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Critical EPR Developments Shaping the U.S. Landscape: What You Need To Know

June 2025

June 25-27, 2025 | Dallas, TX

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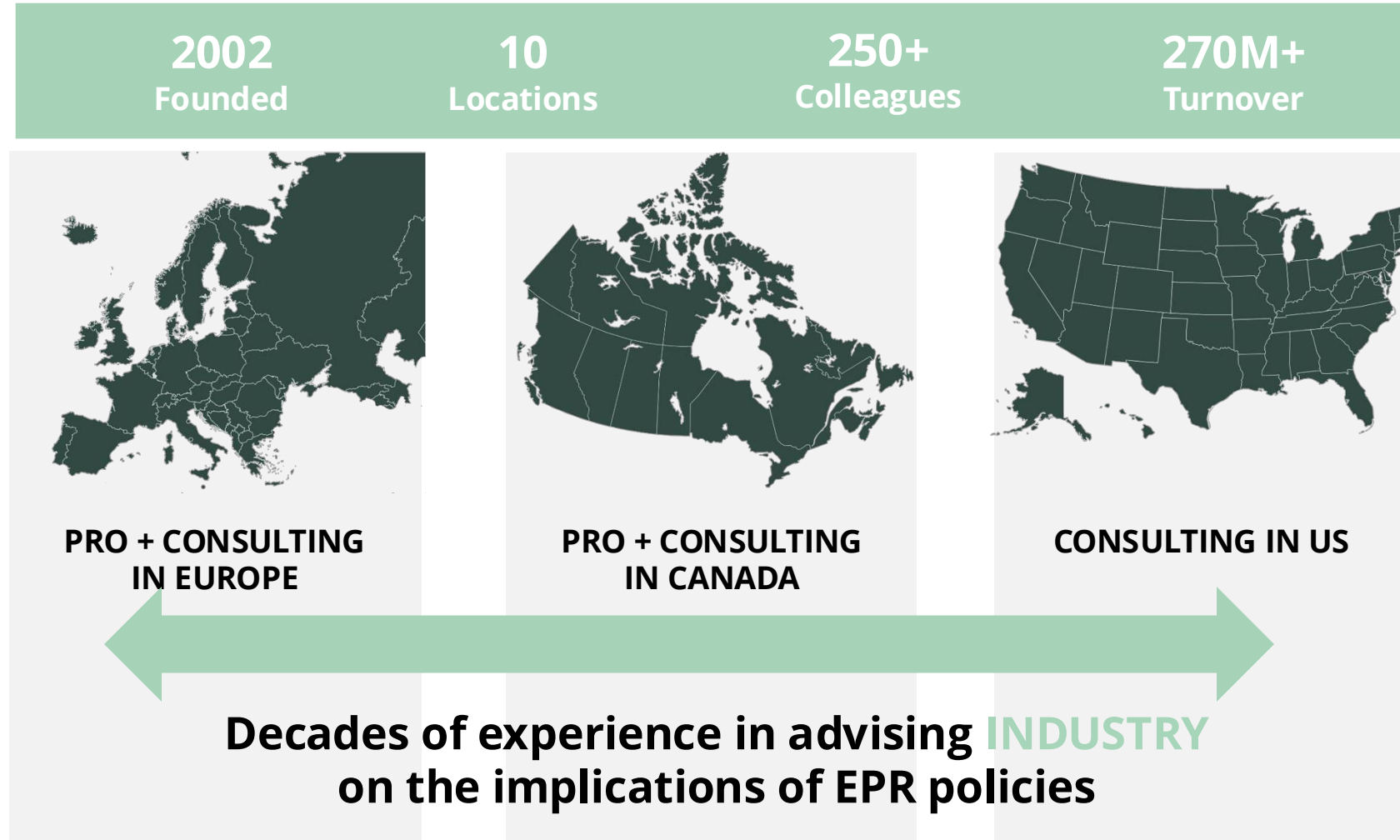
To inspire and support organizations to implement leading edge, new world solutions for sustainable resource management.

WHAT WE DO

RecycleMe is a consulting company focused on the circular economy. Our team of experts are relied upon by some the world's leading brands to help them achieve the most sustainable product packaging for their customers. In doing so, brands are also guaranteed to meet the highest standards in Extended Producer Responsibility (EPR) requirements around the world.

