



# Commonwealth of Massachusetts

Extended Producer Responsibility Commission

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ADVISORY GROUP: PLASTICS AND PACKAGING

Thursday, July 24, 2025 | 10 a.m. to noon  
via Zoom

# Housekeeping

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- Please share your name and affiliation in the chat

# Housekeeping



# Introduction to EPR Commission

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- Established by Section 108 of Chapter 239 of the Acts of 2024
- The Commission's charge: "...recommend to the general court extended producer responsibility policies for the commonwealth"
- Including:
  - Recommendations on specific extended producer responsibility approaches and other strategies for paint, mattresses, electronics, lithium-ion batteries, plastics, and packaging
  - Proposed structures for collection, processing, and financial responsibility
  - Information on cost impacts
  - Waste reduction product and packaging incentives, and
  - Impacts on waste generation and contamination reduction
- Issue initial recommendations and related findings by **January 15, 2026**



# Introductions

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- **Jennifer Haugh**, Vice President of Planning and Customer Engagement, GreenerU, facilitator
- **John Beling**, Chair, Extended Producer Responsibility Commission, and Deputy Commissioner of the Massachusetts Department of Environmental Protection
- **Greg Cooper**, Director, Hazardous and Solid Waste, Massachusetts Department of Environmental Protection
- **John Fischer**, Deputy Director, Hazardous and Solid Waste, Massachusetts Department of Environmental Protection
- **EPR Commissioners**
  - Sen. Michael Barrett, Co-Chair, Joint Transportation, Utilities, and Energy Committee
  - Sharon Byrne Kishida, Nominee, Senate Majority Leader
  - Jose Delgado, Arise for Social Justice
  - Janet Domenitz, MassPIRG
  - David Melly, Environmental League of Massachusetts
  - Bill Rennie, Retailers Association of Massachusetts
  - Waneta Trabert, Mass Recycles
  - Tracy Triplett, Attorney General's Office
  - Abbie Webb, Casella



# Introduction to advisory groups

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- Established at the May 21, 2025, meeting of the EPR Commission
- Charged with performing research and presenting findings to the Commission
- Meetings do not need to be held in accordance with Massachusetts open meeting law
- Advisory groups will meet at least twice
- Findings on plastics and packaging EPR should be completed by **Friday, October 3**, to be shared at the October 29 full Commission meeting
- Advisory groups may not consist of more than nine Commission members



# Meeting goals

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- Level set on past and present plastics and packaging EPR efforts in Massachusetts and the U.S.
- Brainstorm ideas, concerns, support, opposition
- Assign responsibilities for gathering additional information



# Meeting agenda

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- Presentations
- Clarifying questions
- Brainstorming
- Assignments



