

# Enhancing Producer Responsibility Requirements in Virginia

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May 16, 2017

# Session Overview

**Scott MacDonald** – Prince William County Solid Waste Div.  
Product Stewardship Overview  
Video – “Re-thinking Progress: The Circular Economy,”  
Ellen MacArthur Foundation (time permitting)

**Walter Willis (remote)** - Solid Waste Agency of Lake County  
will discuss the Illinois Product Stewardship Council and  
Producer Responsibility in Illinois

**Mark Walter (remote)** - Brown County Port & Resource  
Recovery. Mark will discuss the Associated Recyclers of  
Wisconsin (AROW) establishment of a product stewardship  
committee and on the committee’s efforts guides product  
stewardship initiatives in Wisconsin



Prince William County Government  
Board of County Supervisors



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# Product Stewardship Overview



- What is Product Stewardship
- “Product Stewardship” vs. “Extended Producer Responsibility”
- Extended Producer Responsibility laws in the U.S.
- Organizations supporting product stewardship
- Product Stewardship Councils (PSC)
- Product Stewardship in Virginia
- Video – *“Re-Thinking Progress: The Circular Economy” (if time permits)*



# What is Product Stewardship?



## Definition:

*“Product Stewardship is an environmental management strategy that means whoever designs, produces, sells, or uses a product takes responsibility for minimizing the product's environmental impact throughout all stages of the products' life cycle.”*

Source: Northwest Product Stewardship Council



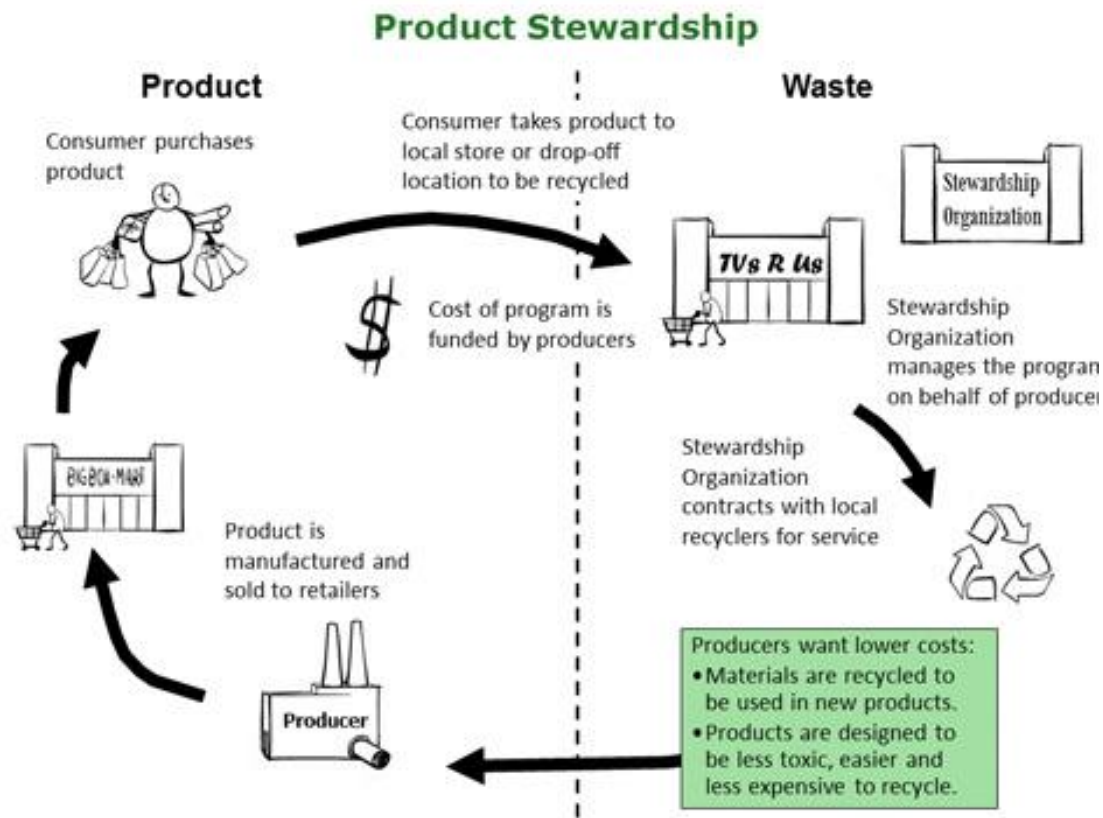
# What is Product Stewardship?



