

Massachusetts Extended Producer Responsibility Commission

September 17, 2025 | 9:30 a.m. to 12:30 p.m.

In-person and via Zoom

Meeting minutes

Commissioners present

- John Beling, Chair, and Deputy Commissioner, Massachusetts Department of Environmental Protection
- Sharon Byrne Kishida, Nominee, Senate Minority Leader
- Max Haworth for Leigh-Anne Cole, Executive Director, Community Action Works
- Janet Domenitz, Executive Director, MassPIRG
- Lew Dubuque, Vice President, Northeast Chapter, National Waste and Recycling Association
- Sam Larson for Magda Garncarz, Vice President of Government Affairs, Associated Industries of Massachusetts
- Sarah Kalish, Executive Office of Economic Development
- David Melly, Legislative Director, Environmental League of Massachusetts
- Catherine Ratte, Director, Land Use and Environment Department, Pioneer Valley Planning Commission
- Bill Rennie, Senior Vice President, Retailers Association of Massachusetts
- Neil Rhein, Executive Director, Keep Massachusetts Beautiful
- Waneta Trabert, Vice President, MassRecycle
- Tracy Triplett, Senior Enforcement Counsel, Office of Attorney General Andrea Joy Campbell

Commissioners absent

- Rep. Christine Barber, House Chair, Joint Committee on Environment and Natural Resources Appointee, Massachusetts House of Representatives
- Senator Mike Barrett, Senate Chair, Joint Committee on Telecommunications, Energy, and Utilities
- Kris Callahan, Director of Policy and Regulatory Affairs, Bureau of Climate and Environmental Health, Massachusetts Department of Public Health
- Jose Delgado, Councilor, City of Springfield, Arise for Social Justice
- Conor O'Shaughnessy, Budget Director and Environmental Policy Analyst, Office of Representative Bradley Jones, House Minority Leader
- Andrew Potter, Chair, Select Board, Town of West Stockbridge
- Abbie Webb, Vice President of Sustainability, Casella Waste Management

Staff and consultants present

- Scott Cassel, CEO, Product Stewardship Institute
- Greg Cooper, Director, Hazardous and Solid Waste, Massachusetts Department of Environmental Protection
- John Fischer, Deputy Director, Solid Waste, Massachusetts Department of Environmental Protection
- Julie McNeill, Attorney, Bureau of Air and Waste, Massachusetts Department of Environmental Protection
- Jennifer Haugh, Vice President of Planning, GreenerU

Special guests present

- Jason Linnell, National Center for Electronics Recycling

Agenda and minutes

1. Welcome and roll call

Commission Chair John Beling welcomed the group and started the meeting at 9:41 a.m. He took roll call and noted a quorum.

2. Review of goals and agenda

Beling shared the meeting goals and agenda on slide 5. The meeting goals were as follows:

- Roll call, approve agenda, and minutes
- Vote on mattress recommendation
- Discuss battery EPR recommendation
- Level set on past and present electronics EPR efforts
- Hear ideas, concerns, support
- Identify and discuss support for proposed electronics EPR recommendations

3. Housekeeping: approval of September 17 agenda and July 16 meeting minutes

Commissioner Domenitz moved to approve the September 17 agenda. Commissioner Rennie seconded. The motion passed unanimously.

Commissioner Rennie moved to approve the July 16 meeting minutes. Commissioner Dubuque seconded. The motion passed unanimously.

4. Mattress recommendation

Vote on a mattress EPR recommendation. Current recommendation language for discussion is as follows:

The Commission recommends that the Massachusetts Legislature enact legislation to establish an extended producer responsibility program for mattresses. 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 mattress EPR legislation under consideration before the Massachusetts legislature at the time of this recommendation—H.1023, H.3985, and S.614—but does not endorse any specific bill. H.1023 incorporates some of the elements contained in Oregon’s updated law, which the Commission recommends exploring.