# Presentations

# Extended Producer Responsibility in Massachusetts Packaging Background

July 24, 2025

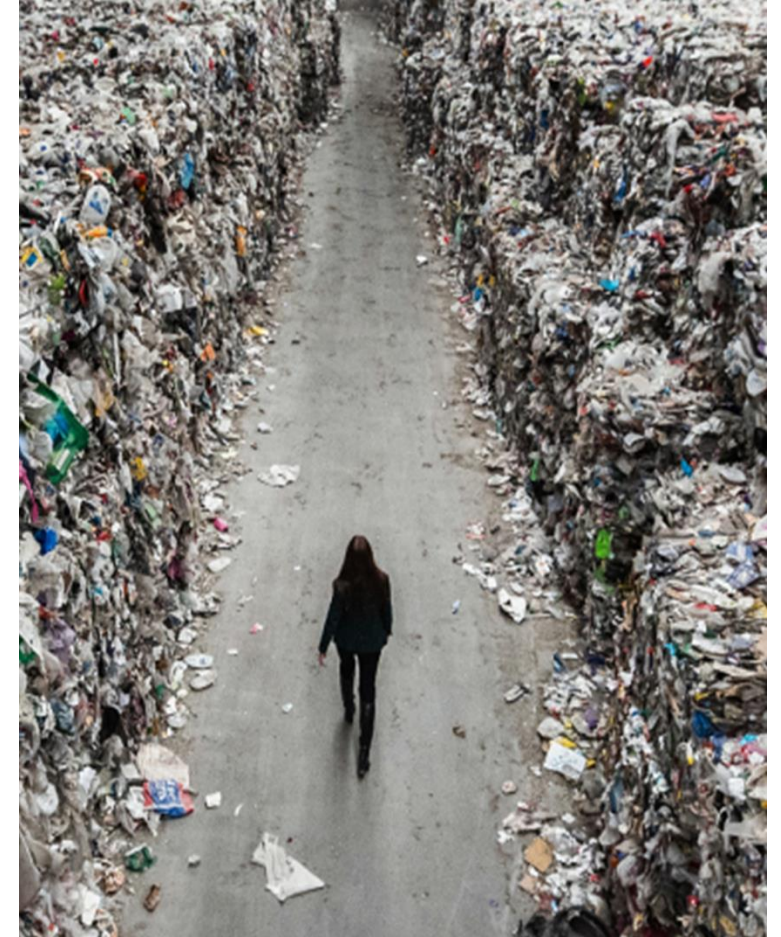


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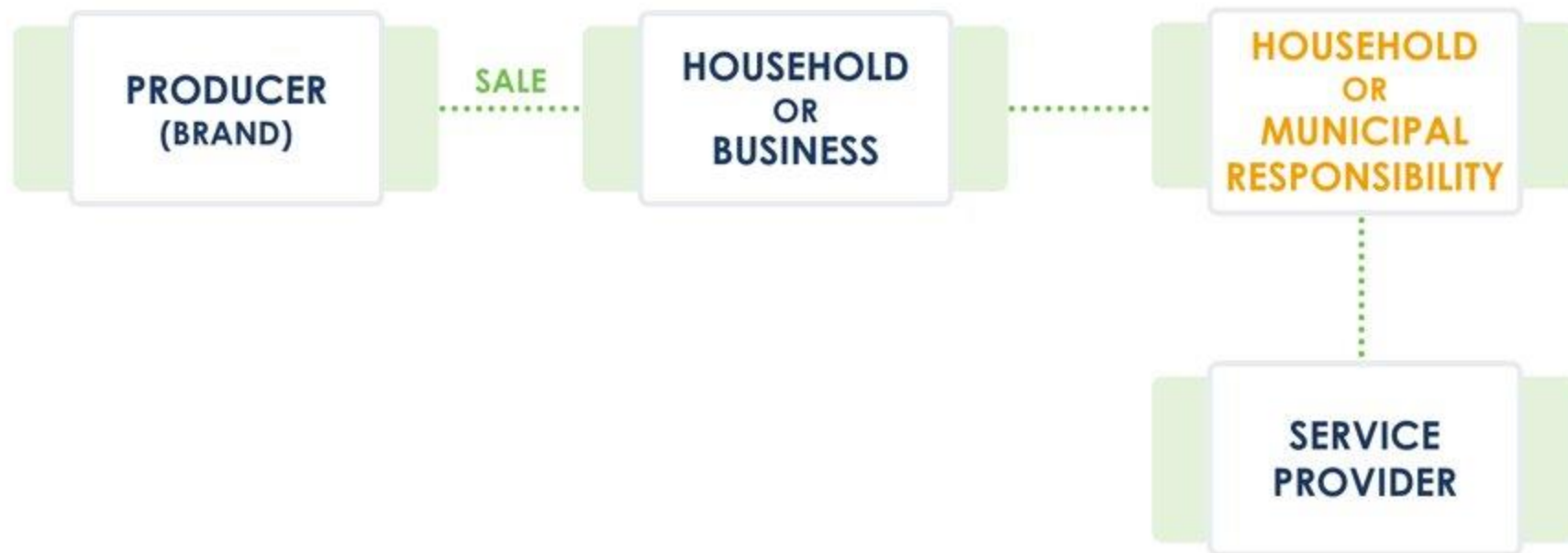


