



AUGUST 1, 2014

What's New On PSI's Blog



Reflections from the Summer Pool: An EPR Addict Tries to Stay Cool

PSI Founder and CEO, Scott Cassel, reflects on the growth of our organization - and the product stewardship movement as a whole. [Click here to go to the complete story](#)

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Phone Book Publishers Need to Improve Their Sustainability, Report Shows

Not a single phone book publisher aced our new "report card." [Click here to go to the complete story](#)



Introducing Carpet Legislation

Connecticut is on track to introduce EPR legislation for carpet in 2015. [Click here to go to the complete story](#)



CT DEEP Leading Movement for Battery Legislation

Connecticut, Minnesota, California, and other states are gearing up to introduce EPR legislation for batteries in 2015, thanks to leadership shown by the Connecticut Department of Energy and Environmental Protection (CT DEEP), PSI, and other stakeholders. [Click here to go to the complete story](#)



EPR for Household Hazardous Waste - Research Underway

Phase one of our new report on household hazardous waste explores the unique EPR programs in British Columbia and Manitoba. Could EPR for HHW be the wave of the future in the U.S.? [Click here to go to the complete story](#)



Addressing Implementation Challenges for the NY e-Scrap Law

New York State set to begin solving some of the implementation challenges with its e-scrap law, thanks to PSI's facilitative leadership and the support of many other product stewardship stakeholders. [Click here to go to the complete story](#)



Launching Tires Research

What types of "issues" do states face with scrap tire management? Is EPR viewed as a viable solution? These are the questions we will tackle in our upcoming research. [Click here to go to the complete story](#)

Product News



MA Enacts Mercury Bill

Massachusetts Gov. Deval Patrick is expected to sign into law next week a recycling bill that will require thermostat wholesalers to operate collection centers for used thermostats. [Click here to go to the complete story](#)



Pharmaceutical EPR Bill Appealed

Alameda County is one small step closer to finding out whether its pharmaceuticals stewardship ordinance will be ruled as constitutional and, thus, be upheld. [Click here to go to the complete story](#)



First Stewardship Plan Submitted to a State Agency for Mattresses

The Mattress Recycling Council (MRC) submitted the first mattress stewardship plan at the state level to Connecticut. [Click here to go to the complete story](#)



CARE 2013 Annual Report Released

Carpet America Recovery Effort (CARE)'s 2013 Annual Report shows the growing threat of Nylon to the carpet recycling industry. [Click here to go to the complete story](#)



Thirty-Six EPR Case Studies Published in EU Guidance Document

A new guidance document on the state of EPR programs in the European Union covers a range of product categories and countries. [Click here to go to the complete story](#)



Minnesota Mercury Law Strengthened

Minnesota added annual reporting requirements for manufacturers of mercury thermostats under its existing thermostat EPR law. [Click here to go to the complete story](#)

PSI Happenings

Phone Book Publishers Need to Improve Their Sustainability, New Report Card Shows



A new PSI "report card" grading some of the nation's leading Yellow Pages directory publishers shows that the phone book industry still has a lot of work to do to improve its sustainable business practices. Not a single publisher referenced in PSI's [Sustainability Report Card for Telephone Directory Publishers](#) earned an "A"; the highest grade was a "B-" and the rest of the grades fell in the "C" range. The report card evaluates directory publishers in three primary performance categories that are most important to PSI's government members: (1) consumer opt-out; (2) support for recycling; and (3) sustainable production. A published, sharable document, the report card is intended to draw public attention to the best and worst practices of the industry, highlighting the publishers who are leading the pack while also calling out those with room for

improvement. The report is also intended to be used as a tool to advocate for producer responsibility. By highlighting what publishers are doing well versus what they need to do to improve, we hope to spur the industry to corrective action and reduce paper waste. The Sustainability Report Card is part of our larger phone books and "junk mail" awareness campaign geared at paper waste source reduction. Be sure to check out our two popular infographics - [The 411 on Unwanted Phonebooks](#) and [Garbage In, Garbage Out: Stopping the Unwanted Flow of Junk Mail](#). [Click here to return to Table of Contents](#)

Introducing Carpet Legislation



PSI is working with the Connecticut Department of Energy and Environmental Protection (CT DEEP) and other stakeholders to draft carpet EPR legislation for introduction in 2015. We have finalized a background briefing document, meeting notes, and a participant list from the May 14-15 stakeholder meeting in Hartford, as well as a menu of legislative options that incorporates comments from all stakeholders. As always, these documents - and a wealth of other privileged material, are [available here](#) at no cost to PSI Full Members and Sustaining Partners. We continue to work with stakeholders in other states, as well, including Illinois and Minnesota, to coordinate the introduction of legislation nationwide. If you are interested in participating or sponsoring our efforts, contact [Scott Cassel](#) at (617) 236-4822. [Click here to return to Table of Contents](#)

