



Status of Product Stewardship in the United States

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Product Stewardship Institute, Inc.



What is the Product Stewardship Institute?

- Non-Profit, based in Boston, founded in 2000
- Membership
 - 45 State governments
 - Over 100 Local governments
 - Over 50 Partners
(Business, Environmental/Organizations)
- Board of Directors: 7 states, 4 local agencies
- Multi-stakeholder product stewardship network

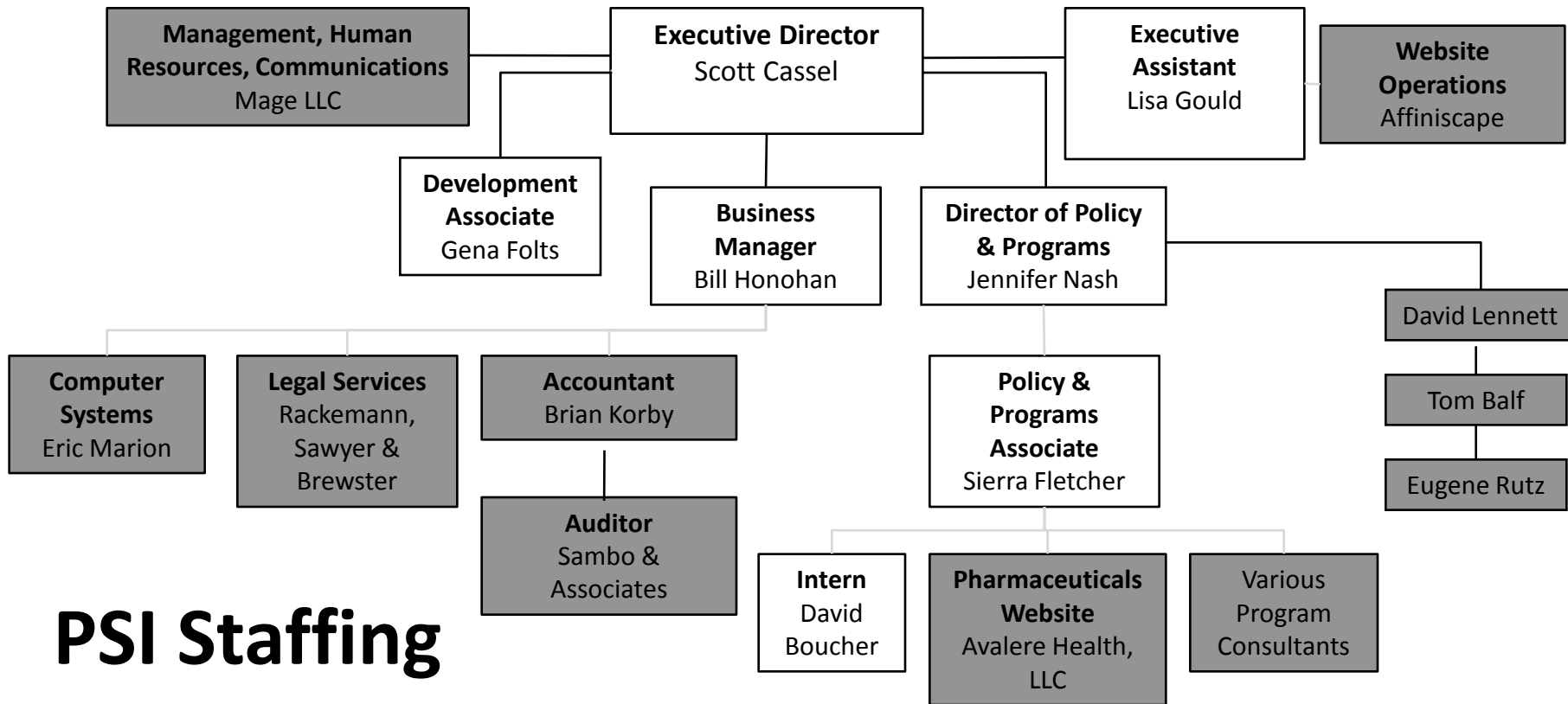


Organizational Chart 2009

June 1, 2009

KEY

Staff
Consultants



PSI Staffing



New PSI Board of Directors

July 1, 2009

Terms expire on June 30, 2011

State #1: [Resa Dimino](#) – NY Department of Environmental Protection

State #2: [Ann Pistell](#) – ME Department of Environmental Protection

State #3: [Scott Mouw](#) – NC Department of Environment and Natural Resources

State #4: [Becky Jayne](#) – IL Environmental Protection Agency

Local #1: [Mollie Mangerich](#) - Sonoma County Waste Management Agency, CA

