

EPR FUNDAMENTALS

Additional Background Slides

April 14, 2025

Scott Cassel

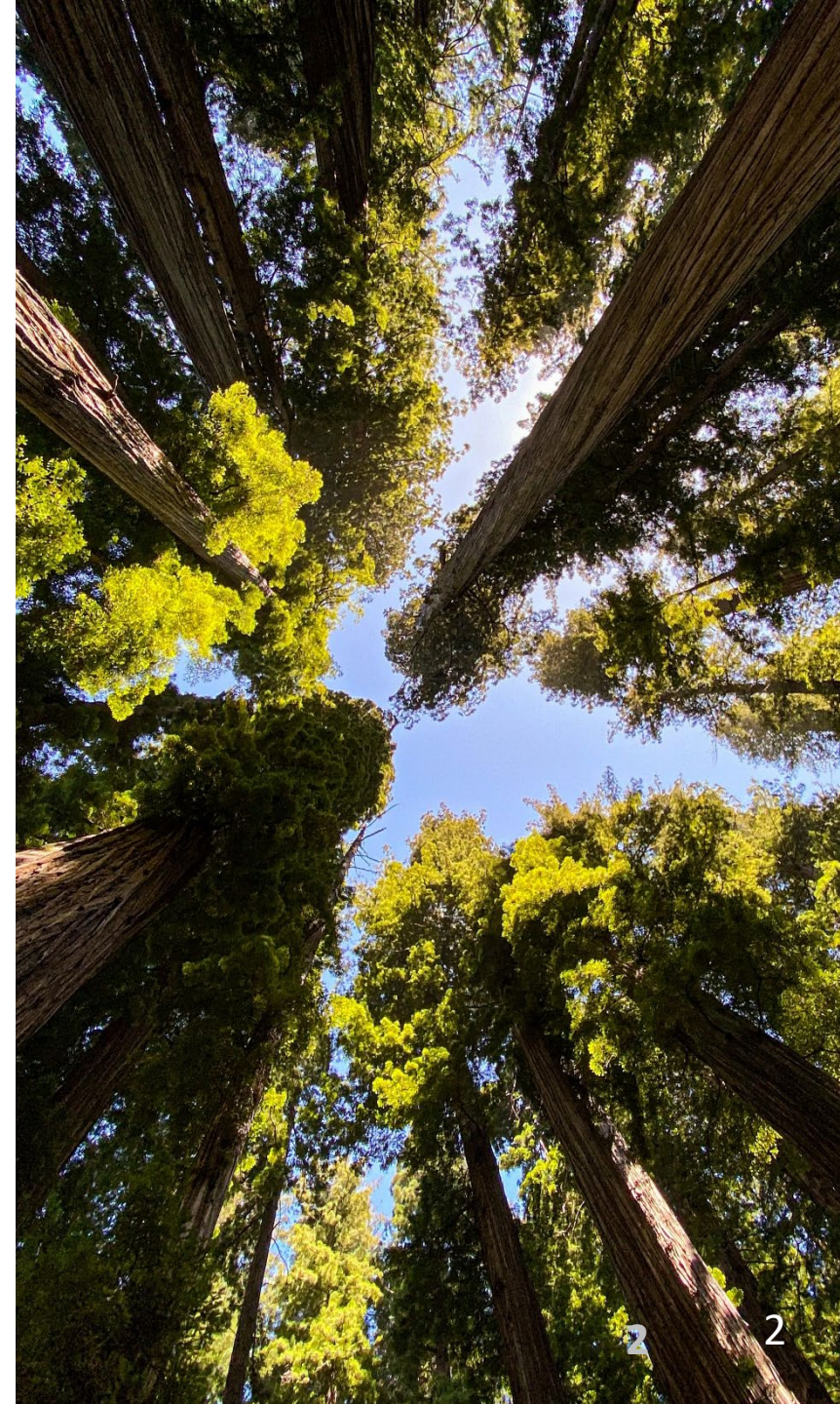
CEO and Founder, Product Stewardship Institute



**PRODUCT
STEWARDSHIP
INSTITUTE**

PSI FOUNDER & CEO

- **MA Executive Office of Energy & Environmental Affairs**
 - Director of Waste Policy and Planning – 1993-2000
- **Founder** – Product Stewardship Institute (PSI) in 2000
- **Founding Board Member** – Marine Debris Foundation
 - Affiliated w/NOAA – created by federal Save our Seas Act
- **Founding Board Member** – North American Hazardous Materials Management Association (NAHMMA)



Who is PSI?

- **National nonprofit:** 25th Anniversary
- **Focus:** Consumer products and packaging
- **Members:** State & local govt's (Board)
- **Partners:** Business, non-profits, int'l gov'ts, academic



WHAT WE DO



ORIGIN OF PRODUCER RESPONSIBILITY



PRODUCT
STEWARDSHIP
INSTITUTE

ORIGIN OF PRODUCER RESPONSIBILITY

- **Externalities:** costs external to business
→ corporate responsibility
- **Polluter Pays Principle:** “An economic principle for allocating the costs of pollution control.” (OECD, 1972)
- Pollution = Impacts (Polluter Pays)



ORIGIN OF EXTENDED PRODUCER RESPONSIBILITY

- US Environmental Laws: CAA, CWA, RCRA, Superfund (point sources)
- Municipal waste – millions of sources
- EPR = Internalize externalities
- Polluter *Pays* → Polluter *Prevents*
- HD Hood – MA dairy company



