

Extended Producer Responsibility (EPR) Commission
Response to Public Comments Received via MassDEP Website
Date Updated: 7/31/2025

Note: In some cases, comments have been summarized in this document. Similar comments may be combined.

Material Category: Lithium Ion Batteries

Comment 1: Please take into account e-cigarettes and vapes. Many of these are now sold as single use, and there is no way for the consumer to safely separate the battery from other components. The majority of battery recyclers will not accept vapes, and there is no current safe and acceptable method of disposal for these items. They are very often littered, or thrown away with regular municipal solid waste, creating additional hazards.

Response 1: Lithium-ion batteries are scheduled to be discussed at Meeting #4 of the Commission on July 16, 2025. The Massachusetts Department of Environmental Protection (MassDEP) will note batteries in e-cigarettes and vapes as a particular issue to consider.

Comment 2: Thank you for your leadership in researching and recommending policies to strengthen end-of-life battery management in Massachusetts. We appreciate the opportunity to participate in the July 16 meeting, where the topic of small and medium format battery management was discussed.

Redwood supports thoughtful, market-driven battery recycling legislation and stands as a partner with the Commonwealth as it advances this important work. It is critical that a program for the end-of-life management of small and medium format batteries be designed in a manner that maximizes collection opportunities, encourages participation by capable market players, and ensures the collected valuable materials are put to their best use at end of life—uses that will help Massachusetts achieve its circular economy and clean energy goals.

About Redwood Materials

Redwood Materials is an advanced battery recycler that recovers and processes lithium-ion batteries in the U.S. to help establish a domestic closed-loop battery supply chain. Our business encompasses the collection, recycling, and re-manufacturing of batteries into high-value components like cathode materials. We are supporting Massachusetts and the nation's transition to sustainable energy by achieving recycling rates above 95% and substantially reducing both the carbon footprint and cost of producing new batteries.

Our company's mission aligns with the objectives of this commission, as we work every day to advance the responsible and sustainable management of end-of-life batteries. Over 70% of lithium-ion batteries collected today are sent to our recycling facility in northern Nevada, making us the largest lithium-ion battery recycler in North America. Today, Redwood receives more than 20 GWh of lithium-ion batteries annually, which equates to more than 250,000 electric vehicles, 1.57 billion cell phones, or 60,000 metric tons/year.

Redwood's Free and Robust Battery Collection Program

Redwood's business model encompasses the collection, repurposing recycling, and re-manufacturing of end-of-life batteries into high-value battery materials. While we currently receive feedstock directly from consumer OEMs such as Amazon, Panasonic, Rad Power Bikes, Lime and Lyft, as well as automotive OEMs like Volkswagen, Toyota, and BMW, we see significant untapped opportunity in the consumer battery market—particularly through direct battery collection from the public. Each year, Americans spend trillions of dollars on rechargeable electronics and battery powered products, yet less than 5% of lithium-ion batteries sold are recovered through recycling streams. That is why we offer free, convenient, and widely accessible battery collection pathways for consumers, businesses, and municipalities.

Through our robust consumer battery collection program, we've already recovered and recycled over 100,000 pounds of batteries—refining and remanufacturing them into the critical materials needed for new battery production. By offering free and frictionless recycling options, Redwood believes we can meaningfully improve individual recycling rates.

Redwood's consumer battery collection program includes:

- Events – Consumers can recycle their end-of-life batteries by attending one of our community collection events that we host in partnership with Rotary Clubs, schools, local governments, and other civic and service-oriented clubs.
- Permanent Bins – We partner with manufacturers and retailers across the country. Providing our own battery collection solution via a permanent bin. We have more than 100 permanent collection sites nationwide.
- Education – We believe education is essential to battery recovery. That's why we created Redwood's *Advocate Toolkit*—a comprehensive resource covering the basics of battery and device recycling, along with guidance on how individuals and communities can contribute to a cleaner energy future.

Our free battery collection program is just one example of how the market is effectively responding to the need to recover end-of-life batteries—recognizing both their inherent value and the growing importance of the battery recycling industry. Battery recycling policies should encourage the expansion of private-sector efforts like this, rather than restrict competition or limit consumer access to qualified and convenient collection services.

