



## Extended Producer Responsibility

Reducing Economic, Environmental, Health, and Safety Impacts from Consumer Products

### The Issue

There is a significant disconnect between the manufacturers of products and those involved in the recovery, recycling and/or disposal of these products. Many products and packaging materials are not designed for recovery and recycling. Furthermore, single stream recycling processing further mixes materials, which can cross-contaminate recyclables thus reduce their value and marketability. In addition, at the end of a products life, many consumers will place hazardous materials such as batteries and consumer electronics in with their recycling or trash which can often damage system operations and can lead to fires at waste processing facilities.

70%  
of your trash is  
Products and  
Packaging

According to the U. S. Environmental Protection Agency, consumer products and product packaging comprise about 70% of municipal solid waste (MSW). Some of these consumer products contain materials which can be harmful to human health or the environment and include such common consumer products such as consumer electronics, batteries, fluorescent lamps, paint, pesticides, pharmaceuticals, thermostats. The cost associated with managing these difficult-to-handle items is often higher than for managing other items in the waste stream.

### Why Virginians Should Care

*In a recent survey, 84% of local governments indicated that they would like to see manufacturers, distributors and retailers taking more responsibility for the management of difficult-to-handle waste items.*

Virginia spend hundreds of millions of dollars each year managing MSW and the increased costs associated with managing consumer products, packaging and difficult-to-handle items places added burdens on local governments. In addition to local governments, private waste processing companies invest tens of millions of dollars for a typical single-stream recycling processing facilities to process and recover product packaging. Such investments can be risky, because product manufactures often change packaging materials from a marketable material to an unmarketable material, leaving the cost of disposing of the unmarketable materials with private industry and/or local governments.

In 2017, the Northern Virginia Waste Management Board (NVWMB) initiated a statewide survey to determine how Virginia jurisdictions manage HHW and other difficult-to handle materials. The survey found that localities surveyed are spending \$3.6 million annually to properly recycle or dispose of hard-to-handle materials. More than 84% of jurisdictions surveyed wanted to see manufacturers, distributors, and retailers take more responsibility for recycling or disposing of difficult-to-handle materials in Virginia.





## Product Stewardship Offers a Solution

The Northern Virginia Waste Management Board (NVWMB) supports the concept of the Extended Producer Responsibility (EPR) model, which is based on the idea that those that design, manufacture, sell and use consumer products also take responsibility for reducing negative impacts to the economy, environment, public health and worker safety. These impacts can occur over the lifecycle of a product and the idea behind the EPR model is that the manufacturers that design and sell the product and packaging have the greatest ability and responsibility to reduce these impacts by attempting to incorporate the full lifecycle cost into the cost of the product. EPR can also reduce disposal impacts by incorporating full “lifecycle” costs into the cost of doing business. There are currently more than 100 EPR laws in the U.S., with more than 40 such laws being passed in the last decade alone.

EPR laws should include producer responsibility, a level playing field, be results-based, include transparency and accountability, and shared responsibility (government, retailers, consumers, etc.). Virginia already has two EPR laws on the books—one for Mercury Switches in Motor Vehicles (2006) and the Computer Recovery and Recycling Act (2008). The Mercury switch law has sunset and the Computer Recovery and Recycling Act is among the worst performing of the 25 states that have passed electronics EPR legislation and is ripe for a “tune-up.”

EPR laws can be product-specific (e.g., television, glass container, etc.) or can be adopted using a “framework” approach. Under a framework approach, the EPR legislation establishes a set of criteria to evaluate products along with an established process, plans, certifications to provide a consistent approach across a wide scope of products. Once the framework EPR law has been passed into law, materials may be added or deleted based on criteria established (often without legislation).

Products and product packaging doesn’t have to be a economic burden on local governments and the private waste management industry. Under EPR legislation, packaging and difficult-to-handle materials can become the raw materials used to help create new products (preferably in the Commonwealth).

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