The Commission recommends consideration of the following questions:

- Should the mattress fee be a flat fee or variable based on size of mattress or cost?
(Current mattress EPR programs have a flat fee regardless of mattress size or cost.)

- Should the cost of disposal of mattresses that cannot be collected and recycled through the program be included?
- Should the fee be collected at the wholesale or retail level? (Current mattress EPR program fees are collected at the point of retail sale.)

Kishida moved to forward the recommendation language to the legislature. Domenitz seconded the motion.

Commissioner Domenitz: Is this the policy we will send or are we doing it piece by piece?

Commissioner Trabert: I would like to touch on this recommendation that from the municipal perspective, it is inadequate to address the Commission's task. It does not address specific cost mechanisms or other things the Commission was actually tasked with putting forward a recommendation on. S.614 is not actually EPR legislation, so I don't know that it should be mentioned that it should be EPR language under consideration. I don't think we've covered mattresses in enough detail to do the work of the Commission justice.

Commissioner Domenitz: Will we have a minority report if there are any people expressing concern?

Chair Beling: my sense is the final report will include comments and some notes. Our hope is to send something to the legislature now. Not sure if they will act quickly, but we can send these things in advance and to the extent people are raising points.

Commissioner Rennie: I would tend to agree. I'm not comfortable with the recommendation given how many questions are still out there, such as curbside pickup. These bills are currently before the legislature, they have hearings, so they'll be doing due diligence anyways. But I just think more work needs to be done and I wouldn't be comfortable recommending that legislation be enacted until a number of these questions are answered. And I mentioned in one of the previous discussions, recognizing the legislation by bill number, the legislature is aware of the bills before them and given that we're not endorsing any specific approach, I don't know that it's necessary.

The Commission voted on the recommendation language above. Chair Beling took a roll-call vote. The motion carried with one no and one abstention, as indicated in the table below.

Commissioner	Vote
Senator Mike Barrett, Senate Chair, Joint Committee on Telecommunications, Energy, and Utilities	n/a
Rep. Christine Barber, House Chair, Joint Committee on Environment and Natural Resources Appointee, Massachusetts House of Representatives	n/a
Sharon Byrne Kishida, Nominee, Senate Minority Leader	yes
Kris Callahan, Director of Policy and Regulatory Affairs, Bureau of Climate and Environmental Health, Massachusetts Department of Public Health	n/a
Max Haworth for Leigh-Anne Cole, Executive Director, Community Action Works	yes
Jose Delgado, Councilor, City of Springfield, Arise for Social Justice	n/a

Janet Domenitz, Executive Director, MassPIRG	abstain
Lew Dubuque, Vice President, Northeast Chapter, National Waste and Recycling Association	yes
Sam Larson for Magda Garnicarz, Vice President of Government Affairs, Associated Industries of Massachusetts	yes
Sarah Kalish, Executive Office of Economic Development	yes
David Melly, Legislative Director, Environmental League of Massachusetts	yes
Conor O'Shaughnessy, Budget Director and Environmental Policy Analyst, Office of Representative Bradley Jones, House Minority Leader	n/a
Andrew Potter, Chair, Select Board, Town of West Stockbridge	n/a
Catherine Ratte, Director, Land Use and Environment Department, Pioneer Valley Planning Commission	yes
Bill Rennie, Senior Vice President, Retailers Association of Massachusetts	no
Neil Rhein, Executive Director, Keep Massachusetts Beautiful	yes
Waneta Trabert, Vice President, MassRecycle	yes
Tracy Triplett, Senior Enforcement Counsel, Office of Attorney General Andrea Joy Campbell	yes
Abbie Webb, Vice President of Sustainability, Casella Waste Management	n/a

5. Discussion on battery EPR recommendation

Chair Beling cued up discussion on the following recommendation for battery EPR:

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 existing programs in other states 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 questions:

- Should standards be for performance, convenience, or both?
- What size and type of primary (single-use) and rechargeable medium-format batteries should be included—removable or embedded?
- Should take-back programs be the responsibility of retailers or voluntary?
- Should Massachusetts adopt PBRA's model legislation?
- Should labeling be required to aid in proper disposal?