Source: Northwest Product Stewardship Council (Image from the “Story of Stuff”)



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# Product Stewardship verses Extended Producer Responsibility



- **“Product Stewardship”** - *is the act of minimizing health, safety, environmental and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages.*
- **“Extended Producer Responsibility (EPR)”** - *is a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer’s responsibility for their product extends to post-consumer management of that product and its packaging.*

Source: Product Stewardship Institute





# Principles of Extended Producer Responsibility\*

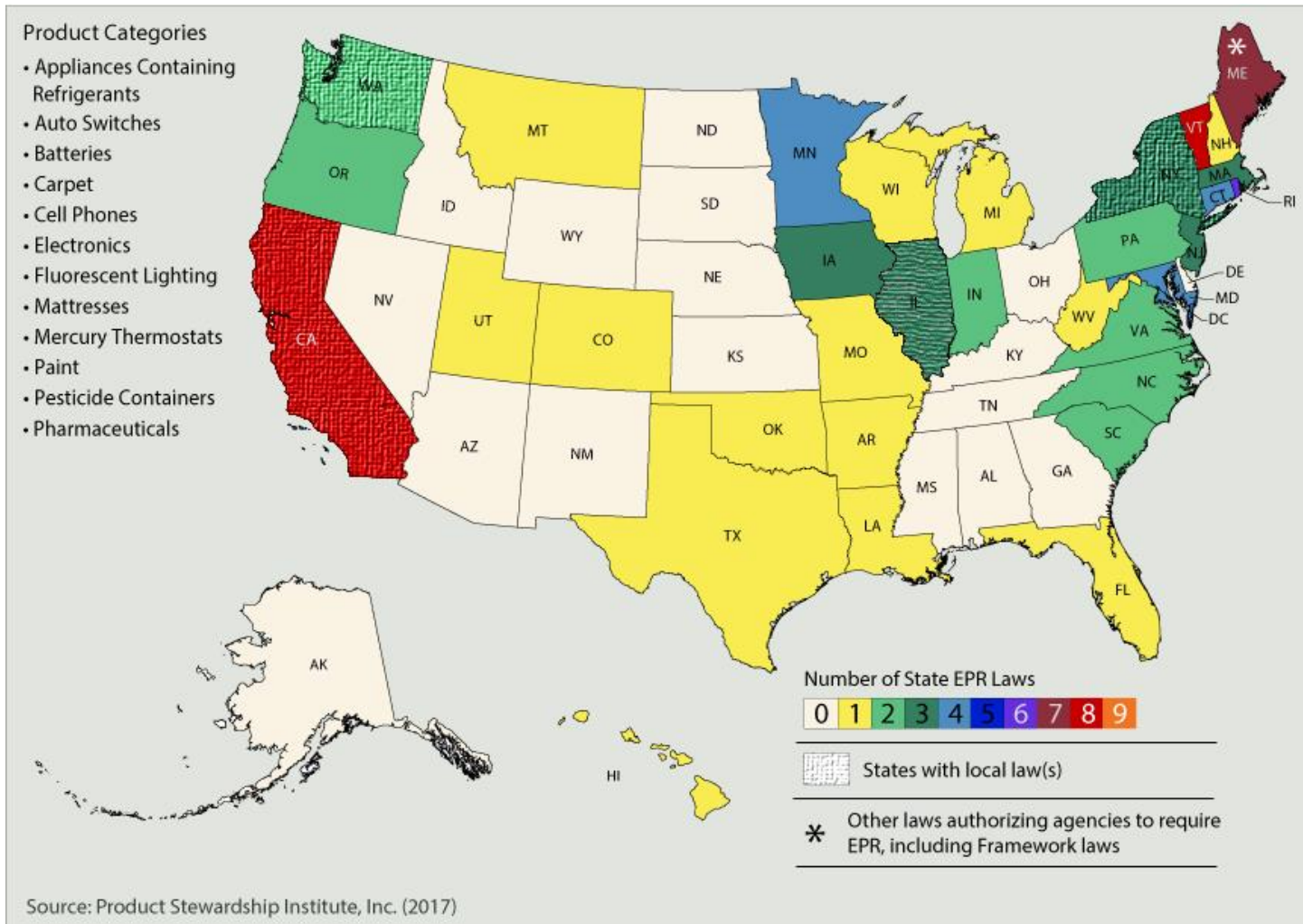


- Producer Responsibility – producers required to design, manage and finance end-of-life programs
- Level the Playing Field – same requirements for all producers
- Results-Based – programs should meet performance goals, be convenient, adhere to resource conservation hierarchy and protect human health and the environment
- Transparency and Accountability – programs should be accountable to the public and stakeholders
- Roles for Government, Retailers and Consumers – each has a responsibility to ensure the effectiveness of the program

\*Developed by the Product Policy Institute (Upstream), the Product Stewardship Institute, and the California Product Stewardship Council.



# EPR Laws in the United States



# EPR Laws in the United States



## EPR Laws in the U.S. by Product Type:

- Electronics (24)
- Pharmaceuticals (18)
- Auto switches (14)
- Batteries (11)
- Paint (9)
- Thermostats (9)
- Fluorescent lamps (6)
- Sharps (4)
- Mattresses (3)
- Carpet (1)
- Cell phones (1)
- Pesticides (1)

Source: Product Stewardship Institute



# Organizations Supporting Product Stewardship in the U.S.



- **Product Stewardship Councils** – statewide or regional groups working to advance product stewardship programs and policies at a grassroots level within their respective areas.
- **Product Stewardship Institute (PSI)** - a national, membership-based nonprofit committed to reducing the health, safety, and environmental impacts of consumer products across their lifecycle. PSI members include 47 states, hundreds of local government members, and 95 corporate, business, academic, non-U.S. government, and organizational partners.
- **Upstream Policy Institute (UPSTREAM)** - a national environmental organization dedicated to creating a healthy, sustainable, and equitable society by addressing the root causes of environmental harm
- **North American Hazardous Materials Management Association** - an association of professionals working to reduce and manage household hazardous waste
