

Extended Producer Responsibility (EPR)

Benefits and Opportunities for Managing
Waste and Recycling in IL

Sydney Harris, Product Stewardship Institute
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Product Stewardship Institute

Building capacity for product stewardship & EPR

*Convening **public & private sectors** in dialogue for **20+ years***

Government Members & Board:

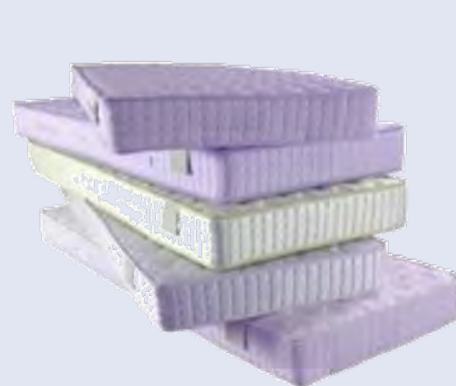
47 **state** agencies
& hundreds of **local** gov'ts

Multi-Stakeholder Partners:

100+ producers, recyclers, waste management, retailers, NGOs, academics, international gov'ts

***Our mission:** Reduce the health and environmental impacts of products across their life cycle*

**20+
Products:**

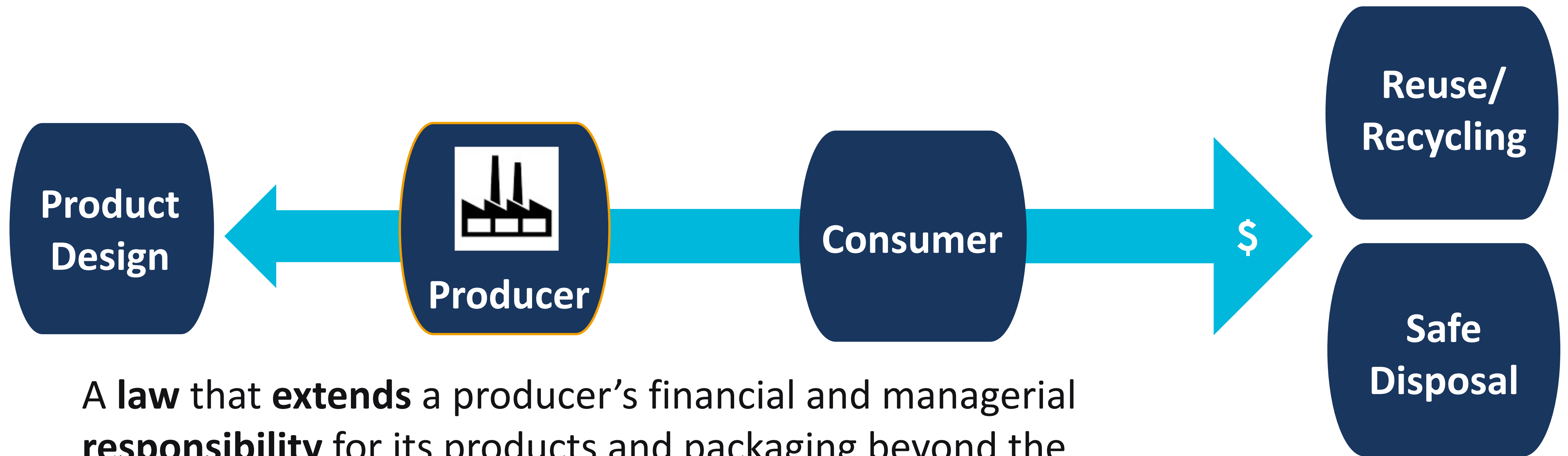


**&
more...**

EPR is the Centerpiece of a Circular Economy



Extended Producer Responsibility (EPR)

