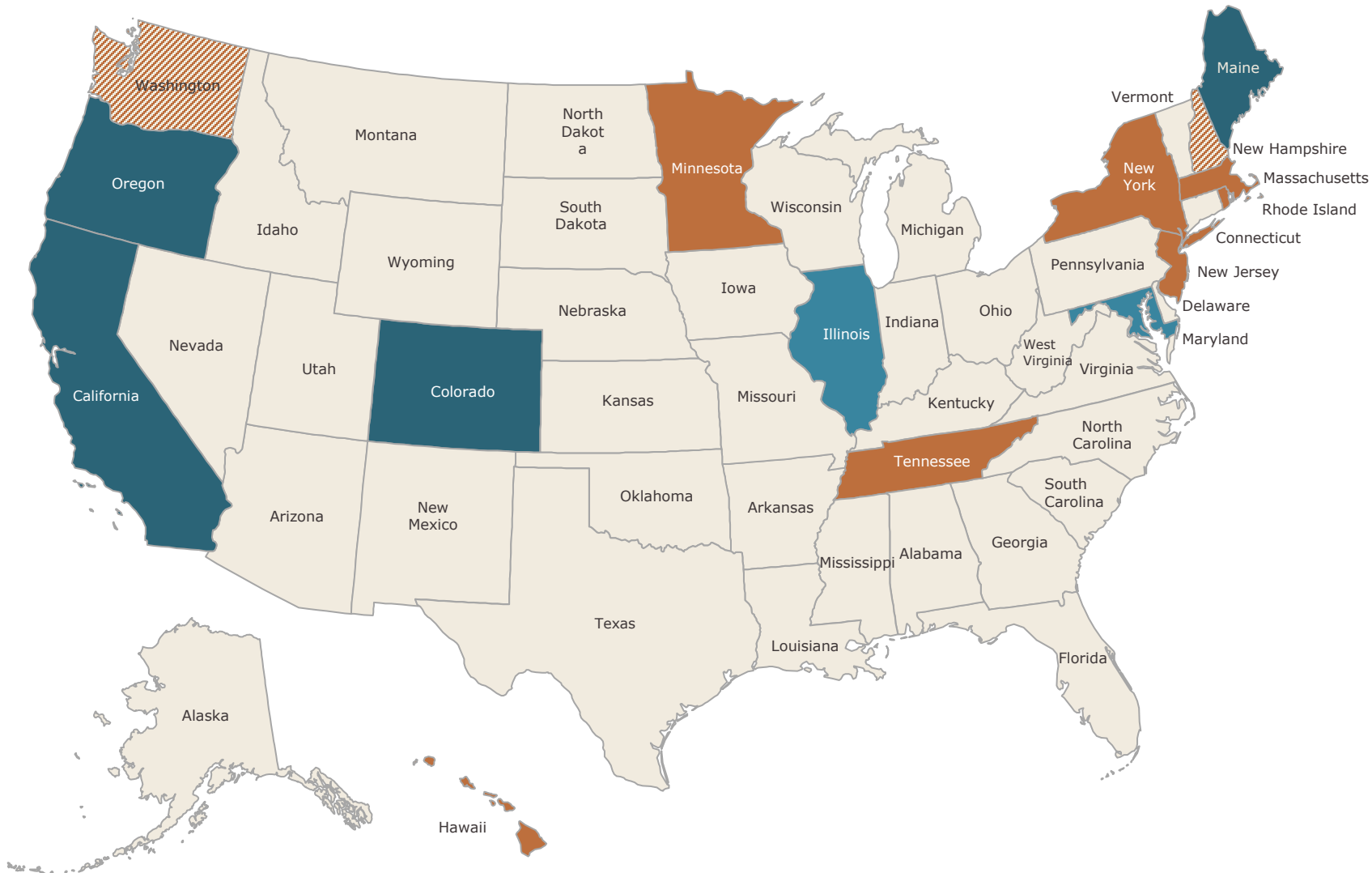


■ Voluntary EPR, Packaging Tax, or Other  
■ Voluntary EPR, Packaging Tax, or Other + Beverage Container Deposit



# EPR & EPR-Related Legislation for Packaging

Current as of 03.17.24



## Enacted Legislation

- EPR for PPP Programs
- Needs Assessments

## Introduced Legislation

- Advancing 2024
- Not Advancing 2024



# Drivers for Printed Paper and Packaging (PPP) EPR

- Need for stable funding
- Market challenges
- Focus on circular economy
- Stagnant recycling rates