Full-Service Pro And Consultation Expertise

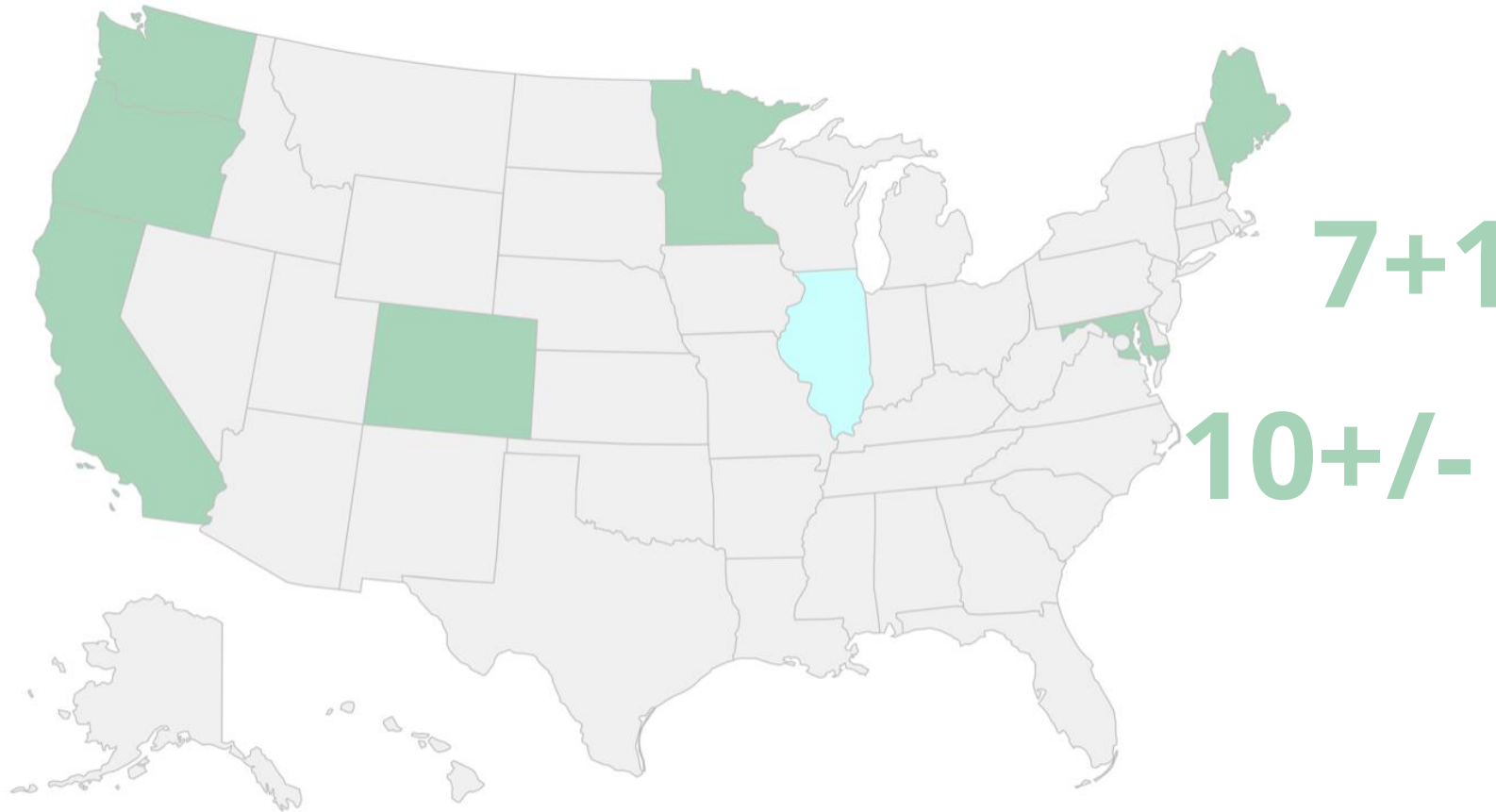
BY THE NUMBERS





EPR for Packaging in the U.S.

USA CURRENT STATE: EPR



7+1

EPR packaging bills have passed in the U.S.

10+/-

States have introduced legislation on EPR for packaging in 2024-25. This number continues to rise.

■ EPR Packaging Bill in Place
■ 'Needs Assessment' EPR Law Underway

US Current State: EPR Comparison

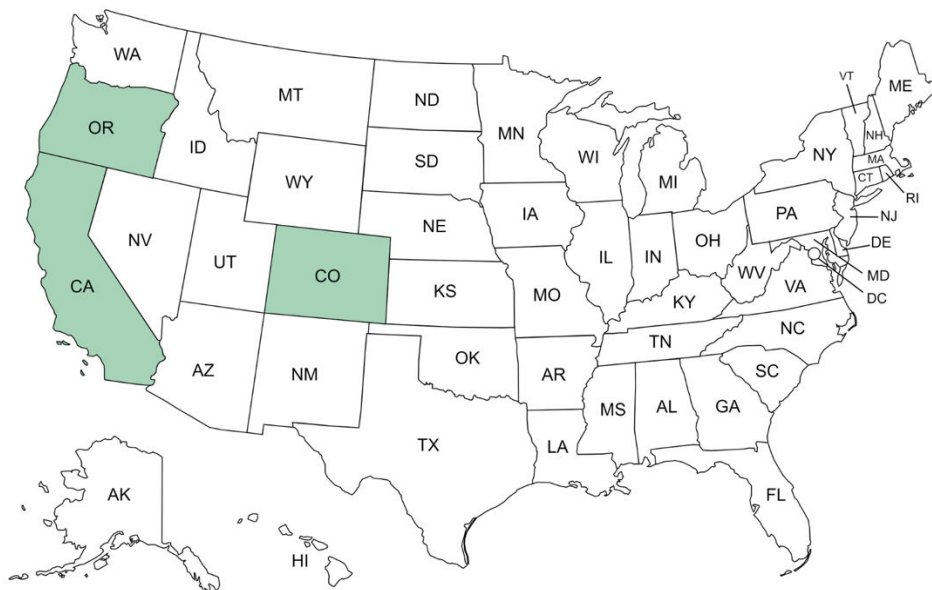
	Oregon	Colorado	Maine	California	Minnesota	Washington	Maryland
Signed Into Law	August 2021	June 2022	July 2021	June 2022	May 2024	May 2025	May 2025
Covered Materials	• Packaging • Packaging-like products • Paper products • Food ServiceWare • <i>*OR is a "Bottle Bill State"; DRS packaging is exempt</i>	• Packaging • Packaging-like products • Paper products	• Packaging • Reusable packaging • <i>*ME is a "Bottle Bill State"; DRS packaging is exempt</i>	• Packaging • Packaging-like products • <i>*CA is a "Bottle Bill State"; DRS packaging is exempt</i>	• Packaging • Packaging-like products • Paper products • Reusable packaging	• Packaging • Packaging-like products • Paper products • Reusable packaging	• Packaging • Packaging-like products • Paper products • Reusable packaging
B2B Applicability	Yes	Some	No	Yes	No	No	No
Full or Partial System Funding	Partial	Full	Full	Partial	Partial	Full	Partial
Implementation Date	July 2025	July 2025	April 2026	January 2027 (2032 Fully)	January 2029 (2032 Fully)	March 2029	July 2029

