

MN Extended Producer Responsibility for Packaging and Paper Products

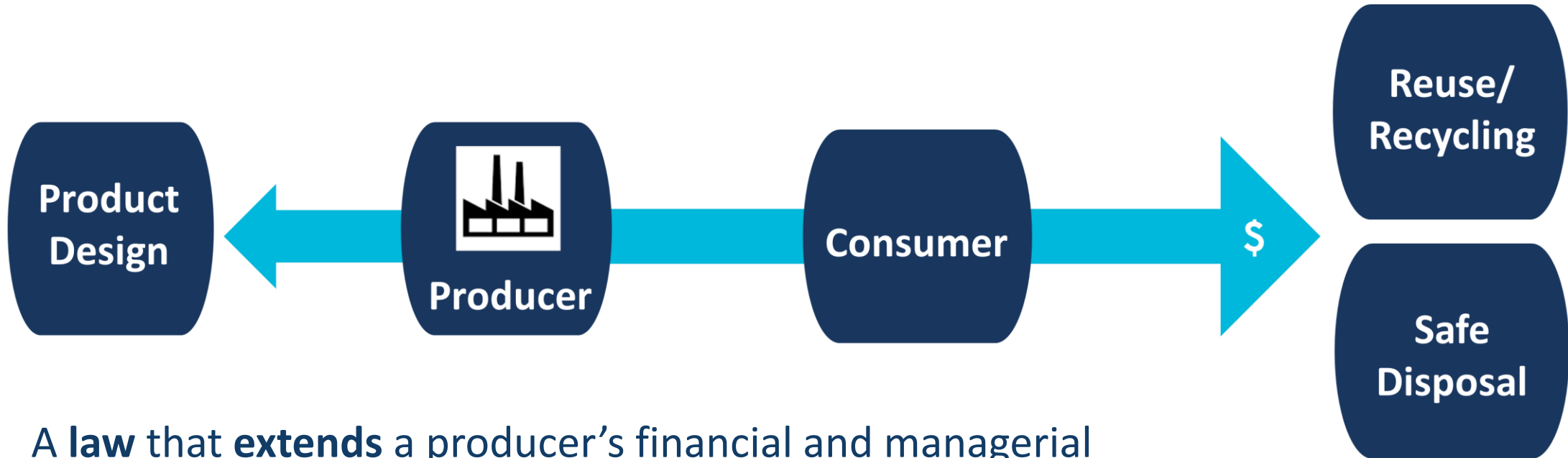


Partnership on Waste & Energy

Established in 2017, a joint-powers board between Hennepin, Ramsey, Washington counties.

- The Partnership on Waste and Energy (PWE) seeks to end waste, promote renewable energy and enhance the health and resiliency of communities we serve while advancing equity and responding to the challenges of a changing climate.

What is EPR & Why is it Important?



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 **post-consumer** use, recycling or safe disposal.

Legislative Momentum in the U.S.: PPP

4 New Laws

2021: **Oregon and Maine**

2022: **Colorado and California**

Two Dozen State Bills

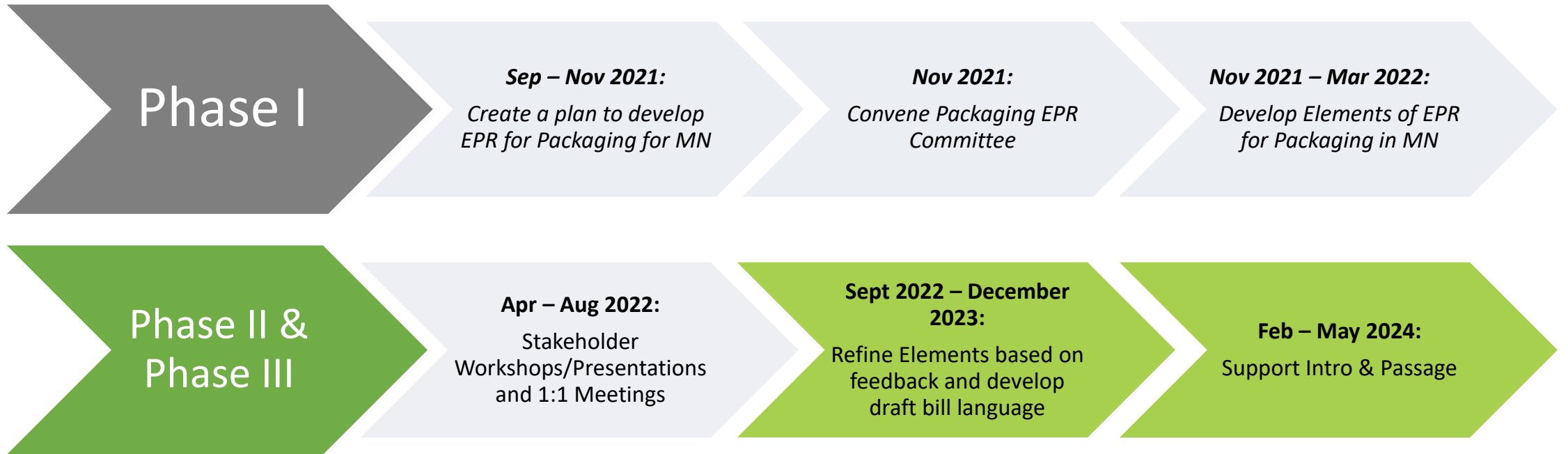
At least **21 state bills** and counting!



