

Contracting for Producer Responsibility

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My Background/Expertise

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Overview

- Why add producer responsibility language to contracts?
- What options exist for adding “takeback” language to contracts?
- Which products are most amenable to this approach?
- Who else has done this?

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What is EPR?



Extended producer responsibility (EPR) is a policy approach in which manufacturers take physical and/or financial responsibility for their products at the end of their useful life.


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Why Is EPR Needed?

Current system does not encourage manufacturers to design products to be recyclable, durable or non-toxic

- ◆ Puts recycling and disposal responsibilities on local governments
- ◆ Low price wins

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Why Add EPR Language to Contracts?


- Uses market incentives to jump-start EPR
- Creates private-sector recycling infrastructure
- Saves government agencies time and money
- Stimulates product (and packaging) redesign



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EPR Benefit: Reduce Surplus



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Contracting for Producer Responsibility Options


GOOD: Require **VENDORS** to collect and recycle products/packaging they sell you.

Make sure vendors give proof they are recycling responsibly.

First step: links recycling to product purchase.

No assurance it will influence brand owners.




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Lease Agreements



Make sure companies you lease from recycle products responsibly at the end of their useful life

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BETTER: Require **VENDORS** to participate in manufacturer-financed recycling program



Massachusetts required **GRAINGER** to participate in RBRC program as part of their State contract

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BEST: Buy products made by **MANUFACTURERS** that offer collection and recycling systems they operate or finance



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Electronics

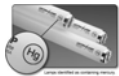


New certification for “green” CPUs, monitors and laptops



- EPEAT: Electronic Products Environmental Assessment Tool
- Manufacturers of certified products must offer recycling program
- Purchasers do not need to use it
- UC contract requires takeback

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Mercury-added Lamps

- Agencies pay >\$4 to recycle some fluorescent lamps; more efficient system needed
- Nationally, lamp recycling rates low
- EPR could spur efficient mercury- and lead-free lighting technologies
- CA lamps contract requires vendors to offer recycling (but agencies not directed to use)



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Strong Recycling Guidelines Needed

Ensure manufacturer- and vendor-supported recycling programs are not exporting harm



- Certification program for recyclers
- Electronic Recyclers Pledge of True Stewardship (see www.ban.org)

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Vehicles

- EU Vehicles End-of-Life Directive
- Mercury switches
- Lead wheel weights
- Tires
- Motor oil/antifreeze
- PVC/Brominated flame retardants



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Batteries

- Target all batteries and battery-powered devices sold on various contracts
- Require vendors to use RBRC program
- State law requires retailers of rechargeable batteries to offer recycling
- State agencies not required to use private-sector recycling programs
- EPR may spur longer-life batteries



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Carpeting



Carpet industry has established Carpet America Recovery Effort (CARE) to “enhance infrastructure for carpet recycling”



CA Gold Carpet Standard requires operational recovery program and 6% reclamation rate

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Paint

EPR in government contracts could hasten creation of the National Paint Management System




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Office Supplies

- Toner and ink cartridges
- PVC binders
- Batteries
- Light bulbs
- Pesticides and solvents
- Office furniture




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Packaging

- Aerosol containers
- PVC
- Polystyrene



CASE STUDY: Washington Dept. of Ecology
requires computers to be delivered in
reusable shipping containers

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Next Steps

1. Establish EPR/EPP working group
2. Review/prioritize upcoming CA contracts
3. Start tackling issues associated with adding EPR language to contracts



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