EPR Obligations for Producers

	Oregon	Colorado	Maine	California	Minnesota	Washington	Maryland
Join approved PRO + collect data	Yes	Yes	Yes (to a SO)	Yes	Yes	Yes	Yes
Report data to a PRO	Yes	Yes	Yes (to a SO)	Yes	Yes	Yes	Yes
Pay Fees / Dues based on data	Yes	Yes	Yes	Yes	Yes	Yes	Yes
<i>Potential</i> redesign of materials / delivery models	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Source reduce plastic	No	No	<i>Potentially</i>	Yes	No	Yes	Yes
Ensure materials are recyclable / compostable	No	No	No	Yes	Yes	Yes	No

**Majority of legislation / rules are still under review stages*

USA CURRENT STATE: EPR IN THE *WEST*



**As of June, 3,512 potentially obligated producers have registered across four states (includes MN)*



Oregon

- In February, Circular Action Alliance's Program Plan was formally accepted. The Plastic Pollution and Recycling Modernization Act (SB 582) is now the *first fully formalized EPR for Packaging law in the US*
- Registration and Reporting was due March 31 (extended to April 30)



Colorado

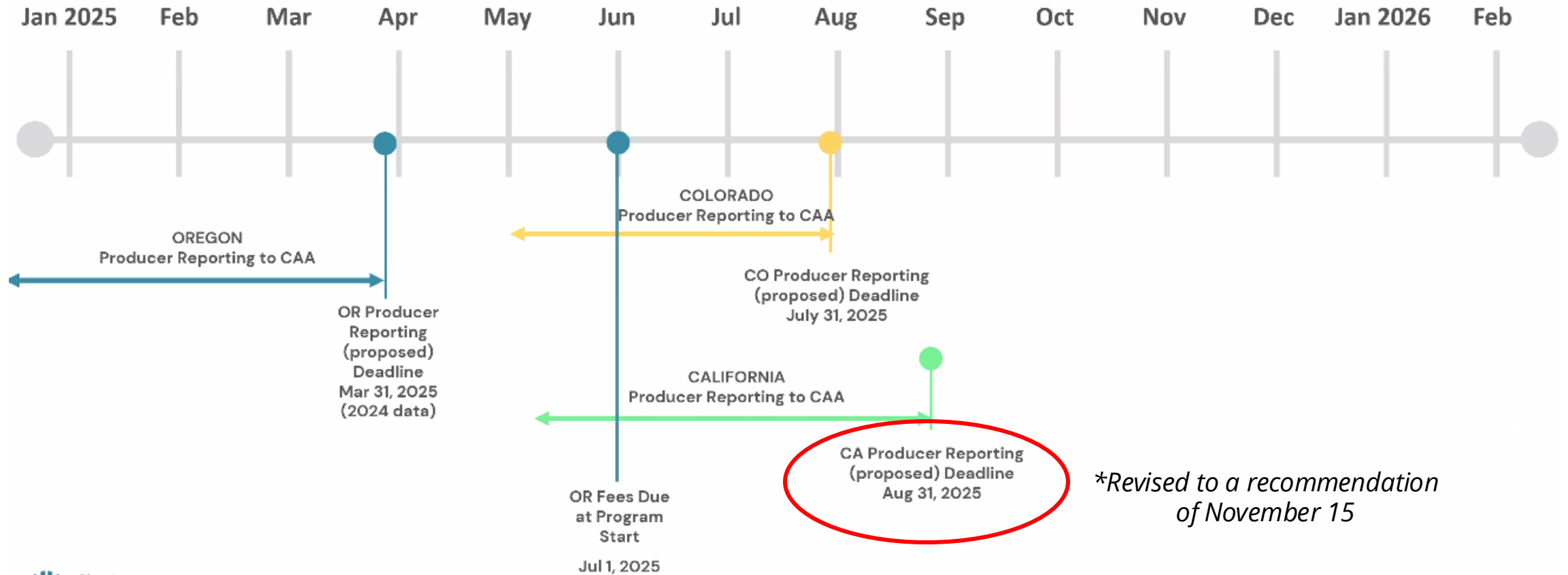
- CAA was approved by the CDPHE as the PRO that will administer Colorado's EPR law for packaging and paper products on May 1, 2023
- Registration and Reporting will be due **July 31**
- The first Program Plan has been submitted by CAA for review and contains a CMC list and Preliminary Dues schedule



California

- On January 8, 2024, CAA was selected by CalRecycle as the state's inaugural, single PRO
- A proposed version of the CMC list has been published – there are over 90 categories
- ***On March 7, the Governor directed CalRecycle to redraft the regulations***