ORIGIN OF EXTENDED PRODUCER RESPONSIBILITY

- Thomas Lindhqvist (1990)
 - **EPR:** “extends a producer’s obligation for reducing environmental impacts upstream and downstream of a manufacturing facility (full product lifecycle).”
 - EPR is implemented through *various strategies*
- German Packaging Ordinance (1991)
- Duales System Deutschland (DSD) – 1st PRO
- GreenDot – indication of producer payment
- PRO Europe (1995): licensed GreenDot



EPR IN EUROPE

- E.U. Packaging Directive (first 1994)
- E.U. End-of-life Vehicles Directive (first 2002)
- E.U. Electronics and RoHS Directives (first 2003)
- E.U. Battery Directive (first 2006)



EPR IN BRITISH COLUMBIA

- Paint (1994)
- Pharmaceuticals (1996)
- HHW (1997)
- Aerosols (1998)
- Electronics (2004)
- **FRAMEWORK (2004)**
- Tires (2007)
- Thermostats (2009)
- Batteries/cell phones (2010)
- Lead-acid batteries (2011)
- Large appliances (2011)
- Lighting (2012)
- Outdoor power equipment (2012)
- Small appliances and electrical power tools (2012)
- Packaging and printed paper (2014)



OECD DEFINES EPR AS:



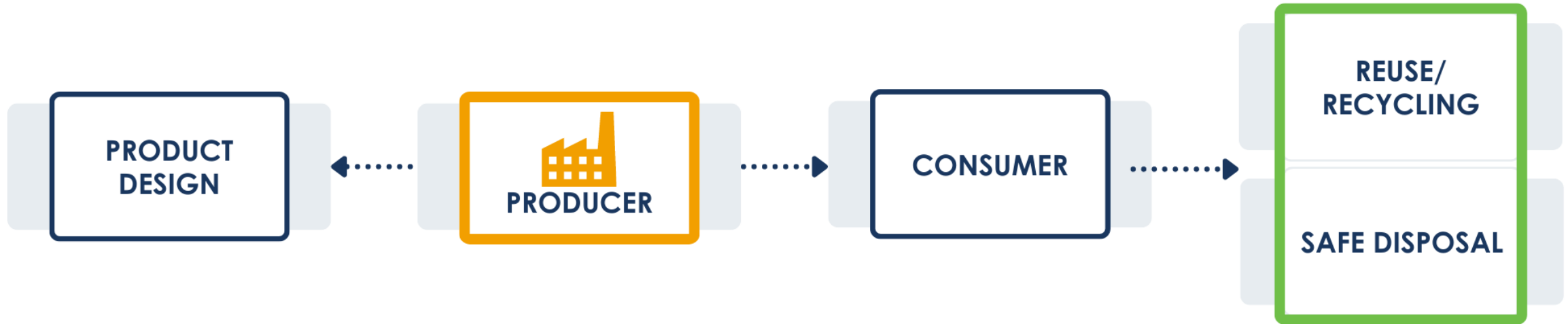
...an environmental policy approach in which a producer's responsibility for a product is extended to the post-consumer stage of a product's life cycle. An EPR policy is characterized by:

1. the shifting of responsibility (physically and/or economically; fully or partially) upstream toward the producer and away from municipalities; and

2. the provision of incentives to producers to take into account environmental considerations when designing their products.

WHAT IS EXTENDED PRODUCER RESPONSIBILITY (EPR)?

EXTENDED PRODUCER RESPONSIBILITY PARADIGM SHIFT



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, composting, or safe disposal.

Product Stewardship Institute, Inc. © 2025

What is **EPR** – U.S. Definition

- **Producer funded and producer managed (“Full EPR”)**
 - **Ex:** packaging, batteries, electronics
 - state oversight/ enforcement
- **Consumer funded and producer managed**
 - **Ex:** paint, mattresses
 - state oversight/enforcement
- **Shared producer responsibility**
 - Government shares costs with producers (collection, processing, etc.)
- **Cost Reimbursement**
 - Government oversight costs covered under all EPR laws
 - Local government and private vendor costs reimbursed under packaging laws

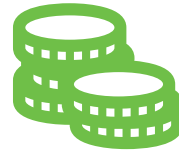
What is **NOT** **EPR** – U.S. Definition

- **Consumer funded and government managed**
 - **Ex:** Used oil and Used tire programs
 - \$\$ passes through retailer to state as tax
 - Tax funds are used by the state to run the program OR other government purposes
- **Industry funded and government managed**
 - **Ex:** Pesticides

WHY EPR?

Effective EPR laws:

- Provide **sustainable funding**
- Reduce **government costs**
- Incentivize **waste reduction, reuse, recycling**
- **Reduce need to mine virgin materials; reduce GHG emissions**
- **Reduce pollution** (air, soil, water)



WHY EPR?

