

EPR Working Group Skillshare

July 7 / 8, 2003

Buffalo, New York

The following report was written by Helen Spiegelman with minor revisions by Bill Sheehan and Bev Thorpe. Many of the key points in the discussion are summarized in the **Appendix** to this report. *Participants are encouraged to supplement this Appendix with additional details.* Presentations and other documents (including this one) are posted at <http://www.grn.org/epr/skillshare/buffalo/index.html> , username = epr password = skillshare.

Most importantly, a large number of **Decisions** were made by the meeting that will move the work of the EPR Working Group forward in practical ways. Once this report is approved, work can commence on implementation of these decisions.

GOALS

Skillshare objectives:

- (1) Enhance understanding of EPR; learn from European & international experience.
- (2) Identify and address key issues and questions EPR activists want answered.
- (3) Develop strategic plan for this group.
- (4) Plan larger EPR conference for education and outreach.

DECISIONS

of the July 7/8 Meeting:

Formation of an organization:

- ❑ It was agreed that this meeting founded the “EPR Working Group” as an ongoing organization that will be a broad, unifying voice for the various independent EPR campaigns in North America.
- ❑ It was agreed that the EPR Working Group will expand its membership by building new alliances with non-traditional groups.
- ❑ It was agreed that the purpose of the EPR Working Group will bring “value added” to existing campaigns by emphasizing crossovers between different campaigns, rather than competing with them for scarce resources.
- ❑ It was agreed that coordination/secretariat functions for the EPR Working Group will be provided by **Clean Production Action** and the **GrassRoots Recycling Network** until other arrangements are made.
- ❑ It was agreed that the following will serve as the Interim Coordinating Committee: *Beverley Thorpe, David Wood, Jim Mahon, Katrina Miller, Timothy Logan, Helen Spiegelman.*
- ❑ **Clean Production Action** and the **GrassRoots Recycling Network** will hold a conference call to discuss a funding strategy, timeline and work plan for the projects described in this memorandum.

Adoption of “Extended Producer Responsibility Principles” as a working document

- ❑ It was agreed that the draft of the EPR document that was circulated to the meeting is adopted as a “Working Document” with amendment to include two small word changes (deleted ‘domestically’ after ‘Recovered products must not be landfilled or incinerated’; added ‘and/’

to ‘physical and/or financial responsibility’), plus the following bulleted item in the section titled ‘Essential Elements of an Effective EPR Program’ (*see Principles attached*):

“EPR programs ensure that people in industrialized and developing countries are not exposed to toxic materials in their workplaces or their communities. Workers receive a living wage and do not bear the costs of a transition to cleaner production.”

Next steps

- Release EPR principles: It was agreed that members of the EPR Working Group will generate media around release of the Principles, linking releases (1) to practical applications like political opportunities or release of report cards (see below), (2) to endorsements by progressive business, and/or (3) to endorsements by candidates running for public office. The principles will be sent, with an information pack, for endorsement to larger groups. Each group will work out their own strategy to launch the Principles within their own constituencies.

- Materials: It was agreed that the EPR Working Group will carry out the following short-term and longer-term projects, coordinated by CPA and GRRN and the Interim Coordinating Committee:
 - Messaging / communications
The EPR Working Group will develop a logo and a unifying typographical look for its communications *ACTION: Marti Matsch will lead this?*

 - Publications / Reports
Clean Production Action will publish an *EPR Toolkit* by late Summer or early Fall. Some of the ideas raised below will be addressed in the Toolkit, but not in the detail of longer research papers.¹ The EPR Working Group will carry out the following projects. Work will be coordinated by CPA and GRRN and the Interim Coordinating Committee:
 - EPR Working Group Statement about Social Justice & EPR:
This will accompany the Working Document and summarize the rationale for the new bulleted item about the labour, social-justice, environmental-justice aspects of EPR.
ACTION: Nick DeCarlo and CAW to lead this work, producing a draft for circulation to members.