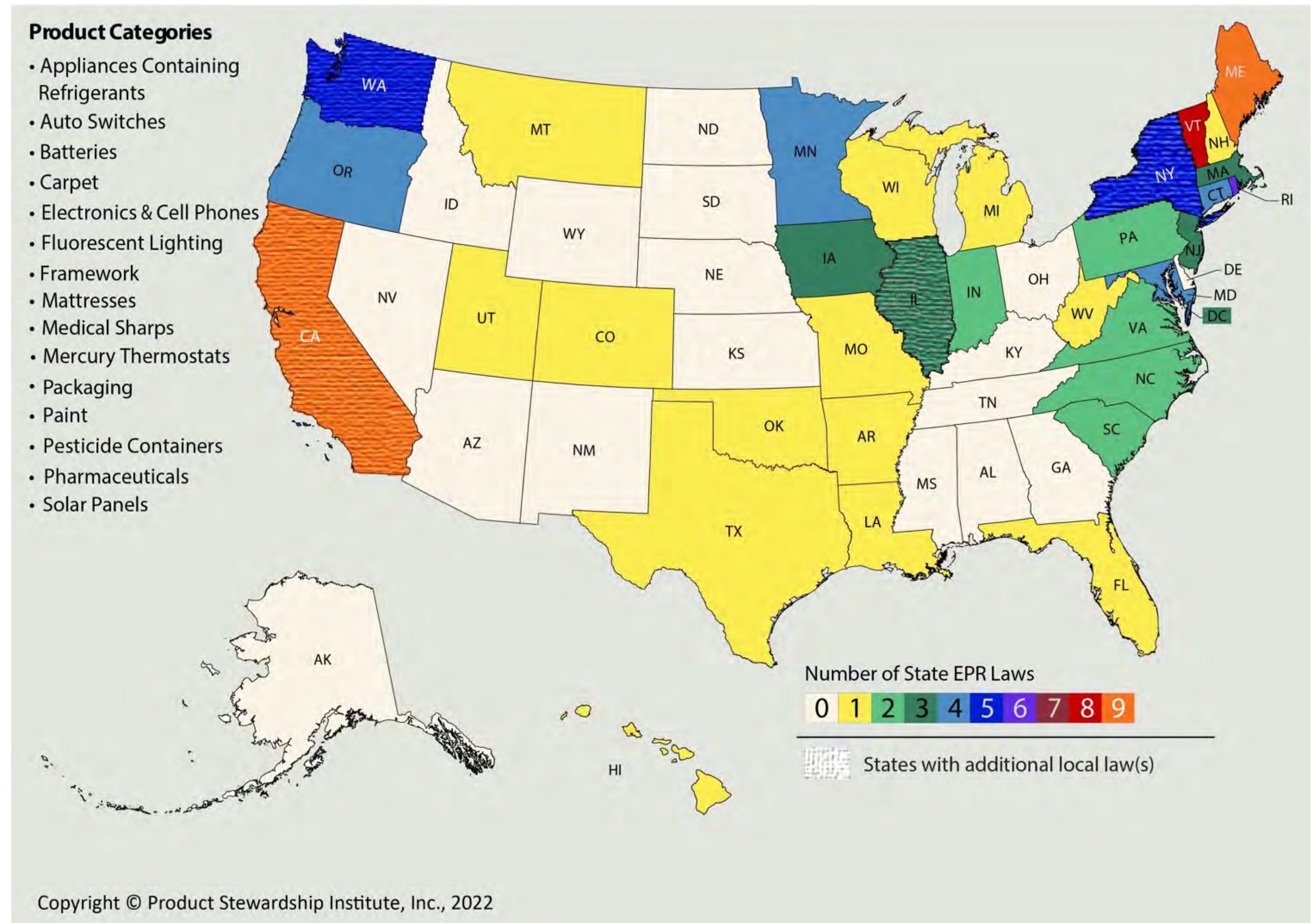


A **law** that **extends** a producer's financial and managerial **responsibility** for its products and packaging beyond the manufacturing stage — both **upstream** to product design and **downstream** to **postconsumer** reuse, recycling, or safe disposal.

2022: EPR in the U.S.