Effective EPR laws:

- Increase **collection convenience**
- Increase **education** and outreach
- Require **annual reporting** for transparency and accountability
- Establish **performance goals** to gauge program effectiveness
- Prevent **free riding**



U.S. EPR Laws

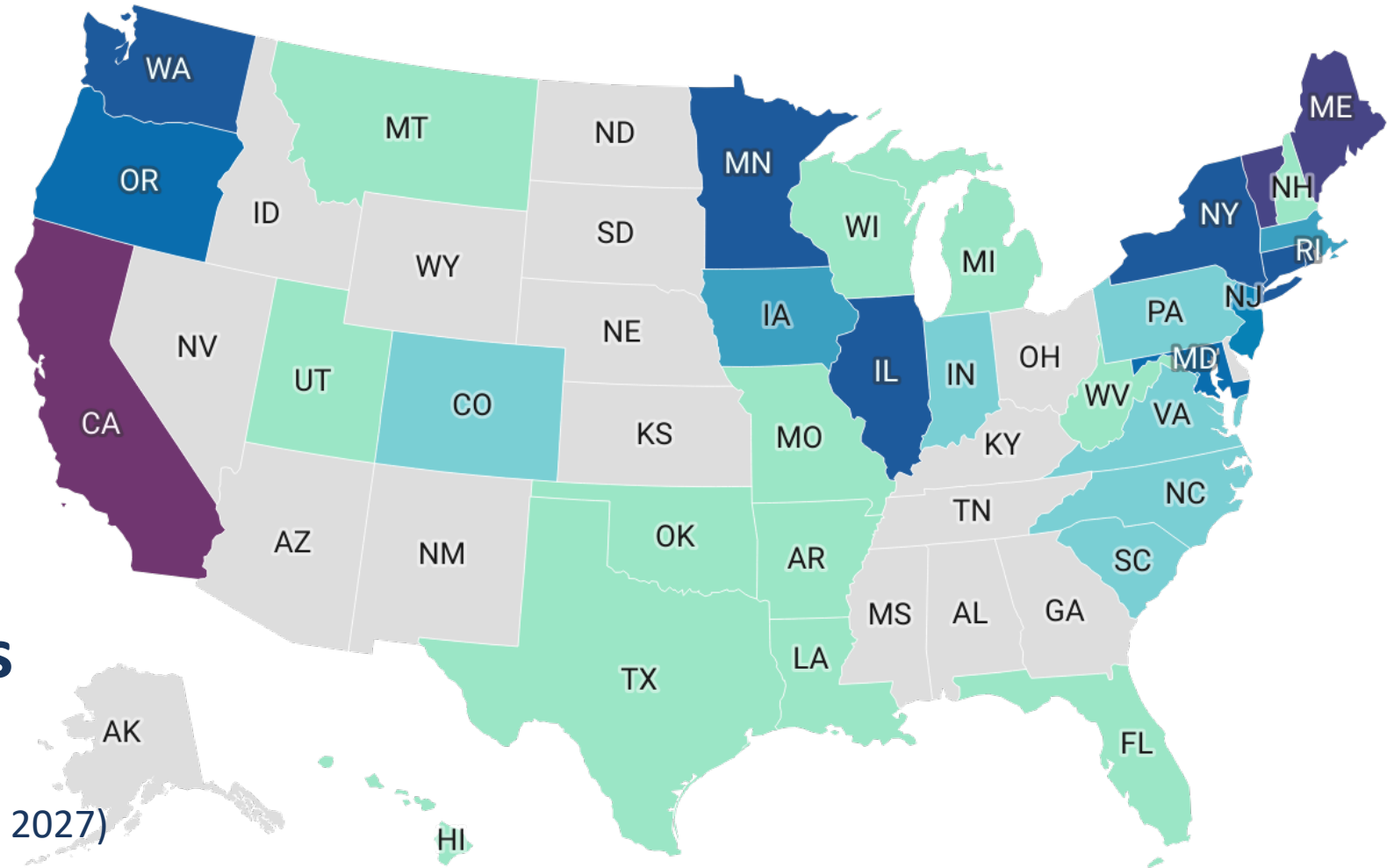
141 laws

20 products

33 states

Massachusetts EPR Laws

- Mercury Lights & Thermostats
- Pharmaceuticals (sunsets end 2026)
- Mercury Auto Switches (sunsets June 30, 2027)



Number of State EPR Laws



ROLES OF STAKEHOLDERS



PRODUCT
STEWARDSHIP
INSTITUTE

EPR: Network of Accountability

- Producers
- Collectors
- Recyclers
- Retailers
- Municipalities
- State agencies
- Consumers



Stakeholder Interests

Producers

- If fund, want control
- Flexibility (plan vs. statute/reg)
- Attention to their issues
 - Flexible packaging
 - Compostable packaging
 - Food packaging
 - Paper
 - Glass



Stakeholder Interests

Waste Management

- Use existing infrastructure
- Maintain current contracts
- Regional interests



Stakeholder Interests

State Government

- Producer funded & *managed*
- Consistent recycling systems
- Authority to manage system over time



Stakeholder Interests

Local Government

- Producer funded
- Local govt managed
- All municipal costs covered
- Maintain service delivery
- EPR accounts for their unique program features



Stakeholder Interests

Environmental Groups

- Waste reduction & reuse
- Strong oversight & enforcement (distrust producers)
- Equity, justice
- Toxics, bottle bill, etc.



Unsplash.com photo by Markus Spiske.