Local #2: [Scott Klag](#) – Metro Regional Government, OR

Terms expire on June 30, 2010

State #1: [Jack Price](#) – FL Department of Environmental Protection

State #2: [Tom Metzner](#) - CT Department of Environmental Protection

State #3: [Theresa Stiner](#) - IA Department of Natural Resources

Local #1: [Dave Galvin](#) - King County, WA

Local #2: [Jen Holliday](#) - Chittenden County, VT



PSI Projects

- Electronics
- Paint
- Fluorescent Lamps
- Mercury Thermostats
- Pharmaceuticals
- Medical Sharps
- Telephone books
- Batteries
- Radioactive Devices
- Gas Cylinders
- Tires
- Beverage containers
- Packaging
- **Motor oil**
- **Pesticides**



Building Capacity for Product Stewardship: **Conceptually**

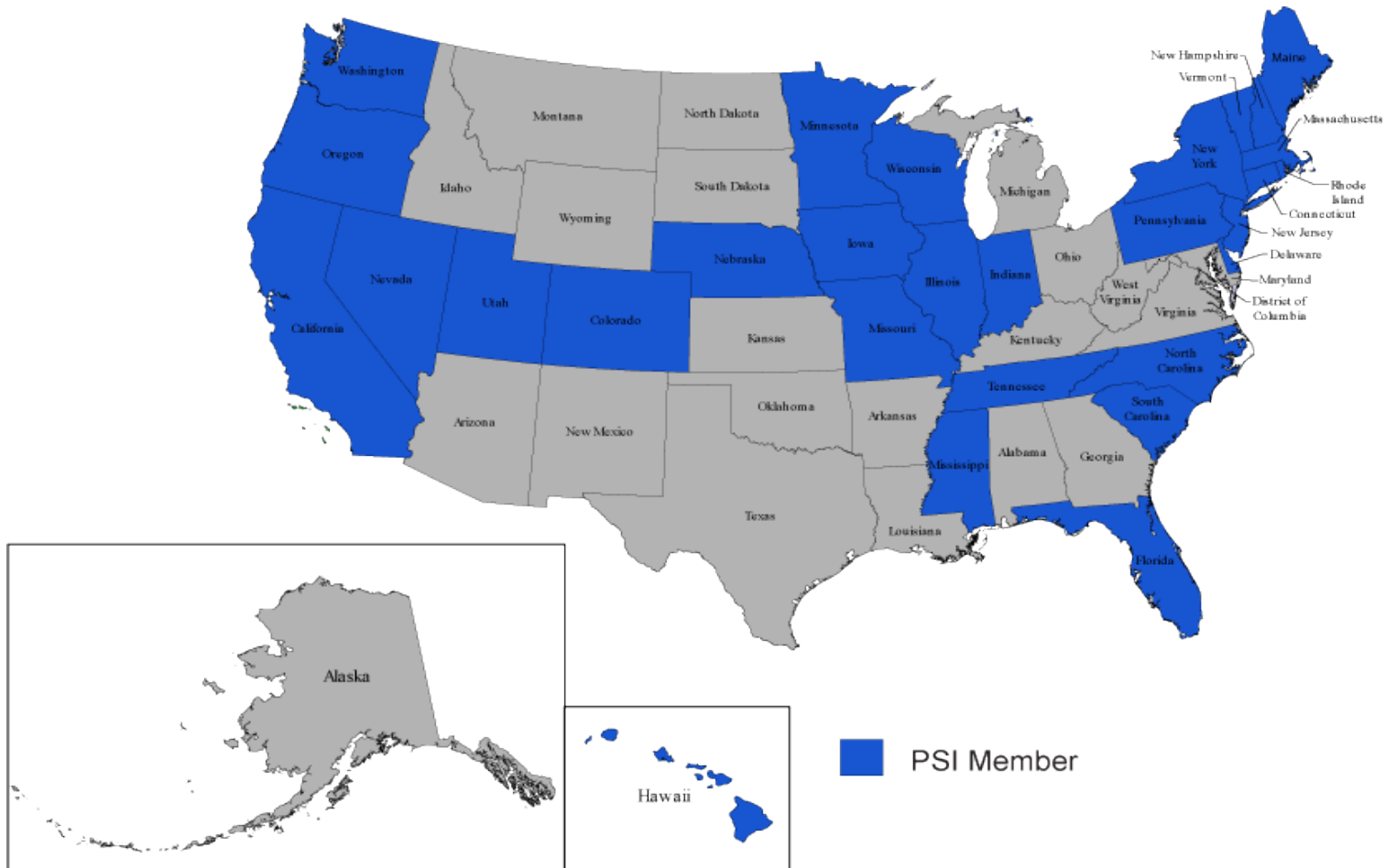
- “Product stewardship” (paradigm shift)
- Unfunded mandate – impacts on local government
- Internalize costs of managing products
- Producer responsibility within context of shared responsibility
- Lifecycle approach (design through end of life)