124 EPR Laws
15 Products
33 States + D.C.

While **bottle bills are highly effective at recovering beverage containers, this count does not include the **10 state bottle bills** in the U.S., due to the different ways in which the disparate policies shift responsibility to producers.*



IL EPR Laws



Mercury Auto Switches
(2006)



Electronics
(2008; amended 2011,
2015, and 2017)



Mercury
Thermostats
(2010)



Pharmaceuticals
(2016, Cook County only)

IL EPR Bills: 2012-2021

17 unique EPR bills introduced in IL across 7 different product areas:

- Carpet
- Car Seats
- Electronics
- Medical Sharps
- Packaging
- Paint
- Pharmaceuticals



IL EPR Bills: 2022



Carpet



Packaging



Paint



Pharmaceuticals



Solar Panels



Wind Turbine Blades

Legislative Momentum for Packaging EPR

2 New Laws

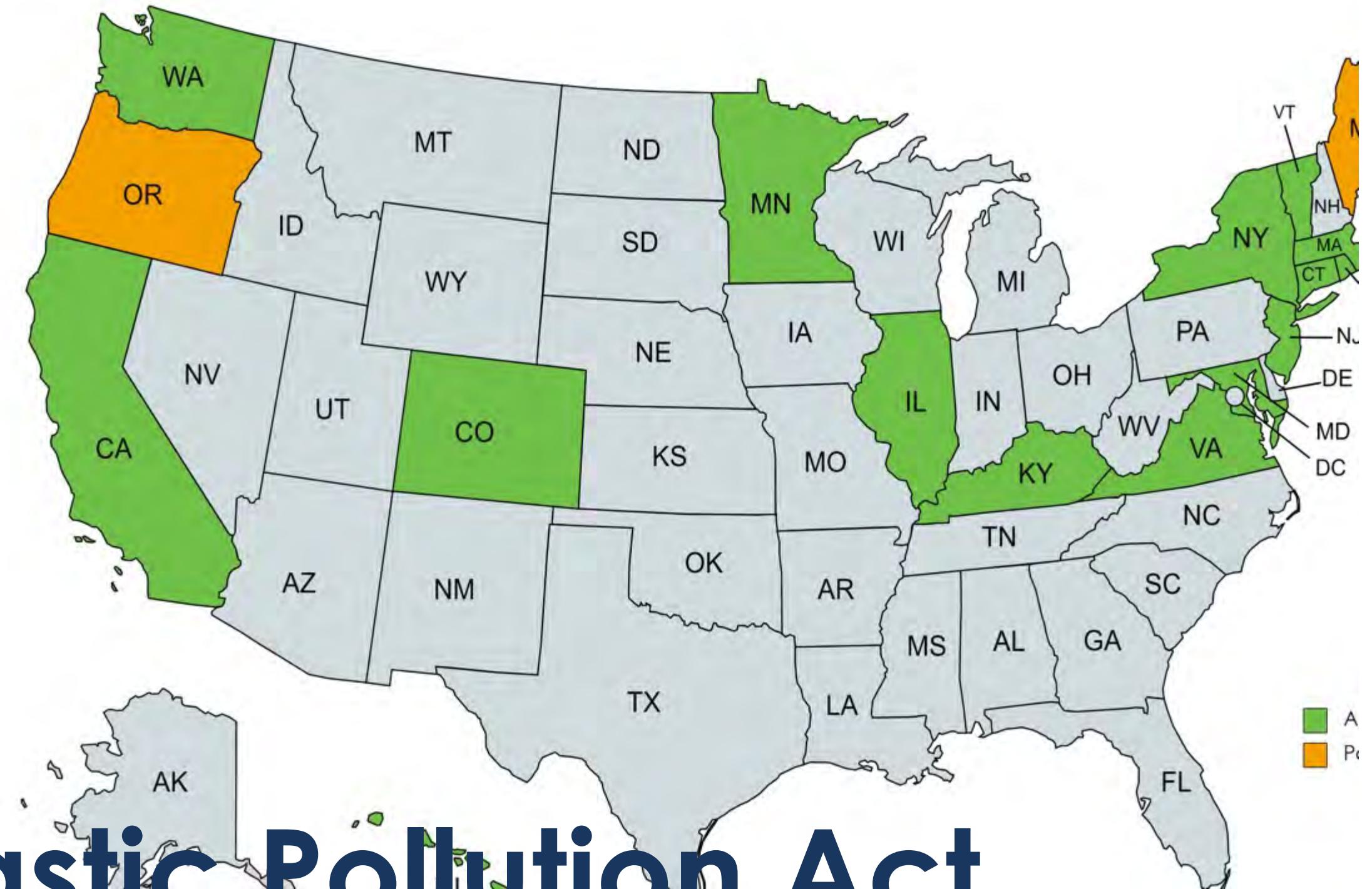
First two PPP laws passed in 2021: **OR, ME**