# WHY PACKAGING EPR?

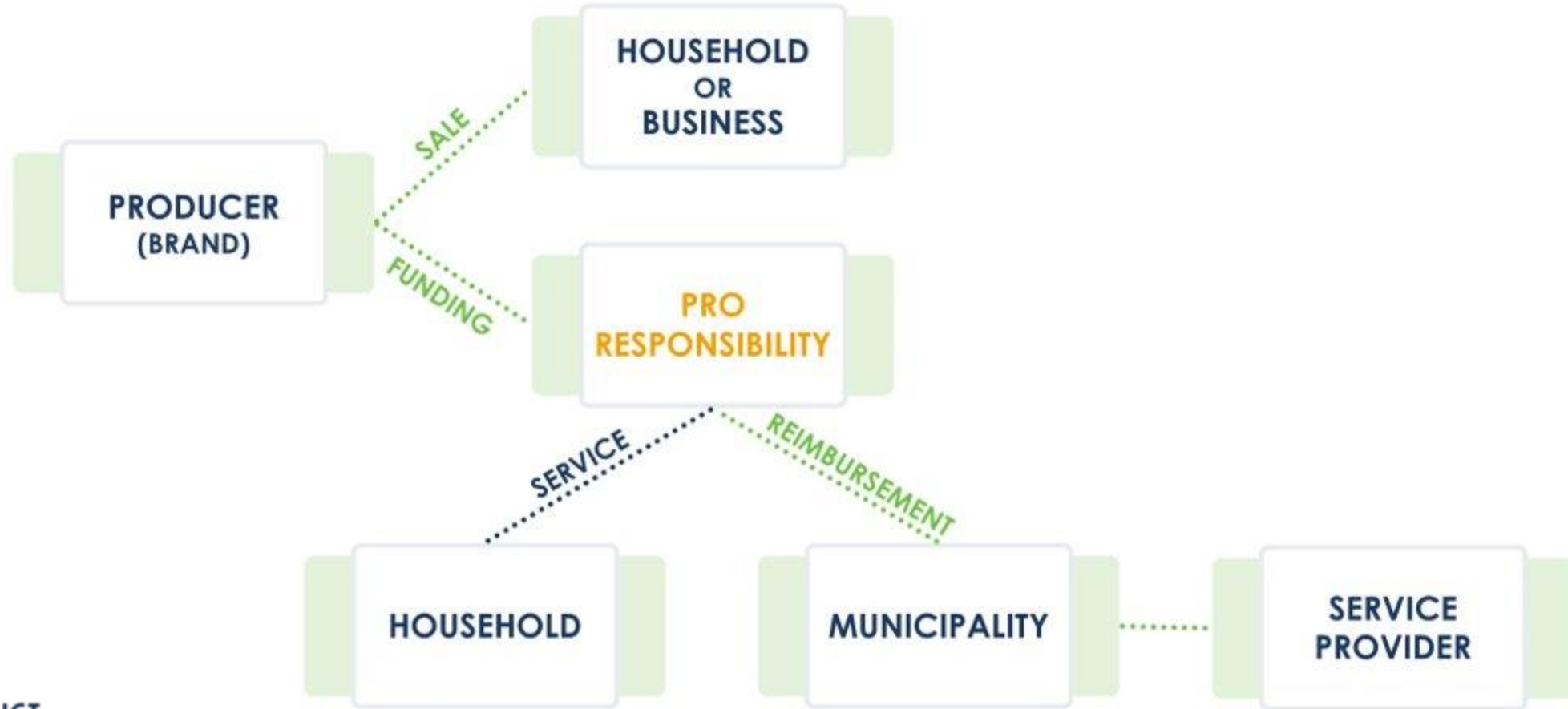
- Increased recycling costs coupled with never enough **municipal** funding - **underfunded**.
- **Municipal** recycling **stagnated** ~32%
- Fragmented **municipal** recycling → **inefficient**
- Confusing recycling instructions/package labels → **contamination**
- Recycling markets fluctuated → **municipal** recycling contracts **unstable**