# EPR for Other Products



# EPR is Widely Applied Across the U.S.

## BEVERAGE CONTAINERS

CA, CT, HI, IA, ME, MA, MI, NY, OR, VT



## CARPET

CA, NY



## MERCURY SWITCHES

AR, IA, IL, IN, LA, MA, MD, ME, NC, NJ, RI, SC, UT, VA, VT



## MATTRESSES

CA, CT, RI, OR



## FLUORESCENT LIGHTING

MA, ME, VT, WA



## RECHARGEABLE BATTERIES

CA, IA, MD, MN, NY, NJ, ME, VT\*, DC\*

(\*includes alkaline)



## ELECTRONICS

CA, CT, DC, HI, IL, IN, ME, MD, MI, MN, MO, NJ, NY, NC, OK, OR, PA, RI, SC, TX, UT, VT, VA, WA, WV, WI



## CELL PHONES

### PESTICIDE CONTAINERS

### SHARPS

CA



## MERCURY THERMOSTATS

CA, CT, IA, IL, MA, ME, MN, MT, NH, NY, PA, RI, VT



## PHARMA

CA, WA, NY, OR, MA, ME, IL



## PAINT

CA, CO, CT, DC, IL, ME, MN, NY, OR, RI, VT, WA,



## SOLAR PANELS

WA, Niagara County, NY



## TIRES

CT



## PACKAGING AND PRINTED PAPER

CA, CO, ME, OR



## HOUSEHOLD HAZARDOUS WASTE

VT



## GAS CYLINDERS

CT, VT





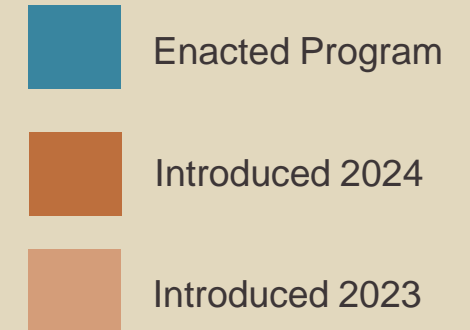
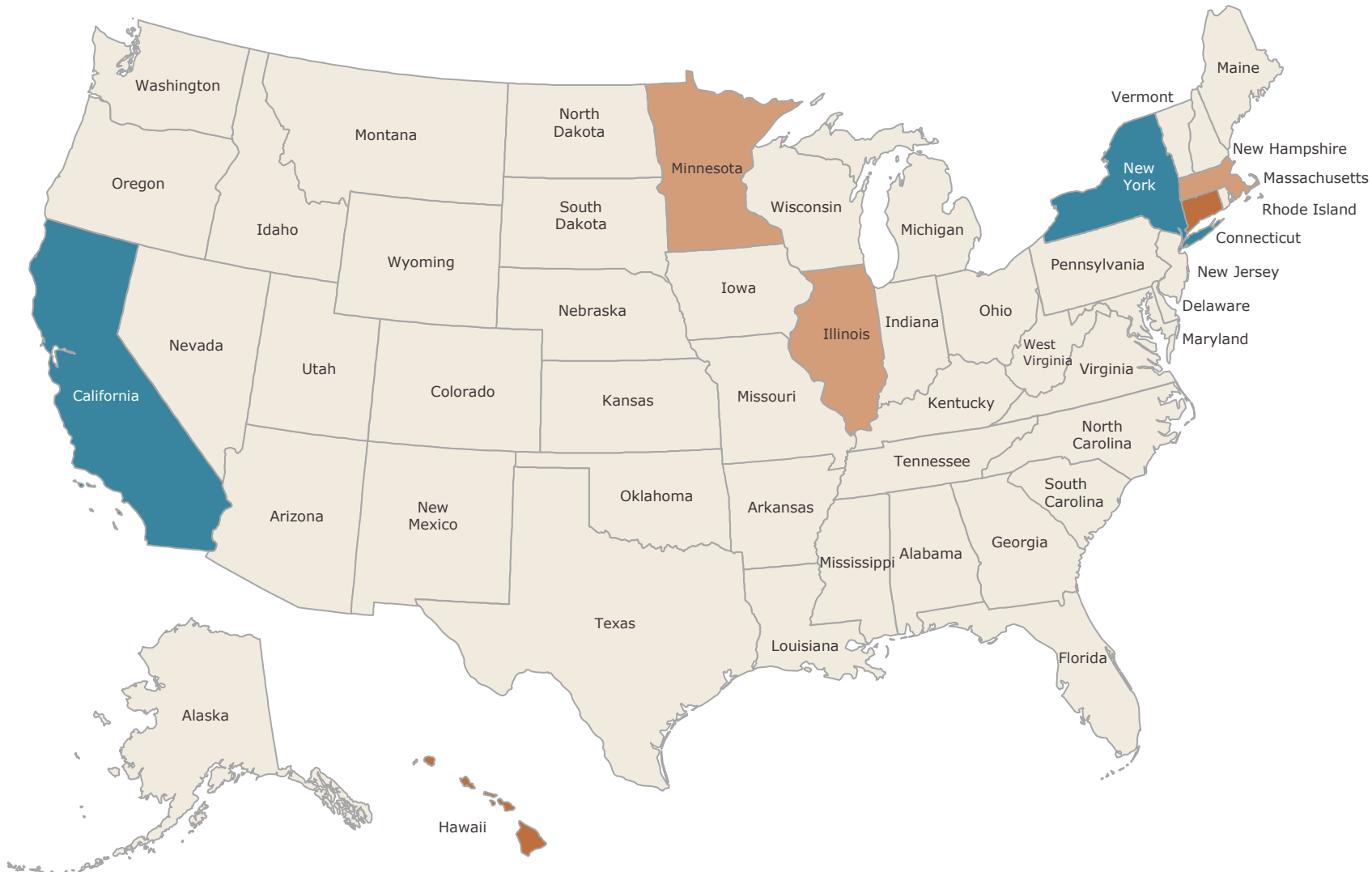
# Battery EPR 2024 Bill Introductions