EPR in the West: Timelines



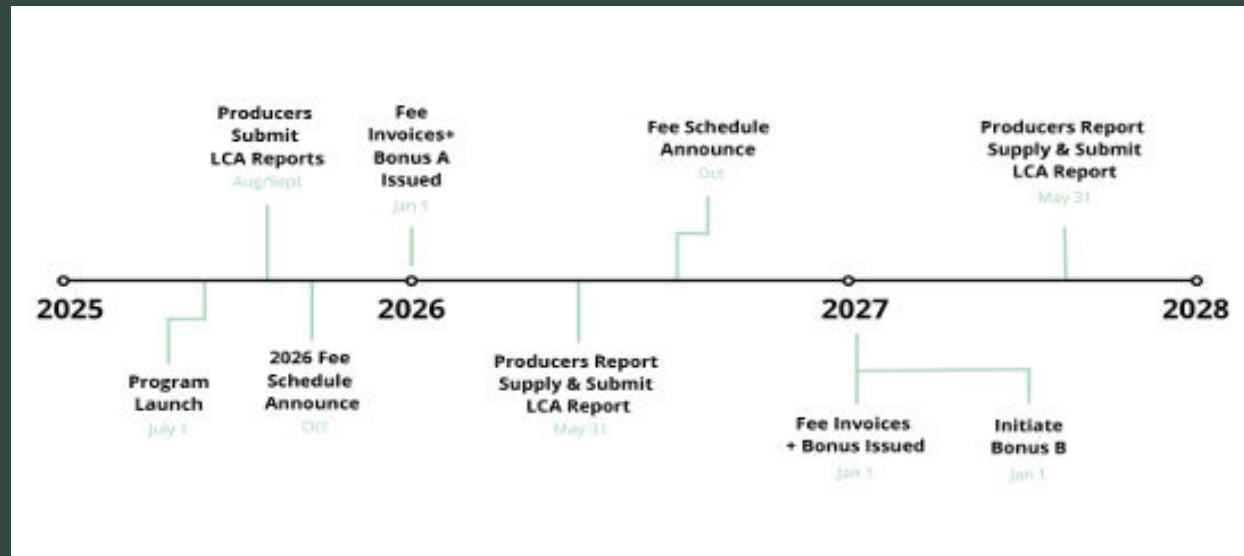
**Revised to a recommendation of November 15*



What's Next for EPR in the West?

What's Next in the West: Oregon

- As of the Reporting deadline **2,084** had registered in OR – **1792** had signed Producer Participation Agreements
- Grace Period for Late Reporting Ended April 30
- April – May: Report Validation
- Early June:
 - Fee Rates Announced; Invoices Sent to Producers
 - Notices of Non-Compliance ("Free Riders") Sent
- July: Payment Due; Program Officially Starts
- And Then...



OR Eco-Modulation Bonus Scheme

Bonus Type	Purpose	Bonus Award	Incentives for Impact Reduction
A: Evaluation & Disclosure Only	Granted to producers for conducting and disclosing LCAs	Set at 10% of base fees for all materials in the SKU, up to a cap of \$20,000.* <i>*Bonus A is set at 10% discount of base fees This results in a net reduction of approximately 8% and not approximately 10% of base fees, after the application of Bonus A</i>	Bonus is applied to all primary sales packaging. Magnitude of bonus is reasonably set to incentivize producers to evaluate their SKU impacts and then take further action to reduce impacts to achieve Bonus B.
B1: Changes to Existing Packaging (Composition / Volume)	Granted to producers for conducting and disclosing LCAs AND demonstrating significant impact reductions	Indexed to Bonus A. Increases based on 3 graduated impact reduction tiers , using a multiplier associated with the level of reduction. Capped at \$50,000 per SKU or batch.	Offers escalating multiplier for granting the bonus based on impact reduction tier. Bonus B set at least twice as much as Bonus A.
B2: Packaging Switch	Granted to producers for conducting and disclosing LCAs AND demonstrating significant impact reductions	Indexed to Bonus A applied to the new packaging materials. Increases based on 3 graduated impact reduction tiers, using a multiplier associated with the level of reduction. Capped at \$50,000 per SKU or batch.	Offers escalating multiplier for granting the bonus, based on impact reduction tier. Bonus B set at least twice as much as Bonus A.

*A Third Tier – “C” is under review and will focus on re-use

What's Next in the West: Colorado

- On February 3, Circular Action Alliance submitted its initial Plan Proposal to Colorado's Producer Responsibility Advisory Board. On April 30, the CDPHE responded with requests for Amendments. CAA is currently amending the Plan for resubmission by *June 30, 2025*.
- The plan includes:
 - **Producer Compliance:** Describes how CAA tracks compliance among producers and collaborates with the Colorado Department of Public Health & Environment (CDPHE) to bring producers into compliance.
 - **Minimum Recyclables List:** A uniform statewide list of recyclable materials that must be collected in a manner that is as convenient as the collection of solid waste.
 - **Post-Consumer Recycled Content (PCR):** Sets targets for minimum PCR content rates for certain types of covered materials, including paper, glass, metal, and plastic, that the state will strive to meet by January 1, 2030, and January 1, 2035.
 - **Collection and Recycling Rate Targets:** Sets 2030 and 2035 collection and recycling rates.
 - **Dues Schedule and Budget:** Describes CAA's approach to due setting, including eco-modulation of dues.