Commissioner Kalish: I had one quick follow-up question. This was on the mattresses—I was wondering if commission members will also be providing the 1-5 scale of agreement.

Chair Beling: Today's vote is yea/nay; additional comments can be included in the final recommendation. For efficiency's sake, we're trying to move some things through. People also have an opportunity to reach out to the legislature.

Commissioner Trabert: I disagree with this recommendation. I think that it is pretty clear from the previous meeting that similar to paint and somewhat to mattresses, but especially to paint, PBRA represents battery manufacturers that are in favor of this model. It is absolutely what Massachusetts should adopt. It has been adopted by seven states. I don't know why this is a question; it should be the model moving forward.

Chair Beling: What we were contemplating is to do some scaled voting on this one and bring it back for next month's meeting and see if we can get a vote on this one next month.

Commissioner Rennie: On the question of whether retailers should be voluntary, my answer to that question would be no, but if it's just for discussion purposes. If it was me, that's the recommendation.

Cooper: We're taking the temperature in general on EPR and would like to have some answers.

Commissioner Trabert: In the PBRA model that I think the commission should recommend, the collection is voluntary, and I would say nation-wide, even if there is an example of a program that requires takeback, that is not a standard and not really a discussion item that is a hot topic. No one I know of is advocating for required takeback of retail. I agree that that's not even a question—don't know why that was added to this as something up for debate.

Chair Beling: We will eliminate that question.

Commissioner Trabert: I'd like to do a quick run-through of the questions. Should standards be for perf—PRBA model is convenience, and I think that would work to start establishing a program. Size or type: no one is advocating for only including certain batteries—universal that everyone wants small batteries, medium-format would be desirable from vast majority of municipal and waste collection sectors to get more batteries out of the waste stream. All battery types, rechargeable and primary, eliminate confusion from public, and collect small and medium format because above medium is where you get into regulations that make things more complicated.

Cooper: One of the key pieces of that decision is whether the battery is removable or not.

Commissioner Trabert: It is a hot topic. In the PBRA model, embedded is not included. If we were to make a recommendation to include, the PBRA would be against that model, and we would lose their support. No state has gone over embedded batteries yet, but there's too many complexities. Whatever version 2.0 would add embedded batteries. Other complications for Massachusetts are that other states with batteries EPR also have an electronics EPR. It's not a reason not to move forward with the PBRA model.

Chair Beling: It doesn't sound like there's much support to include embedded batteries right now. We'll take that question out at this point in time, and we'll take out the question on whether it should be voluntary.

Cooper: So, should we change the language to say the Commission recommends following the PBRA model?

Chair Beling: We could say that.

Commissioner Kishida: I agree.

Chair Beling: We could change the actual recommendation to add a sentence or comma, “and should consider adopting PBRA’s model legislation.”

Commissioner Dubuque: I’m not sure that’s necessary as it could change.

Commissioner Trabert: We did do that for paint recommendation. I recommend following that format if there is precedent for it.

Chair Beling: Other than Commissioner Dubuque, anyone else not want to include PBRA recommendation?

Commissioner Rennie: I tend to agree with Commissioner Dubuque that language in first two sentences is strong enough. Again, the legislature is going to take a look at the different models before them, but the statement is clear to me.

Commissioner Kishida: Can I just say that the legislature won’t know what the PBRA model looks like?

Commissioner Trabert: What I don’t like about first paragraph is it references programs in other states, but some are much bolder. I think we should say most recently passed programs and include a time reference.

Chair Beling: So, should we reference states we like?

Commissioner Trabert: Yes.

Chair Beling: Let’s be as explicit without being overly prescriptive. I don’t know that we need a straw poll. This will be circulated again; we’ll make some changes and put some explicit state references in the recommendation and recirculate.

