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Extended Producer Responsibility: An Opportunity, Not a Threat

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Extended producer responsibility (EPR) is based on the principle that producers of a product take responsibility for the end-of-life management of their products.^[1] In practice, this means that producers would be responsible for collecting and recycling their products and packaging once they have reached their end-of-life stage. In essence, producers would be obliged to organize the financing, organization and management of their product wastes, either by themselves or through the services of waste management companies or agencies.

One of the key goals of EPR is to provide financial incentives for producers to manufacture products and packaging that are easier to recycle. A number of products have been introduced to the marketplace, where recycling of the product is very difficult, costly and in some cases, virtually impossible, due to the choice of material and the product design. The history and current state of recycling is filled with examples. Holding the producer responsible for the recycling will create an incentive to make recyclability a key feature of product design.

EPR has had wide-scale application around the world. In Europe alone, 30 countries have established EPR as a fundamental part of their waste management system.^[2] Many of these programs already have driven packaging recycling levels above the quotas established set by the European Union for 2020. CalRecycle has reported on EPR programs in other parts of the world including Japan, Australia and New Zealand.^[3]

In Canada, nine out of the ten Provinces have legislated EPR programs or requirements currently covering 94 product categories.^[4] The Canadian Council of Ministers reports that EPR will continue to play an important role in diverting waste from landfills and will help make Canada a world leader in waste diversion.

In the U.S., 33 states have EPR laws covering several special waste products such as computers, paints, batteries, tires and products containing mercury.^[5] In general, EPR has not been used in the U.S. to deal with the major components of the municipal solid waste stream such as packaging and printed materials. In contrast, five Canadian Provinces have EPR for packaging in place. In fact, there has been considerable opposition to applying EPR to these products in the U.S., not only by the producers themselves, but by some solid waste management companies and agencies. As Scott Cassel points out in the *Resource Recycling* article cited, this resistance continues in spite of data showing the much higher recycling rate in many European countries that have used EPR for packaging for more than 20 years.

The opposition to EPR for packaging and printed materials from the waste management industry in the U.S. stems in part from a concern that recycling programs established by producers would divert valuable, revenue-generating recyclables from existing local recycling programs. This is a legitimate concern. If higher value recyclables such as plastics, aluminum, paper and paper board were skimmed off by the producer established programs, a deleterious effect would occur for local programs. However, if producers worked through local programs to meet their EPR obligations, by providing financial resources and market support for recyclables, the economics of local programs actually could be enhanced. In fact, SWANA's Product Stewardship Policy^[6] fully supports this relationship between producer supported recycling programs and local recycling programs:

“Manufacturers should...work with local governments to support, promote, improve and expand programs to collect, process and recycle products...”

Implementation of product stewardship should not create new or duplicative programs that preempt existing programs run by or for local governments but should support or expand such programs in cooperation with and oversight by the local government...”

Let's face it; the national recycling rate in the U.S. has stagnated at about 34 percent for nearly a decade. Waste management professionals should not look at EPR as a threat, but as an opportunity to bring additional resources to support and expand local efforts and drive recycling rates higher. Innovative and forward-thinking local recycling programs can develop a synergistic relationship with producer-supported EPR programs. This approach has been used in many successful EPR programs around the world.

On March 18 at SWANA's [Road to Zero Waste Conference](#) in New Orleans, a special session titled [EPR in the Real World: Lessons Learned](#) will explore the criteria for success of EPR through experiences of solid waste managers who have first-hand involvement with these programs. The presenters also will discuss how the lessons learned from these programs can develop useful insights for the successful application of EPR in North America and elsewhere in the world.

^[1] The Extended Producer Responsibility Alliance (EXPRA), Inspiring Packaging Recycling, Brussels, Belgium. EXPRA is a not-for-profit organization, set up in 2013 with the purpose of effectively promoting authentic application of EPR for packaging waste. Its members are producer companies in over 18 countries www.expra.eu.

^[2] The European Experience on EPR, Joachim Quoden, Managing Director Expira, to be presented at SWANA's Road to Zero Waste Conference, New Orleans, LA, March 18, 2015.

^[3] <http://www.calrecycle.ca.gov/epr/PolicyLaw/default.htm>

^[4] Progress Report on the Canada-Wide Action Plan for Extended Producer Responsibility, Canadian Council of Ministers of the Environment, 2014.

^[5] EPRs Next Step, Scott Cassel, CEO Product Stewardship Institute, Resource Recycling, December 2014.

^[6] T2.1 SWANA Technical Policy: Product Stewardship, March 28, 2014