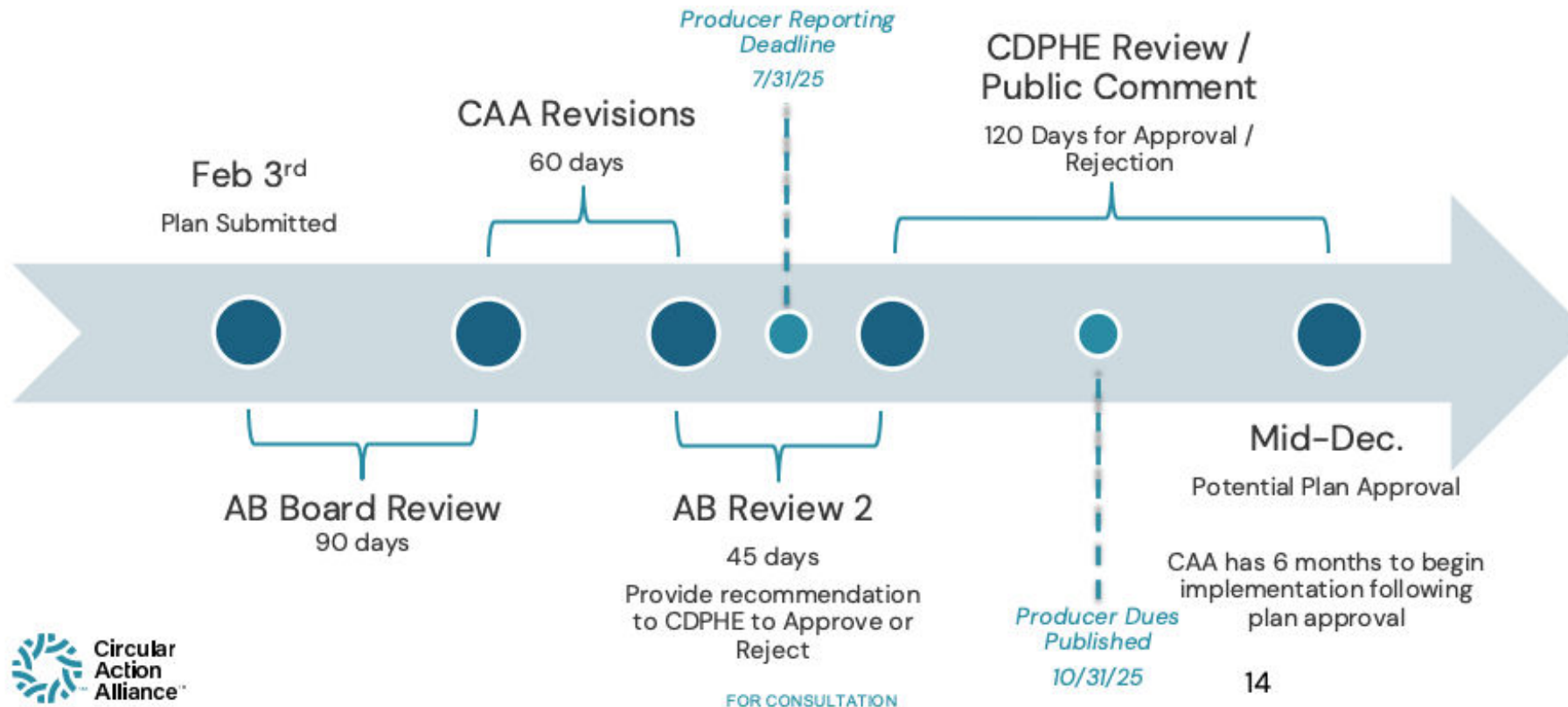
What's Next in the West: Colorado

Collection and Recycling Rate Targets

Material	Baseline (2022)	Baseline (2022)	Medium (2030)	Medium (2030)	Medium (2035)	Medium (2035)
	Collection Rate %	Recycling Rate %	Collection Rate %	Recycling Rate %	Collection Rate %	Recycling Rate %
Paper	24	22	43	40	61	58
Cardboard	49	45	66	62	78	74
Glass	40	30	56	50	67	61
Metals	40	37	59	55	77	73
Rigid Plastics	16	14	26	24	44	42
Flexible Plastics	<1	<1	2.5	2.5	3.5	3.5
Total	29	25	44	41	59	55



What's Next in the West: Colorado



Sample of CO Plan 1 Fee Schedule

Colorado – Draft Dues				High			
Material Class	Covered Material	Type	Fee Rate (¢/lb)	Base Fee Rate (¢/lb)	MSI Portion (¢/lb)	Disposal Portion (¢/lb)	Fee Rate (¢/lb)
Paper Products	Newspapers	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
	Newsprint (inserts and circulars)	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
	Magazines and Catalogues & Directories	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
	Paper for General Use	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
	Other Printed Materials	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
Glass and Ceramics	Glass Bottles and Jars & Other Containers	MRL	2.0 ¢/lb	3 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	3.0 ¢/lb
	Ceramic – All Forms	N/ A	38.0 ¢/lb	41 ¢/lb	0.0 ¢/lb	4.0 ¢/lb	46.0 ¢/lb
Metal	Aluminum Containers	MRL	4.0 ¢/lb	5 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	5.0 ¢/lb
	Aluminum Foil and Molded Containers	AML	29.0 ¢/lb	37 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	38.0 ¢/lb
	Aluminum Aerosol Containers	MRL	10.0 ¢/lb	13 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	14.0 ¢/lb
	Aluminum – Other Forms	AML	29.0 ¢/lb	37 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	38.0 ¢/lb
	Steel Containers	MRL	5.0 ¢/lb	6 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	6.0 ¢/lb
	Steel Aerosol Containers	MRL	10.0 ¢/lb	13 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	14.0 ¢/lb
	Steel – Other Forms	AML	17.0 ¢/lb	21 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	22.0 ¢/lb
	Metal – Small Format	MRL	17.0 ¢/lb	21 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	22.0 ¢/lb
	Pressurized Cylinders	N/ A	27.0 ¢/lb	30 ¢/lb	0.0 ¢/lb	4.0 ¢/lb	35.0 ¢/lb
Paper/Fiber	Aseptic and Gable-top Cartons	MRL	14.0 ¢/lb	19 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	19.0 ¢/lb
	Kraft Paper	MRL	7.0 ¢/lb	8 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	9.0 ¢/lb
	Corrugated Cardboard	MRL	7.0 ¢/lb	9 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	10.0 ¢/lb
	Waxed Corrugated Cardboard	N/ A	15.0 ¢/lb	15 ¢/lb	0.0 ¢/lb	4.0 ¢/lb	20.0 ¢/lb
	Paperboard	MRL	7.0 ¢/lb	8 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	9.0 ¢/lb
	Polycoated Paperboard	AML	17.0 ¢/lb	24 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	24.0 ¢/lb
	Other Paper Laminates	AML	32.0 ¢/lb	44 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	44.0 ¢/lb
	Other Paper Packaging – Molded Pulp Food Serviceware	AML	16.0 ¢/lb	21 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	21.0 ¢/lb
	Other Paper Packaging	MRL	22.0 ¢/lb	28 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	29.0 ¢/lb
	Paper – Small Format	MRL	62.0 ¢/lb	76 ¢/lb	0.0 ¢/lb	0.0 ¢/lb	77.0 ¢/lb

