

MASSACHUSETTS EXTENDED PRODUCER RESPONSIBILITY COMMISSION
Draft recommendation language for October 29, 2025, EPR Commission meeting

DRAFT BATTERIES EPR RECOMMENDATION

The Commission recommends that the Massachusetts Legislature enact legislation to establish an extended producer responsibility program for batteries. The Commission recommends the development and implementation of a program that aligns with PRBA—The Rechargeable Battery Association model EPR legislation to the greatest extent possible.

The Commission acknowledges proposed battery EPR legislation under consideration before the Massachusetts legislature at the time of this recommendation—H.968 and S.556—but does not endorse any specific bill.

The Commission recommends consideration of the following:

- As movement on EPR for batteries in other states is rapidly evolving to address various issues such as management of damaged, defective, recalled (DDR) batteries, embedded batteries in products, and proper collection and management solutions, harmonization of state programs will serve states and industry.
- Impacts of any restriction on parties outside the EPR program from collecting batteries through existing infrastructures should be considered.

DRAFT ELECTRONICS EPR RECOMMENDATION

The Commission endorses enactment of legislation to establish an extended producer responsibility program for electronics. The Commission recommends the development and implementation of a program that aligns with existing programs in other states to the greatest extent possible.

The Commission acknowledges proposed electronics EPR legislation under consideration before the Massachusetts legislature at the time of this recommendation—H.1015 and S.653—but does not endorse any specific bill.

Specific recommendations on elements to include in electronic EPR legislation are as follows:

Covered products	Computers, laptops, tablets, monitors, televisions, printers, computer peripherals; in 2026 to include fax machines, DVD players, VCRs, portable music players, game consoles, digital converter boxes, cable/satellite receivers, scanners, small-scale servers, routers, modems
Covered entities	Households, schools, government, small business
Performance goal	Convenience standard and target reduction of electronics in the waste stream
Collection/recycling service	Must include municipal electronics collection points
Financial structure	No fee to covered entity. Funding covered by producer based on market share of total cost, including orphaned electronics.

Recycling standards	Entities processing electronics on behalf of producers must have E-stewards, R2 certification or equivalent
Outreach and education	Comprehensive outreach and education plan by producers

Other recommended initiatives to consider:

Although most electronic EPR laws do not include issues related to the right to repair, several states have passed (CA, CT, NY, OR) or have right to repair legislation pending. A right to repair law would make extending the life of existing electronics easier by increasing consumer and repair shops access to necessary parts, tools and documentation.

DRAFT PACKAGING EPR RECOMMENDATION

The Commission endorses the concept of ERP for plastics and packaging. Due to the vast amount of technical information and expanded stakeholder engagement needed to advance such an initiative, the Commission recommends that MassDEP be charged with establishing a subcommittee of its Solid Waste Advisory Committee to further discuss EPR for plastics and packaging and be provided the necessary resources to pursue a needs assessment, which will help determine how EPR for plastics and packaging could have a meaningful impact on advancing material recovery in the Commonwealth.