Current State of Small + Medium Format Battery Recycling Legislation & Programs

As of July 2025, seven states and the District of Columbia have enacted extended producer responsibility (EPR) laws for small and medium format batteries: Washington, Illinois, Colorado, Connecticut, Nebraska, New York, Vermont, and D.C. Meanwhile, similar proposals in Florida, Iowa, Maryland, Minnesota, Missouri, Oklahoma, and Oregon did not advance.

Driven by the rapid growth of battery-powered tools and devices—and the resulting increased risk of batteries entering waste streams and causing fires—more states are pursuing battery EPR policies. However, few programs are fully operational, many have faced significant implementation challenges, and those that are up and running have yet to consistently meet their collection rate goals:

- Vermont — Missed its 25% goal in 2023 (reached 22%); improved to 29% in 2024.
- D.C. — Missed its 35% goal in 2023 (only 23% collected).
- Washington — Still in its second year of rulemaking with ongoing challenges.
- California — Entering year three of rulemaking with similar unresolved issues.
- Illinois — Law passed in 2024, and implementation is not yet underway.
- Ontario — Regulators recently fined producers millions for failing to meet targets under the same EPR framework now being proposed in multiple U.S. states.

We believe the battery EPR model now gaining traction in the U.S. has potential and can serve as a strong complement to the market-driven recycling solutions already operating successfully. A well-crafted battery EPR legislation can help increase collection and improve safety. However, the version being replicated across states still falls short as it limits participation by recyclers already doing this work, does not guarantee that collected batteries will be processed responsibly by qualified recyclers, and fails to ensure that recovered materials are used to support domestic battery manufacturing and clean energy goals.

When the primary safety risk—fires—is directly linked to batteries being improperly disposed of in the waste stream, Massachusetts should expand and encourage multiple, qualified collection pathways through the private sector, rather than limit them to a single nonprofit entity for the sake of administrative simplicity. To be truly effective, the Commonwealth’s battery EPR policy should be comprehensive, establish strong and clearly defined end markets, and maintain the flexibility needed for private-sector solutions to operate and grow alongside stewardship programs.

End-of-Life Small + Medium Format Battery Management Policy Recommendations

To address the gaps in current model legislation and ensure Massachusetts develops a best-in-class program, Redwood recommends the Commission consider the following improvements:

1. Allow for the Independent Collection of Covered Batteries on Behalf of Advanced Battery Recyclers, Metal Recyclers, and MRFs voluntarily collecting covered batteries

Advanced battery recyclers, metal recyclers and material recovery facilities (MRFs)—must be free to collect, transport, and recycle any covered batteries by any lawful method independent of a BSO, with no obligation to forfeit material to a battery stewardship organization (BSO) and no artificial limits on collection models (e.g., fee-based household pickup, mail-back, drop-off sites, community events, curbside pilots, or other innovative approaches). So long as appropriate information is reported to help meet statewide collection goals, this approach simply allows recyclers to continue doing what they are already doing, serving as a complement to the battery stewardship program by further expanding pathways and increasing convenience for consumers.

2. Define Advanced Battery Recyclers and Require Coordination with Such Recyclers for the End-of-Life Management of Covered Batteries

To address the unique safety, environmental, and material-recovery considerations of lithium-ion batteries, this commission should recommend that the state define “advanced battery recyclers”—entities with the expertise and technology required to process these batteries responsibly. The state should also define and acknowledge the important roles of other recycling stakeholders, such as electronic recyclers, metal recyclers and MRFs who often encounter lithium-ion batteries and may partner with advanced battery recyclers like Redwood Materials for safe and efficient downstream processing.

Critically, this policy recommendation should require battery stewardship organizations to coordinate with advanced battery recyclers for the end-of-life management of covered batteries—ensuring not just collection, but full recycling by facilities capable of processing

batteries and remanufacturing the recovered materials into new, battery ready inputs. With this addition, Massachusetts can ensure that 4

valuable materials are truly reintegrated into a domestic circular supply chain, reducing reliance on foreign sources of critical minerals, strengthening U.S. manufacturing, and lowering the cost of essential clean energy technologies such as electric vehicles and battery energy storage systems.