CT DEEP Leading Movement for Battery Legislation



As a result of the work of the Connecticut Department of Energy and Environmental Protection (CT DEEP), our efforts, and other stakeholders, Connecticut, Minnesota, and California will likely introduce EPR legislation for batteries in 2015. To lay the groundwork for legislative action, we recently facilitated a national battery stewardship dialogue meeting, finalized a background briefing document, and developed a draft menu of legislative options that incorporates comments from a wide variety of stakeholders. (PSI Full Members and Sustaining Partners can view these materials, as well as a wealth of other exclusive content, [here](#).) The draft menu of legislative options serves as a model to promote a consistent legislative framework that will facilitate its implementation. If you are interested in participating in the drafting of EPR legislation for rechargeable and primary batteries, or in sponsoring our efforts, contact [Scott Cassel](#) at 617-236-4822. PSI is also seeking funding to continue this work nationally. [Click here to return to Table of Contents](#)

EPR for Household Hazardous Waste - Research Underway



PSI staff recently finalized a [Metro Oregon](#)-commissioned report exploring British Columbia's and Manitoba's EPR programs for such household items as solvents, pesticides, lubricants, pool chemicals, fuel cylinders, and gasoline contaminated with oil or water, as well as other products that are flammable, corrosive, toxic, and/or physically or environmentally hazardous. By grouping many of these items into a single category, Household Hazardous Waste (HHW), these Canadian provinces each sought to create economic and operational efficiencies in the collection and management of hazardous products that are not currently addressed by product-specific EPR legislation (e.g., paint). There are no existing HHW EPR programs in the U.S., but Metro Oregon and several other government agencies are interested in exploring this option, and sought PSI's assistance in studying how the British Columbia and Manitoba programs collect the materials, deal with free riders, finance operations, and organize responsible parties. (PSI Full Members and Sustaining Partners can view the EPR for HHW: Phase I Research report, as well as a wealth of other exclusive content, [here](#).) We are now seeking additional funding to further explore how these two Canadian programs, as well

as another in Ontario, were developed and initiated. We also want to explore how these governments worked with industry throughout development and implementation. If you are interested in participating or sponsoring our efforts, contact [Scott Cassel](#) at (617) 236-4822. [Click here to return to Table of Contents](#)

Addressing Implementation Challenges for the NY e-Scrap Law



As part of a larger group of stakeholders, we assisted in drafting a working document for an agreement on how to improve the implementation of New York State's e-Scrap Law. The document, entitled "NYS Electronics Recycling and Reuse Act: Implementation Challenges," focuses on short and long term goals. It is available to PSI Full Members and Sustaining Partners [here](#), free of charge. The NY e-Scrap law requires manufactures to fund the collection and recycling of post-consumer electronics. While the law is a step in the right direction, challenges have included the volume of e-Scrap far outpacing the level that manufactures paid to process. This and other economic issues have put recycling companies in a predicament, and some have even gone out of business. Manufacturers are also frustrated with the limited control they have to lower costs and develop processing efficiencies within the system. The working group's discussion of the problem and establishment of goals are a step forward in addressing these and other implementation challenges. [Click here to return to Table of Contents](#)

Launching Tires Research



As part of a project with the Connecticut Department of Energy and Environmental Protection (CT DEEP), we are seeking information from states on what types of "issues" they face with scrap tire management, including volume of scrap tires generated, management costs, and whether EPR is viewed as a potential solution. CT DEEP is seeking to develop a tire recovery system in the state that will maximize tire recycling. As part of this work, they are also leading the effort to determine other states' interest in EPR tire legislation as a means to increase recycling, decrease illegal dumping, and create employment. If you are interested in sharing this information, please contact [Scott Cassel](#) at (617) 236-4822. We are also seeking funding to begin this work nationally.

Keep an eye out in your email inbox for an invitation to a PSI webinar on EPR for tires, tentatively scheduled for Tuesday, September 30, 2014 at 2 p.m. Eastern! More details soon! [Click here to return to Table of Contents](#)

Did You Know?

You can keep up to date on the latest developments in product stewardship at PSI and beyond by following us on [Twitter](#), [Facebook](#), and [LinkedIn](#). Let's connect!