A Dozen State Bills

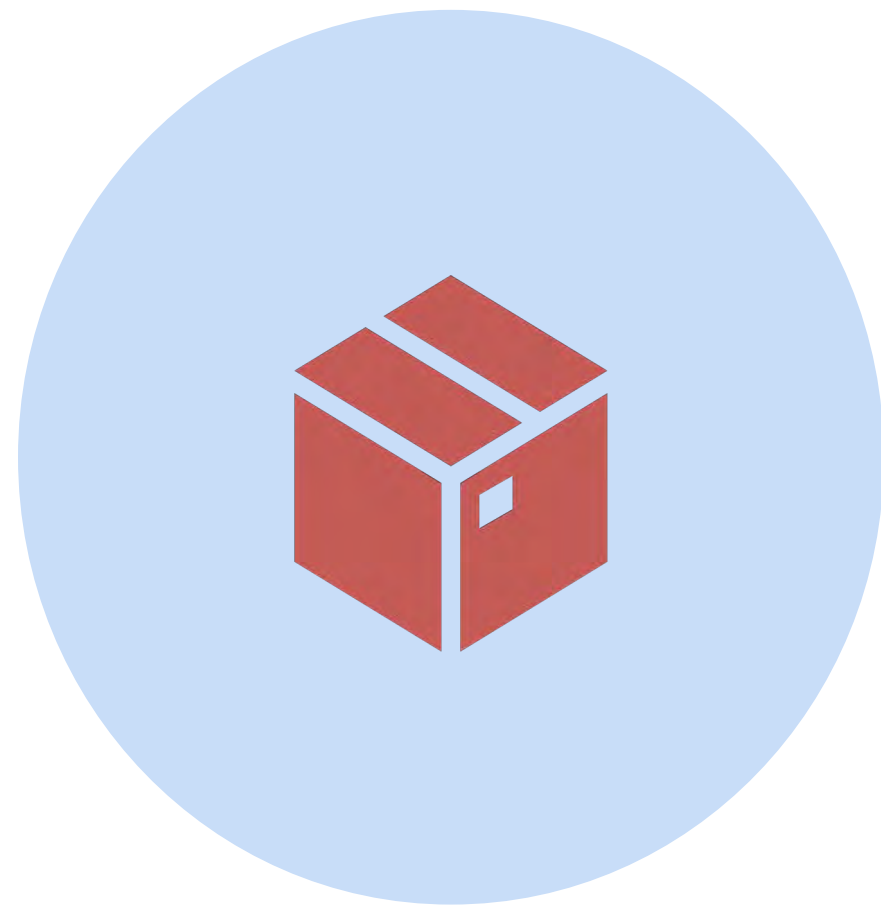
At least **18 state bills** and counting!