3. Do Not Restrict Battery Stewardship Organizations to Only Nonprofit Entities

Limiting stewardship organizations exclusively to nonprofits can hinder competition, stifle innovation, and reduce the overall effectiveness of Massachusetts' battery recovery efforts. Allowing both for-profit and nonprofit entities to form stewardship organizations helps draw on a broader range of expertise, funding opportunities, and operational models—ultimately strengthening the recycling ecosystem. By diversifying the types of organizations eligible to oversee end-of-life battery management, the state ensures it does not rely too heavily on a narrow pool of organizations, increasing resilience and improving long-term outcomes for consumers, recyclers, and the environment alike. Lastly, as long as appropriate reporting is required, any stewardship program—whether nonprofit, for-profit, or producer-run—will provide the transparency necessary to ensure accountability and a successful program.

4. Equitably Allow for Multiple Battery Stewardship Organizations to Operate and Collectively Work Together to Achieve Statewide Goals

A battery EPR program in Massachusetts should allow multiple stewardship organizations to operate and *collectively* achieve statewide collection and convenience goals. Permitting both for-profit and nonprofit entities to form stewardship organizations draws on a broader range of expertise, funding sources, and operational models—ultimately strengthening the recycling ecosystem. Diversifying the types of organizations eligible to oversee end-of-life battery management reduces reliance on any single entity, increases program resilience, and drives better outcomes for consumers, recyclers, and the environment.

This approach also encourages healthy market dynamics by opening the door to more innovative and competitive recycling solutions. Allowing for-profit entities to participate directly in collection or qualify as stewardship organizations motivates them to find creative ways to increase recycling rates and secure valuable feedstock—rather than relying solely on a single nonprofit operator that may lack incentives to expand or improve the system over time.

Finally, battery stewardship fees paid to the state—such as the fee for submitting a battery stewardship plan—should not be a flat, equal rate across all stewardship organizations. Instead, these fees should be structured equitably based on the number of producers

represented within each stewardship organization and their market share of covered batteries.

5. Require Battery Stewardship Financial Reports to Include Revenue Generated from the Sale of Covered Batteries

Most battery EPR proposals require stewardship organizations to submit financial statements detailing program costs and expenditures, but they do not require reporting of revenue generated from selling collected batteries. This is a critical oversight. Unlike products such as paint or mattresses, which have negative value at end of life, many batteries retain significant market value and are often sold into the metals market by the nonprofit entities running these programs.

Without transparency on this revenue, the true financial picture of a battery stewardship program remains incomplete. Including this information in required reporting will ensure accountability, provide a clearer view of program economics, and help the state evaluate whether stewardship fees are being used effectively. Full revenue reporting also supports the core principle of EPR—that producers and stewardship organizations should be responsible for the entire life cycle of their products, including the fair accounting of any revenues earned from recovered materials.

Redwood is committed to keeping batteries out of landfills and building a robust domestic battery recycling ecosystem. We stand ready to partner with Massachusetts to develop the most effective battery recovery program possible. We respectfully urge the Commission to consider these recommendations in its final policy proposals to the legislature. With these improvements, Massachusetts can lead the way in modern, effective battery stewardship that supports private sector innovation, consumer convenience, high recovery rates, and clean energy goals.

Thank you for your consideration of our recommendations.

Response 2: This comment will be shared with Commission members along with the final proposed Commission recommendation on batteries.