Building Capacity for Product Stewardship: **State by State**

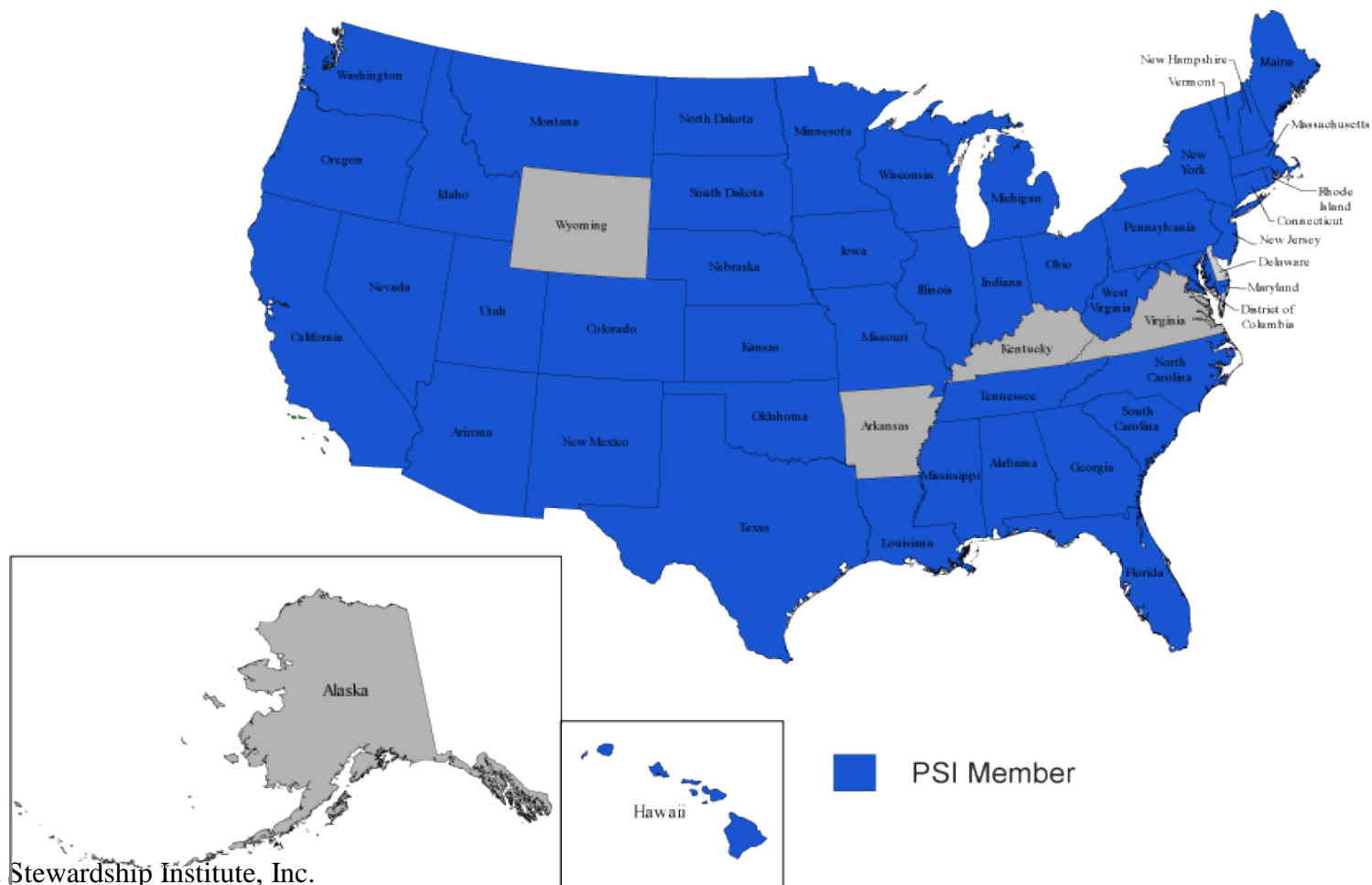


PSI State Members – 2004





PSI State Members – 2009





PSI Principles of Product Stewardship (2001)

- Cost internalization
- Shared responsibility (manufacturers have greatest role to play – producer responsibility)