Federal Break Free From Plastic Pollution Act

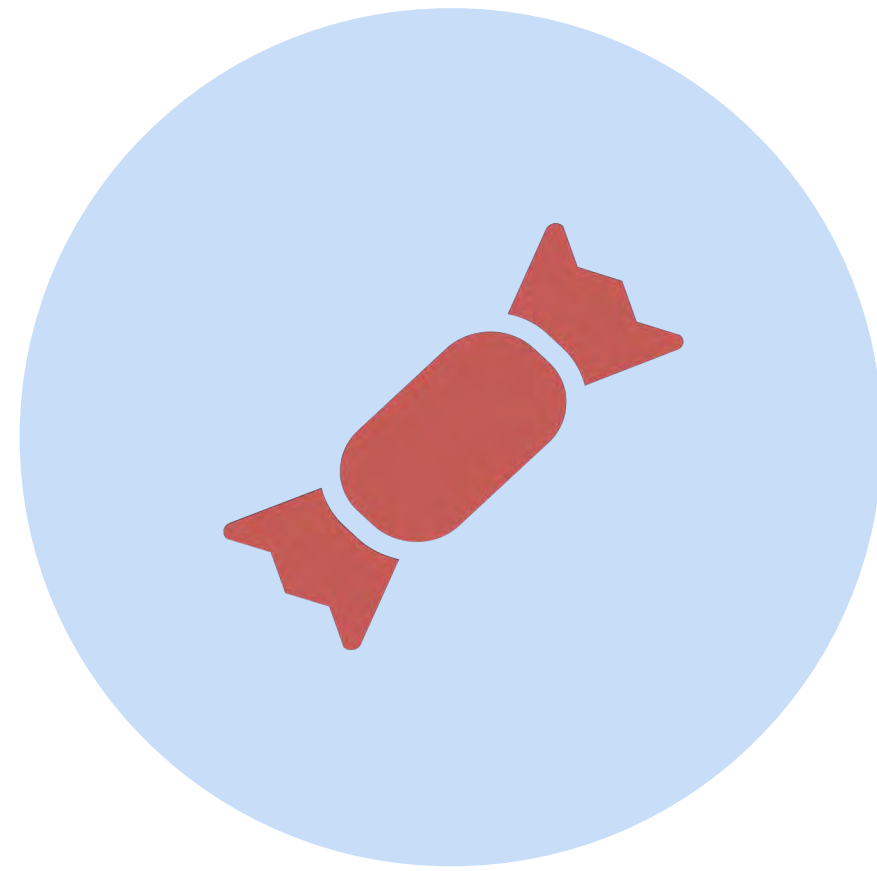
- **EPR** for packaging
- national bottle bill
- bag ban + fee
- other single-use plastics bans