- 9 Material Categories (vs 8 in OR); with 59 subcategories (60 in OR)
- Includes Beverage Containers (no DRS in CO)
- Data will be reported by July 31, based on FY 2024 sales
- This will be used to calculate 2026 dues, which will be released by October 31

**A snapshot. 4 out of 9 Material Classes*

OR vs CO Categories & Fee Ranges on Selected Key Materials

	Oregon		Colorado	
	Number of Categories	Fee Range Across Categories	Number of Categories	Fee Range Across Categories
Paper / Fiber	Nine	3¢ - 43¢	Ten	9¢ - 77¢
Plastic - Rigid	Eighteen	17¢ - 258¢	Twenty-Three	21¢ - 171¢
Plastic – Flexible (and other)	Seven	54¢ - 273¢	Three	71¢ - 115¢
Paper	Five	1¢	Five	3¢
Glass	One	10¢ - 14¢	One	3¢
Aluminum	Four	6¢ - 98¢	Four	5¢ - 38¢

**Will the differences in fee rates drive State differentiated packaging decisions?*

Proposed CO Eco-Modulation Bonus Scheme

Table 36: Required Eco-Modulation Incentives and Maluses

Incentives (<i>decrease dues</i>)	Maluses (<i>increase dues</i>)
a. Reductions in the amount of packaging materials used for products b. Innovations and practices to enhance the recyclability or commodity value of covered materials c. High levels of PCR material use d. Designs for the reuse and refill of covered materials e. High recycling and refill rates of covered materials	a. Designs and practices that increase the costs of recycling, reusing, or composting covered materials b. Designs and practices that disrupt the recycling of other materials c. For producers using covered materials that are not on the minimum recycling list

Table 37: Eco-Modulation Incentives and Maluses by Approach

Approach 1	Approach 2
Incentives e. High recycling and refill rates of covered materials Maluses a. Designs and practices that increase the costs of recycling, reusing, or composting covered materials b. Designs and practices that disrupt the recycling of other materials c. For producers using covered materials that are not on the minimum recycling list	Incentives a. Reductions in the amount of packaging materials used for products b. Innovations and practices to enhance the recyclability or commodity value of covered materials c. High levels of PCR material use d. Designs for the reuse and refill of covered materials e. High recycling and refill rates of covered materials

What's Next in the West: California

- Program “starts” January 1, 2027
- CA has some of the most ambitious goals of any of the 5 states; by 2032:
 - **100%** of packaging in the state to be recyclable or compostable
 - **65%** of all single-use plastic packaging to be recycled
 - **25%** reduction in plastic packaging
 - ***And funding of a \$5B Plastic Pollution Mitigation Fund***
- ***Update: On March 7, Governor Newsom directed the state agency CalRecycle to redraft the regulations and wants to “ensure California’s bold recycling law can achieve its goal of cutting plastic pollution and is implemented fairly — minimizing costs for small businesses and working families as much as possible.”***
 - ***The Office of Administrative Law (OAL) review process, which is standard for regulatory changes, could take up to a year. However, to accelerate certain adjustments, an “urgency bill” could be introduced in the California Senate, allowing a limited number of critical revisions to be fast-tracked.***



What's Next in the West: California



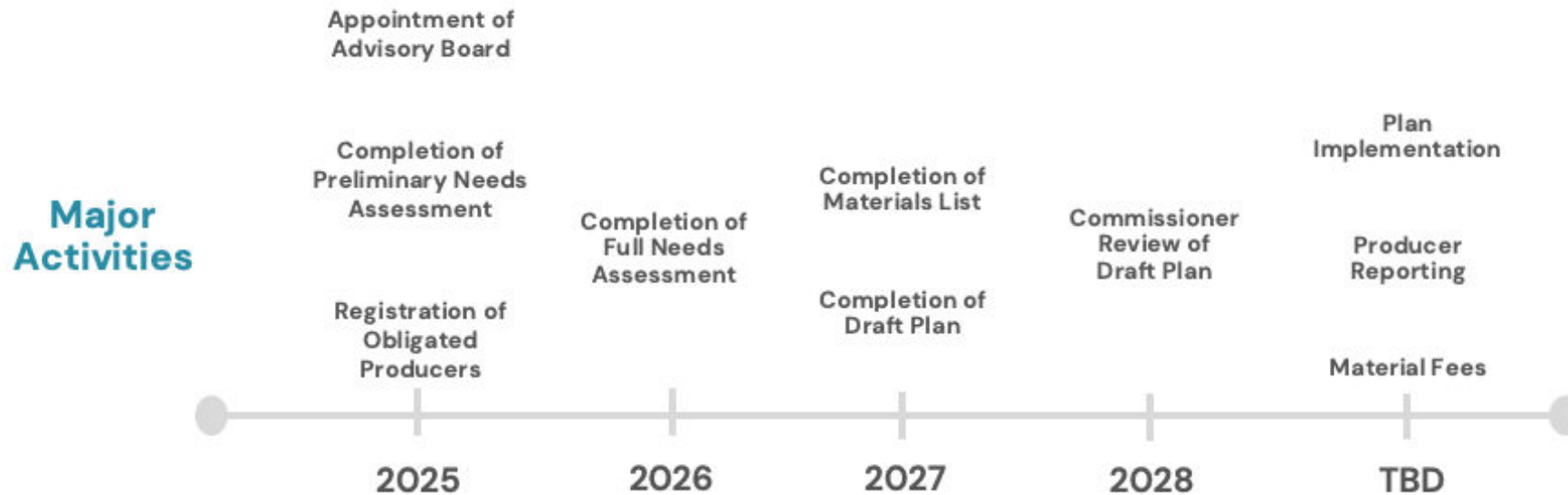
- Mid May, CalRecycle proposed a new set of draft regulations to implement SB 54
- The rules include broad exemptions for a wide variety of single-use plastics — including any products that the Food and Drug Administration and the Department of Agriculture have jurisdiction over, which includes all packaging related to *produce, meat, dairy products, dog food, toothpaste, condoms, shampoo and cereal boxes*, among other products
- The rules also leave open the possibility of using chemical or alternative recycling as a method for dealing with plastics that can't be recycled via mechanical means
- CalRecycle held a workshop at the end of May to discuss the draft regulations. Once CalRecycle decides to finalize the regulations, which experts say could happen at any time, it moves into a 45-day official rule-making period during which the regulations are reviewed by the Office of Administrative Law. If it's considered legally sound and the Governor is satisfied, it becomes official
- *The Producer Registration Portal is now schedule to open on Aug. 1, with a deadline of Sept. 5*
- *Reporting portal opens Sept. 15, with a proposed deadline of Nov. 15*



