**June 22, 2021**

Chair Rebecca Rausch
24 Beacon Street, Room 218
Boston, MA 02133

Chair Carolyn Dykema
24 Beacon Street, Room 473F
Boston, MA 02133

To the Joint Committee on Environment, Natural Resources and Agriculture:

Thank you for prioritizing recycling and waste reduction in the Commonwealth of Massachusetts and for the opportunity to comment on the important bills under consideration this session.

As program costs continue to rise for all waste and recycling services that Newton provides to residents, we are seeking action from the Legislature to shift costs away from municipalities. Extended producer responsibility is a proven policy mechanism that shifts the cost burden off taxpayers and on to producers.

**I strongly support the three bills on Extended Producer Responsibility (EPR) being considered by the Massachusetts State Legislature on June 22:**

**H.938, *An Act Relative to Paint Recycling***

**I urge the Joint Committee to move favorably on Bill H.938, *An Act Relative to Paint Recycling.* A producer responsibility law is needed to create a paint recycling program.**

Most Massachusetts residents have old paint in their basement or garage. Typically, it sits there for years because most folks don’t know what to do with it. Oil-based, flammable paint is accepted at municipally run household hazardous waste collection events. The proper disposal of oil-based paint is expensive, and costs continue to rise, adding pressure to already strapped municipal budgets.

However, most paint that residents have is latex paint. The response from many municipalities, including Newton, is for residents to dry this paint out and to put it in the trash because it is non-toxic and non-essential to be managed expensively as hazardous waste. This is an inconvenience for residents and a missed opportunity because most latex paint can be collected to be recycled.

Ten states plus the District of Columbia have passed the same paint recycling law as H.938that holds paint manufacturers responsible for collecting and managing leftover paint – both latex and oil-based paint. The American Coatings Association, who represents paint manufacturers, supports this law. To date, the PaintCare program run by paint manufacturers has succeeded in collecting 48.7 million gallons of paint using funds collected by a small fee at the point-of-sale. In states with the program, there is a cumulative total of over 1,800 drop-off collection sites that create year-round convenience for residents to properly manage unwanted paint.

**H.988, *An Act to Establish a Mattress Recycling Program***

**I urge the Joint Committee to move favorably on** **Bill H.988, *An Act to Establish a Mattress Recycling Program*. A producer responsibility law is needed to sustainably fund mattress recycling.**

Bill H.988 establishes a mattress recycling program funded by a fee at the point-of-sale on all new mattresses. The management of the mattress recycling program is the responsibility of mattress manufacturers through their stewardship organization, the Mattress Recycling Council, which currently operates similar programs in Connecticut, Rhode Island, and California. Increasing mattress recycling is important in the Commonwealth because:

* Currently, only 5% of the over 600,000 mattresses disposed of annually in MA get recycled.
* Mattresses are bulky and an expensive headache for residents, municipalities, and disposal sites to manage.
* Significant cost savings on disposal have been demonstrated by other states. **Connecticut reports an estimated $1.6 million saved annually by increasing mattress recycling.**
* For every 10,000 tons of mattresses recycled, 40 to 50 new jobs are created.

Newton currently collects mattress for disposal in the trash. These mattresses can and should be recycled, but currently the cost for recycling would be even greater than disposal. Passing H.988 to establish a sustainably funded mattress recycling program is a vital step to increasing waste diversion in Massachusetts. This program is a natural next step to follow the Massachusetts Department of Environmental Protection (MassDEP) mattress recycling grant program that has established mattress recycling infrastructure but lacks a sustainable funding mechanism.

**H.878 and S.517 (same as S.610), *An Act to Save Recycling Costs in the Commonwealth***

**I urge the Joint Committee to move favorably on Bills** **H.878 and S.517 (same as S.610), *An Act to Save Recycling Costs in the Commonwealth*. A producer responsibility law is needed to sustainably fund mattress recycling.**

Paper and packaging make up 46% of our municipal solid waste[[1]](#footnote-1) from the residential, commercial, and institutional trash and recycling stream. Paper includes all mixed paper (documents, magazines, junk mail, tissue boxes, cereal boxes, etc.) and packaging includes plastic, metal, and glass food and beverage containers. Paper and packaging comprise nearly all of the acceptable recycling stream, and about 27% of material that is discarded and managed as trash[[2]](#footnote-2).

Municipal governments, taxpayers, institutional and commercial generators currently bear the entire cost associated with managing these discarded materials, including its collection (transportation costs), processing for recycling (sorting materials into sellable commodities), and disposal at waste-to-energy facilities and landfills.

Yet, those who pay to manage discarded materials do not have input on the design of these products. Producers of the packaging and paper materials profit from the sale of their packaged goods, but currently, in the U.S., do not have any responsibility in managing the packaging waste. These costs are externalized from the business model of producers of packaging and paper materials.

The European Union, several Canadian provinces, Brazil, Russia, China, Japan, India, South Africa, Turkey, Great Britain, Iceland, and several other countries have enacted extended producer responsibility for packaging in effort to more equitably divide the costs of managing packaging waste. Many producers that would be impacted by this law operate internationally. Those businesses operate profitably in other countries/provinces with producer responsibility laws in place.

It's important to note that bills H.878 and S.517 (same as S.610) build on and improve, but not replace, existing infrastructure, including infrastructure owned and managed by municipalities, waste haulers and material recovery facilities. If enacted, this law would provide reimbursement to municipalities from producers, but would not force changes to the collection and processing system as it currently functions.

In closing, thank you for your consideration of my testimony on the producer responsibility bills listed above. We trust that the Joint Committee will take action to alleviate unnecessary cost burden from municipalities by voting favorably on these producer responsibility laws, which will benefit the entire Commonwealth.

Sincerely,

Your Name

Optional: Your Contact Info

1. MassDEP [2018 Municipal Solid Waste & Recycling Survey Responses](https://www.mass.gov/doc/2018-municipal-solid-waste-recycling-survey-responses/download), plus footnote 2 [↑](#footnote-ref-1)
2. MassDEP [Summary of Waste Combustor Class II Recycling Program Waste Characterization Studies](https://www.mass.gov/doc/summary-of-waste-combustor-class-ii-recycling-program-waste-characterization-studies-includes/download)  [↑](#footnote-ref-2)