

## Project Summary

### Extended Producer Responsibility for Packaging and Paper Products in Minnesota

#### About the project

The Partnership on Waste and Energy partnered with the [Product Stewardship Institute \(PSI\)](#) to develop an extended producer responsibility (EPR) bill for packaging and paper products that reflects the interests of key stakeholders and that prevents waste, increases recycling, and saves municipalities millions of dollars. This summary provides background on the effort to develop and pass an EPR for packaging and paper products bill in Minnesota.

#### Who is the Partnership on Waste and Energy?

The [Partnership](#) is a joint powers board formed by Hennepin County and Ramsey/Washington Recycling & Energy. The Partnership seeks to end waste, promote renewable energy, and enhance the health and resiliency of communities while advancing equity and responding to the challenges of a changing climate.

#### What is EPR?

**Extended Producer Responsibility (EPR)** is a **law** that extends a producer's financial and managerial responsibility for its products and packaging both **upstream** to product design and **downstream** to post-consumer reuse, recycling, or safe disposal.

#### Context

Since 2019, over a dozen U.S. states have introduced EPR for packaging and paper products legislation, and new laws have been passed in Oregon and Maine (2021) followed by Colorado and California (2022). With municipal recycling costs rising and consumer pressure mounting for brands to act, momentum for EPR for packaging and paper products has steadily grown. Minnesota's EPR for packaging and paper products bill will benefit from the experiences of states that have been working to develop similar legislation and will contribute to the nationwide groundswell of activity in support of a more just and sustainable waste management system.

#### The Problem

In the U.S., more than 40% of municipal solid waste (over 100 million tons per year) is comprised of packaging and paper products. Volatility in global recycling markets, increasing complexity of packaging materials, and economically disruptive forces have placed greater demands on under-resourced recycling systems, leaving communities struggling to keep up

with waste management costs and an ever-increasing volume of packaging and paper products materials. Even the most conscientious consumers have limited sustainable purchasing choices and wind up with packaging and paper waste that is beyond their ability to reuse or recycle.

Minnesota municipalities are forced to make tough choices about how to spend limited funds among competing priorities as the cost of recycling and other waste management programs continues to rise.

Faced with a disjointed patchwork of local recycling programs, consumers are also given confusing, inconsistent messages about which materials can be recycled or composted. This can create contamination in recycling streams by even the most well-intentioned people who put the wrong items in the wrong bins. Despite increasing public pressure, consumer brands have little incentive to reduce the amount of packaging and paper products they put on the market or to choose more sustainable materials. Municipalities are left with the impossible task of managing increasingly complex materials that they have no input in designing or bringing to market, and Minnesota communities are left cover the costs.

Just 50% of U.S. residential packaging and paper products is recycled in the U.S. — and this rate has been stagnant for nearly twenty years. In Minnesota, counties outside the metro area are required to reach 35% recycling by 2030, and metro counties are required to reach 75%. Minnesota counties and cities face steep challenges in meeting these state-mandated recycling goals. Communities of color, Indigenous people, and low-income communities bear a disproportionate share of the negative environmental, health and economic consequences of upstream and downstream decisions related to waste. Furthermore, by failing to reuse or recycle a large portion of packaging and paper products, we lose the economic value of discarded materials and the jobs that support reuse and recycling.

## Project Goals

Minnesota communities deserve a waste management system that will:

- Reduce the environmental impacts and costs of packaging, including from litter.
- Incentivize sustainable packaging and paper products -- recyclable, toxic-free resource efficient, made from recycled materials, sustainably sourced, with reduced impacts on the climate.
- Treat all materials according to their highest and best use – by reducing, reusing, recycling, composting, and recovering energy, and last by landfilling.
- Increase reuse and recycling of valuable materials, helping communities meet their recycling targets.
- Provide sustainable funding for reuse and recycling, including infrastructure development and system expansions.
- Provide comprehensive consumer education and awareness.
- Create green jobs in reuse and recycling and new business development opportunities in the state.

## Solution and Benefits

The Partnership is seeking an EPR law that requires consumer packaged goods companies and paper product producers to finance – and perhaps manage – packaging and paper product recycling programs in the state. A well-designed EPR for packaging and paper product policy will transform waste management by providing sustainable funding for recycling, investments in technological innovations to enable more reuse, recovery, and recycling and financial incentives for producers to choose sustainable packaging. These policies have been operating for over 35 years around the world, achieving recycling rates between 60% and 80%. They also save local governments and taxpayers millions of dollars by shifting the costs of recycling from the public sector to consumer brands.

## Project Activities & Timeline

The Partnership and PSI launched the project together and recruited key stakeholders for committee to develop core elements of an EPR for packaging and paper product policy for MN. Next, the project team hosted a series of meetings with additional stakeholders to solicit feedback on the draft policy and reconvened the committee to incorporate feedback into revised policy elements. Finally, the Partnership will continue to gather stakeholder input and develop a bill to be introduced during the 2024 legislative session.

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