Daniel Zotos, Redwood Materials: I did speak to most folks on a recent meeting. A few quick comments that remain important on this discussion looking at this slide. A big mainstay of the commentary on the last meeting is there is a big sweeping industry-wide discussion on this topic as well as with the EPA. Meeting right now in D.C. to go over what model makes sense. It’s helpful as a suggestion to consider that while there are some states that have moved on model legislation here, there are still a lot of questions that should be accounted for. I agree that harmonization across states should be important, but I also serve on multiple working groups with multiple stakeholders who have been working on this topic and seek to update or augment other legislation.

Scott Cassel, CEO, PSI: I wanted to comment on embedded batteries to say there is an option for discussion, of course, with the industry to see if there’s a way to take learnings from the study being done; in the bill itself, you can phase in addressing embedded batteries, so it’s not forgotten. So, while there is no solution that I or anyone else can recommend right now, bills can put in a timeframe and phase-in for embedded batteries because they are so critical.

6. Presentation: electronics

Jason Linnell, National Center for Electronics Recycling, presented slides 14–39 on electronics EPR in the U.S.

7. Clarifying questions

Commissioner Domenitz: Obviously we're all here because we want to reduce waste. In this particular area, I can't help but think about our work on right to repair, because there would be just so much less of this waste if manufacturers provided ways to make these products last longer. That is our focus. And I'm just wondering if you could speak to how electronics recycling efforts relate to the source to the problem of having too much waste because manufacturers keep making these products more and more disposable.

Linnell: It does touch on some of those issues, so the overall numbers of electronics being sold, there is a lot that's out there and the recycling programs we have just get at a certain quantity coming back in. There's a lot more that could be recycled, and repair problems could be more robust, and the lives could be extended so they aren't hitting landfills. Both are important. But we also need robust recycling programs, because there are certain types of products where reuse is just not a viable option. Whether it's TVs or audio equipment, it's hard for producers to know what to do with outdated items. That includes shredding materials or putting items up for resale.

Commissioner Trabert: That presentation was great and did a great job of distilling the complexity of the lay of the land of electronics EPR in the U.S. You pointed out that the pounds per capita was dropping in the U.S. across the board. Do you think that has to do with electronics weighing less and not necessarily the nature of the program?

Linnell: Yes, for the most part, the average weight of devices is less. If you look at TVs but also types of devices coming back into the system, the pounds coming in look lower now because the initial pounds were from heavy cathode-ray tube TVs and monitors. We're getting fewer of those, so total pounds will come down. So yes, the average weight and mix of devices coming back in changes or evolves over time.

8. Discussion: electronics EPR

Commissioner Rhein: The short answer to the first question is yes. Looking at the map of states with various laws, and many in the Northeast, it's shocking to see that Massachusetts is not represented there. I support electronics EPR legislation here. As far as concerns, convenience is the key for consumers. I know that it's somewhat convenient to drop things off at retailers, but when there is a charge, it's adding insult to injury to get rid of old devices. I would like to see no fees to consumers. The companies in this industry are quite profitable, and they can afford to cover the whole cost of the end of life of their products. And from a selfish perspective of seeing illegal litter and dumping of monitors and big TVs in the woods to avoid those costs, similar to what happens with mattresses, I would like to see the ability to make this as convenient as possible at no cost to consumers.

Commissioner Trabert: I don't know how to answer the first question as to whether it would work or not; where there's a will, there's a way. I do think it's needed. The essence of the problem is it's confusing, inconvenient, and often costly for Massachusetts consumers to recycle electronics. And that's a big problem because we all have so many electronics in our households, because there are more tablets and younger-aged kids getting devices. We can all agree there's a lot and it's not changing anytime soon. There are valuable materials in electronics that are lost to the waste stream if these items are not recovered for recycling. There are severe environmental impacts happening worldwide from the mining of these raw materials that could be recovered if we recycled these electronics. There are commonsense