- Lifecycle costs
- Performance goals
- Flexibility for producers
- Endorsements : ECOS, SWANA, NWPSC, NERC, NAHMMA, PSC (Australia), CRRRA, CRA, etc.



Results Sought

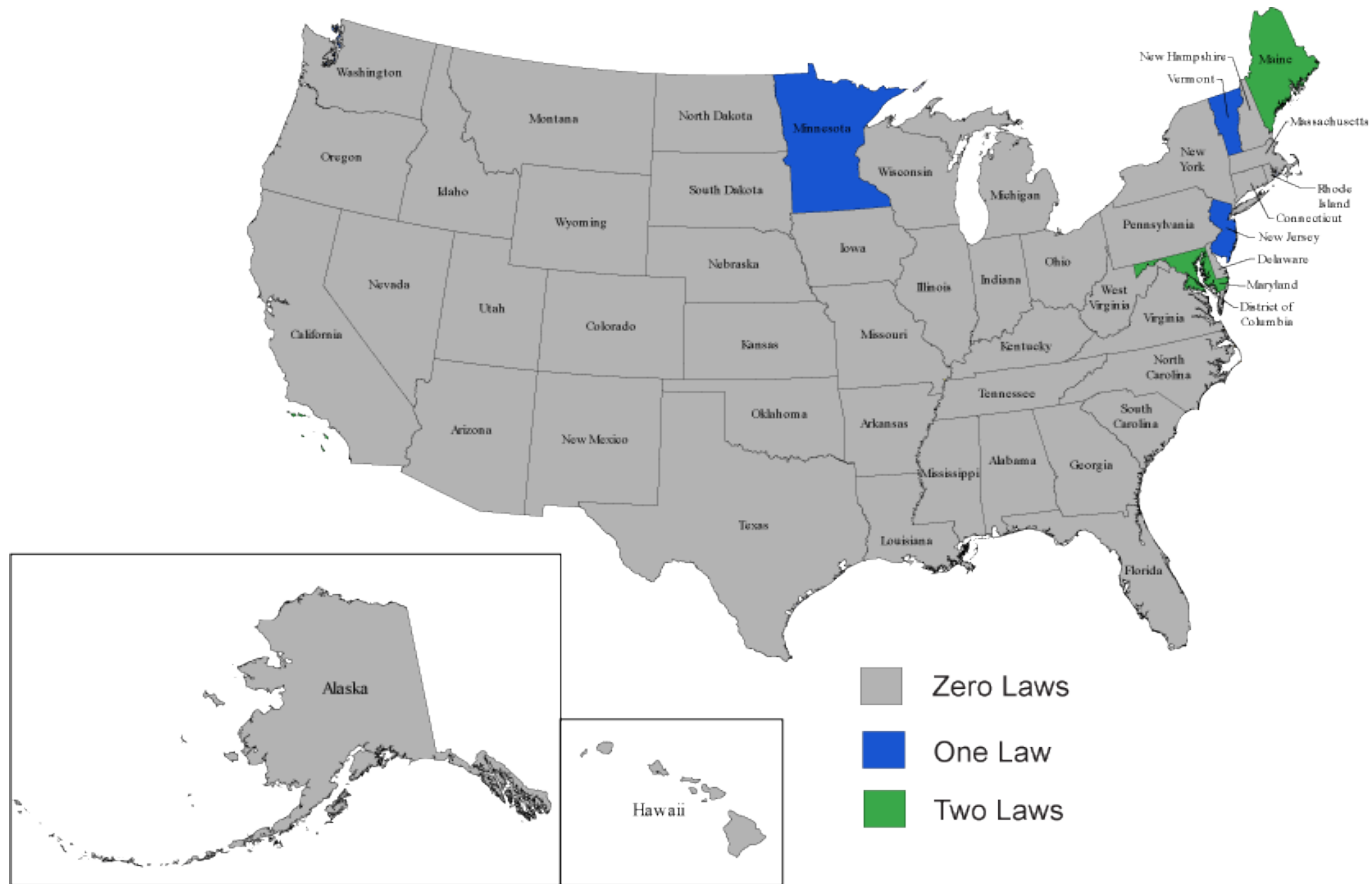
- Greater environmental protection
- Product design changes
- Save money for local government



