

Extended Producer Responsibility (EPR) Commission
Response to Public Comments Received via MassDEP Website
Date Updated: 6/16/2025

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.

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.

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.

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>.