US EPR LAWS AND BILLS 2025



PRODUCT
STEWARDSHIP
INSTITUTE

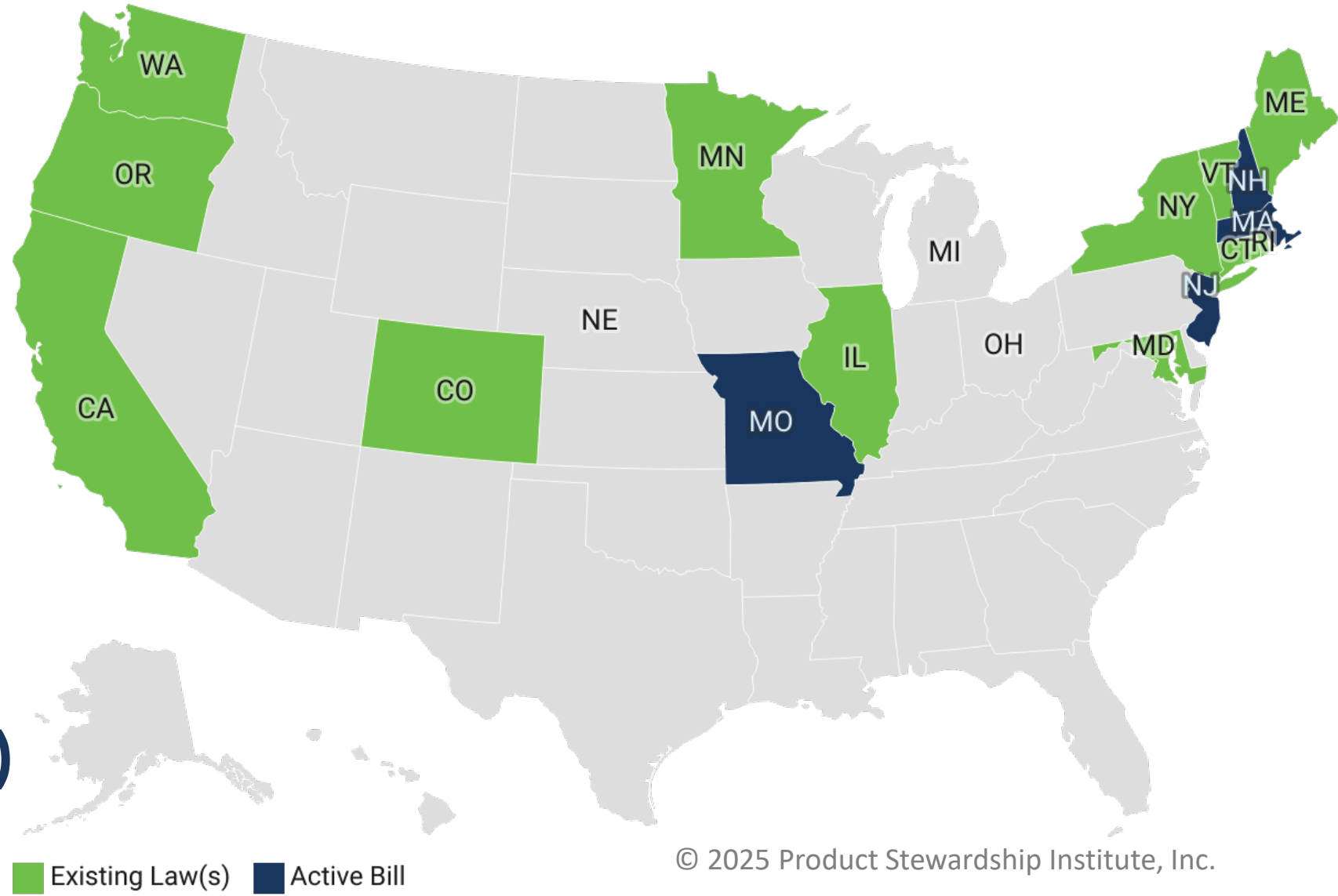


US PAINT EPR LAWS & 2025 BILLS

13 laws

4 bills

4 states (incl. MA)



© 2025 Product Stewardship Institute, Inc.

