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### MassRecycle

is a 501(c)3 nonprofit organization dedicated to promoting and realizing the vital environmental, social and economic benefits created by reducing, reusing, and recycling waste materials, and by increasing the utilization of recycled products.

March 25, 2013

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

MassRecycle, the 501c3 statewide coalition of all 351 municipalities, recycling businesses, institutions, organizations and individuals dedicated to increasing recycling and waste reduction in the Commonwealth is pleased that the Joint Committee on Environment, Natural Resources and Agriculture is considering three bills on electronic waste extended producer responsibility (EPR) – S.357, S.386, and H.803. MassRecycle has steadfastly advocated for passage of legislation establishing EPR in the state, and we urge the Joint Committee to report out these aforementioned bills with some additional considerations.

During the 2012 legislative session, MassRecycle, along with a coalition of other nonprofits and stakeholders, submitted suggested edits to the e-waste EPR bill, S.2078, being considered. Five out of six of our suggestions were added to that bill and reported out of both Senate Ways and Means and the Senate. While we are pleased that those suggestions are reflected in the current bills, we believe that the following issues need further work to ensure that the e-waste EPR bill increases waste reduction in the Commonwealth while protecting existing recycling infrastructure and jobs:

1. MassRecycle supports a market-driven system with target goals as reflected in S.386, but with the caveat that the target goal be high enough to incentivize producers to purchase materials from existing municipal collection programs. A high enough target goal drives convenience.

Allowing double-counting of materials collected from municipalities for reuse and recycling undermines setting a respectable starting target goal of 6.0 pounds per capita. While it may drive some producers to specifically target materials collected by municipalities, it also allows producers to effectively only collect 3.0 pounds per capita if they only collect from municipalities. This is a rate lower than that already achieved in MA.

At most, materials collected for reuse should be double-counted, as that has been shown effective in other states with minimal negative impact on target goals. Allowing double-counting of materials being sent to be recycled though undermines the model and potentially damages existing municipal programs.

2. MassRecycle also supports having flexible target goals that can be adjusted by MassDEP. However, the prescriptive calculations set forth in S.386, Section 3(g) base calculations off previous year collection totals. While this may be intended to reflect the potential future reduction in CRT's collected, it instead rewards producers for underperforming.

MassRecycle believes that all three bills are strong e-waste EPR bills. If the target collection goals and convenience terms are crafted well, the bills can enhance the unique, long-standing municipal collection infrastructure around e-waste.

We urge you to take favorable action on an e-waste EPR bill but with the above minor amendments to the clauses pertaining to target collection goals.

Sincerely,

Edward Hsieh  
Executive Director, On Behalf of the Board of Directors

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