What's Next for EPR in rest of the US?

What's Next in the US: Minnesota

Minnesota Timeline



**Producer Registration Due July 1st*



What's Next in the US: Maine

- Maine passed EPR legislation for packaging materials in 2021.
- The law exempts packaging producers with below \$5M in gross annual revenue for the first three years of the program, decreasing to \$2M in gross annual revenue, or less than one ton of total packaging introduced into Maine annually (<15 tons for perishable food packaging).
- The statute specifies the Maine Department of Environmental Protection (MDEP), as part of its rulemaking, will set program goals related to recycling rate and PCR content.
- The MDEP began formal rulemaking in December 2023 and anticipates final adoption of rules by mid-2025 following legislative approval.
- The DEP is targeting the selection of a Stewardship Organization (equivalent to PRO) in 2026.



State's We're Watching...

Hawaii

- *New: On May 27 Hawaii Gov. Josh Green signed HB750, which requires the state's Department of Health to conduct a needs assessment related to recycling, due to the legislature by the end of 2027.*

Illinois

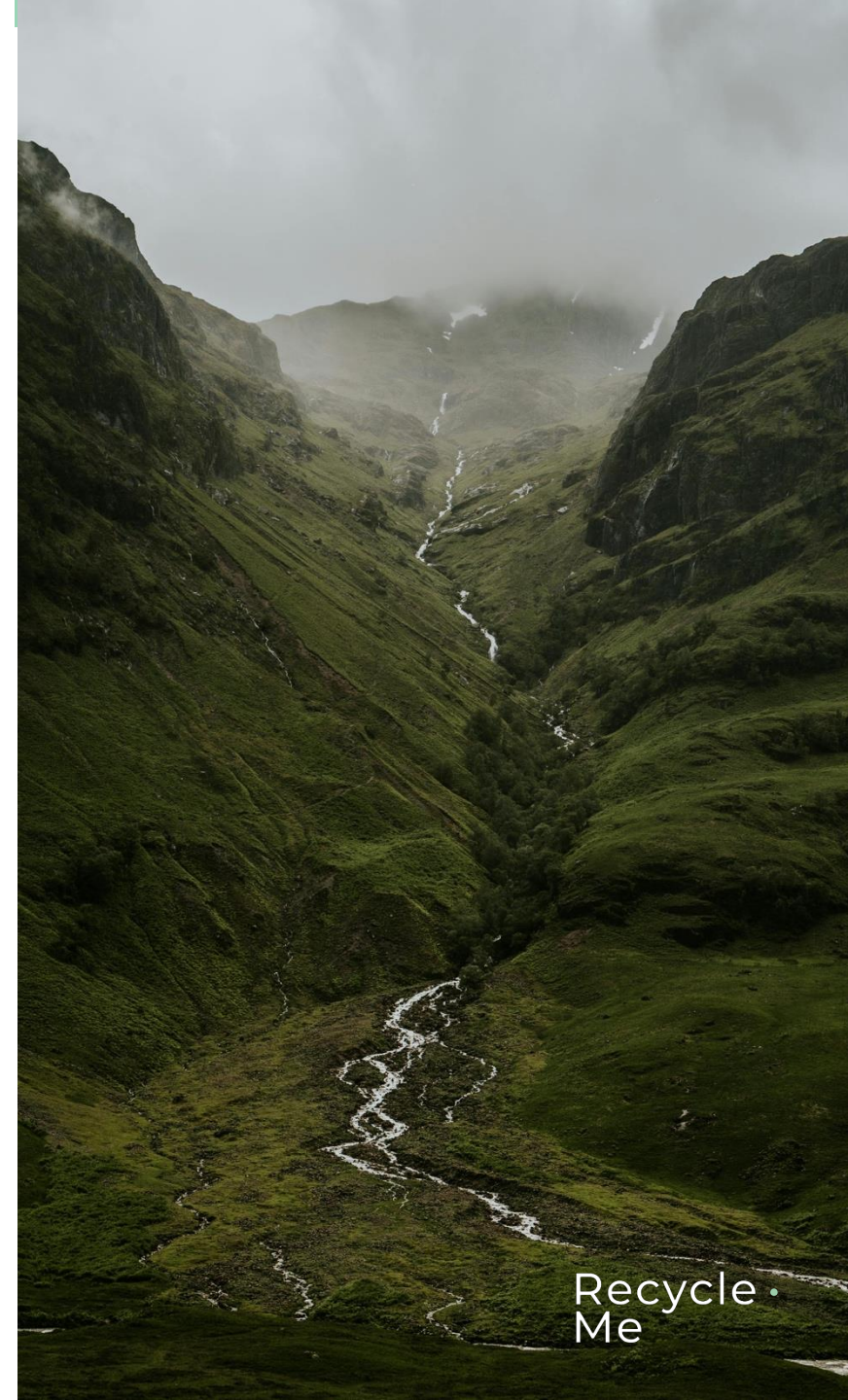
- In 2023 a Needs Assessment phase was passed which established the Statewide Recycling Needs Assessment Advisory Council. In May '25, HB 4064, creating the Extended Producer Responsibility and Recycling Refund Act received a first reading and was referred to the House Committee on Rules.

