



Letter of Agreement 2017

The **Vermont Product Stewardship Council (VTPSC)** is a coalition of cities, towns, counties and regional solid waste districts and alliances in Vermont that operates as an unincorporated association of members and is comprised of a General Council and Steering Committee.

Mission: The mission of the VTPSC is to work together and with other governments, businesses and nonprofit groups to integrate the principles of extended producer responsibility into the policy and economic structures of Vermont. The Vermont Product Stewardship Council works to shift Vermont's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

Product Stewardship: Product Stewardship is the act of minimizing health, safety, environmental and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law.

Extended Producer Responsibility: Extended Producer Responsibility (EPR) is a model of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for their product extends to post-consumer management of that product and its packaging. There are three related features of EPR policy:

1. Shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector;
2. Providing incentives to producers to incorporate environmental considerations in the design of their products and packaging; and
3. Providing consumers with additional information and opportunities to retain more unconsumed product and packaging within the circular economy.

OBJECTIVES

The objectives of the VTPSC are to:

- Develop and recommend EPR and product stewardship policies and tools to organizations, institutions, governments, state legislatures and legislators.
- Provide effective leadership on EPR and product stewardship initiatives in the region.
- Coordinate or participate in EPR and product stewardship initiatives locally, regionally and nationally.
- Educate elected officials and other decision makers on the benefits of EPR and product stewardship.

- Provide a forum for the exchange of information regarding existing and proposed EPR and product stewardship programs.

ORGANIZATION

The VTPSC will operate as an unincorporated association and will be comprised of the **General Council** and **Steering Committee**.

General Council Members: Members of the VTPSC consist of cities, counties, towns, regional solid waste districts and alliances or other local government bodies that:

- a) Provide staff time to VTPSC activities and projects and commit staff time to attend VTPSC meetings;
- b) Support the VTPSC mission and Principles of EPR (Attachment A); and
- c) Sign this Letter of Agreement.

Steering Committee Members: Members of the VTPSC Steering Committee make up the voting member body of the Council. The steering committee is limited to representatives from local government. Each agency provides one official representative to the Steering Committee and receives one vote for decision-making purposes. Steering committee members must:

- a) Provide funding and staff time to VTPSC activities and projects (as outlined in the Roles and Responsibilities of Steering Committee Members below) and commit staff time to attend VTPSC meetings;
- b) Support the VTPSC mission and Principles of EPR (Attachment A); and
- c) Sign this Letter of Agreement.

Voting members will be accepted at the beginning of each year, or at other times as agreed upon by the Steering Committee. “Year” is used in this document to mean the period July 1 through June 30.

Roles and Responsibilities of Steering Committee Members

The Steering Committee provides leadership to the Council, develops and recommends EPR and product stewardship policy, facilitates coordination with other EPR and product stewardship activities and broadly publicizes the concept of EPR and product stewardship. Steering Committee members will prepare a scope of work and budget at the beginning of each year.

- **Meetings:** Attend and participate (in person or by phone) in VTPSC meetings, anticipated to occur no less frequently once every two months or as called by the chair. In cases where steering committee members cannot attend the meetings, they should notify the Council Chair. Steering Committee members must participate in at least half the meetings held the previous year to retain standing on the Steering

Committee. Steering Committee members may suggest VTPSC agenda items and members shall review meeting minutes that are sent out after each meeting.

- **Projects:** Propose, review, approve and participate in activities and projects conducted in the name of VTPSC. Develop an annual work plan which outlines goals and projects for the year.
- **Decision Making:** The Steering Committee makes decisions by consensus. If consensus cannot be reached, a decision will be made by majority vote. Each Steering Committee member has one vote. The voting members are the individuals listed in this document. Voting rights may be assigned by the Steering Committee member to another individual in the same organization or to a representative in the community of their jurisdiction.
- **Chair:** A Steering Committee chair will be elected at the beginning of each year. The chair will represent VTPSC on general correspondence and communications. The Chair will coordinate the Steering Committee, assist Subcommittees, prepare agendas, convene meetings, record and disseminating meeting summaries, respond to inquiries, and initiate and shepherd VTPSC related projects.
- **Funding –** Each Steering Committee member provides annual membership dues for their organization directly to the Product Stewardship Institute (PSI). PSI provides coordination and facilitation of the VTPSC meetings and calls and technical support to the VTPSC. PSI will track member payments and keep VTPSC apprised of any members not up-to-date with membership.