Product News

MA Enacts Mercury Bill



Massachusetts Gov. Deval Patrick is expected to sign into law next week a recycling bill that will require thermostat wholesalers to operate collection centers for used thermostats. The bill, [S.2303](#), mandates that businesses that install, service, or remove HVAC systems also take out remaining mercury components and bring them to the wholesalers' collection sites. However, the bill does not require that manufacturers offer financial incentives for returning mercury thermostats - a proven legislative mechanism that significantly boosts recycling rates. Indeed, after Vermont's \$5 incentive went into effect in 2011, the state rose to first in the nation for thermostat collection. Bills that lack this incentive result in the collection of far fewer thermostats by the Thermostat Recycling Corporation (TRC), as reported in [Turning Up the Heat II](#) by the Multi-State Mercury Products Campaign (MMPC) and PSI. The bill also doesn't set performance targets. Gov. Deval Patrick has until August 7 to sign the bill. [Click here to return to Table of Contents](#)

Pharmaceutical EPR Bill Appealed



Alameda County is one small step closer to finding out whether its pharmaceuticals stewardship ordinance will be ruled as constitutional and, thus, be upheld. On July 11th, the U.S. Court of Appeals for the Ninth Circuit heard the Pharmaceutical Research and Manufacturers Association of America (PhRMA), Generic Pharmaceutical Association (GPhA), and Biotechnology Industry Organization (BIO) appeal an earlier ruling that allowed Alameda County to implement the Safe Drug Disposal Ordinance. The law requires pharmaceutical companies to design, fund, and manage a drug take-back program. The industry groups argued that the law is in violation of the Commerce Clause because it burdens interstate commerce. [Click](#)

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First Stewardship Plan Submitted to a State Agency for Mattresses



The Mattress Recycling Council (MRC) has submitted the first mattress stewardship plan at the state level to Connecticut's Department of Energy and Environmental Protection (DEEP). The plan includes an unusual provision that divides the state into two zones, which has raised the concern of some recyclers regarding the lack of fair competition. The plan submittal comes after Connecticut became the first state to pass EPR legislation for mattresses. In 2013, California and Rhode Island followed in Connecticut's footsteps, and MRC is the organization

charged with designing and managing all three of these new programs. A decision on MRC's plan is set to be made 90 days after the official submission date, which was July 1st. MRC's cover letter and stewardship plan are available on PSI's website [here](#). Comments or suggestions regarding the plan can be submitted to [Tom Metzner](#) or [Sherill Baldwin](#) up until September 15, 2014. [Click here to return to Table of Contents](#)

CARE 2013 Annual Report Released



The Carpet America Recovery Effort (CARE) released its [2013 Annual Report](#), which provides information on the state of carpet recycling in the U.S. According to the report, half of the carpets collected were processed, which resulted in a 5 percent carpet recycling rate and a 14 percent landfill diversion rate. Some state officials question the usage of "landfill diversion" as a positive metric because it includes practices from lower on the materials management hierarchy, including waste to energy and kilns. While the landfill diversion rate has gone up, recycling has declined since 2012. The significant increase in carpets made of PET is partially to blame for low recycling rates, since they are more difficult and costly than Nylon to process. PET carpets are also partially blamed for the 17 percent drop in employment in the carpet recycling industry. However, of the carpet that was collected, 93 percent

went to U.S. markets. Some state government officials have claimed that this number is likely to be artificially low, since not all municipalities that export post-consumer carpet report it to CARE. China was the second largest processor of post-consumer carpets, and officials are interested in what is done with the carpet after it is imported there. It is widely known that WTE capacity is expanding in China; carpet recycling also occurs, but exactly how much is unknown. [Click here to return to Table of Contents](#)

Thirty-Six EPR Case Studies Published in EU Guidance Document



With funding from the European Commission, Deloitte released a guidance document that aims to provide a comprehensive overview of EPR programs in all 28 EU Member States. The report, titled *Development of Guidance on Extended Producer Responsibility*, contains 36 case studies, and covers 6 product categories. Four of the product categories are materials on which the EU has issued directives on end-of-life management (batteries and accumulators (B&A), waste electrical and electronic equipment (WEEE), end-of-life vehicles (ELV), and packaging). The other

two product categories are waste oils and graphic papers. The report has 7 guiding principles for analyzing EPR programs, including the full net cost coverage principle, the fair competition principle, and the transparency principle. Some of the findings include "a severe lack of transparency and availability of reliable data," as well as that the best performing programs are not the most costly. PSI Full Members and Sustaining Partners can access the full report [here](#). [Click here to return to Table of Contents](#)

Minnesota Mercury Law Strengthened



Minnesota recently added annual reporting requirements for manufacturers of mercury thermostats under its existing thermostat EPR law. It also removed exemptions from its ban on the sale of mercury thermometers, as the Food and Drug Administration no longer requires their use in specific applications. However, the law still has no recovery goals or requirements. [Click here to return to Table of Contents](#)



EPR Legislation

Members and Partners can stay up-to-date on past, present, and future product stewardship legislation right on PSI's website. Just login using your unique username and password, and then click on the Legislation tab on the menu bar.

Like what you've read? What to receive monthly Product Stewardship Updates and bi-weekly legislation updates in your inbox? Become a Full Member or a Partner of PSI! Contact [Amanda Nicholson](mailto:amanda@productstewardship.us), Business Manager.



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