concerns; it feels very wrong to me to put a computer into the trash, but there's no law or ban against consumers doing that. There should definitely be more regulations in place that would guide more electronic material into the hands of recyclers than into the waste stream. From the background document, from 2022 waste characterization study, there were 18,000 tons of electronic waste. That's a significant number. There are clearly electronics recyclers that would benefit from getting that material, but because there's not a convenient, free system in place that an EPR program would take care of, that's why stuff is ending up in the trash. But as Jason's presentation showed, there's no clear answer. There's no universal model, there's not a clear-cut industry model, and there is not alignment from the industry. From the advisory group meeting, I don't think the industry thinks the system is needed. From the municipal sector perspective representing residents and taxpayers, there is absolutely a need for this system. One more thing is that the information missing is the cost. We—Massachusetts Product Stewardship Council and PSI—are trying to get more data from municipal governments on their costs. I do have preliminary numbers that I'm happy to share for a future meeting; I wasn't able to get into the materials into the preparation for this meeting. But that's a huge missing component of this equation is understanding how big that number is, what the costs are for consumers and municipal governments. Voluntary collection at Staples and Best Buy are not necessarily convenient for every resident. There's a lot of dependence on the residential collection network. It's a patchwork quilt. It's free for some residents and some pay \$50. There's a lot of inequity across the system.

Commissioner Domenitz: I'll share some information, but I think there should be less of this waste to begin with. We can decide how much we should discuss it, but I can't disconnect the two things.

Commissioner Rennie: What categories fall under current waste ban?

Greg Cooper: We have a ban on CRTs. There is prohibition on mercury, which prohibits disposal of mercury-containing devices, which expands to back-lit television sets. That's much harder for us to define.

Chair Beling: do you know of the states that have electronics EPR and some kind of waste ban?

Linnell: About 18 or 19 states have a ban on either all of the covered devices or certain ones, such as CRT.

Chair Beling: Do you have a thought as to whether there is a connection between bans and EPR?

Linnell: I've seen states with a ban and EPR; in Oregon, a ban took effect a year later. Some passed both at the same time and it can be a challenge. In West Virginia, there was a ban on electronics, and it was ultimately rescinded because of challenges of having enough collection sites and other issues. That's the only rescind so far.

Commissioner Ratte: I wanted to respond to Mr. Rhein's comment about putting a cost on consumer for this. I want to be careful about this because we know the producer will pass the cost on to consumer in some way.

Commissioner Triplett: This came up during the presentation and I suspect it's quite varied: how many states with EPR programs for electronics have attempted to coordinate with battery EPR programs? Are there particular states we should look at?

Linnell: I would say it's still very new, especially with newer battery EPR laws that have been passed. Most recent example is California: EPR for embedded battery devices are funded by a point-of-sale fee.

The Vermont program is being expanded now. Most states have separated programs. If anything is covered by electronics program, not separately covered by battery program.

Commissioner Trabert: I wanted to address concern of consumer pricing going up. Recycling costs for any of these materials is pennies on the dollar of the original purchase price of one of these devices that we're talking about. There's no evidence or documentation with any states' existing programs that there were increases in prices. All major electronics brands are certainly nationwide if not global, so it's not going to raise the cost of a cell phone by \$20 or something to bake in the cost to recycle it. I just wanted to clarify that that's always raised as a concern, but in these systems there's a lack of evidence that there's actually an increase to consumers that's attributable to an EPR system.

Commissioner Rennie: For our members, we've never wanted to follow California's advanced recovery fee. We've always been in opposition to that approach. In our comments to the legislature over the years for different e-waste bills, whatever you do, don't interrupt or derail the existing voluntary programs in operation today with a number of retailers, a few that have been mentioned. There may not be enough of those stores; we'd like to have more. But those programs, under any system moving forward, are very popular with consumers and have worked in collecting and recycling a significant amount of material should be allowed to continue.

