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Extended Producer Responsibility Compliance (EPRC) Overview

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- Extended Producer Responsibility Context and Background
 - Terminology, Origin Internationally, Nationally, and CA
- EPR Enforcement Overview
 - Nexus with LEA Laws
 - Extended Producer Responsibility Compliance Resources
- EPRC Field Enforcement and Emerging Infrastructure
- EPRC Future Goals and Development Opportunities

Various EPR terms and acronyms are used interchangeably.

- Extended Producer Responsibility (EPR) = Stewardship Programs

- Stewardship Organizations (SO) include:
 - Carpet America Recovery Effort (CARE)
 - PaintCare
 - Mattress Recycling Council (MRC)



EPR Context and Background

Goals of EPR

To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order **to reduce public costs and drive improvements in product design that promote environmental sustainability.**



EPR Context and Background

MED EPR - Portugal

- Program - SIGREM
- Organizing body - Valormed(est. 1999)
- Organized/funded by:
 - Association of Portuguese pharmaceutical industries (APIFARMA)
 - Pharmaceutical distributors (Groquifar)
 - National pharmacies association (ANF)
- Payments are collected through a fee placed on packaging. (Fee was \$.006 USD or €0.005 in 2011)
- Retail participation voluntary;
99% pharmacy participation rate in 2011.





CPSC
California Product
Stewardship Council SM

EPR Context and Background Canada's EPR System



© StewardEdge, July 2010



EPR Context and Background

EPR Nationally

Currently, EPR programs nationally in the US operate consistently within a single stewardship organization, but each states' requirements may differ slightly in implementation.

Carpet Stewardship Program - One state legislated in CA - Some states in the nation served by a voluntary program.

Architectural Paint Recovery Program - PaintCare operating in nine states.

Used Mattress Recovery and Recycling Program - Operating in three states under legislative requirements.



EPR laws allow a stewardship organizations to develop plans and organize manufacturers and regulated stakeholders to comply with the law.

California Carpet Stewardship Program

Public Resources Code (PRC) 42970 (AB 2398 Perez 2010)

Carpet America Recovery Effort (CARE) serves as the carpet stewardship organization.

Architectural Paint Recovery Program PRC 48700 (AB 1343 Huffman 2010)

The American Coatings Association helped create the stewardship organization PaintCare.

Used Mattress Recovery and Recycling Act PRC 42985 (SB 254 Hancock 2013)

The International Sleep Products Association (ISPA) helped create the Mattress Recycling Council (MRC).



CalRecycle EPR Enforcement Overview

EPR enforcement activities ensure a level playing field between all regulated entities, and funding of the program via assessments.

- EPRC field staff have conducted over 1,100 statewide inspections to date.
- EPRC inspections review retailer and manufacturer compliance with requirements such as: collection of assessments, proper labeling, and the sale of compliant products.
- Enforcement activities are 'progressive' and noncompliant entities can be subject to penalties of up to \$10,000/violation/day (depending on the program).

California's ERPC unit is the only enforcement team in the field in the nation.

Nexus with LEA Laws

While various laws define how EPR materials are regulated, the awareness of all related laws can help to monitor and inform the relevant agencies in times of concerns.

- Always the Three Part Test, and SMS as applicable such as proper removal frequency
- Carpet defined as a part of C&D as summarized in the CalRecycle Carpet Recycling Operations Brochure
- Mattress processing is defined as Reuse Salvage Operations CCR 17402.5 c (8)
- Paint materials generally managed under HHW regulations