The Packaging Problem



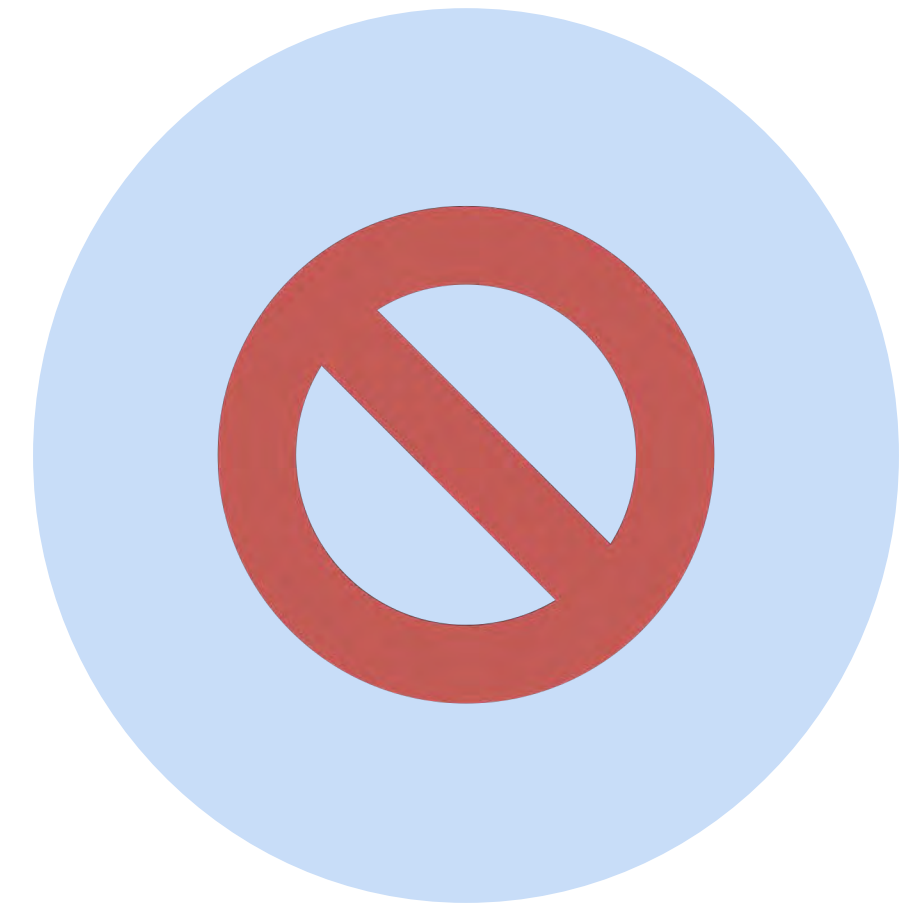
**Market
flooded with
packaging**



**Increasingly
complex
materials**



**Contamination
and confusion**



**Market
disruptions**

EPR for PPP: Spreading Worldwide

LORAX EPI

EPR LANDSCAPE EVOLVING AT FAST PACE

UPDATED JUNE 2021

Packaging EPR in 2000








Packaging EPR in 2021



Packaging EPR in 2025



	Mandatory EPR: specific legislation in place for packaging
	Voluntary EPR: subset of businesses engaged in a scheme not mandated by law
	Limited EPR: EPR limited in geographical/packaging type scope; in some cases, may not apply to consumer packaging
	Framework EPR: Draft regulations exist calling for packaging EPR to be developed
	Emerging/Under Implementation: Expected to deliver EPR legislation shortly or have passed EPR legislation that has not yet come into effect

Why Are EPR Laws Expanding?

1. Experience – they work:
 - Increased recovery and recycling
 - Sustainable financing (\$\$\$ savings)
 - Education and infrastructure (convenience)
 - Green sector jobs
 - Network of accountability
2. Potential for better products (fewer life-cycle impacts)
3. Ground has been plowed



Increased Recycling; Reduced Contamination

- **Belgium:** since 1994; PPP recycling rate **92%**; contamination <10%
- **British Columbia:** since 2014; PPP recycling rate **90%**; contamination <10%
- **US:** avg. PPP recycling rate **50%**; avg. contamination >25%



PSI EPR Policy Model

Covered Materials/ Products	Governance	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

IL Packaging EPR Dialogue Update

- **Oct 2021:** Kick-off call with Core Team
- **Nov 2021:** Developed Project Summary to recruit key stakeholders
 - Formed IL EPR for Packaging and Paper Products (PPP) Committee
- **Dec 2021 – Feb 2022:** Four 3-hour calls with IL EPR for PPP Committee
 - Discussed all 16 key *Elements* of EPR for PPP
- **Feb 2022:** Bill drafted based on dialogue
 - Working with Rep. Avelar as sponsor
- **Next Steps:** finalize bill, resolve outstanding issues (e.g., producer definition)



Program Structure



Covered Materials



- Covers: consumer packaging, paper products (printed paper), single-use materials (incl. sold as products)
- **EXEMPTS** small businesses