Material Category: Mattresses

Comment 1: I want to ask the following questions in the EPR Commission Meeting #3, scheduled for June 18th:

Product Stewardship Institute ("PSI") June 2025 Document:

1. Page 10. The report states: "Municipalities with curbside collection also incur costs for their own collection of mattresses. There is no data available on the cost of curbside collection services that can be allocated to mattress collection. **However, this cost would not be covered by MRC under mattress EPR.**" Given that the report states 50% of the population of Massachusetts relies on curbside pickup, is it not a punitive tax for those residents to have to pay the "MRC Recycling Fee" when they will not have the opportunity to have their mattress taken for free? Understanding that many urban residents don't have access to a vehicle to transport a mattress or box spring to a centralized site, is there not a concern that this is a tax on those least able to afford it, and will not have the ability to use this service they have paid for? The current system does charge these residents to have curbside pickup, to meet them where they are, but does not also impose an additional tax on these residents because they don't happen to own a vehicle.
2. Opportunities for Massachusetts- PSI notes that 66% of MA mattresses were recycled in 2024, which was the 2nd full year after the MassDEP Waste Ban. They suggest that with the EPR program this would rise to 95-98%. How do they justify this material increase when all of the other EPR programs, which have been in existence over 10 years do not exceed 68%? Does this not suggest the MA approach, spearheaded by MasDEP, is exponentially more effective as recycling rates are almost the same after only 2 years in place?
3. "Mattress EPR would save Massachusetts municipalities \$12 million per year" - PSI notes, in the following section, that "...more than 50% of residents are already paying municipalities to recycle their mattresses..." so would they not need to show the revenue municipalities get for charging residents to recycle not just the costs to calculate "savings"? Our analysis, from over 80+ municipalities throughout the State of MA, shows that almost all of them are charging residents, which we believe in almost every instance more than covers the cost of handling, storage, transportation, and recycling.
4. "In Massachusetts, the MassDEP's investments in mattress recycling and the eventual disposal ban have similarly sparked business growth for 20 mattress

recyclers, including UTEC, Green Mattress, HandUp Mattress Recycling and Upcycling, Ace Mattress Recycling, Aires Mattress Recycling, and others." This suggests that the current MassDEP approach has created a healthy and vibrant competitive market for municipalities and consumers to choose from. Can PSI quantify the number of mattress recyclers in each state where the MRC currently operates?

Response 1: These comments will be shared as additional background information for the June 18th Commission Meeting.

Comment 2: While, the mattress recycling rate is high and DEP often points to that statistic as proof that the waste ban works, it's not the complete picture. It is very costly to manage mattresses and it is very time-consuming for large municipalities. So I would urge the State to not look at recycling rate as the only metric to consider with EPR. First, the rate can be a reflection of the grants that DEP offered to start programs. It also can be a reflection of the extra fee that trash disposal sites charge for mattresses. Transfer stations and trash disposal sites often charge a fee for mattresses going into the trash. From our experience that cost can be as high as \$140 per mattress.

The amount of work for municipalities to manage mattresses is overlooked under the current system. In Cambridge (and in other urban muni's) we spend an incredible amount of time fielding calls for abandoned mattresses and fielding issues with property managers not able to dispose of mattresses because they have private trash collection. And without any universal system, we end up getting called regularly to pickup a mattress from various locations on a regular basis.

Under EPR, there would be more resources available to municipalities to divert the mattress and the municipality wouldn't have to be the managing entity. The imbalance of time spent managing mattresses and tonnage diverted from the trash is wide. For the amount of time we spend managing mattresses we could make significant progress on reducing commercial and residential trash, improving other sanitation issues, and making our programs more equitable and accessible to our diverse population.

Response 2: Issues related to municipal mattress management and cost are addressed in the Draft Commission background document and policy recommendation for mattresses, which is posted here - <https://www.mass.gov/doc/draft-eprcmattress-backgroundrecommendationdocjuly2025/download>.

Comment 3: At IKEA, our vision is to create a better everyday life for the many people. We work towards this vision by offering well-designed, functional, durable, affordable and

sustainable home furnishing solutions for our customers. To care for people and planet, we also have an ambition to transition towards a circular business and support policies to increase recycling. We commend the Massachusetts Commission on Extended Producer Responsibility (EPR) for exploring policies to increase recycling and circularity through EPR.

