

# Product Stewardship Stakeholder Group

## Meeting #4 Summary

Held June 16, 2010 at Oregon Metro



State of Oregon  
Department of  
Environmental  
Quality

### List of Attendees

#### In person:

Andy Sloop, *EcoLights NWR*  
Brenda Hoppe, *Oregon Health Division*  
David Skakel, *Tri County HHW Facility*  
David Stitzhal, *NWPSC*  
Garry Penning, *ORRA: Rogue Disposal*  
Jay Shepard, *WA Dept. of Ecology*  
Jeff Murray, *Far West Fibers*  
Katy Daly, *Recycling Advocates*  
Matt Korot, *Metro*  
Michael Mason, *Confederated Tribes of the Warm Springs*  
Renee Hackenmiller-Paradis, *Oregon Environmental Council (OEC)*  
Rick Erdheim, *NEMA (sitting in for Mark Kohorst)*  
Wayne Rifer, *RBRC, EPEAT, and Rifer Environmental*  
Wendy Wiles, *Oregon DEQ*

#### By phone:

Betsy Earls, *AOI, Retail Council*  
Jim Craven, *Tech America*  
Kathy Frevert, *CALRecycle*  
Mark Kohorst, *NEMA*

#### Staff:

Mary Fritzmann, *DEQ*  
Jan Whitworth, *DEQ*  
Scott Klag, *Metro*  
Christie Nuttall, *DEQ*  
Kelly Skelton, *JLA Public Involvement*  
Doug Zenn, *JLA Public Involvement (facilitator)*

#### Guests:

None

#### Not present:

Betsy Earls, *AOI, Retail Council*  
Bruce Walker, *City of Portland Office of Sustainable Development*  
Duke Castle, *Oregon Natural Step*  
Emily Ackland, *Association of Oregon Counties (AOC)*  
Frank Marella, *Sharp Electronics PS Program*  
Pamela Brody-Heine, *Zero Waste Alliance, EcoStewardship Strategies*  
Rick Winterhalter, *Association of Oregon Recyclers*  
Scott Forrest, *Paint PS Program, Forrest Paint*

### List of Handouts and Presentation Notes

- ❖ Whitepaper: Swimming Upstream: Product Stewardship and the Promise of Green Design
- ❖ Process Matrix
- ❖ DRAFT Outline of Information from PSSG and DEQ report to the legislature
- ❖ Presentations: Products Environmental Impacts; Product Stewardship and Green Design

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# Product Stewardship Stakeholder Group

## Introductions, Agenda Review, Progress Updates

Doug Zenn welcomed participants to the meeting, introduced himself and reviewed the agenda. Group members and the audience provided self-introductions.

Jan Whitworth from DEQ gave progress updates. Last meeting, the group asked for estimates of how many covered electronic devices are being collected through the E-Cycle program vs. how many are still managed outside of the program. DEQ does not have any exact data on this, but will be able to provide some estimates in September, using material recovery survey and waste composition data.

Key points from the April 29 meeting were summarized.

- + *System Financing*: The group did not express disagreement that system financing should be provided by producers. Mark Kohorst felt that this was not the case and doubted that the NEMA representative (Jen Dolin) would have agreed with the concept that the product stewardship system be solely producer financed. It was noted that system financing should consider cost effectiveness for consumers. When using eco fee approach concern was expressed not to have government collecting or managing the funds. System financing should be managed by the producers. It was suggested that financing mechanisms should factor in the overall cost of recycling and the amount of toxicity in the product, rewarding producers who make more environmentally friendly products.
- + *Collection convenience standards*: The group discussed the need for collection in rural areas. Without it there is an increase in illegal dumping, which can be costly to local governments. One type of program does not work for all areas. Convenient collection is not always a driver for performance. It depends on the product. When setting standards consideration should be paid to how the product came to the consumer, regulation of infrastructure, toxicity and consumer concerns about the product.
- + *Disposal bans*: There was general consensus that disposal bans should be considered on a product by product basis, rather than a key element for all product stewardship programs. Product toxicity and extent of collection system should be factors in deciding if a ban is appropriate... A point was also made to consider exploring recycling mandates in lieu of, or in conjunction with, disposal bans.

## Presentation: Environmental Impact of Products and Opportunities to Reduce Impacts. By David Allaway

The presentation can be viewed here:

<http://www.deq.state.or.us/lq/pubs/docs/sw/PSWorkgroup100616ProductsEnvironmentalImpactsPresentation.pdf>

Group Questions & Comments:

- A member asked for clarification about what should be examined as part of the alternative assessments? David Allaway answered that the EPA paper, looking only at upstream emissions, found that categories of products with high human toxicity potential also have high GHG footprints. This is most significant because understanding the underlying lifecycle impacts can be difficult. There has been much work done on the carbon footprint of products, to the extent that products having high GHG impacts also have high human toxicity impacts and is potentially useful in looking broadly at products.
- A member asked if impacts and attributes are more challenging to evaluate because we haven't looked at them before or because they aren't tied to a product class. Allaway said they've chosen not to evaluate classes of products. It is expensive, time consuming and controversial.
- Members discussed that addressing upstream solutions (design, manufacturing, efficiency of products, everything before the consumer) can have a far bigger impact on environmental reductions. When looking at reducing emissions one should be aware of the trade-offs. Sometimes replacing a certain product for a lower carbon product also brings with it a higher level of toxicity, not always a good trade-off.