EPR laws do not exempt EPR materials of proper regulated handling

California
**Carpet
Recycling
Operations**

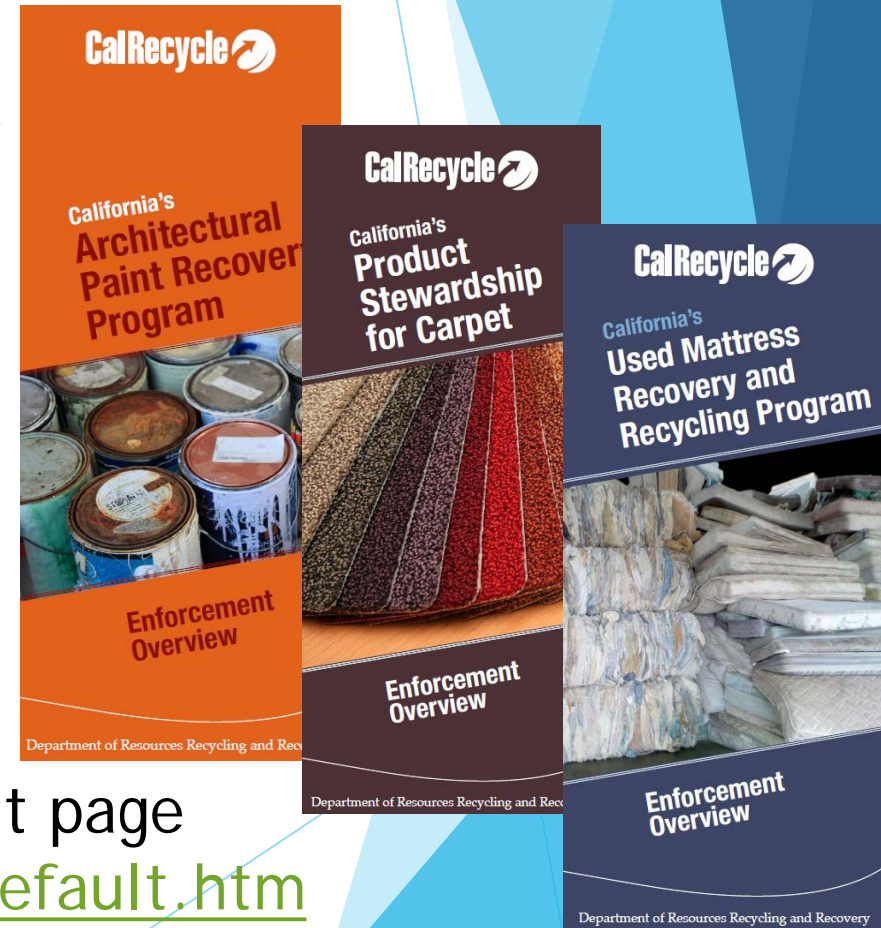
Regulatory Requirements



EPRC Resources

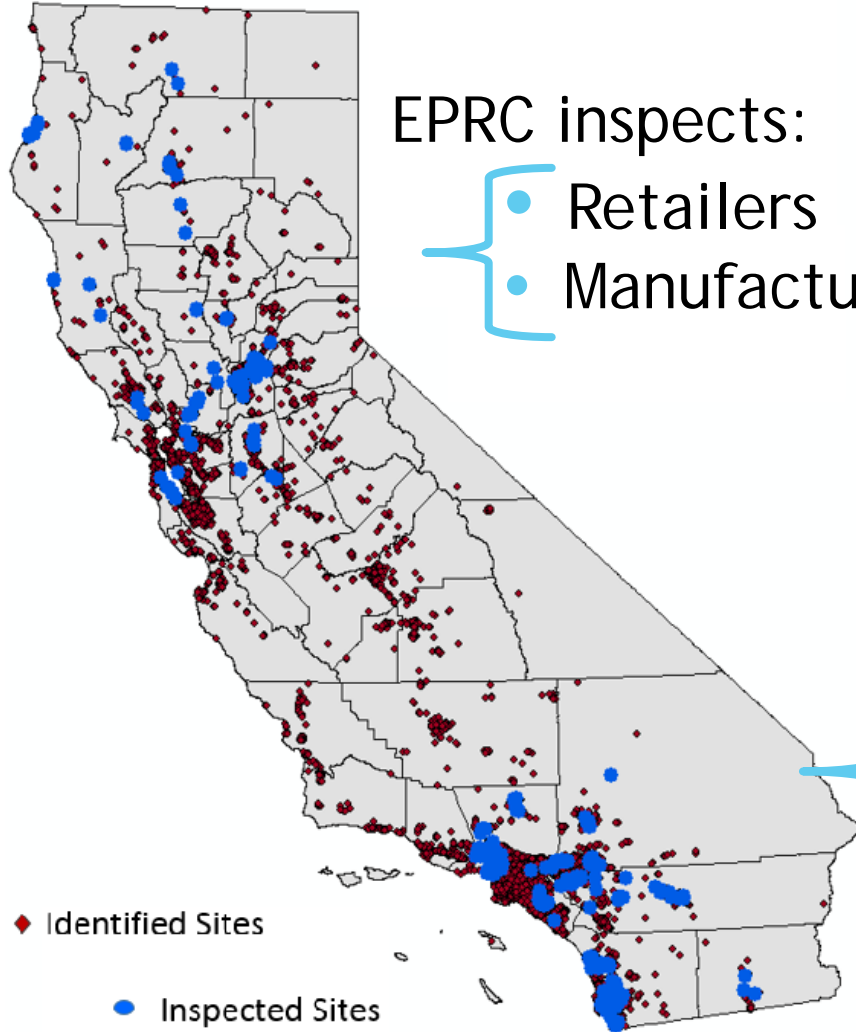
CalRecycle brochures for each EPR Enforcement program outlines who is responsible to implement the law, what is required in an inspection and expected, where to call with questions.

