



POV:

Trying to escape my responsibilities

Extended Producer Responsibility Laws and Tips for Hauling Contracts

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SOLID WASTE AGENCY OF LAKE COUNTY, IL

Extended Producer Responsibility

- ▶ 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.



Why EPR?

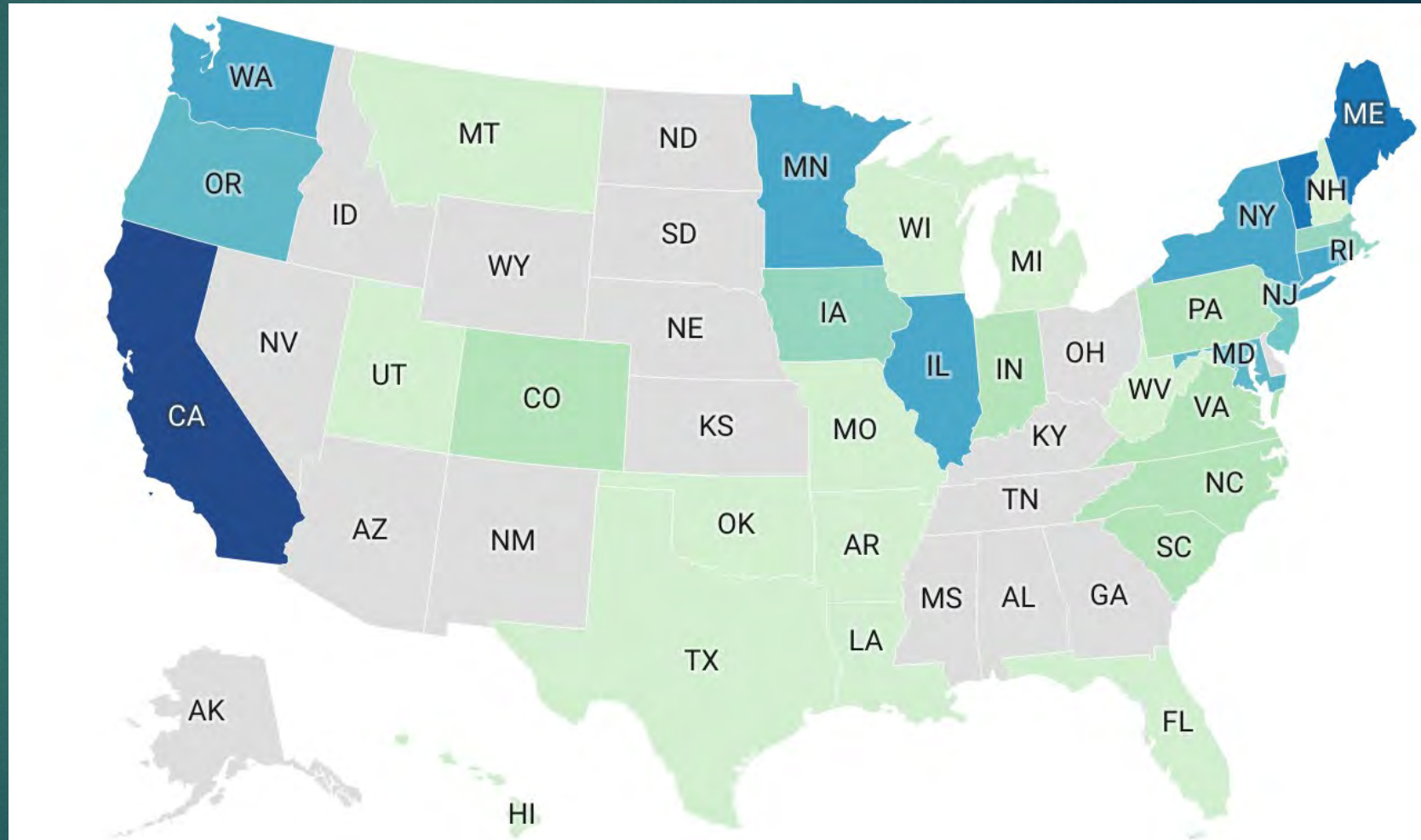
Effective EPR laws:

- ▶ Provide **sustainable** funding
- ▶ Reduce **government costs** and **management burden**
- ▶ Incentivize **waste reduction, reuse, recycling**
- ▶ Incentivize **sustainable products/packaging**
- ▶ Increase collection **convenience**
- ▶ Increase **education and outreach**
- ▶ Require **annual reporting** for transparency, accountability, and to monitor effectiveness
- ▶ Prevent **free riding**



U.S. EPR Laws (2024)

141 laws
20 products
33 states

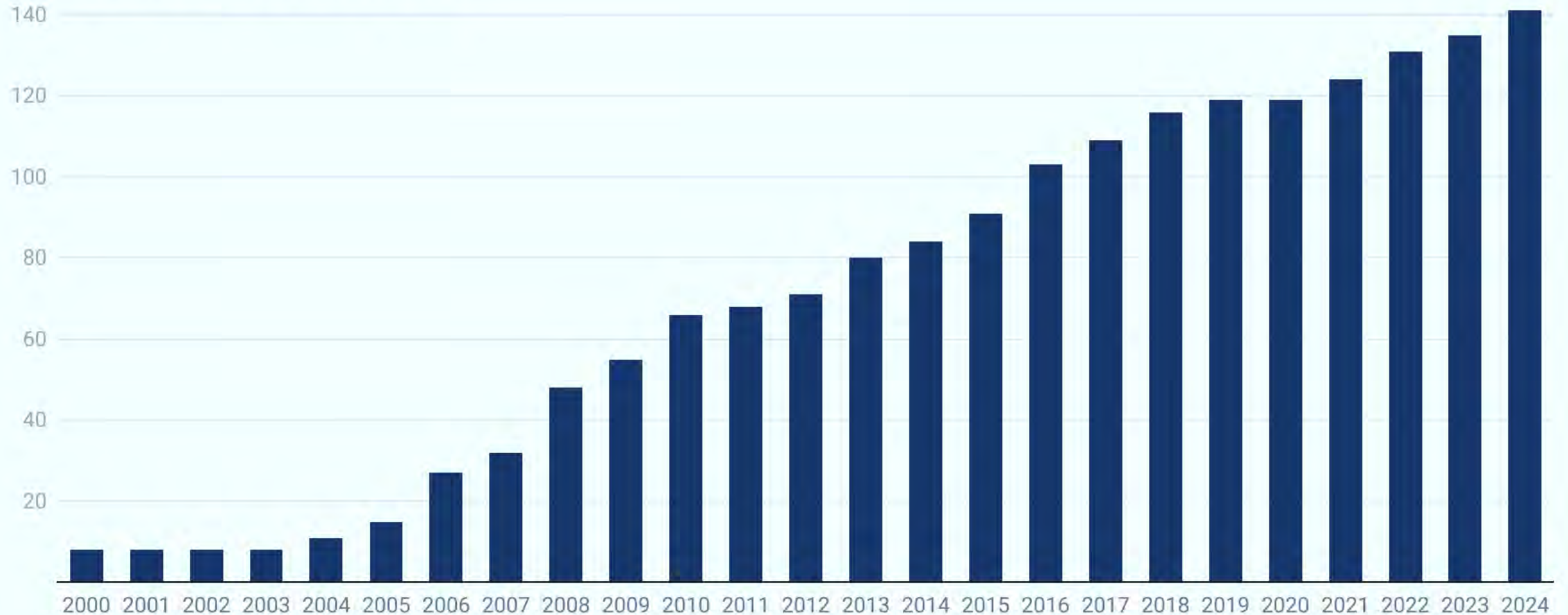


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Number of State EPR Laws



U.S. EPR Laws Since 2000



Elements of Effective EPR Laws

Covered
Materials/Products

Governance
(PRO, Advisory, Govt)

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

EPR in Illinois – Past (and Passed!)