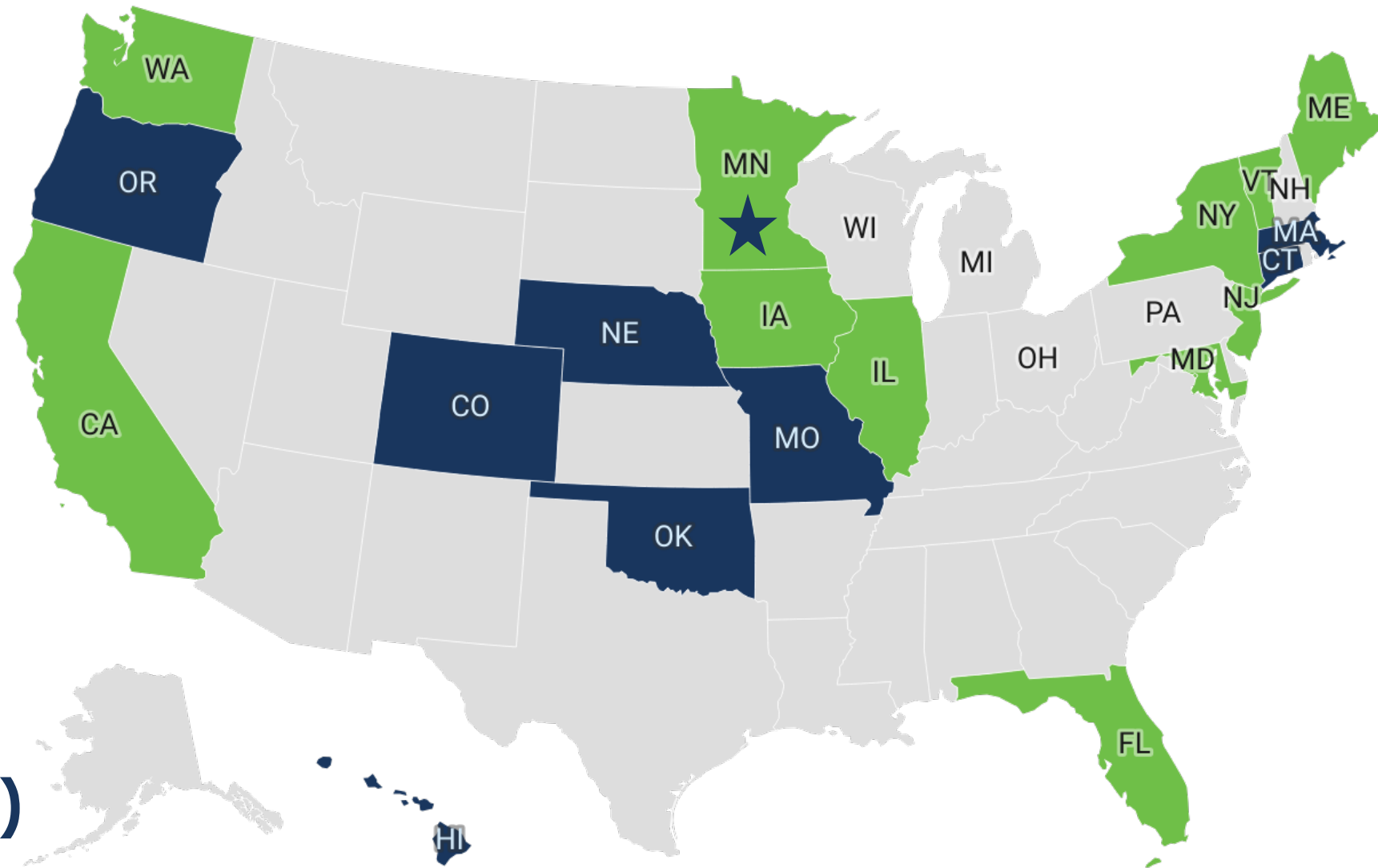


U.S. BATTERY EPR LAWS & 2025 BILLS

15 laws

12 bills

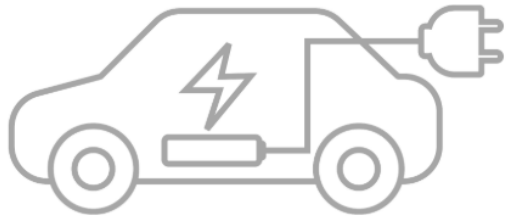
8 states (incl. MA)



Existing Law(s) Active Bill

★ Significant Amendment Expanding Program

© 2025 Product Stewardship Institute, Inc.