Cassel: I just wanted to hit on the topic of voluntary collection. I agree that is very important. I might have mentioned this before, but about 15-20 years ago, I did work with DEP and four other states and with Staples to do the first computer take-back in the U.S. When the EPR laws did come into place in other states, they became part of the collection infrastructure for convenience, so I agree very much with that last comment. In terms of what Commissioner Trabert mentioned, many people are concerned about consumers paying, for many EPR programs it's very much about the cost of doing business. Very hard to separate out the costs of programs; it's been an ongoing issue, especially for packaging. It's not proven or disproven; it's like, how will these costs be covered? Retailers don't like advanced recycling fees. In terms of batteries and electronics going together, they very much do, but as was mentioned before by Jason, the time frames for them are a little different. The first eight years in 2000 on, it was electronics, and that was the leading issue for DEP and others around the country. Many of these laws were developed, and then it kind of quieted down, and now it's coming back up again. Batteries had a different trajectory. State and local government managing these have done them together. There have been a lot of lessons learned.

9. Public comment

Jeremy Jones, American Coatings Association: As a former employee of an electronics company in the U.S. and having worked with Jason Linnell, I can unequivocally state that costs are passed back to the consumer. It's a question of how much, but I was responsible for making sure those costs are incorporated. I agree that it's a diffuse cost, but that's because only a few states have EPR; if it were nationwide, it would absolutely be reflected in higher costs.

10. Discussion topics: elements of electronics EPR

Commissioner Rennie: I would agree that with six hours of discussion and no uniform approach and no PRO, it will be challenging to pass this.

Chair Beling: We could say that we are not going to come up with a firm recommendation.

Cooper: There are a couple things we could probably circulate based on what Jason described. Market share seems like it's a metric used in other states. The convenience piece seems to be a better measure of

providing access. And the other piece would be covered entities and product categories. In particular, it seems like based on neighbor relationships in New England and if there is consistency there, it probably makes sense, given the size of New England states.

Chair Beling: Let's look at our neighboring states' laws and refer to them in our final report. We could also reach out to them. The newest one is ten years old and still seems like it's still working. I don't know that we have anything to vote on today.

Commissioner Trabert: I was just reviewing the original law that established the Commission and what the tasks are, which was what I was trying to express frustration with the mattress recommendation. With electronics, we do have an opportunity to revisit these tasks and come up with maybe some proposed, similar to potential program parameters, but a draft of what different parameters could look like perhaps for future discussion. I don't know if there's any appetite for additional advisory group meetings for this material type but looking at what the Commission is supposed to be doing, I would love to see this group take the opportunity to fulfill the charge so it's making a recommendation on a proposed structure for each product, including collection, processing, and financial responsibility. I don't feel that from this discussion we've accomplished this, and I would really like to see this coming out of the Commission where there is not model legislation. Taking existing bills and deciding whether the Commission agrees with them or not, I don't think we can do in a line-by-line sense. But in these fundamental aspects of a program outlined on this slide, I think we could establish that and actually fulfill what the task of the Commission is.

Chair Beling: I don't view the recommendations thus far as fulfilling our obligations; it's an opportunity to identify and comment on bills. The final report will be very robust and very detailed, going into the facets of what the charge is, and the Commission can go through that report and offer a line-by-line review. That will be an opportunity to provide a much more robust review. Right now, we're trying to determine if there's any more information we should seek, but the goal is to issue this report in January, and it's my job to make sure this fulfills all the obligations. We're probably going to need at least one more meeting on the calendar. We hope to get through the battery recommendation in October and talk about packaging, which is a hard one, and then cover the full final report probably in early December.

Commissioner Trabert: Thank you for clarity on what your vision is on how this process will advance. I do have concerns about the packaging meeting on October 29, because electronics was complicated—multiple it by ten for packaging. It's so far-reaching, and the breadth of the scope is just enormous, and I always call it the big fish: it's what all of these systems are leading to. It sounds like you see a need for at least one additional meeting that other than the one that's been scheduled, in order to review or discuss a draft of the recommendations report to be submitted to the legislature, but is that the end of this Commission? What is the vision for the future? Is there anything after that?