Building Capacity for Product Stewardship: **Statute by Statute**

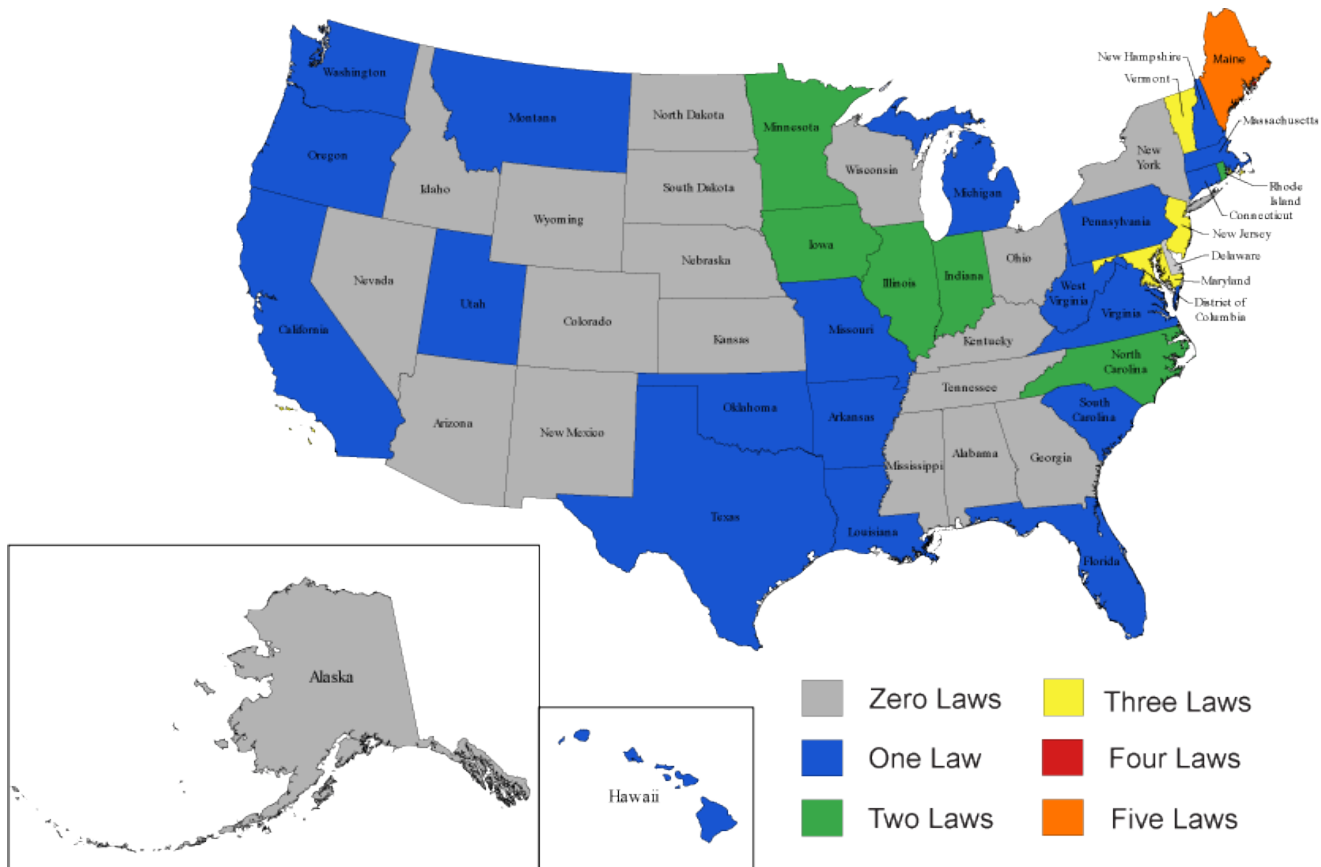


State EPR Laws 2004





State EPR Laws 2009





Building Capacity for Product Stewardship: **Local Government** **by Local Government**



Product Stewardship Institute State & Local Membership – FY08/FY09

	State	Local
FY08	43	51
FY09	45	100



New PSI strategic initiative: local government coordination

- Locals get to know PSI \Leftrightarrow PSI to know locals
- \$15,000 flat fee per year
- All local governments in state become full members of PSI – Unlimited staff in agencies
- PSI offer to coordinate monthly calls
 - Facilitate strategic discussion – product priorities
 - Provide organizational capacity



Building Capacity for Product Stewardship: **Council by Council**

- Northwest
- California
- Vermont
- Texas
- Midwest
- New York



New PSI strategic initiative: higher profile on legislative issues



2009 Product Stewardship Legislation

- Electronics
- Thermostats
- Fluorescent lamps
- Pharmaceuticals
- Phone books
- Paint
- Medical sharps
- Framework (CA and OR)



Electronics – Status

- All 19 electronics laws use concepts from national electronics dialogue
- Manufacturer and retailer take-back programs in response to dialogue
- New State Legislation
 - New laws (computers/TVs)
 - Existing laws adding TVs or other new products
- Federal export legislation
- Federal e-waste legislation – ongoing



PSI Letters of Support, Comments & Testimony on **Electronics** Legislation

- **Federal:** Letter of Support for HR 1580, Electronic Waste Research and Development Act -- March 25, 2009
- **Maine:** Letter of Support for HP 381-LD 536, An Act to Enhance Maine's Electronic Recycling Law



Fluorescent Lamps – Status

