

The Spectrum of Approaches to U.S. Packaging EPR



June 17, 2021



Chittenden Solid Waste District

Vermont's Approach

Working Group - Elements of EPR Legislation

- VT Product Stewardship Council (local gov.)
- Product Stewardship Institute
- Representatives from Agency of Natural Resources
- Hauler & MRF owner/operator
- Flexible Packaging Association
- Ameripen



VT PRODUCT STEWARDSHIP COUNCIL (VT PSC)

Elements of EPR Legislation: Packaging and Paper Products (PPP)

December 21, 2020

ELEMENT	VT PSC POSITION
<p>1. COVERED MATERIALS/ PRODUCTS/ MARKET SECTOR</p> <p><i>This element describes which materials producers would pay to introduce into the market in the state.</i></p>	<p><i>Packaging</i> is defined by its functions: containment and/or protection. Packaging includes consumer-facing (i.e., intended for the consumer market) primary, secondary, or tertiary packaging, as well as service packaging designed and intended to be filled at the point of sale (such as carry-out bags, bulk goods bags, take-out and home delivery food service packaging, and prescription bottles).</p> <p><i>Paper products</i> include paper sold as a product and all printed materials other than literary, text, and reference bound books.</p> <p>Covered Materials include all packaging and paper products regardless of recyclability.</p> <p>The term <i>packaging</i> includes:</p> <ul style="list-style-type: none"> (i) packaging intended for the consumer market; (ii) service packaging designed and intended to be used or filled at the point of sale, such as carry-out bags, bulk good bags, take-out bags, and home delivery food service packaging; (iii) secondary packaging used to group products for multiunit sale; (iv) tertiary packaging used for transportation or distribution directly to a consumer; and (v) ancillary elements hung or attached to a product and performing a packaging function. <p>The term <i>packaging</i> does not include packaging</p> <ul style="list-style-type: none"> (i) used for the long-term protection or storage of a product; and (ii) with a life of not less than 5 years.

ELEMENT	VT PSC POSITION
<p>2. COVERED ENTITIES</p>	<p>All generators in Vermont are required by the Universal Recycling Law to recycle, and all</p>

H.142

- Covers packaging and printed material intended for the consumer market including home delivery and food service packaging regardless of generator. Exempts beverage containers covered under the bottle bill.
- Producer must be participating in a Producer Responsibility Organization (PRO) implementing an approved program plan.
- Allows more than one PRO but must coordinate and submit one program plan.

H.142 – Cont.

- Provide free collection of covered materials at curbside, transfer stations and public places.
- Must provide payment to collectors and MRFs at a rate that covers all costs.
- Allow all public and privately owned collect locations to opt to collect for the program.
- Allow all curbside collection providers to opt to provide service for the program.
- Must utilize existing recovery facilities at capacity that they are currently operating.

H.142 – Cont.

- How producers will fund the program incentivizing PPP that is reusable, includes post-consumer recycled content & is recyclable. Fee structure penalizes PPP that are disrupters, common sources of litter or are landfill bound.
- Performance Standards – manage materials according to a hierarchy with increasing rates of reuse and, recycled content and recyclability overtime.
- Convenience – existing level
- Public outreach and education
- Litter abatement minimization and funding
- Annual report

H.142 – Cont.

Advisory Council – 13 members

Packaging
producers (2)

Material recovery
facilities owners (2)

Haulers (2)

Local government
(2)

Retailers (1)

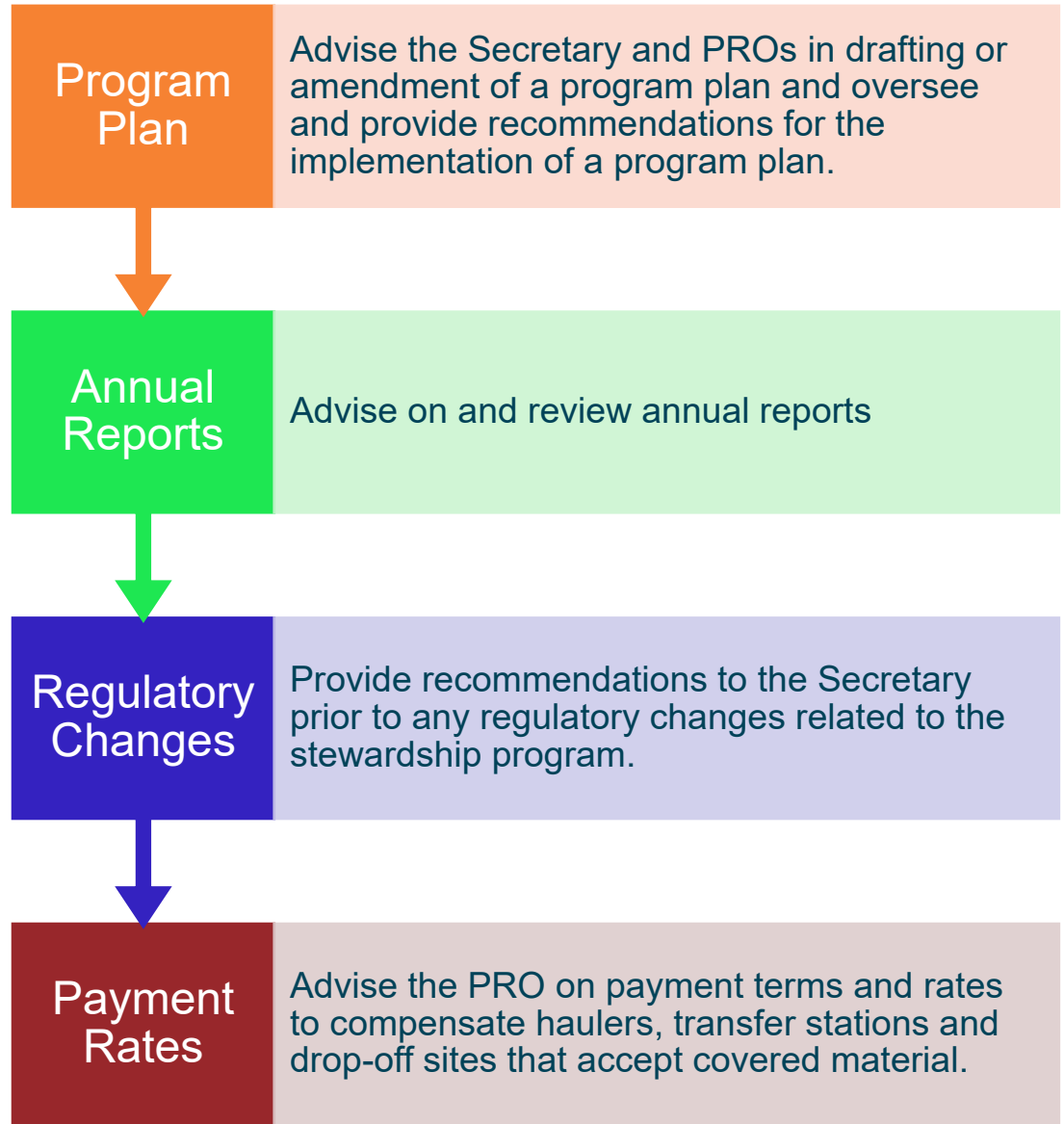
Environmental
organization (1)

Organization
representing equity
& underrepresented
stakeholders (1)

Private transfer
station owner (1)

Publicly owned
transfer station (1)

Advisory Council Role



Questions?

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