Massachusetts

- EPR Study Commission built into broader Climate Law enacted December '24; findings reported January '25. Referred to Senate Committee on Environment and Natural Resources in February; House concurred. Hearing by the Joint Committee on Environment & Natural Resources held in May.

New Jersey

- Bill introduced in the Senate in June '24; referred to Senate Environment and Energy Committee. Hearing was postponed in Jan '25 until next session. In Feb, reported from Senate Committee as a Substitute 2nd reading; referred to Senate Committee on Budget and Appropriations.



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State's We're Watching...

New York

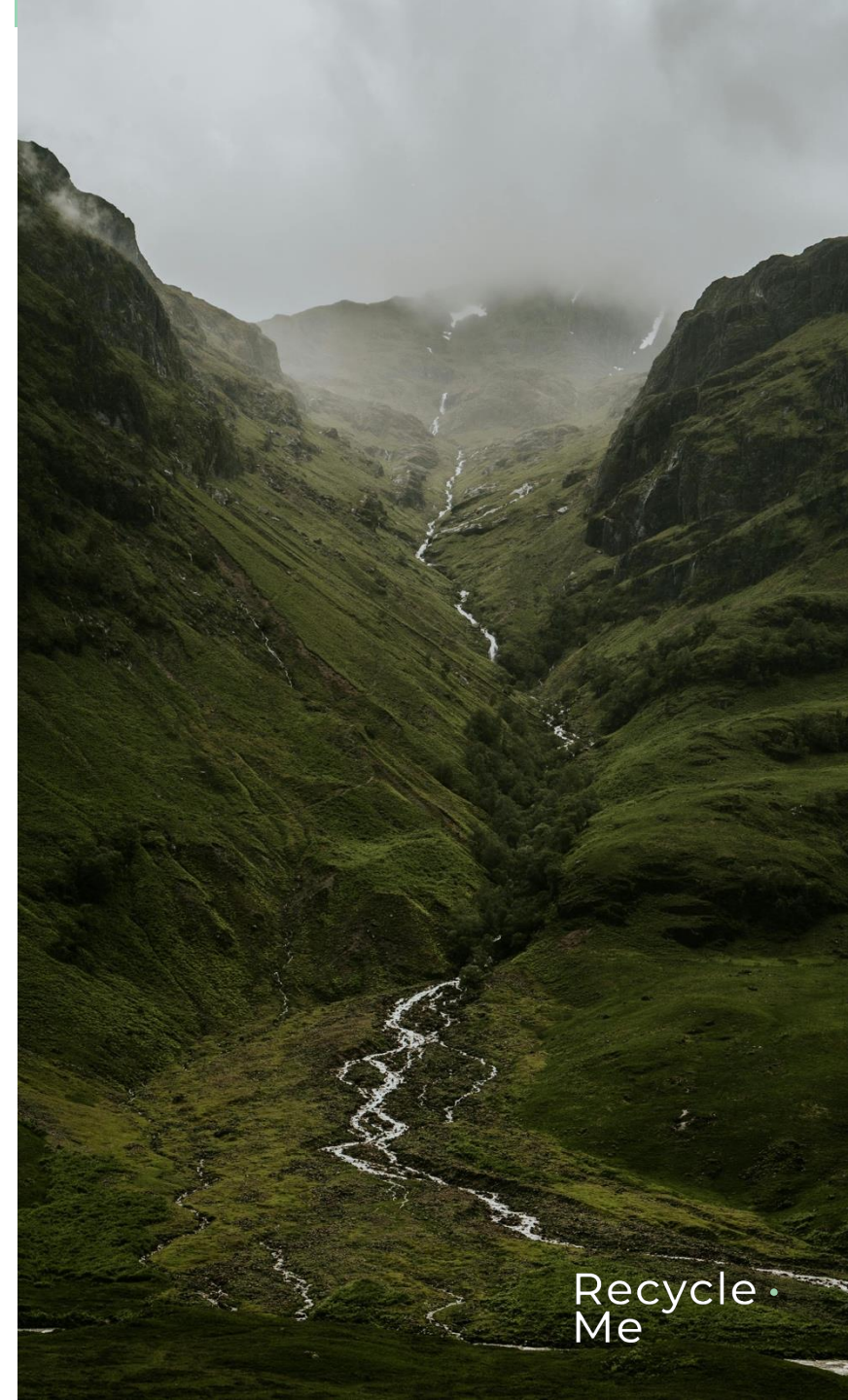
- *New: On May 28, New York Senate passed Senate Bill S1464. The "Packaging Reduction and Recycling Infrastructure Act" was approved, aiming to fund state recycling efforts, ban certain chemicals in packaging and set recycled content requirements and plastic reduction thresholds. The bill was set to be considered in the state Assembly. The session ended, however, on June 17, and the bill did not pass the Assembly in time.*

Rhode Island

- Bill introduced and referred to House Environment and Natural Resources in '24. H 6207 introduced in April '25 and referred to House Committee on Environment & Natural Resources. In April, H 6207 introduced that would introduce a *combined* deposit return system (DRS) for beverage bottles and an EPR program for packaging and printed paper

Tennessee

- Tennessee's packaging and paper products EPR bill, called the Tennessee Waste to Jobs Act, was introduced on January 23, '25. In February, bill was deferred to the Senate Government Operations Committee to 2026.



QUESTIONS?



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Thank You!