# Current Recycling System



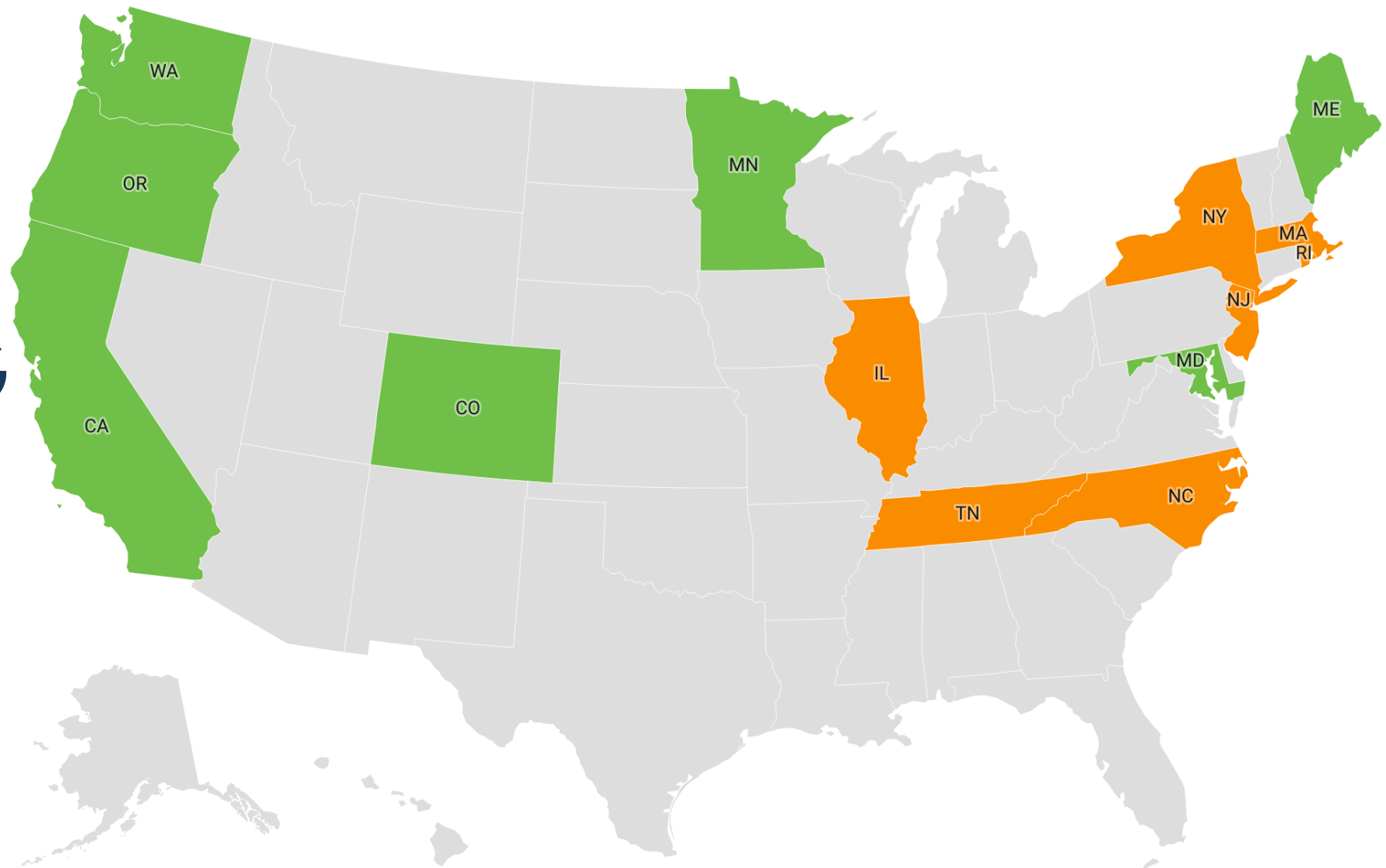
# Recycling System Under EPR



# Packaging EPR Governance



# U.S. PACKAGING EPR LAWS AND 2025 BILLS



## Packaging EPR Legislative Activity

■ Existing Law(s) ■ Introduced packaging EPR bill in 2025

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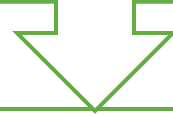
This map shows EPR laws and bills that create a new program. Bills amending existing EPR programs are not represented.



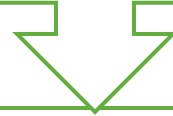
Packaging EPR  
has been in  
place for  
**35+ years**  
in **Europe** and  
**15+ years**  
in **Canada**



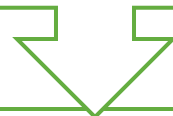
**2008:** PSI webinars, conference panels, government strategy calls. Industry opposed.



**2010:** PSI packaging EPR model elements document – best practices.



**2010:** Beverage Assoc of VT introduced first pkg EPR bill in US; would remove deposit return system; fails.



**2010-2011:** US EPA multi-stakeholder national pkg dialogue ends w/data report, no agreement.

**Industry Voluntary Initiatives:** Funding & Commitments → PCR, reusable, recyclable etc.

**Plastics pollution** backlash and **plastic bag** bans

**2013 (Green Fence) and 2017 (China National Sword):** China restricts recycling imports

**2019-2020:** PSI and **Flexible Packaging Association (FPA)** dialogue.

- \* **Agreement** on 8 of 16 Key Elements
- \* **FPA** – first packaging producer to support EPR.
- \* **Other producers** decline to meet.