- ▶ Electronics – 2008
- ▶ Mercury thermostats – 2010
- ▶ Pharmaceuticals – 2022
- ▶ Paint – 2023
- ▶ Batteries – 2024



EPR for Packaging and Paper Products

- ▶ Globally – 40 European countries and Canadian provinces with 30+ years implementation experience
- ▶ Nationally – 5 states since 2021 (Maine, Oregon, California, Colorado, Minnesota)
- ▶ Illinois introduced in 2023



Packaging EPR – Understanding the “Why”

Problem: Recycling is complex and costly

- ▶ MRFs and local governments manage materials we have no control over, required to adapt processing equipment and education based on what producers put into the market
- ▶ Residents are confused about what is recyclable or not
- ▶ Many parts of the state have little or no opportunity to recycle

Solution: EPR for packaging and paper products

- ▶ Shifts the cost of recycling collection and processing from local government to producers
- ▶ Incentivizes producers to reduce unnecessary and/or non-recyclable packaging and develop more recoverable, recyclable, sustainable packaging
- ▶ Requires producers to provide convenient, accessible recycling to ALL covered entities (residents, K-12 schools, public spaces, and local governments)

Packaging EPR in Illinois – Ongoing

- ▶ 2023 introduction
 - ▶ Broad opposition due to concern with – and uncertainty of – impacts
- ▶ 2023 pivot
 - ▶ Statewide Recycling Needs Assessment bill (SB1555)
 - ▶ IEPA-contracted consultant to provide objective analysis
 - ▶ Data to provide clarity, inform policy
- ▶ Advisory Council engagement
 - ▶ 30 diverse stakeholders
 - ▶ Develop legislative recommendations for Illinois-fit packaging EPR
 - ▶ Report due to General Assembly Dec 2026
- ▶ 2025 expected activities
 - ▶ Alternate / competing bill to be filed – despite ongoing study and without benefit of knowledge to be gained from Needs Assessment

EPR in Illinois – Looking to the Future

- ▶ Household hazardous waste (HHW)
 - ▶ Planned introduction in 2025
- ▶ Other materials to come?
 - ▶ Gas cylinders | Mattresses | Medical sharps | Appliances | Tires | Textiles | Carpet / floor coverings



Tips for Hauling Contracts

- ▶ Require quarterly data reporting on amount of refuse, recyclables and landscape waste collected in the municipality
 - ▶ Consider adding in periodic recycling participation rate evaluations
 - ▶ Contemplate conducting a recycling cart tagging program if contamination is a problem, lay out parameters for such a program
- ▶ Require education components
 - ▶ Pamphlet describing the collection program to be sent to all households and posted on website
 - ▶ Have hauler assist with publicizing Recycle Coach (assuming municipality has on-boarded) to your residents
 - ▶ Require survey of residents every year or every other year to get feedback on the collection program and education efforts
- ▶ Evaluate adding in food scraps to the existing landscape waste program (ride along)
 - ▶ Consider allowing food scrap only collection haulers to provide opt in service concurrently with the franchise hauler, make this clear in RFP process and final contract
 - ▶ Ask for quotes for year-round food scrap collection as part of RFP process from both the regular hauler and the food scrap only haulers
- ▶ Require hauler to provide electronics collection at the door or at a drop off location (permanent or one-day), consider having County opt your hauler into the State's EPR program

Tips for Hauling Contracts

- ▶ Include customer service standards
 - ▶ Make customer service a potential grounds for terminating the contract
 - ▶ Require hauler to provide customer service reports on a periodic basis to evaluate number and type of calls and how quickly the problem is remedied
- ▶ Begin the process of reviewing your hauling contract at least one year prior to the end of the contract term
 - ▶ The more time for the transition the better to allow for trucks and carts to be procured and also to provide education to the residents about the upcoming transition
- ▶ Try to be flexible on changing collection dates with a new hauler
 - ▶ Will likely result in more competitive proposal by allowing haulers to maximize the use of their assets
- ▶ Consider assessing a reasonable franchise fee that can be used to augment education efforts, cart tagging, etc.



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Thank You!

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