| State | Bill Numbers      | Policy Categories                                | Bill Type       |
|-------|-------------------|--|-----------------|
| NY    | A 4010 = S 4939   | EPR for Batteries                                | New Program     |
| NY    | A 7339            | EPR for Rechargeable Batteries                   | New Program     |
| VT    | H 688 = S 254     | EPR for Batteries                                | Expansion Study |
| HI    | HB 1972           | EPR for Electric Vehicle Batteries               | Study           |
| HI    | HB 2740           | EPR for Batteries                                | Study           |
| MD    | HB 468 = SB 532   | EPR for Lithium-ion Batteries                    | Study           |
| IL    | SB 3206           | EPR for Lithium-ion & Electric Vehicle Batteries | New Program     |
| CT    | HB 5226           | EPR for Batteries                                | New Program     |
| NJ    | A 3876            | EPR for Batteries                                | Expansion       |
| WA    | HB 2501 = SB 6319 | EPR for Electric Vehicle Batteries               | New Program     |
| IL    | HB 5348 = SB 3686 | EPR for Batteries                                | New Program     |



# EPR & EPR-Related Legislation for Carpet

Current as of 03.17.24





# EPR for HHW: Vermont

- H.67 was signed by Governor Scott on June 12, 2023
- Applies to HHW with the exception of lamps, primary or rechargeable batteries, thermostats, architectural paint, covered electronic device, pharmaceuticals, etc.
- Requires stewardship organization to submit a collection plan by July 1, 2025.
- Performance goals:
  - For first plan, participation rate of five percent of residents
- Within 18 months of plan implementation, stewardship organization is to submit report
- Covered household hazardous products shall be banned from landfill disposal after July 1, 2025.





# EPR for Tires: Connecticut

- HB 6486 was signed by the Governor on June 28, 2023
- Follows extensive stakeholder work and legislative consideration
- Producers are required to join stewardship organization
- Applies to tires from cars, trucks, buses, non-commercial aircraft, agricultural, mining, logging and industrial vehicles
- Plan is required to propose:
  - Statewide collection system from retailers, auto dealers, garages etc.
  - Free-of-charge public access to collection
  - Ensuring collected tires are recycled







# Closing Thoughts



# EPR opportunities for NH



- Take advantage of the experience of other states
- Many examples of models that have support from industry as well as other stakeholders (e.g., Paint, Mattresses, Batteries, Electronics)
- Consider emerging product categories, such as tires, HHW and Carpet.
- Packaging and Paper products is complex, but offers significant environmental and economic benefits





# Questions?





# Resa Dimino

Managing Principal, RRS

Managing Partner, Signalfire

[resa@recycle.com](mailto:resa@recycle.com)

---

