

# FRAMEWORK EPR IN NEW YORK

**Dawn M. Timm**  
NYPSC Board Member  
Director: Niagara County Division of  
Environmental/Solid Waste



# Introduction

**EPR purpose:** Engaging manufactures in the responsibility of their products end of life management. Direct relationships between:

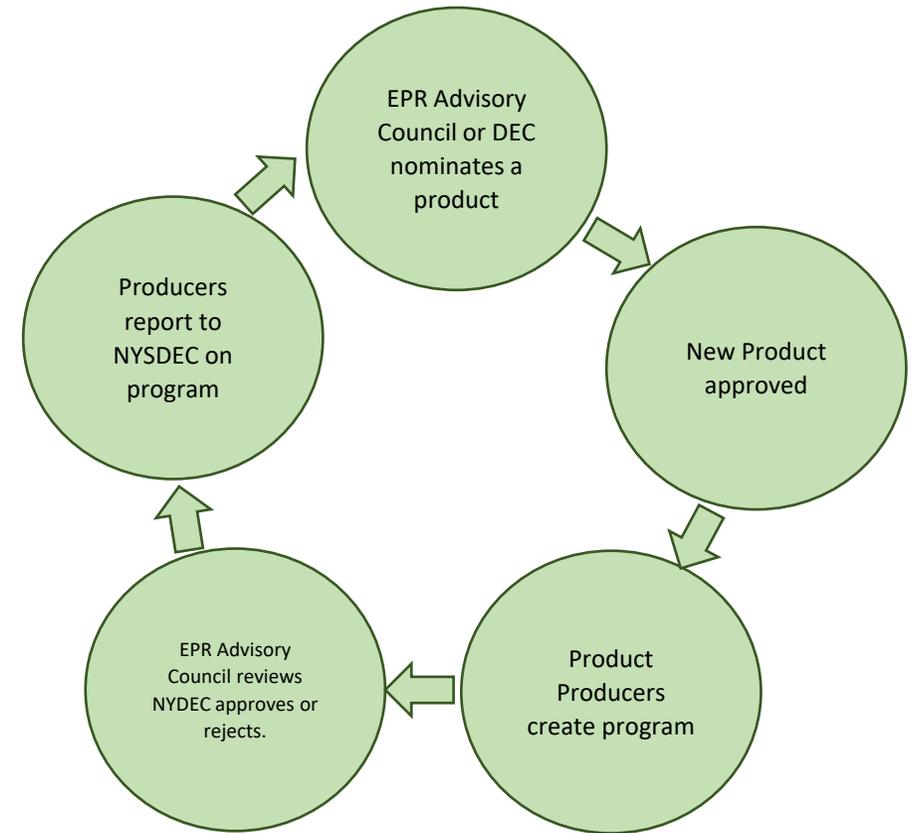
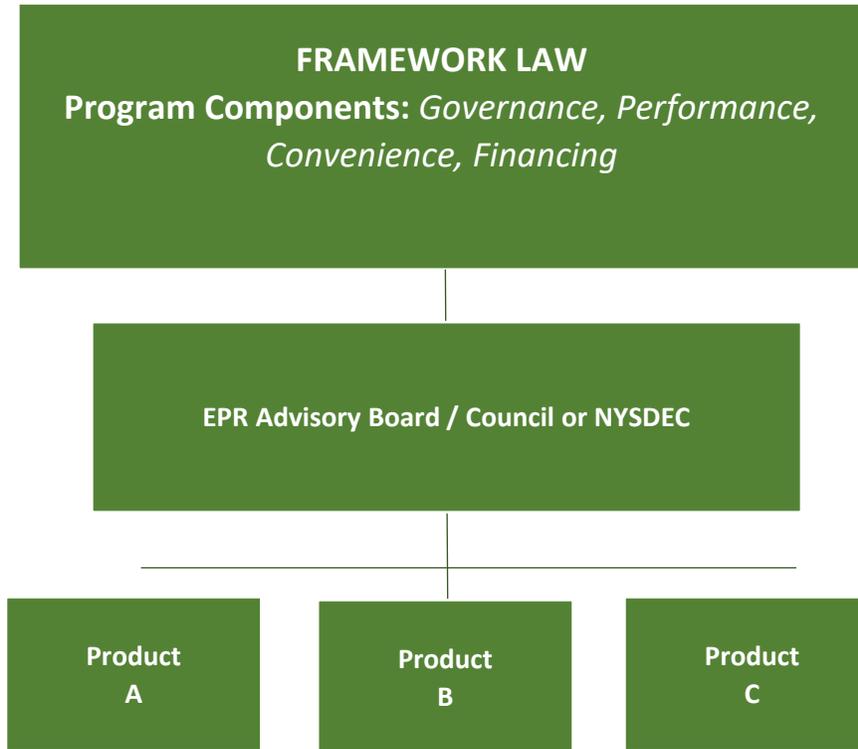
- *Toxicity and Management Expense / Ecological “expense”*
- *Recycled content requirements and recovery,*
- *Manufacturer responsibility and decreased product toxicity.*

