



**Testimony submitted to the Joint Committee on Environment and Natural Resources
S.471 – An Act to reduce waste and recycling costs in the Commonwealth
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The League of Women Voters of Massachusetts (LWVMA) is submitting this testimony in support of S.471 as a means to reduce waste in the Commonwealth and its associated costs and urges you to report it out favorably.

As a state and as a nation, the focus for decades has been on recycling waste rather than waste reduction, the first “R” in the Reduce, Reuse, Recycle mantra. Waste generation presents a growing, negative impact on our pocketbooks, disposal capacity and environmental and public health, with higher negative impacts of environmental pollution for environmental justice and overburdened communities. In addition to bearing the full cost of processing and disposal of waste, taxpayers and municipalities also bear the social cost of environmental pollution on our health and environment, which is generally not accounted for in ‘up front’ costs of disposal.

S.471 establishes a framework of producer responsibility requiring producers to develop and implement a comprehensive, incremental, Department of Environmental Protection (DEP) approved program to reduce and recycle covered materials by 90% by 2040. Such producer responsibility programs established in many other states and countries¹² have demonstrated that when producers pay the cost of collection and disposal, they are incentivized to use more sustainable packaging materials thereby reducing the environmental impact of extraction, production, transport and disposal of materials. This saves municipalities and the public the ever-increasing cost of waste management. Provisions include:

- Producer plans must be approved by the Mass Department of Environmental Protection (MassDEP) as meeting MassDEP requirements.
- MassDEP will enforce compliance of the plans.
- Fees will be established by MassDEP based on types of materials produced with fees set to fully reimburse municipal collection and processing costs.

¹ The concept of EPR took hold in Europe in the 1990s with [packaging](#) as an early focal point. It now exists worldwide, including in Canada, Japan, the Republic of Korea, India, Australia (voluntary) and Chile. In the U.S., five states—California, Colorado, Maine, Maryland* and Oregon—have enacted EPR legislation aimed at packaging materials in the past two years. Maryland [Senate Bill 222](#), enacted in May 2023, calls for a needs assessment, not a full EPR system: 10/24/23:

<https://www.ncsl.org/environment-and-natural-resources/extended-producer-responsibility#:~:text=It%20now%20exists%20worldwide%2C%20including,in%20the%20past%20two%20years.>
National Conference of State Legislatures.

² European Fact Sheet of EU programs: <https://www.europen-packaging.eu/wp-content/uploads/2021/03/EUROPEN-factsheet-on-EPR-for-used-packaging.pdf>

- Private haulers are reimbursed for processing costs of materials collected from residences, small businesses, schools, and hospitality venues.
- The fee structure will incentivize reduction, reuse and recyclability of materials; use of less toxic materials; and domestic processing of materials to support local infrastructure.

While S.471 relates specifically to printed paper and packaging materials, the League supports the underlying principle of extended producer responsibility in other bills such as those for paint, mattresses, and electronics as well. Our focus is on reducing the increasing levels of waste from packaging, levels that are unsustainable and burdensome to residents, municipalities and institutional and commercial generators (e.g., large scale operations such as schools, nursing homes, apartments, etc.) that bear the full cost of handling and disposal of these materials. The data show that, even for materials that are recyclable, we are generating far more waste than can be managed profitably by municipal recycling facilities because many materials labeled as recyclable are not sortable and marketable in our current system. Paper and packaging constitute 46% of Massachusetts' disposed and recycled municipal solid waste.

LWVMA believes it is time to deal with the source of the problem by reducing waste at the front of the pipeline. It is time to reduce the environmental and health impacts of burning and burying unnecessary waste on society and the planet. And it is past time to for those responsible for producing and/or using wasteful, non-recyclable and non-marketable materials to become directly involved with using packaging that does not negatively impact on society and the environment.

The League of Women Voters of Massachusetts and our 43 local Leagues serving 3,000 members from Cape Cod to the Berkshires urge you to report S.471 favorably, this session.