Partners: Partners are local, state, regional and federal government agencies or other government product stewardship councils that support the VTPSC mission and product stewardship principles. Partners are kept apprised of VTPSC initiatives through periodic email alerts may periodically attend VTPSC meetings and participate in project subcommittee work. Any government agency or product stewardship council that endorses the VTPSC mission and signs the VTPSC Pledge of Support, is invited to be a Partner.

Sponsors: Sponsors are individuals, businesses and non-government organizations that support VTPSC activities and projects with an annual contribution of \$1,000 or more. Sponsors must endorse the VTPSC mission and sign the VTPSC Pledge of Support. Sponsors are kept apprised of VTPSC initiatives through periodic email alerts, attend VTPSC meetings and may participate in project subcommittee work. Sponsors must be approved by the VTPSC Steering Committee.

Project Subcommittees: Project Subcommittees are comprised of representatives from government, businesses and nonprofit groups that focus their work on specific commodities or materials (such as mercury-containing products, electronic equipment, packaging or batteries) to encourage EPR and product stewardship within that particular sector, or that focus on cross-cutting issues or functions that advance the mission of the Council (such as education, purchasing policies, or local initiatives). Project Subcommittees will be coordinated by the Chair or other Steering Committee members. Subcommittees will meet independently of the

Steering Committee and will provide updates on their activities and recommendations at regularly held Council meetings for review and action, if required.

FUNDING

Projects and activities that are conducted on behalf of the council may be funded directly by agencies as appropriate. Sponsorship funding will be managed by the Chair with the Chair's organization acting as the fiscal agent. The Steering Committee may seek additional funding for project work, such as conferences, through grants and contributions.

LOGOS and CREDITS

All projects undertaken on behalf of the VTPSC shall use the VTPSC logo on project materials.

GENERAL CORRESPONDENCE

The VTPSC name and logo will be used on all general correspondence. "Official" VTPSC letterhead will be used. The Council Chair will sign letters.

PROJECT MATERIALS

All materials developed in coordination with and on behalf of the VTPSC shall display the VTPSC logo and mission statement.

Agencies that fund a portion of specific projects and materials on behalf of the VTPSC will be credited.

LETTER OF AGREEMENT

This letter of agreement shall be revised at the beginning of each year by the Steering Committee. New General Council Members, Steering Committee Members, Partners and Sponsors may be added at any time. Letters of Agreement will be signed by the appropriate representative of each government entity participating as a General Council Member or Steering Committee Member.

Steering Committee Members

The undersigned supports the VTPSC mission & the Principles of Extended Producer Responsibility (Attachment A).

1. Jennifer Holliday, Chittenden Solid Waste District
Name, Organization

2. Ham Gillett, Greater Upper Valley Solid Waste District
Name, Organization

3. John Malter, Mad River Resource Management Alliance
Name, Organization

4. James O’Gorman, Rutland County Solid Waste District
Name, Organization

5. Teresa Kuczynski, Addison County Solid Waste Management District
Name, Organization

6. Pamela Clapp, Solid Waste Alliance Communities
Name, Organization

7. Esther Fishman, Londonderry Solid Waste Group
Name, Organization

8. Mary T. O'Brien, Southern Windsor/Windham Counties SWMD
Name, Organization

9. Bruce Westcott, Central Vermont Solid Waste District
Name, Organization

10. Susan Alexander, Lamoille Regional Solid Waste Management District
Name, Organization

11. John Leddy, Northwest Vermont Solid Waste District
Name, Organization

12. Michael Batcher, Bennington County Solid Waste Alliance
Name, Organization

General Council Member Signature Page

The undersigned supports the VTPSC mission and the Principles for Extended Producer Responsibility (Attachment A).