 - EPR program Report Cards:
*These will be a practical application of the Working Document, and allow media opportunities. The Report Card project will include **Individual Report Card evaluations of each program** using our “Essential Elements” as criteria (these could be released to*

¹ Clean Production Action will produce an **EPR Toolkit** due late summer/early fall. It will be written by Beverley Thorpe and Iza Kruszewska. We will include information recently written by Bette Fishbein of INFORM and (hopefully) brochures and campaign material from current EPR campaigns. The Toolkit will cover the following headings and provide a list of resources throughout: Why This Toolkit; Clean Production and how EPR fits in; What is EPR?; Checklist for impending legislation, corporate schemes, local authority initiatives and checklist for implementation; What is not EPR?; Summaries of some EPR legislation around the world; How to organize for EPR; Campaign write ups; Frequently Asked Questions; Choose your next priority waste stream!

the media as a series) and a **matrix summary** of Report Card evaluations for easy comparison (this could be posted on our web site). *ACTION: Funding needed.*

▪ Research Papers on critical EPR issues:

The EPR Working Group will gather and summarize background information on the following topics and publish them as EPR Working Group publications:

- **Comparison of smelting processes for e-waste** – features of different technologies and recommendations on role of smelting in short and longer term. *ACTION: Funding needed.*
- **Economic analysis of the use of prison labour** (sources: BAN, Gund Institute) *ACTION: Funding needed.*
- **Investment analysis on liabilities to corporations of resisting EPR** (Wall Street Journal model) *ACTION: Funding needed.*
- **Job creation and economic impacts of a robust EPR system** (sources: OECD?) *ACTION: Funding needed.*
- **“Why not EPR?”** (responses to standard arguments against EPR; Seigo Jackson has a detailed template for electronics EPR) *ACTION: See CPA toolkit; probable that both information sources will cover this.*

▪ Generic EPR information needs:

The following public education tools will be published by the EPR Working Group and provided to organizers of specific EPR campaigns to use as background on the generic EPR concept. Details an funding to be worked out.

- **Brochure** – brief, very professionally produced summary of EPR concept (consider adapting/generalizing WCRC’s ‘Citizen’s Guide to Producer Responsibility’)
- **Video** – that explains the “why” of EPR
- **PowerPoint Presentation** – tailored for various audiences
- **Web Site** – with links to specific campaigns as well as reference sources

➤ North American Conference on EPR

The EPR Working Group will seek funding to organize a conference, series of conferences or symposia on EPR which will:

- be held in 2004 or 2005
- be sited in a North American location(s) that are easily accessible by both North American and European participants
- consider the use of multiple venues, either on “rolling thunder” model or on GLU simultaneous satellite hook-up model
- be “educational” rather than “strategic” (aimed at broadening constituencies, rather than being a working session/skillshare for confirmed activists)
- be a venue for presentation of EPR Working Group research papers, videos, report cards, etc. (*see above*)
- attract large numbers of participants from Europe as well as North America to showcase unique North American campaigns and perspectives
- include perspectives that are global (EPR theory, principles, world-wide movement) and local (specific products/campaigns, local hot-spots & issues)
- attract media attention and public awareness of EPR concept – hasten paradigm shift in public mind.

APPENDIX

Summary of Discussions²

UPDATES on North American campaigns

Computer Take-Back Campaign: *got Dell to eliminate prison labour – now get them to move further*
Clean Car Campaign: *coalition of ENGOS, auto dismantlers, steel recyclers/industry*
Prevent Cancer Campaign: *health impacts bring environmental issues close to home*
Rechargeable Battery program: *fails on EPR principles report card – but being touted as a model!*
MN carpet program: *scores high on transparency – but low on penalties (reason for low performance?)*
MN/WI beverage containers: *moving BEAR process forward to propose new and improved bottle bill*

DISCUSSION

Comments/questions grouped by topic

ENVIRONMENTAL STANDARDS

- ❑ *Does WEEE restrict how e-waste is recycled? ANSWER: not prescribed except to require component separation and specify targets for “recovery” and “recycling”. Only Swiss law talks about export.*
- ❑ *What happens to historic BFRs (brominated fire retardants) under WEEE? ANSWER: They can be moved to other product groups or Matsushita has developed a de-bromination procedure to remove them from plastics*
- ❑ *Where are electronics in automobiles covered – WEEE or ELV? ANSWER: ELV in some countries.*
- ❑ *Is smelting an acceptable solution for e-waste? ANSWER: separation of components under WEEE reduces problems with smelting(clean feed). Swedish Boliden and Belgian Umicore considered better than Noranda. Greenpeace claims dioxins not destroyed.*
- ❑ *How are compact/fluorescents controlled? Long-time program in MN so several facilities, treatment paid for by Utility.*
- ❑ *Has EPR reduced consumption? ANSWER: According to a UK community recycling scheme, this was not the intent; rather: resource conservation, detoxification, energy efficiency.*
- ❑ *Need a study of smelters. Could they be part of solution for historic waste?*