As Massachusetts considers establishing a mattress stewardship program, we encourage the Commonwealth to adopt a tiered fee structure—where lower-priced mattresses are assessed lower recycling fees than higher-priced ones. This approach supports equity for lower-income consumers, who are more likely to purchase affordable mattresses that are also generally less complex and less costly to recycle. Conversely, higher-priced mattresses typically involve more materials, are more difficult to recycle, and should contribute proportionately to the cost of the program.

In states with a flat mattress recycling fee—such as Oregon, where all mattresses incur a \$22.75 fee regardless of price—lower-income consumers effectively subsidize the recycling of more expensive products. A tiered fee model would better align recycling costs with product characteristics and consumer ability to pay, while still achieving strong environmental outcomes. We believe this balance is critical to the long-term success and fairness of any mattress stewardship program.

Response 3: The Commission has raised this point as a question for further consideration in the draft policy recommendation for mattresses, which is posted here -

<https://www.mass.gov/doc/draft-eprcmattress-backgroundrecommendationdocjuly2025/download>.

Comment 4: As the Extended Producer Responsibility (EPR) Commission considers its final recommendations to the legislature regarding mattress EPR, several questions were raised in its mattresses report that the International Sleep Products Association (ISPA) would like to address. As you know, the Mattress Recycling Council (MRC) has operated statewide mattress recycling programs since 2015 and is looking to expand into Massachusetts, should harmonized legislation be enacted.

Based on our operational experience, MRC believes we are well positioned to answer the questions that the Commission has posed ahead of its anticipated September vote on its recommendations. We want to emphasize that we appreciate the Commission's time on this matter and their interest in considering mattress EPR. Below, please find the questions and answers to those included in the Commission's initial report.

1. Should the mattress fee be a flat fee or a variable fee based on size of mattress or cost? Current EPR programs have a flat fee regardless of the size (twin, full, queen, king) or cost of the mattress.

As mentioned in the EPR Commission's report:

- i. It is simple and easy for consumers and retailers to understand and apply
- ii. It is easy to verify whether the retailer has applied and collected the fee correctly
- iii. Covers the full cost to dismantle and recycle the mattress being discarded
- iv. Allows MRC to budget revenues in a predictable manner

However, there are additional reasons this single fee makes the most sense. Low-cost units are typically less durable than higher priced units and are replaced more often. With a shorter life cycle, they are more likely to enter the program for recycling sooner and therefore place an outsized financial burden on MRC compared to more durable units. Thus, a lower fee based on price results in an imbalance in the program that could seriously impact the underlying finances of the program that would be difficult to project. Further, it may inadvertently encourage consumers to buy less sustainable products with shorter lifespans. In addition, varying sizes of mattresses do not result in a significant differential in the amount of time, effort, or expense it takes to disassemble a unit, so a fee based on size could have the same negative financial impact as a fee based on cost. Finally, a tiered fee structure based on purchase cost or mattress size is not harmonized with other mattress recycling laws currently in operation. Implementing a one-off program in Massachusetts would therefore add costs for mattress retailers who would have to update their software systems to account for a variable fee in one state and a single fee in others. In addition to costs, this would lead to producer, retailer and ultimately consumer confusion as everyone has to navigate multiple fee systems in varying states. While well-intentioned, MRC believes that a tiered structure for durable mattress products is prohibitively cost-intensive to budget, implement, and audit for compliance. This is exactly why the program was founded and continues 10 years later to finance our programs based on a per unit fee. Nevertheless, in our model mattress recycling bill, ISPA has left that provision open to changes in the future should operational circumstances change.

2. Should the disposal cost of mattresses that cannot be collected and recycled through the program be included?

Massachusetts currently has a disposal ban for mattresses. Should Massachusetts pass a harmonized mattress recycling bill, between the ban and the MRC program, the state should have the highest diversion rates in the country. Mandating that MRC pay for any and

all disposal of mattresses and mattress components that escape the system, would raise program costs while the existing solid waste infrastructure is already best situated to handle unrecyclable units that are crushed, contaminated, and disposed of with other solid waste and are already paid for by existing tipping fees. Removing them from the solid waste stream would require modification of existing solid waste contracts, and solid waste facilities would have to track, document and invoice for the discarded units in order to be reimbursed. MRC cannot pay an invoice without supporting documentation per generally accepted accounting principles.