- Commercial Lamps: Consensus on need for more laws that ban disposal of lamps and greater enforcement of existing laws (press release issued)
- Household Lamps: Showed that retail collection works! (7 steps document) – Ace Hardware pilot in 4 states
- Household Lamps: Framed financing options
 - Producer responsibility, Utilities, Retailers, Cap and trade
- EPR legislation introduced (ME, MA, CA, WA, VT, OR, MN, NYC)
- Continue work on disposal bans, efficiency/toxic content labeling, retailer collections, LEDs, breakage in transport, procurement and mercury content standard



PSI Letters of Support, Comments & Testimony on **Fluorescent Lighting** Legislation

- California: [Comments on AB 1173 -- March 31, 2009](#)
- Maine: [Testimony for LD 973 -- April 3, 2009](#)
- Oregon: [Letter of Support for SB 742 -- April 7, 2009](#)
- Washington: [Letter of Support for SB 5543 -- February 18, 2009](#)
- Vermont: [Letter of Support for H. 94 -- February 11, 2009](#)
- Massachusetts: [Letter of Support for HB 726 -- May 14, 2009](#)



Thermostats – Status

- Expansion of Thermostat Recycling Corp. program to:
 - Chain wholesalers, Heating and cooling contractors, HHW facilities, Retailers
- PSI Model State Legislation – 7 state laws
 - ME (2006), VT (2007), NH (2007), IA (2007), CA (2008), PA (2008), MT (2009)
- Common methodology for measuring performance (recycling rate)
- EPR legislation introduced 2009 (IL, ME, MA, **MT**, RI)



PSI Letters of Support, Comments & Testimony on **Thermostats** Legislation

- **Illinois:** Letter of Support for SB1690 -- April 10, 2009
- **Maine:** Letter of Support for LD 1042 -- April 16, 2009
- **Massachusetts:** Letter of Support for HB 831 -- May 15, 2009
- **Montana:** Letter of Support for SB 424 -- February 19, 2009
- **Rhode Island:** Letter of Support for S. 668 -- March 31, 2009