INCENTIVES FOR CLEAN DESIGN

- ❑ *Has EPR led to cleaner design? Naoko’s research asked 26 companies in Sweden and Japan “what factors” drive redesign and EPR was the #1 factor mentioned in both countries. Consumer demand not sufficient. Even anticipated legislation effective.*
- ❑ *Is European EPR affecting US companies? Garth Hickle/Five Winds study for EPA (forthcoming) will look at design impacts..*
- ❑ *Has the EU documented the number of FTEs (full time equivalent personnel to manage or oversee) per kg of WEEE collected?*

SOCIAL ISSUES / LIVING WAGE

- ❑ *We should not promote an approach built around low-wage jobs, prison jobs: raise the standard of recycling jobs, not lower it.*

² Presentations are posted at <http://www.grm.org/epr/skillshare/buffalo/index.html> , username = epr
password = skillshare.

- ❑ *Social justice has to be part of the EPR program. Control and direction of the market is a government role. We need a unified strategy to ensure against exploitation. This conflicts with “internalization” of full costs.*
- ❑ *This position will have to be reconciled with CED (community economic development) advocates who seek to develop/preserve “non-market jobs”*
- ❑ *Need a labour analysis of “efficiency” in EPR programs that can form the basis of our position*
- ❑ *Need to explain why environment is a labour issue*
- ❑ *“Work ownership” an issue raised by CAW: “we would own the jobs”. When Ford started pushing auto recycling companies, they were low-wage jobs.*
- ❑ *“Re-use” jobs will be higher-wage, higher-skilled, labour-intensive compared with capital-intensive, energy-intensive, material-intensive “recycling”*
- ❑ *SAAB story: why SAAB won’t use their own plants to dismantle cars – too far to ship, etc.*
- ❑ *Concern about impact of EPR on existing auto recycling workers: displace those jobs if disassembly goes to auto assembly plants?*
- ❑ *Can autoworker unions support a goal to organize recycling shops, rather becoming recycling shops themselves (expand good paying jobs there, rather than displace them?)*
- ❑ *Prison labour a complicated issue for local governments seeking to cut public costs – but EPR is about producer costs not public costs.*
- ❑ *Have to remember the overall picture: regulation establishes a social agenda. EPR will be stronger if we always remember why we are doing it: social, environmental – and economic in the broadest sense: change economy so it reflects full costs.*
- ❑ *It’s up to producers to figure out how to cut costs to a minimum, without compromising environmental and social standards. (Level playing field)*
- ❑ *The effect on the recycling industry can be positive: producers will contract with the best recyclers and allow them to raise their standards – but beware of consolidation of industry that could have negative outcomes!*

CAN INDUSTRY AFFORD EPR?

- ❑ *Economic complaints about EPR (too costly, can’t afford it) won’t wash: Berkeley’s biodiesel conversion was a practical/environmental/political decision. Long-term economic benefits. Also date from DSD documents minor price increase in product; WEEE also estimated to be under 1 percent.*
- ❑ *“Tale of Two Systems” is a case study for feasibility of labour standards: HP/Micrometallics a union shop; Dell/Unicore prison labour.*
- ❑ *Threat of regulation must be sustained and regulation imminent to have persuasive impact on industry*

TRADE/COMPETITION/MARKET ISSUES

- ❑ *Is refillable requirement a barrier to trade under international trade regimes?*
- ❑ *Europeans are very concerned about DSD monopoly. Mafia also said to control “half” of the system.*
- ❑ *In Norway, the monopoly reduced its rates 20% when competition was introduced.*

UPDATES on European, Canadian programs

Some of the key issues in the ensuing discussion were:

- Iza observed that the emphasis on *social justice* in our discussions is unique to the North American movement and not present at all in Europe.
- Naoko commented that the implementation of EPR in Europe is by no means a smooth process, and also that laws vary considerably in different countries.
- Bev reported that the vinyl industry is responding to a damning EU white paper on incineration impacts by stating that PVC can be recycled – yet to be proven though!
- Naoko says smelting in EU happens after dismantling, component removal

- Mastushitsu said to have technology for removing BFRs from plastic
- Bev commented that monopolistic responses in Europe (e.g. DSD) are under scrutiny
- Naoko reported that the Norwegian monopoly dropped its rates 20% when competition emerged
- Bill called attention to a new OECD paper on limitations of voluntary approaches (will circulate)
- Rehabilitation of incineration as “alternative energy” must be countered by EPR
- EPR implications for community recycling must be defined and analyzed
- Can EPR reduce consumption (e.g. newspaper)?
- Can EPR survive WTO/GATT challenges? Are refillables a barrier to free trade?
- We need to frame our specific EPR positions with clear reference to “why” we support EPR (social justice, resource/energy conservation, cost internalization, etc.)
- We need to frame EPR within the larger principles of Integrated Product Policy and “Zero Waste”
- Naoko suggested we look at a recent EB commentary on “IPP” which says it’s too focussed on voluntary measures to reduce consumption
- We need to define the various boundaries of EPR – take back programs, clean production, impacts during use, etc.
- We need a compendium of different instruments that can be used (OECD has one)
- We need to look at how our Working Document relates to similar principles formulated by OECD
- We would do well to frame EPR in health threats/benefits, which bring environmental issues close to home. *Union health and safety reps have access to info not available to others.*
- We should consider *right-to-know legislation* as an EPR tool.
- Need to seize media hooks when they arise, produce articles/editorial copy for local media
- A Master’s Thesis on Ontario’s WDO was done at Lund Univ/IIIEE in 2000.

Does EPR lead to product redesign?

Naoko: survey of 26 companies in Sweden & Japan found that EPR mentioned as #1 factor in both countries -- consumer pressure insufficient, anticipated legislation gets results. (This is also being studied for EPA by Five Winds group, Garth Hickle lead.

Non-traditional alliances for EPR Working Group expansion:

- charities who have residuals
- impacted communities and workers (industries, host communities, transportation corridors)
- CLC Environment Committee links weak, but Corporate Responsibility Committee might have closer link
- consumer protection advocacy groups
- taxpayer alliance groups
- local government associations (conference of Mayors, SWANA, municipal assns in states/provinces)
- anti-globalization groups
- learning disability advocates, health advocacy groups, children’s environmental health advocacy groups
- physicians (cf Kyoto, pesticides)
- “natural allies” who have not bought in (Environmental Defense, Sierra Club, NRC)
- small community groups responding to end-of-pipe problems
- healthy building coalition
- faith community
- schools

Evaluation of Skillshare

The experience of meeting face to face, learning about successes and challenges and gaining new insights gave our movement momentum.

POSITIVE:

- **inspiring, encouraging to get to know like-minded people**
- **useful contacts for future collaborations**
- **well-facilitated, many thanks to organizers**
- **debate around issues useful**
- **useful for defining differences between Europe, North American movements**
- **social justice/labour dimension very valuable – whole new dimension of environmentalism**
- **international perspective very useful (Canada, Europe)**
- **good shift from broad to specific, back to broad again**
- **got a lot accomplished – will show up in report**
- **important work on messaging**

LESS POSITIVE:

- **small groups might have worked better (long speaker lists) but need to be set up front**
- **structured documents ahead of time might have been useful**
- **periods with lack of focus - veered off into “why EPR” topic which is already well-explored**
- **didn’t need to re-open the principles**
- **stronger overlap with specific campaigns might have been useful**
- **a more detailed work plan might have been useful**

MANY THANKS TO THE ORGANIZERS

Bev Thorpe, Bill Sheehan, Bailey Mylleville, Katrina Miller and Alex McPherson

We all really appreciated your hard work arranging the meeting space, refreshments, accommodations, shuttles to and from airport, restaurant reservations, and communications.

THANKS ALSO TO THE FACILITATORS

Bev Thorpe covered for Joel until his plane touched down.

Joel Tickner stepped in at the last minute for Ken Geiser and did a great job!