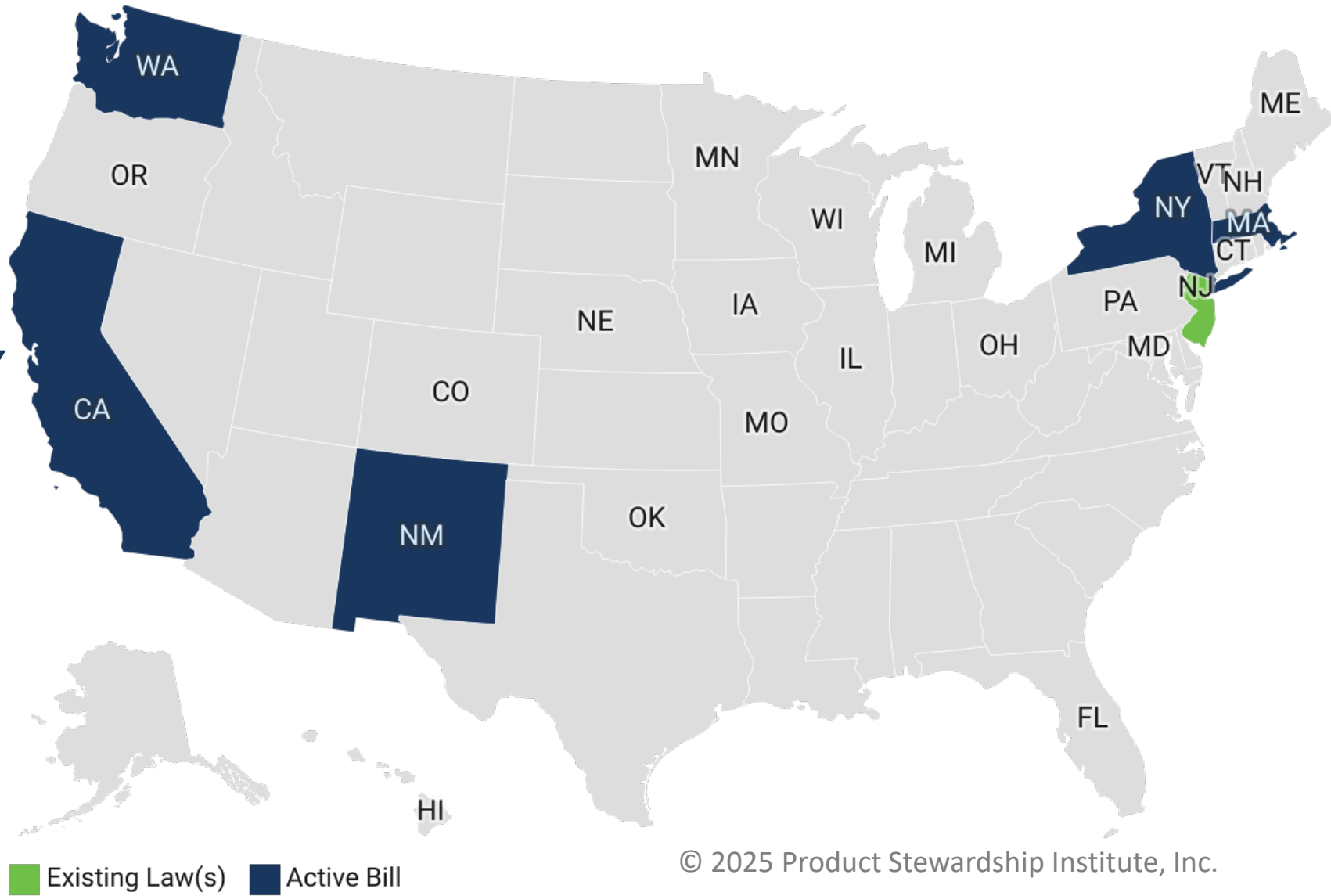


U.S. EV BATTERY EPR LAWS & 2025 BILLS

1 law

6 bills

5 states (incl. MA)



© 2025 Product Stewardship Institute, Inc.

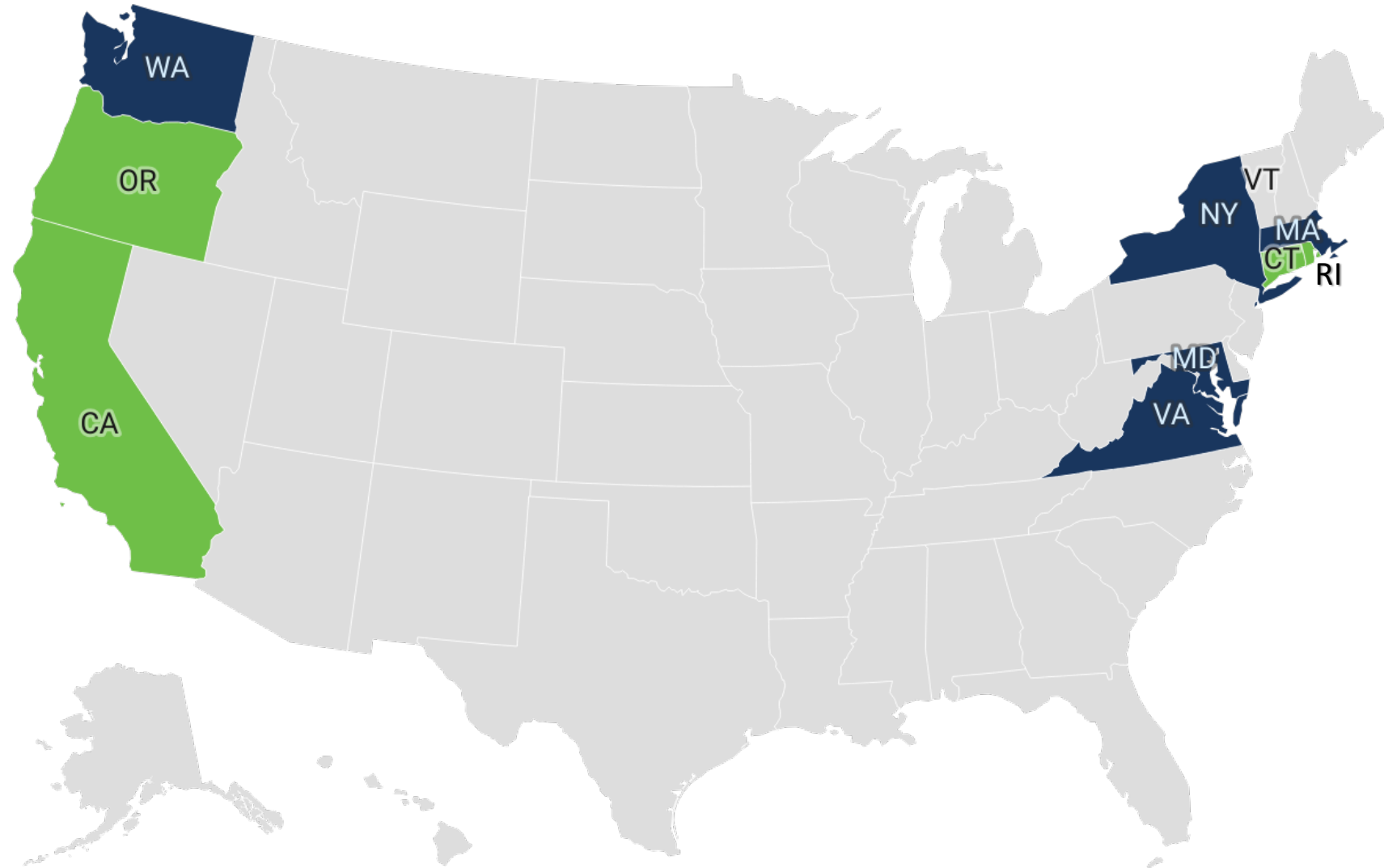


U.S. MATTRESS EPR LAWS & 2025 BILLS

4 laws

7 bills

5 states (incl. MA)



Existing Law(s) Active Bill

© 2025 Product Stewardship Institute, Inc.