Federal Break Free From Plastic Pollution Act

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

Project Timeline



Goals of this Legislation

- **Reduce environmental impacts** and costs of packaging and paper products
- **Incentivize sustainable packaging** (e.g., recyclable, toxic-free, resource efficient)
- **Highest & best use of materials** – reduce, reuse, recycle, compost
- **Sustainable funding for reuse & recycling**, including infrastructure development and system expansions
- Increase reuse/recycling; help **counties meet reduction & recycling targets**
- **Comprehensive consumer education**
- **Sustainable sourcing of materials** (e.g., recycled content)
- **Green jobs & business development** opportunities in MN



OVERSIGHT AND ENFORCEMENT

Graphics borrowed from Oregon DEQ

Covered Materials

Packaging:

- Primary (e.g., soda can)
- Secondary (e.g., 6-pack rings)
- Tertiary (e.g., shipping box)
- Service Packaging @ Point of Sale (e.g., shopping bag)
- Foodservice packaging (e.g.,

forks, straws, take-out containers)

Paper:

- Printed Paper
- Office/writing/copy paper



Statewide Recyclables List

- The MPCA will develop a list collaboratively with the advisory committee and input from others to set a baseline of what must be collected as a recyclable material in the state
- Communities and producers can collect more as they are able to according to MRFs used or a producer may establish and fund a take-back system (like for flexible packaging or bags)



Statewide
Collection List



Performance Standards & Targets

Overarching goals **in statute**; material-specific goals **in stewardship plan for post consumer recycled content**

Based on the volume of covered materials collected in the state as estimated in the needs assessment, by the end of the first stewardship plan's term:

1. the volume of covered materials collected in the state must be **reduced by 15 percent**;
2. of the remaining covered materials collected in the state, no less than:
 - i. **ten percent must be managed for reuse**; and
 - ii. **60 percent must be recycled or composted**; and
3. **All covered materials sold or offered for sale in the state must be managed by a reuse system, recyclable, or compostable** by January 1, 2032.

Funding the System

New producer responsibility organization would collect fees to cover:

- **Statewide needs assessment**, to be repeated every 5 years
- **Recycling system costs** from sorting to disposing of contamination
- **Ensure recycling collection** across the state:
 - Reimburse local govts. that opt-in to provide recycling service for their residents
 - Coordinate service in places that have limited access
- **Infrastructures investments**: to meet reuse, recycling & composting goals
- **Market development** (end markets)
- **Outreach and education**
- **Administrative costs for MPCA**, including cost associated with an advisory committee

Eco-Modulated Fees

Goal: Reduce environmental impacts, drive change upstream

How: “Must include incentives to encourage reduction of environmental impacts across the full lifecycle of each material”

Criteria (order of priority):

1. Transition to reuse
2. Optimize material use, while maintaining recyclability
3. Improve recyclability or composability
4. Increase or incorporate postconsumer recycled content
5. Increase or incorporate sustainably and renewably sourced materials
6. Eliminate toxic substances

Needs Assessment

- inventory existing system and evaluate performance of that system (including contamination issues)
- complete waste-sorts at a representative sample of facilities
- identify robustness and viability of markets for covered materials
- estimate investment necessary to support current system and expansion needed
- assess availability of services across the state and the cost of collection
- propose education strategies
- identify factors for setting reimbursement rates for service providers
- considerations for determining whether a covered material is has potential to be recyclable, reusable, or compostable
- compile information on toxics in covered materials and their impacts
- identify disparities in services and recommendations to reduce them
- propose performance targets for waste reduction, reuse, recycling, composting, and postconsumer recycled content by material type for the first five-year plan (and verification by third parties when available)
- propose metrics for how to measure waste reduction, compostable materials, and reuse

Governance



Producers: form one producer responsibility organization (PRO) for first plan, more PROs allowed after first plan. Must be registered as 501(c)(3).



MPCA: oversight and enforcement. Must review and approve plans and reports.



Advisory Council: appointed by the MPCA and provides guidance to producer responsibility organization(s) and Agency.

Advisory Board

- 1 non-voting liaison from each PRO
 - 1 non-voting liaison from MPCA

Packaging / Retail	Waste Management	Government / Community
2 manufacturers of covered materials (or state or national trade associations)	2 MRFs – one public, one private	3 county or muni gov't waste management programs
1 retailer of covered materials or statewide trade association	1 waste hauler or statewide trade association	1 statewide environmental org
2 reuse entities that sell and/or maintain reusable covered materials	1 waste facility or transfer facility	1 community based or EJ org
	1 composting facility or statewide trade association	
2 open seats for rotating representation as appointed by MPCA		

Consumer cost

- Multiple studies utilizing data from Canada's EPR systems found no difference in the price of everyday grocery store items between provinces with and without EPR for packaging, printed paper, and single-use products.
- In 2022, a study by the Columbia School of Professional Studies showed that even if producers in the United States doubled their costs because of EPR compliance, the most that prices would increase for consumers would be less than \$4 per household per month.
- The cost of packaging is built into the product sticker price, which we already pay for. Consumers then pay a second time for the packaging's collection, recycling, and disposal.

Core components

- Reduced financial burden on local government as producers take over investments in recycling collection and system expansion
- Needs assessment prior to every plan, this helps get quality data and direct investments and goals
- Plan and annual reporting, a five-year plan cycle that requires annual reporting
- Agency and board oversight of all plans, amendments to plans, and reports
- Agency enforcement when producers are not complying or the PRO is not on-track with goals
- A statewide recyclables list and compostables list as well as robust education components to enhance collection and reduce contamination

Learn more

- Website: <https://reducepackagingmn.org/>
- E-mail: info@reducepackagingmn.org