The Experience of the Recycling Industry in the US with Producer Responsibility

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ISRI’s Policy on Producer Responsibility

• Support policies that promote a …
  – competitive,
    – market-based system
    – that assures the free & fair trade of recyclables

• In addition,
  – the existing recycling infrastructure must be given an equal opportunity to participate in any program developed, and
  – Producer responsibility programs should not include recyclables that are manufactured into commodity grade products and sold into viable markets
Limited Exceptions

• ISRI’s policy does allow holding producers responsible in certain limited circumstances without subsidies, but in such instances there must be a sunset provision for when market forces can take over

• Two Instances –
  – Mercury switches in convenience lights
    • 2001: ISRI advocated for states to require automakers to subsidize Hg switch removal
    • Only way to ultimately force auto manufacturers to eliminate use of Hg
    • 2006: Federal MOU (sunset in 2017)
  – Household electronics
    • 2005, ISRI supported limited-short term use of PR to recycle certain household electronic devices that had a negative value to process until market could sustain itself
> 32 States with EPR-Type Laws

- **Drivers**
  - Reduce costs to local/state governments
  - Focus of NGOs on consumer products
  - Retailers fixation on packaging & sustainability
32 States with EPR-Type Laws

- Focus of State EPR Laws to Date …
  - Used tires
  - Hg-containing products
  - Used & EOL electronics (including batteries)
  - Used carpet
  - Unused paints
  - “Sharpies” (hypodermic needles)

- Rationale Used: incentivizes manufacturers to change the design of their products in order to hold down their costs
Risks/Potential Issues Raised

• Although DFR® incentive tempting to the recycling community, but there are risks ....
  – Potential for overreach into recyclables that have a positive value & existing market on place
    • example: Vermont attempt to require EPR for all packaging & printed material
  – Flow control
  – Redistribution of market share
  – CBI
  – Government ends up picking market winners and losers
Current Attempts at EPR

- California – exploring incentive vs. EPR for tires
  - ISRI prefers incentive based program for firms involved in recycling to help them grow
  - There are currently no EPR programs for tires in the US

- Electronics
  - 25 states with e-recycling laws; all but CA follow EPR-type model
  - ISRI supports EPR as needed for selected electronics, until markets established (likely within 3-5 years, when most of the CRT glass is out of the stream)

- Concerning trend towards Generic EPR frameworks in states that allow products to be added by regulatory agencies

- Private initiatives at producer responsibility
  - Starbucks
  - Nestle
Questions?

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