## **New York State and EPR:**

- *Active: Rechargeable batteries, mercury thermostats, paint, pharmaceuticals, electronics...*
- *Proposed/ in Development EPR bills: Packaging, Carpet, Mattresses, Solar Panels, Primary Batteries, HHW, Compressed propane cylinders...*
- *OH MY! Alternate approach to avoid “onesie, twosie” bills and “EPR fatigue”.*



# The Framework concept: *Streamline the legislative process by setting the regulatory path “framework” and leave the additions of materials up to Regulations.*



\* Both images adapted from PSI, Inc. Developing Framework Legislation.

# Who is has passed Framework EPR?

## Canadian Provinces of British Columbia, Ontario and Manitoba:

- Provinces have the authority to select products and implement EPR regulations without going to the legislature.
- Example: British Columbia 2002 Recycling Regulation. To date has over 20 programs in place.

## Maine became first US sate to adopt framework.

- Others considering: California, Minnesota, Oregon, Rhode Island and Washington.



# The common components:

- **Governance Structure:** *How will the program run? Define roles, definitions (producer, stewardship plan...)*
  - *Designation of Products, Participation in a Stewardship Program, Stewardship Plan Requirements (i.e. Reporting, Fees) Enforcement, etc.*
- **Designation of Products-** *Advisory Board or Department shall submit a list that considers basic factors criteria such as:*
  - *Degree to which the product poses adverse environmental and/or health impacts,*
  - *Presence of toxic or hazardous substances,*
  - *Lifecycle relationship to greenhouse gas emissions,*
  - *Opportunity to reduce toxicity,*
  - *Potential for enhanced resource conservation,*
  - *Extent of current end of life management and cost impacts to governments,*
  - *Opportunities for existing or new businesses to manage,*
  - *Level of collection and recycling infrastructure in place,*
  - *Success of product stewardship programs operating elsewhere,*
  - *Willingness of potential partners.*



# The common components, continued

**Convenience Standards:** *proposed convenience standard that quantitatively describes the number of collection locations available to resident in each county of the state. What is the minimum level of collection convenience?*

**Performance Standards-** *What metrics will be used to gauge performance and progress? Propose realistic goals. Engage key stakeholders and hold manufacturers accountable.*

**Financing Mechanism:** *programs should aim to be fully funded by producers. What costs are covered? How will the funds be determined? Who collects, manages, distributes?*



# Framework EPR accomplishes...

## Streamlines Product Stewardship programs

- *Responsibility resides with designated "Advisory Board" and/or NYSDEC.*

**Shifts the Burden:** *transition end-of-life management costs from governments/taxpayers to producers. Producers have the ability to produce recyclable products, incorporate recycled content, educate, reduce toxicity, etc.*

- *Expands access of recycling opportunities,*
- *Job creation*

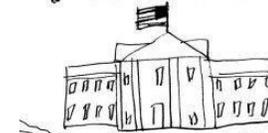
## Reliance on Regulatory Process

HELP THE BILL FIND ITS WAY TO BECOMING A LAW

START



FINISH



IT'S A LAW!



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