- Architectural Paint Recovery Program
- Product Stewardship for Carpet
- Used Mattress Recovery and Recycling Program



The brochures can be found on our EPR Enforcement page <http://www.calrecycle.ca.gov/EPR/Enforcement/default.htm>

EPRC Field Enforcement and Emerging Infrastructure Carpet Stewardship Program



EPRC inspects:

- Retailers
- Manufacturers

Inspections are conducted on a random basis throughout CA. This CA map is an example of our GIS tool, which allows us to track inspections

LEAs may encounter carpet collection operations such as: trailers and bins at transfer stations, solid waste facilities or C&D processing facilities.

Carpet collection and processing facilities may also be encountered within a jurisdiction.



EPRC Field Enforcement and Emerging Infrastructure Paint Stewardship Program

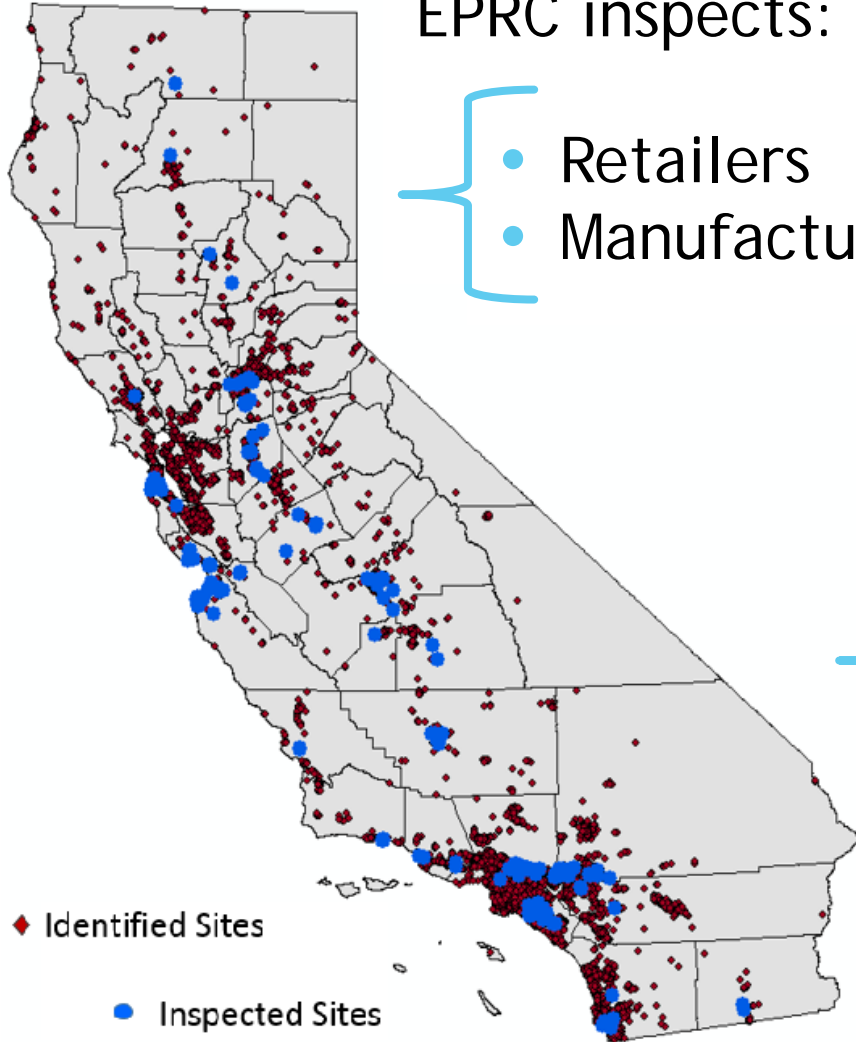
EPRC inspects:

- Retailers
- Manufacturers

Field data collected as a part of paint inspections has informed program analysis and validation of annual reports.

LEAs may encounter paint collection operations at: designated locations at solid waste facilities or C&D processing facilities.

One day paint collection events may also occur within a jurisdiction.