Processing techniques and technology at mattress recyclers has improved during the past decade, and very few units arriving at a recycling facility are unrecyclable. In MRC's Connecticut program, less than 0.5% of units coming into the program are unrecyclable.

Moreover, MA H 1023 requires, as part of the annual report, that MRC include an evaluation of why mattress materials sent for disposal were not recycled and describe efforts to increase recycling rates.

Separately, MRC must meet standards set in the law and regulations that govern each program. Paying for the costs of municipalities or solid waste facilities that have not taken reasonable steps to mitigate contamination as so many others have done with success would only encourage poor handling techniques. Those that are experiencing abnormally high rejection rates because their collection methods for contaminated or damaged units should be motivation to consider alternatives. MRC is prepared to work with solid waste handlers to help protect the quality of the units they collect, but municipalities and facilities must do their part to help solve contamination problems.

3. Should the fee be collected at the wholesale or retail level? In current mattress EPR programs the fee is collected at the point of retail sale.

As covered in the Commission's recommendation, a retail-based fee is largely explained by the Commission's own explanation of its first question:

- i. It is simple and easy for consumers and retailers to understand and apply
- ii. It is easy to verify whether the retailer has applied and collected the fee correctly
- iii. Covers the full cost to dismantle and recycle the mattress being discarded
- iv. Allows MRC to budget revenues in a predictable manner

In addition to those points, we estimate that 40-50% of units sold today are compressed box beds sold to an identifiable delivery address - commonly referred to as boxed bedding. Collecting the fee at retail point of sale provides the most accurate method to properly

determine when the unit is actually sold in or into the state, rather than relying on wholesales estimates into regional distribution warehouses that service multiple states. Fee enforcement based on wholesale data becomes very challenging when based on estimates and not an audit trail that can be easily verified with online search methods.

Over and above the operational uncertainty and costs of wholesale fees– this method also lessens consumer awareness and necessitates additional spending on marketing to inform consumers of the program and collection services.

Moreover, this is not a universally applicable option in the current mattress supply chain. Mattress manufacturers often have distribution centers that serve multiple states and do not know what state each unit will be sold into. New England states are in close proximity to each other which would further complicate audits and compliance. Thus, it also makes enforcement more costly and difficult.

Further, many boxed beds are sold directly from 3rd party manufacturers to consumers making it impossible to administer a fee at the wholesale level for online sales of mattresses. A point-of-sale retail fee ensures that if a mattress is bought at an online retailer and shipped to a Massachusetts address, that purchase triggers the remittance of the fee and reporting to MRC.

4. Should the EPR fee cover some form or partial cost of municipal curbside collection?

Collecting mattresses curbside would be a significant financial and operational burden for a mattress EPR program in Massachusetts and interfere with existing solid waste infrastructure and contracts. By virtue of just having the program, the EPR fee will cover partial costs of premium curbside service, however, covering all of the cost would result in significant cost increases for the entire State. The higher cost of including premium curbside collection in the MRC fee will incentivize consumers to shop in neighboring states with lower fees. Limiting such collection to only programs that are paid for by a premium service fee is a compromise that still enables the municipal government to provide the service while also realizing the cost savings of having the recycling (and in some cases transportation costs) paid for through the MRC program. In addition, covering the cost of premium curbside service through the statewide MRC program would subsidize areas with curbside and penalize areas without. This would generally place more of the burden on rural communities or those without strong existing solid waste systems. Per a PSI report, currently 50% of residents (only 19% of towns) have access to curbside. Therefore, it would

not be equitable to have the other half of residents pay for curbside, the bulk of whom are urban and suburban residents at the detriment of rural residents.

If a municipality chooses to collect mattresses curbside and consolidates those mattresses at their transfer station or MRC collection site, MRC provides a trailer at the solid waste facility, transport to the recycler and recycling of those units. This is a significant portion of the costs to recycle a mattress to responsible end markets.