Reimbursement for Recycling



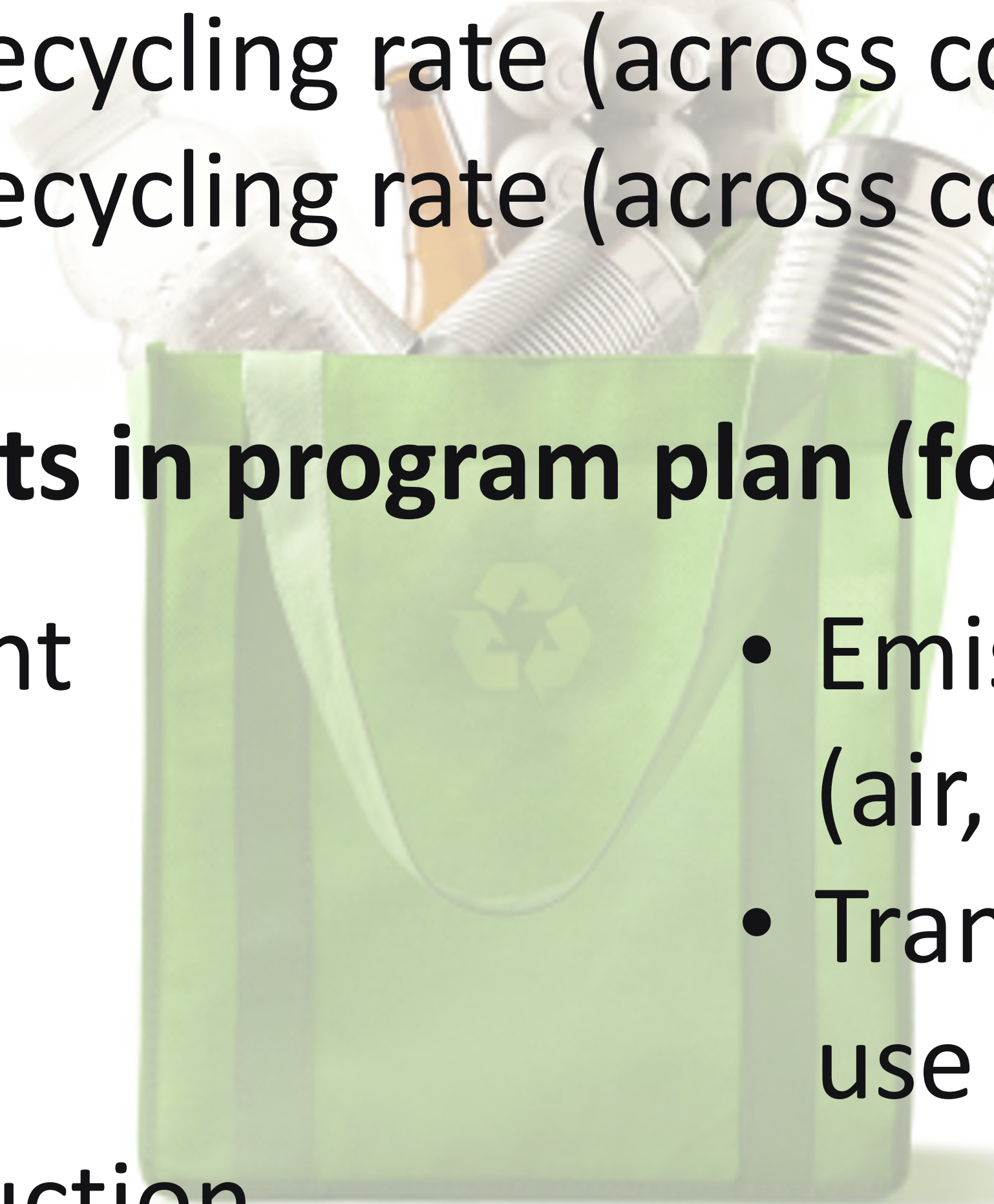
- Producers fund recycling system (not disposal)
- Local gov'ts reimbursed
- **Statewide Recycling Access:** single & multi-family residences, state & local agencies, public spaces
 - **Pop. > 1500:** curbside required
 - **Pop. < 1500:** drop-off within 15 miles



Gov't Oversight & Roles

- **IL EPA:**
 - Oversight & enforcement
 - Review **5-yr program plans, annual reports**
 - Reimbursed for expenses
- **Local gov't:**
 - Continue operating recycling programs – reimbursed for expenses
 - Work with PRO on resident education (share costs with PRO)
 - Serve on Advisory Council
- **Multi-stakeholder Advisory Council:**
 - Provide input into all aspects of program
 - Comment on program plans, review annual reports
 - Recommend program improvements

Performance Standards

- 
- **By 2030:** 45% recycling rate (across covered materials)
 - **By 2035:** 50% recycling rate (across covered materials)
 - **Proposed targets in program plan (for each material type):**
 - PCR content
 - Reuse
 - Recovery
 - Recycling
 - Toxics reduction
 - Emissions reductions (air, land, water)
 - Transitions from single-use to reuse/refill

Design for the Environment

- **PRO** provides technical assistance on reduction of covered materials, product redesign, systems for reusable packaging
- **Producers must** minimize environmental & health impacts of covered materials
- **Problematic Materials List** established by IL EPA – producers must minimize or eliminate use of items on list
- **Toxics Ban**
- **Financial Incentives** for environmental outcomes



Driving Change



- Waste Prevention & Reuse Fund
- Composting Infrastructure & Education Fund
- **Both:** grants or loans to local gov't, tribes, nonprofits, or private orgs (with Agency approval)
- **Both:** Targeted investments by PRO

Contact

Sydney Harris

Policy and Programs Manager, Product Stewardship Institute

617-236-4771

sydneyh@productstewardship.us

productstewardship.us