EPRC Field Enforcement and Emerging Infrastructure Mattress Stewardship Program

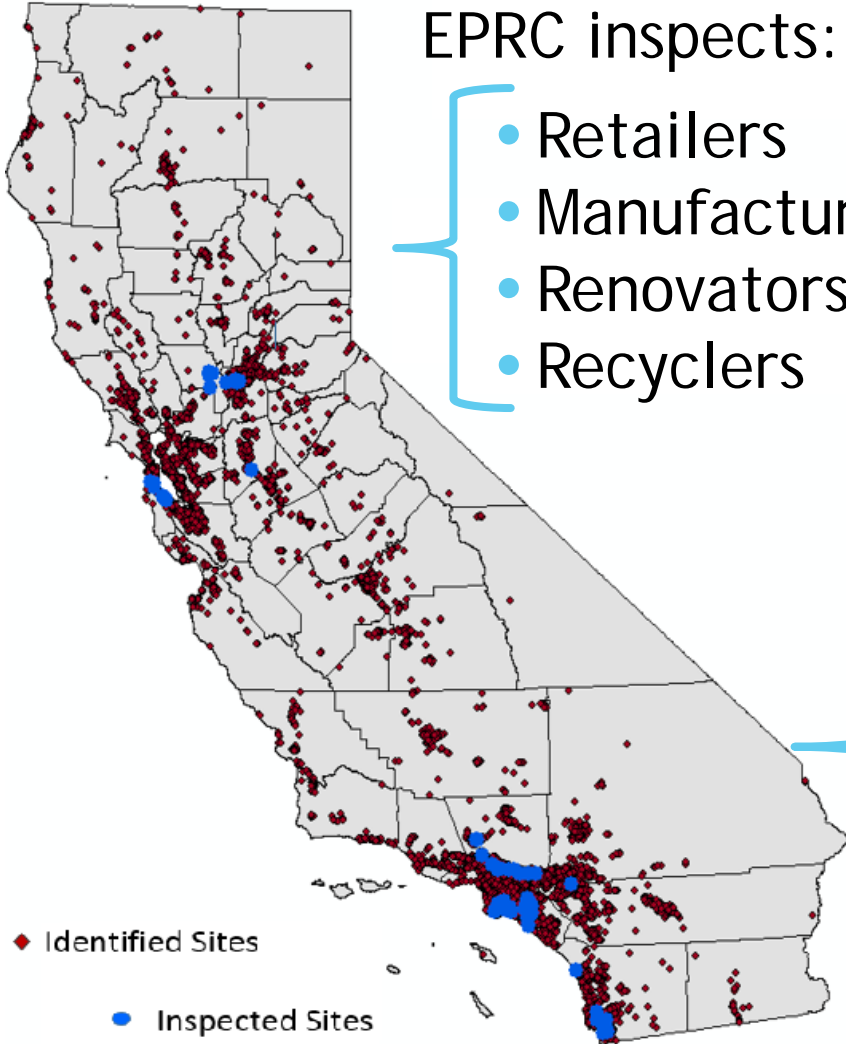
EPRC inspects:

- Retailers
- Manufacturers
- Renovators
- Recyclers

One day mattress events may occur in jurisdictions and private collection bins may reside at individual retailer locations.

LEAs may encounter mattress collection operations such as: trailers and bins at transfer stations, solid waste facilities or C&D processing facilities.

All solid waste facilities are required to report on all mattresses processed: disposed or recycled.





EPRC Future Goals and Development Opportunities

EPRC will continue to develop and refine our enforcement field presence in the upcoming years with various program elements.

- Develop multi-lingual outreach materials, online inspection tools
- Continue to provide field data to support program review

What opportunities exist for ERPC and LEAs to exchange information?



Additional Resources

- ▶ Operational questions can be directed to the stewardship organizations:
 - ▶ <https://www.paintcare.org/>
 - ▶ <http://byebyemattress.com/contact/>
 - ▶ <https://carpetrecovery.org/california-ab-2398>

These links are also contained in the CalRecycle EPR Enforcement brochures.

Other associated groups include

- ▶ BEARHFTI - Bureau of Home Furnishings <http://www.bearhfti.ca.gov/>
 - ▶ Regulates mattress manufacturers and retailers
- ▶ Stewardship Councils



Contact Information

- ▶ EPR compliance questions can be emailed to the following program specific inboxes:
 - PaintEnforcement@calrecycle.ca.gov
 - CarpetEnforcement@calrecycle.ca.gov
 - MattressEnforcement@calrecycle.ca.gov

Subscribe to CalRecycle's EPR ListServes at <http://www.calrecycle.ca.gov/Listservs/> for general EPR updates, under each of the following names:

- Paint Product Stewardship
- Carpet Product Stewardship
- Mattress Product Stewardship