Conclusion

MRC has been in operation for over 10 years and is operational in 4 states, including two neighboring states to Massachusetts: Rhode Island and Connecticut. ISPA and Rep. Phillips have proposed legislation, under HB 1023, that efficiently addresses the concerns above and harmonizes any MA program with those already in existence. We urge the Commission to endorse a mattress recycling system that mirrors other successful mattress recycling programs, similar to the endorsement of the PaintCare program adopted earlier in the Commission's process. We welcome the opportunity to continue this dialogue and are ready to answer any further questions and provide more information upon request.

Response 4: This comment will be shared with Commission members along with the final proposed Commission recommendation on mattresses.

Material Category: Paint

Comment 1: Please share the following testimony with Commissioners:

<https://greeninggreenfieldma.org/wp-content/uploads/2025/05/Testimony-ENR-Hall-05-06-25-written-paint-only.pdf>.

Response 1: MassDEP is sharing this link with Commission members and the public through this response to comments document.

Comment 2: I am strongly in support of a Paint Stewardship law and have worked with Sharon Kishida and Peg Hall over the last 3 years to promote Paint Stewardship with municipalities across the Commonwealth and support this effort through resolutions and letters of endorsement. To date 106 municipalities across the state have passed resolutions asking the General Court to act favorably on or written letters of endorsement for a Paint Stewardship law. More municipalities will be joining. The following link provides access to the current list of municipalities supporting Paint Stewardship:

<https://massrecycle.org/wp-content/uploads/2025/05/Paint-EPR-Fact-Sheet.pdf>.

Response 2: Based on the Commission meeting held on May 21, 2025, MassDEP is drafting a resolution relative to paint EPR for the Commission to vote on at the next meeting scheduled for June 18, 2025.

Material Category: Plastics and Other Packaging

Comment 1: Compostable packaging is a growing sector with a strong correlation to properly collecting food waste. Will it be covered as a separate category from non-compostable plastic packaging?

Response 1: Plastics and other packaging are scheduled to be discussed at Meeting #6 of the Commission on October 29, 2025. MassDEP does not know at this time whether compostable packaging will be specifically addressed, but we will note this as a particular issue to consider.

Comment 2: If the state were to implement Eco-Modulation on the producers for their products and force their investment into a new industry, would that help alleviate the cost pushed to the consumer? By that, I mean if we make the producers responsible for incorporating recycled content into their products and prove that end-of-life bottle/paper recyclers can accept the producer's products as their feedstock, would that help manage any added costs that would inevitably be placed on packaging?

Response 2: Plastics and other packaging are scheduled to be discussed at Meeting #6 of the Commission on October 29, 2025. The issues that the Commission is specifically charged with addressing include:

- a proposed structure for each product and packaging category including collection, processing and financial responsibility;
- information on cost impacts of residential curbside collection or transfer station operations, on-site processing costs for each readily recyclable material type, management costs of non-readily recyclable materials and other cost factors;
- methods for incentivizing product and packaging production, including material reduction, reuse and lifecycle extensions; and
- impacts on waste generation and waste stream contamination reduction.

Comment 3: Why does the consumer have to sort, clean, store and carry packaging to a collection place -- assuming there even is such a thing?

Response 3: These comments will be shared with Commission members and these concerns can be discussed further in the Advisory Group and Commission meetings on packaging.

Material Category: Textiles

Comment 1: Will the commission explore textile waste and solutions to curb fast fashion?

Response 1: Textiles are not among the product categories that were specifically identified for the Commission to address in the authorizing legislation in Section 108 of Chapter 239 of the Acts of 2024. Given the limited time that the Commission has available to address the five product and packaging categories identified in the legislation, MassDEP does not expect the Commission to address textiles. However, MassDEP has taken a number of other steps to address textile waste. In November 2022, MassDEP banned the disposal of textiles in the trash. MassDEP has provided grants through our Recycling and Reuse Business Development Grant program to expand the textiles recovery infrastructure in Massachusetts. For more information, please see <https://www.mass.gov/guides/clothing-and-textile-recovery>.