## **Presentation: Swimming Upstream: Product Stewardship and the Promise of Green Design. By David Stitzhal**

The presentation can be viewed using this link:

<http://www.deq.state.or.us/lq/pubs/docs/sw/PSWorkgroupGreenDesignWhitePaper.pdf>

### General Comments:

- The group discussed how manufacturers need to comply with European standards and as a result the same products come to the USA, not a different or lesser product. A member cautioned that sometimes what companies are doing in other countries is not necessarily the most profitable or best model to follow.
- RoHS was discussed. It has had a significant impact and reduced the use of toxic substances, although it was adopted without alternatives assessments. However some are concerned that it is overly ambitious. It was also noted that there are constant areas of tension with RoHS related to exemptions, and in some cases safety may be compromised. Some members expressed concerns about expanding the list without really evaluating the benefits.
- The group discussed and agreed that product stewardship has a human health benefit. “Human health protection” should be a key component to product stewardship.
- One component missing from the presentation is historic waste, particularly with an impact on product design.

## **Discussion**

The group considered a number of drivers or policy directions for Oregon, using the questions below to stimulate discussion.

### **Question #1: How might Oregon’s approach to e-waste take advantage of the ideas discussed here?**

#### Group discussion:

- One member suggested procurement, material restrictions, consumer information, reward programs, Energy Star, and private innovation. E-waste programs, it was suggested, deal more with newer products than historic waste. We aren’t going to learn from products made 17 years ago.
- RoHS has had design impacts, so a similar approach could impact products.
- The philosophy behind the e-waste law (producer responsibility) can have an impact on product design. Additional analysis should look at different characteristics of products to determine where take-back laws can have an impact.
- Integrated product policy, simply making manufacturers aware that policies are coming can get them to change their designs now.
- Historically e-waste programs have tried to address end-of-life issues, not product design. We should clearly articulate what we are trying to do with legislation of product design.
- One member commented that she’d like to know what other assessments need to be done to look at the environmental and health impacts of a product. She added that it would be helpful to get the industry’s perspective, about what would be acceptable. Industry representative members answered:
  - procurement
  - consumer information
  - material restrictions are acceptable
  - incentive for consumers
  - consumer access to products via cooperative retailers

### **Question #2: How might Oregon’s approach to hazardous or toxic material contained in – or used in the making of – products employ the ideas discussed here?**

#### Group discussion:

- An integrated approach is the best approach. Working in silos makes it more difficult to address the entire lifecycle.
- The issue needs to be within the larger frame of toxic reduction.
- Clarity around the identification of products and chemicals of concern rather than selecting solely supply-side solutions, fees or restrictions.

- A member said that DEQ has done work and identified toxic products and is working to find reduction opportunities. This would be a good place to start. There is an emerging product policy just not under a stewardship umbrella.
- A state like Oregon should look at employing toxic materials restrictions like RoHS in cases where the same restrictions have been established elsewhere.

**Question #3: What role could government procurement policies play in encouraging producers to pursue green design?**

Group discussion:

- Establish firmer policies. It is too easy to bypass policies now.
- Procurement requirements should include universities and other institutions, not be limited to state and local government agencies.
- Establish requirements through legislation

**Question #4: Going forward, what actions might help till the soil for future stewardship policy that has an upstream focus?**

Group discussion:

- The group made a number of suggestions:
  - state actions around consumer purchasing (product information, labels)
  - use of third party certifications and labeling systems
  - DEQ certifications
  - procurement legislation,
  - public information,
  - alternative assessments
  - FTC requirements and enforcement by Attorney General

**Report Outline and Upcoming Decisions**

Jan said a draft report outline was handed out in everyone's packet that attempts to consolidate the points heard and discussed so far. She said DEQ would like feedback on items that may be missing or misunderstood. The report will continue to develop over the next 4 meetings..

DEQ has heard at a couple of meetings that a matrix of products and program core elements would be useful. The project team will draft such a matrix as a tool for discussion.

Jim Craven (by phone) asked about process for comments, and the possibility of a comment period. Jan thought feedback would happen primarily during the meetings. By the sixth meeting the group will begin reviewing the draft report.

At the next meeting, the group will discuss performance measures and product selection criteria and process.

**Public comment: none**

Meeting adjourned.