# U.S. EPR PACKAGING LAWS

	Maine	Oregon	Colorado	California
Signed Into Law?	July 2021	August 2021	June 2022	July 2022
Implementation Date?	Fall 2026	July 2025	July 2026	January 2027

	Minnesota	Maryland	Washington
Signed Into Law?	May 2024	May 2025	May 2025
Implementation Date?	January 2029 (Tentative)	2028 (Tentative)	January 2030 (Tentative)

Source: Product Stewardship Institute, Inc. 2025

# PACKAGING EPR – KEY TOPICS

Policy flexibility (law, regulation, plan)

Cost of Consumer Goods

Packaging EPR and Deposit Return Systems

Compostable Packaging



# “ECO-MODULATED” PACKAGING FEES



Producer fees based on **the material itself**



Producer fees based on **quantity of the material put on the market**  
(reuse/refill - lower/no cost)



Producer fees based on **cost to the system**  
(how expensive is it to manage)



Producer fees based on **other environmental factors**  
(toxics, recycled content quantity, carbon impact, litter contribution)

# ELEMENTS OF EFFECTIVE U.S. EPR LAWS

Covered Materials/Products	Governance (PRO, Advisory, Govt)	Performance Standards	Stewardship Plan Contents
Covered Entities	Funding Inputs	Outreach & Education Requirements	Annual Report Contents
Collection & Convenience	Funding Allocation	Equity & Environmental Justice	Implementation Timeline
Responsible Party ("Producer")	Design for Environment	Enforcement & Penalties for Violation	Additional Components & Definitions



# PACKAGING EPR ELEMENTS

**Covered Materials:** All packaging regardless of recyclability. Multiple programs also include paper products and packaging-like products.

**Covered Entities:** Single and multi-family residences, depots and transfer stations, public places.

**Producer or Responsible Party:** Party that has legal ownership of brand that uses covered materials



# U.S. EPR PACKAGING LAWS COMPARISON

	Maine	Oregon	Colorado	California
Packaging Covered?	Yes	Yes	Yes	Yes
Paper Products Covered?	No	Yes	Yes	No
Food Service Ware Covered?	No	Yes	Yes	Yes
Multiple PRO(s) Possible?	No	Yes	After 2028	After 2030
Producer Funds System?	100%	≈ 28%	100%	100%
Eco-modulated Fees?	State regulation	PRO proposes	PRO proposes	PRO proposes
Performance Targets?	State regulation	In Statute	PRO develops	In Statute

Source: Product Stewardship Institute, Inc. 2025



# U.S. EPR PACKAGING LAWS COMPARISON

	Minnesota	Maryland	Washington
Packaging Covered?	Yes	Yes	Yes
Paper Products Covered?	Yes	Yes	Yes
Food Service Ware Covered?	Yes	Yes	Yes
Multiple Pro Possible?	After 2031	After 2033	After 2035
Producer Funds System?	Phased	Phased	Phased
Eco-modulated Fees?	PRO Proposes	PRO Proposes	PRO Proposes
Performance Targets?	PRO Proposes	PRO Proposes	PRO Proposes

Source: Product Stewardship Institute, Inc. 2025

# PACKAGING LAWS HARMONIZATION

**The Problem:** Lack of consistency

## Key Elements to Harmonize

- Timing and Sequence
- Obligation Hierarchy
- Scope of Covered Materials
- Exemptions
- Reporting Categories
- Fee Setting
- Eco-Modulation
- Responsible End Markets
- Financial Responsibility

# PSI Packaging EPR Harmonization Task Force

**Goal:** Align core elements of packaging EPR laws across states to reduce complexity and improve outcomes.

**Why It Matters:**

- Creates confusion for producers
- Harmonization supports compliance and environmental goals

**Who's Involved:**

75+ stakeholders from government, industry, recycling, and nonprofits

**Next Steps:**

- 6 virtual meetings (Sept–Dec 2025)
- Focus on top-priority elements

# ACHIEVING CIRCULARITY

## EPR

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



## Complementary Policies

- ✓ Bans (plastic bags, cups, etc.)
- ✓ Bottle bills/Deposit return systems
- ✓ Toxics in packaging
- ✓ Labeling Laws
- ✓ Post-consumer recycled content



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For more information:

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# Clarifying questions

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- What questions do you have for the presenters?

# Brainstorming



## Next steps and adjourn

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- Advisory group to send DEP/GreenerU additional background data and research on plastics and packaging
- Second plastics and packaging advisory group meeting to be scheduled for **Thursday, August 28, 10 a.m. to noon**
- Draft background document on electronics to share with the Commission is due **Friday, October 3**
- Initial EPR Commission meeting on plastics and packaging is **Wednesday, October 29, 2025, 9:30 a.m. to 12:30 p.m.**