Signature **Date**

Name **Title**

Organization

Mailing Address

Telephone **Email**

I am signing up as an: **Individual** **Organization**

Please email, mail or fax the signed Pledge of Support to

FAX: 802-878-5787

Mail: Attention: Jen Holliday
Chittenden Solid Waste District
1021 Redmond Road
Williston, VT 05495

Email: jholliday@cswd.net

Attachment A



PRODUCT STEWARDSHIP AND EXTENDED PRODUCER RESPONSIBILITY (Feb.2012)

Reducing Economic, Environmental, Health, and Safety Impacts from Consumer Products

The growing product stewardship movement in the United States seeks to ensure that those who design, manufacture, sell, and use consumer products take responsibility for reducing negative impacts to the economy, environment, public health, and worker safety. These impacts can occur throughout the lifecycle of a product and its packaging, and are associated with energy and materials consumption; waste generation; toxic substances; greenhouse gases; and other air and water emissions. In a product stewardship approach, manufacturers that design products and specify packaging have the greatest ability, and therefore greatest responsibility, to reduce these impacts by attempting to incorporate the full lifecycle costs in the cost of doing business.

The terms *product stewardship* and *extended producer responsibility (EPR)* are often used differently by stakeholders involved in the product stewardship movement. The purpose of this document is to harmonize terminology in the U.S. and to guide development of policies, legislation, and other initiatives by governments, companies, and organizations. By speaking the same language, we can have a constructive public discussion.

We use the following definitions for product stewardship and EPR. Since we define EPR as a legislative approach, we believe it requires further clarification and therefore developed the subsequent *Principles of Extended Producer Responsibility*.

Product Stewardship is the act of minimizing health, safety, environmental and social impacts, and maximizing economic benefits of a product and its packaging throughout all lifecycle stages. The producer of the product has the greatest ability to minimize adverse impacts, but other stakeholders, such as suppliers, retailers, and consumers, also play a role. Stewardship can be either voluntary or required by law.

Extended Producer Responsibility (EPR) is a mandatory type of product stewardship that includes, at a minimum, the requirement that the producer's responsibility for their product extends to post-consumer management of that product and its packaging. There are two related features of EPR policy: (1) shifting financial and management responsibility, with government oversight, upstream to the producer and away from the public sector; and (2) providing incentives to producers to incorporate

environmental considerations in the design of their products and packaging.

PRINCIPLES OF EXTENDED PRODUCER RESPONSIBILITY

The following EPR Principles include key elements that should be included in all EPR legislation. Although these Principles will be applied differently by different jurisdictions, they are aspirational and considered best practice to achieve maximum results.

- **Producer Responsibility**
 - Producers are required to design, manage, and finance programs for end-of-life management of their products and packaging as a condition of sale. These programs may or may not use existing collection and processing infrastructure. Programs should cover all products in a given category, including those from companies no longer in business and from companies that cannot be identified.
- **Level Playing Field**
 - All producers within a particular product category have the same requirements, whether they choose to meet them individually or jointly with other producers.
- **Results-based**
 - Producers have flexibility to design the product management system to meet the performance goals established by government, with minimum government involvement.
 - Producer-managed systems must follow the resource conservation hierarchy of reduce, reuse, recycle, and beneficially use, as appropriate.
 - Products must be managed in a manner that is protective of human health and the environment.
 - Producers design and implement public education programs to ensure achievement of performance goals and standards established by government.
 - All consumers have convenient access to collection opportunities without charge.
- **Transparency and Accountability**
 - Government is responsible for ensuring that producer programs are transparent and accountable to the public.
 - Producer programs, including their development and the fate of products managed, provide opportunity for input by all stakeholders.
- **Roles for Government, Retailers and Consumers**
 - Government is responsible for ensuring a level playing field for all parties in the product value chain to maintain a competitive marketplace with open access to all, for setting and enforcing performance goals and standards, for supporting industry programs through

procurement, and for helping educate the public.

- Retailers only sell brands within a covered product category that are made by producers participating in an industry program, and are responsible for providing information to consumers on how to access the programs.
- Consumers have a responsibility to reduce waste, reuse products, use take-back and other collection programs, and make appropriate purchasing decisions based on available information about product impacts and benefits.