Chair Beling: There haven't been any final decisions. Money has not been allocated, so it would be challenging for us to keep going without more resources. These guys have very demanding jobs. I'll talk to Commissioner Heiple. We have an existing body to work on this stuff, but to give you a sense, we're stretched right now, and keeping something going without funding it is very hard for us.

Commissioner Trabert: I can certainly appreciate that—I fully understand. This task is its own unfunded mandate. You referenced an entity—do you mean the Solid Waste Advisory Council (SWAC)? Is there a possibility of a subcommittee of SWAG be dedicated to discussing EPR?

Cooper: If, in the Commission report, there is a reference that this needs to be looked at further, we could recommend moving that to SWAC and into an advisory group. The Commission is great—it's a public process with consultants, etc.—but a lot of information could be better suited for movement to a SWAC

advisory group. I don't know whether we can commit to that now, but when the report comes out, if it says we need to do further work, we can take an honest look about the ability to push some of these things forward that we haven't made recommendations on.

Commissioner Rennie: Just to confirm, the SWAC is an open body or process? Anyone can participate?

Cooper: Yes. We have advisory committee members, but it's just advisory and there's no formal vote. Everyone is welcome to join.

Commissioner Melly: I'm sensitive to timing concerns, but my feeling is that I would strongly like this Commission's final report to have as few "let's keep looking at this" recommendations as possible. Specifically for packaging, there are other product categories where we want to think about this, whether it's looking at having a delayed final report that's as specific as possible vs. kicking things over to SWAC or this merits additional consideration. I'm sure ultimately it will be a little bit more of a balance. If it means more offline work before the final commission readings and recommendations, I strongly urge other commissioners and DEP to try not to have this final report kick the can down the road. That doesn't help anyone to hand something over with as many open questions as there were before.

Commissioner Kishida: I appreciate what Commissioner Melly just said. I also applaud that MassDEP would be talking about it openly and among themselves. I'm maybe going backwards on this conversation in asking this question, but since there has not been an electronics bill passed in ten years and I did not serve on the advisory group, are the two bills currently before the legislature modeled on the best of the best right now? Maybe this might be a question for Jason or Scott. To me, there just seems to be a lot of missing pieces in the legislation.

Cooper: I can just say that I haven't gone over it in fine detail, but this was a pre-2021 version because it has a 2021 implementation date. Previous bills had language about credit sharing where one company grabbed enough of a certain amount of material they could sell it to another company. And I was going, whoa, this is a greenhouse gas emissions inventory calculation that's getting very complex. I have to take a deeper dive into it—I just started to last week. It does include all entities. I didn't see it being consistent with those main 15 or so state electronics EPR laws that Jason mentioned; it had some outlier components to it.

Linnell: I'll just add that those bills were developed off of a model PSI had been working on, if I remember correctly. There are some models of other states, but there is no real model bill to base things off of right now.

Commissioner Rennie: Because state laws came into effect over the course of ten years prior, you're going to have a variety of what some might consider best of the best, but I might have a different opinion.

Commissioner Rhein: Anyone have any input as to why the momentum stopped in the last ten years?

Cassel: The reason I think is the states following this closely from 2000 have laws; they followed it, worked it through, and then there are many other products that are a problem in the waste stream. Some have begun to revise their laws over the last five years. In Massachusetts, we (PSI) did not drive any of those bills; we were asked to comment on them. I don't recall being that involved in them, so I don't want to take ownership. I think the biggest thing is Massachusetts is in a certain place: you have a waste ban, a lot of experience. What would an EPR law do for Massachusetts, and what are the advanced elements we're seeing around the country that can actually be possibilities for implementation in Massachusetts? And how far can you go from where you are now? That's the analysis that needs to take place in the

discussion and I think it's necessary, something can take place with electronics that is more than what you have but will have to be crafted by the stakeholders moving forward.

11. Next steps and adjourn

Commissioner Rennie moved to adjourn. Commissioner Dubuque seconded. The motion carried unanimously.

The meeting adjourned at 11:56 a.m.

Respectfully submitted,
Jennifer A. Haugh
GreenerU

DRAFT