Paint – Status

- Why is Paint a Problem?
 - 10% of paint sales becomes leftover
 - *Half a billion dollars/year* management cost (average \$8/gallon)
- *6 Point Plan* – consumer advice on leftover paint
- Recycled paint standard (with Green Seal)
- Paint reuse manual, infrastructure report
- Consensus producer-financed legislation (MN, OR, CA)



PSI Letters of Support, Comments & Testimony on **Paint** Legislation

- **Oregon** (forthcoming): [Letter of Support for House Bill 3037](#)
- MN paint legislation vetoed for 2nd year by Governor despite passage in State Legislature
- CA paint legislation pending



Pharmaceuticals – Status

- Consensus on need to change Controlled Substances Act → Congressional legislation
 - No Flushing
 - Reduce cost of take-back programs
- Narrowed/framed issues for debate
 - Take-back vs. garbage disposal
- Consensus on need for source reduction
- EPR legislation introduced (WA, OR, ME, MN FL)



PSI Letters of Support, Comments & Testimony on **Pharmaceuticals** Legislation

- **Maine:** Letter of Support for LD 821 - April 13, 2009
- **Oregon:** Letter of Support for SB 598 -- March 9, 2009
- **Federal:** PSI listed on March 18, 2009 as a supporting organization for HR 1191, the Safe Drug Disposal Act of 2009. This bill would amend the Controlled Substances Act to expand cost-effective drug take-back options. It is a first step towards a national, comprehensive solution on the pharmaceutical disposal issue that will include producer funding for take-back programs.



PSI Letters of Support, Comments & Testimony on **Product Stewardship Framework** Legislation

- **California:** Letter of Support for AB 283 - April 14, 2009
- **Oregon:** Letter of Support for HB 3060 (2009 Session) --
March 31, 2009



Phone Books – Status

- Voluntary industry guidelines developed
 - Opt out
 - Recycling
 - Sustainable production
- 90% of publishers now with opt out program
- Industry website set up
- Developing Joint Communiqué – ensure performance
- Progress fueled by legislation



Medical Sharps – Status

- Reached consensus on need for Demonstration Project in Massachusetts to show that sharps can be collected and disposed of safely.
- Developed detailed Work Plan for MA Demonstration Project to be financed by sharps manufacturers and pharmaceutical companies. Plan outlines roles for all stakeholders.
- Demonstration Project will serve as model for other states.
- Legislation introduced (CA) – requires pharmaceutical companies to report on actions to promote safe needle disposal.



Key Successes

1. Capacity has been built in the U.S. for Product Stewardship
 - An educated government (45 states/100 locals as PSI members + many other involved local governments)
 - A partially educated manufacturing sector (product specific)
 - Retailers starting to step into their role
2. States beginning to gain experience with PS laws
 - 19 state electronics laws
 - 7 state thermostat laws
 - States with auto switch laws and battery laws



Key Successes

3. Increase in product stewardship legislation in 2009
4. Greater national environmental group participation in product stewardship (NRDC, Sierra Club, Clean Water Action)
5. Movement from product-by-product legislation to framework
6. Realizing benefits for local government
 - Gov't cost savings (MN: \$6 million/yr on paint alone)
 - Jobs/economic development
 - GHG emissions reductions
 - More products/tons of toxics collected (take-back)



Key Challenges

1. How do we define and measure product stewardship success?
2. What policies will result in greatest product design changes?
3. How can we achieve change quicker, cheaper, and still be sustainable (over time)?
4. What policies will most reduce product lifecycle impacts (vs. solely end-of-life)?
5. How do we integrate chemicals policy into product stewardship programs?



Endorse PSI *Principles* *of Product Stewardship*

- Product-by-Product
- Start with priority waste stream
- Build support among local agencies for state legislation
- Measure results
- Learn and translate to other products



Endorse *Framework Principles of Product Stewardship*

- Understanding grows with successive EPR legislation
- Patterns recognized: designated products, roles of players, plan submittal to agency, performance goals, disposal bans, enforcement, reporting, etc.
- Familiarity with concept by state agency and legislature
- More efficient – Multiple products



Pick Priority Solid Waste Products to Address

- Thermostats
- Fluorescent Lamps
- Paint
- Phone books
- **Packaging – encourage EPA involvement**



For More Information Contact...

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