



OLD NORTH BRIDGE

## TOWN OF CONCORD

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March 8, 2011

Representative Cory Atkins  
Senator Susan Fargo  
State House  
Boston, MA 02133

Dear Susan and Cory,

An increasingly significant issue for Massachusetts towns and households is the disposal of toxic and hazardous products and packaging. It is inefficient for individual towns and households to manage the proper disposal of such items in order to minimize environmental and health impacts. Products and packaging are often toxic or disposable by design, and local governments have no input into the design or marketing of products, make no profit from them, and lack the resources adequately to address the rising volume of discarded products and associated packaging.

We believe there is a better way. Extended Producer Responsibility (EPR) is an environmental policy approach in which producers (brand owners or first importers into a state) accept responsibility for management of their discarded products so that those who produce and use the products bear the costs of recycling and responsible disposal. Clearly, when producers are charged with ensuring that their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic. Moreover, EPR creates jobs in disassembly, reuse, repair and recycling in the state, offering significant local economic development opportunities.

For these reasons, more than half the states in the country have EPR laws. While Massachusetts is not among them, the Massachusetts legislature has enacted producer responsibility programs for certain mercury-containing products, and the Massachusetts DEP Draft Solid Waste Master Plan includes producer responsibility as one of its five major components.

The Town of Concord supports statewide legislation to hold producers responsible for product discard management and other product waste management costs and the mission of the Massachusetts Product Stewardship Council, working with other Massachusetts municipalities and other states, to move EPR policy forward. We also support the *Framework Principles for*

*Product Stewardship Policy* adopted by seven Product Stewardship Councils in North America, including the Massachusetts, Vermont, and New York Councils. This Framework EPR codifies the EPR principle and gives the Massachusetts DEP the authority to address the disposal of multiple products over time.

Accordingly, the Town of Concord urges the Massachusetts legislature to enact EPR legislation for discarded electronic waste this year and comprehensive EPR legislation based on the *Framework Principles for Product Stewardship Policy* as soon as possible and requests that you, our elected representatives in the legislature, take appropriate action to further this legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeff Wieand".

Jeff Wieand, Board of Selectmen Chair

# **Attachment**

## **Framework Principles for Product Stewardship Policy**

The following principles are intended to guide development of product stewardship policies and legislation that governs multiple products. It is primarily aimed at state legislation but is also intended as a guide for local and federal policy.

### **1. Producer Responsibility**

- 1.1 All producers selling a covered product into the State are responsible for designing, managing, and financing a stewardship program that addresses the lifecycle impacts of their products including end-of-life management.
- 1.2 Producers have flexibility to meet these responsibilities by offering their own plan or participating in a plan with others.
- 1.3 In addressing end-of-life management, all stewardship programs must finance the collection, transportation, and responsible reuse, recycling or disposition of covered products. Stewardship programs must:
  - Cover the costs of new, historic and orphan covered products.
  - Provide convenient collection for consumers throughout the State.
- 1.4 Costs for product waste management are shifted from taxpayers and ratepayers to producers and users.
- 1.5 Programs are operated by producers with minimum government involvement.

### **2. Shared Responsibilities**

- 2.1 Retailers only sell covered products from producers who are in compliance with stewardship requirements.
- 2.2 State and local governments work with producers and retailers on educating the public about the stewardship programs.
- 2.3 Consumers are responsible for using return systems set up by producers or their agents.

### **3. Governance**

- 3.1 Government sets goals and performance standards following consultation with stakeholders. All programs within a product category are accountable to the same goals and performance standards.
- 3.2 Government allows producers the flexibility to determine the most cost-effective means of achieving the goals and performance standards.
- 3.3 Government is responsible for ensuring a level playing field by enforcing requirements that all producers in a product category participate in a stewardship program as a condition for selling their product in the jurisdiction.
- 3.4 Product categories required to have stewardship programs are selected using the process and priorities set out in framework legislation.

- 3.5 Government is responsible for ensuring transparency and accountability of stewardship programs. Producers are accountable to both government and consumers for disclosing environmental outcomes.

#### **4. Financing**

- 4.1 Producers finance their stewardship programs as a general cost of doing business, through cost internalization or by recovering costs through arrangements with their distributors and retailers. End of life fees are not allowed.

#### **5. Environmental Protection**

- 5.1 Framework legislation should address environmental product design, including source reduction, recyclability and reducing toxicity of covered products.
- 5.2 Framework legislation requires that stewardship programs ensure that all products covered by the stewardship program are managed in an environmentally sound manner.
- 5.3 Stewardship programs must be consistent with other State sustainability legislation, including those that address greenhouse gas reduction and the waste management hierarchy.
- 5.4 Stewardship programs include reporting on the final disposition, (i.e., reuse, recycling, disposal) of products handled by the stewardship program, including any products or materials exported for processing.

Northwest Product Stewardship Council [www.productstewardship.net](http://www.productstewardship.net), Adopted May 19, 2008;  
California Product Stewardship Council [www.calpsc.org](http://www.calpsc.org), Adopted June 4, 2008; Vermont  
Product Stewardship Council [www.vtpsc.org](http://www.vtpsc.org), Adopted November 6, 2008;  
British Columbia Product Stewardship Council [www.bcproductstewardship.org](http://www.bcproductstewardship.org), Adopted Dec. 9,  
2008; Texas Product Stewardship Council [www.txpsc.org](http://www.txpsc.org), Adopted January 30, 2009;  
NYS Assoc. for Solid Waste Management [www.newyorkwaste.org](http://www.newyorkwaste.org), Adopted March 11, 2009;  
Massachusetts Product Stewardship Council, Adopted October 12, 2010.



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