- **The Sustainable Packaging Coalition** - an industry working group dedicated to a more robust environmental vision for packaging
- **As You Sow** - a nonprofit organization dedicated to increasing environmental and social corporate responsibility



# Product Stewardship Councils



- Product stewardship councils (PSC) are organizations that work to advance product stewardship at the state or regional level
- PSC can represent a single state or multiple states
- Organization varies widely from informal committees to non-profit organizations with paid staff
- PSC may be stand-alone organizations or under the umbrella of another organization



# Product Stewardship Councils



- California PSC
- Colorado PSC
- Connecticut PSC
- **Illinois PSC**
- Maine PSC
- Massachusetts PSC
- Midwest PSC
- Minnesota PSC
- Nebraska Product Stewardship Coalition
- New York PSC
- Northwest PSC (Washington and Oregon)
- Rhode Island PSC
- Texas PSC
- Vermont PSC
- **Wisconsin (committee of AROW)**

Source: Northwest Product Stewardship Council



# Product Stewardship in Virginia



## Existing EPR Laws in Virginia:

- **H 447 (2006)** - certification by vehicle demolishers of removal of mercury switches in motor vehicles prior to demolition
- **H 344 (2008)** – manufacturer responsibility program for the recycling of computer equipment



# Product Stewardship in Virginia



- Virginia is currently not a member of the PSI, but Prince William County is a full member and the City of Manassas, Fairfax County, City of Virginia Beach, and the Northern Virginia Regional Commission are all affiliate members of PSI
- Maryland Dept. of Environment is an affiliate member and there is some interest in Maryland in forming a PSC
- Delaware Dept. of Natural Resources and Environmental Control (affiliate)
- These organizations could form the basis of a statewide or regional committee or council





# Product Stewardship in Virginia



## Lessons Learned from Talking to PSC:

- Pull together a group and start holding regular calls
- A PSC could be housed under the umbrella of an existing organization (e.g., VRA, SWANA Old Dominion, etc.) to allow it time to develop
- Focus on 1-2 materials see what you can get done (e.g., paint, pharmaceuticals, etc.)
- Get the “facts” out and help build consensus
- Over time a PSC would develop a work plan, educate legislators, gather baseline data and initiate studies that could be used to evaluate the effectiveness of any future EPR laws



# Video: “Re-thinking Progress: the Circular Economy”





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# Thank you!

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