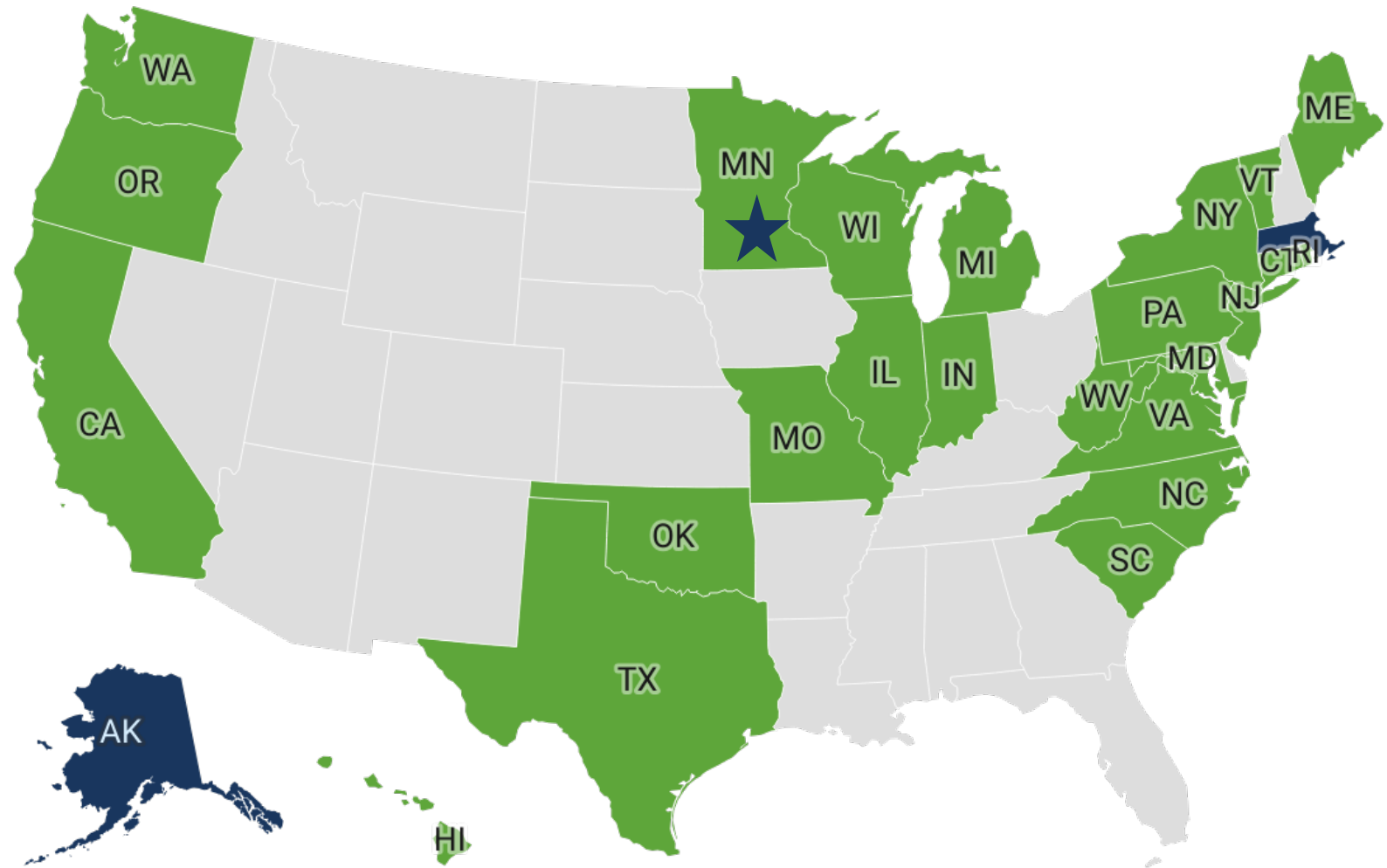


U.S. ELECTRONICS EPR LAWS AND 2025 BILLS

24 laws

2 bills

2 states (incl. MA)



State Electronics EPR Laws

■ Active Bill ■ Existing Law(s)

★ Significant Amendment Expanding Program

© 2025 Product Stewardship Institute, Inc.

