

# Extended Producer Responsibility

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



*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.*

### 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. Manufacturers and retailers

distribute a variety of products to Virginians. Many of these products such as food and beverage container packaging, batteries, computers, Cathode ray tube monitors, tires, motor oil, oil filters, paint, pesticides and pharmaceuticals can create recycling or disposal challenges at the end of their life. However, because the manufacturers have no financial or other responsibility for the recycling or disposal of these materials, many products and packaging materials are not designed for recovery and recycling. This imposes the responsibility for creating and managing systems to safely dispose or recycle these materials in a sustainable manner on federal, state and local governments. The costs of maintaining these recycling and disposal programs, essentially, provides a subsidy to a range of different industries.

### Why Virginians Should Care

Virginia spends 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 facility to process and recover product packaging. Such investments can be risky, because product manufactures often change packaging materials from a recyclable material to a non-recyclable material, leaving the cost of disposing of these materials with private industry and/or local governments.

**70%**  
of your trash is  
Products and  
Packaging

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



Adopted September 9, 2022

retailers take more responsibility for recycling or disposing of difficult-to-handle materials in Virginia.

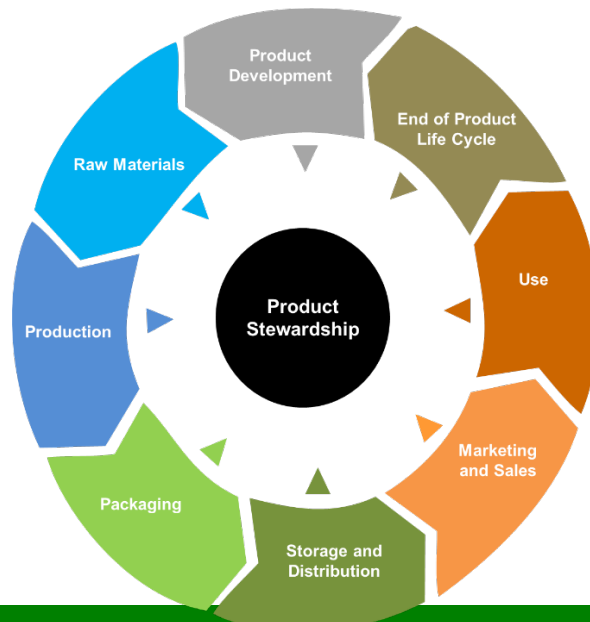
## Product Stewardship Offers a Solution

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 should also take responsibility for reducing negative impacts to the economy, environment, public health and worker safety when their products reach the end of their life. The idea behind the EPR model is that the producer has the most influence over the design of products and packaging and, if they are partially responsible for the cost of recycling or disposal, they will design their products to be more easily recovered and/or disposed.

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, and 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 the established regulatory framework and criteria).

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).



*This Fact Sheet has been produced by NVRC on behalf of the Northern Virginia Waste Management Board [the Board]. The Board consists of professional solid waste management leaders from every municipality in the Northern Virginia region, including the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park, and the Towns of Dumfries, Herndon, Leesburg, and Vienna.*