

Extended Producer Responsibility Legislative Initiatives 2021

California established an ambitious Statewide waste reduction goal through the enactment of Assembly Bill 341 (2011). AB 341 required that not less than 75 percent of solid waste generated in the State be source reduced, recycled or composted.

Los Angeles County established an even more ambitious program with the adoption of the Roadmap to a Sustainable Waste Management Future, which aims to achieve 95 percent landfill diversion by 2045. A crucial strategy to achieve these goals is Extended Producer Responsibility (EPR).

The County's sustainability plan, known as OurCounty, also identifies EPR as a key strategy in achieving the County's sustainability objectives. OurCounty sets waste diversion goals and calls for the County to adopt and advocate for producer and manufacturer responsibility.

EPR is a strategy to prevent the creation of waste that cannot be reused or recycled and requires a producer to be responsible for the management of its product at the end of its useful life. This strategy is especially effective for products that are problematic and hard to collect and manage because the financial cost of end of life management is internalized by producers who financially benefit from the sale of the product, instead of being externalized and a burden on local governments and tax payers. This incentivizes producers to redesign or optimize products for increased material circularity.

EPR and circularity have significant societal and environmental co-benefits such as massive reductions in carbon emissions that are fueling the climate crisis and the creation of green jobs.

California has passed a number of bills related to EPR over the years, including:

- Senate Bill 212 (2018) establishes minimum convenience standards to help ensure the successful collection of pharmaceuticals and sharps which were a public health threat.
- Assembly Bill 1343 (2010) for paint which is the single largest household hazardous waste stream handled by local governments and now there are over 800 sites collecting and diverting 95 percent or over 3.5 million gallons of postconsumer paint each year.
- Assembly Bill 2347 (2008) for mercury in thermostats, each of which could contaminate a 60-acre lake with this dangerous neurotoxin.

On the national level, HR 5845 / S 3263 (Lowenthal and Dodd), the Break Free From Plastic Pollution Act, was introduced to create producer responsibility for collecting, recycling, waste clean-up, and awareness for covered plastic materials. Facilitated by the National Caucus of Environmental Legislators, nine states have introduced EPR bills on packaging including California Senate Bill 54 (Allen and Stern), the Plastic Pollution

Producer Responsibility Act, for disposable packaging and food ware, stating a coordinated advocacy campaign will be more effective in "moving the conversation forward around how to combat plastic pollution and move towards a circular economy and zero-waste."

Also, in California, Assembly Bill 842 (Cristina Garcia and Gray) Plastic Packaging Source Reduction and Recycling Stewardship Program for single-use packaging and products has been introduced. Additionally, State Senator Newman introduced Senate Bill 289 for household batteries which cause fires in the waste management system, and State Senator Wieckowski introduced Senate Bill 38 with a stated goal of a 90 percent redemption rate for beverage containers.

The Task Force supports Extended Producer Responsibility and looks forward to its successful implementation to help achieve the state, County, and local goals.