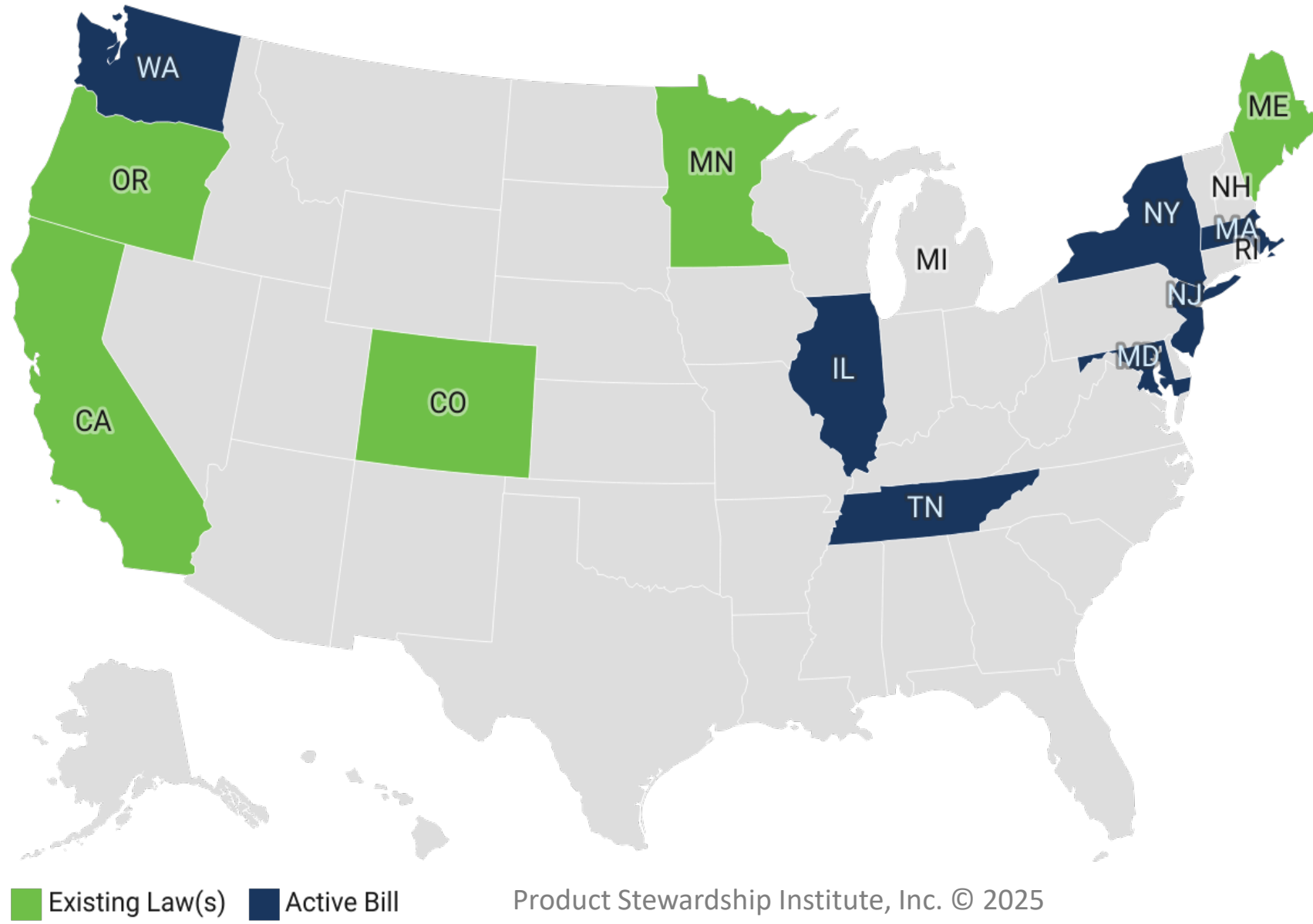


U.S. PACKAGING EPR LAWS AND 2025 BILLS

5 laws

10 bills

7 states (incl. MA)





2025 U.S. PRODUCT STEWARDSHIP FORUM CELEBRATING 25 YEARS

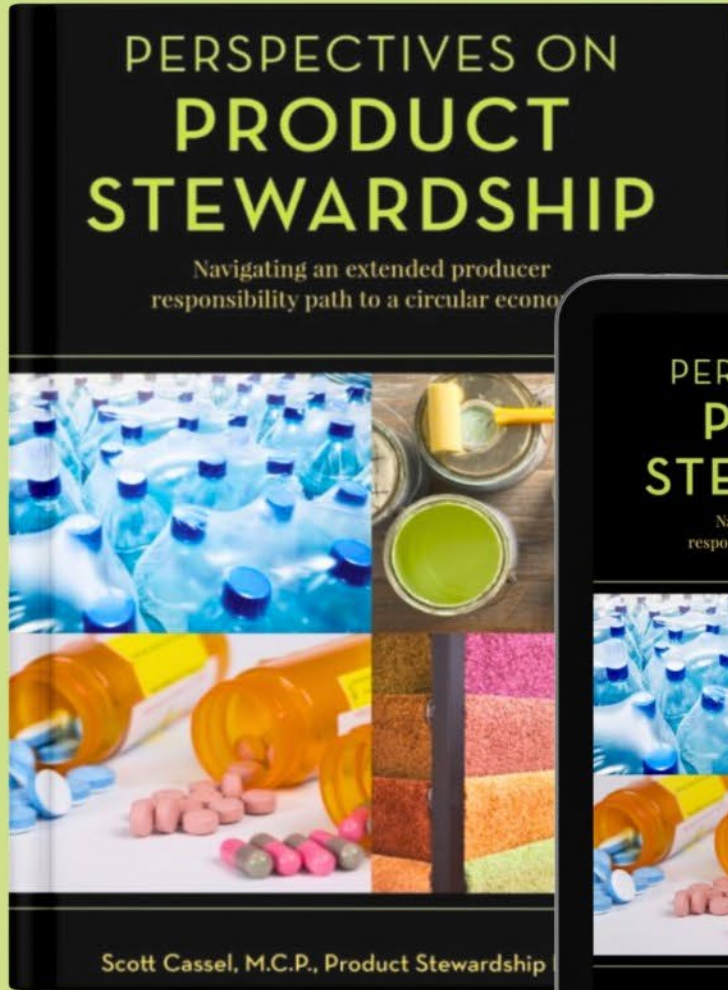


June 3 – 5, 2025



Westin Chicago North Shore

To register or sponsor,
visit www.productstewardship.us



By Scott Cassel
Bernan Press 2023
Available in print & digital



**SCAN TO
PURCHASE**

USE CODE
RLFANDF30

FOR A 30%
DISCOUNT