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Product Stewardship

Beyond a tax source for MHSW programs

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Though still an emerging waste management strategy, product stewardship has the potential to be a viable policy option, encouraging the recycling and reuse of products and reducing the amount of waste that ends up in landfills. There are certainly challenges to its implementation on a grand scale, but the overall goal of minimizing waste in landfills is one that should be embraced not just by municipal governments, but potentially by manufacturers as well.

What Is Product Stewardship?

Product stewardship is a product-centered approach to waste diversion that asks those involved in the product life cycle—manufacturers, retailers, and consumers—to share responsibility for reducing the environmental impact of the products they make and use.

When the concept was first introduced in Europe, it was known as *extended producer responsibility* (EPR) and aimed, among other things, to create incentive for manufacturers to design environmentally friendly products that not only reduced waste but also reused it. When the idea migrated to the United States, the term *product stewardship* was more readily accepted because it described a shared responsibility rather than one left solely on the manufacturer.

Product stewardship traditionally has assigned responsibility for user education, program logistics and funding to the private sector, looking to manufacturers (“producers”) to take the lead in managing the end-of-product life, but retailers and government agencies can, and do, assist in the programs. The idea of product stewardship goes well beyond simply collecting and recycling products that are no longer useful—it also encompasses ideas like product redesign, facilities operation streamlining, and legislation—so it is clear that in order to make product stewardship more broad based and effective, programs will require the participation of members of both the private and public sectors.

There are many ways to implement product stewardship, but in the end they all represent shifting the way things are done by all the stakeholders involved.

Why Is Product Stewardship Necessary?

According to the US Environmental Protection Agency (EPA), only 18% of the 2.25 million tons of obsolete televisions, cell phones, and computers disposed of in 2007 were recycled, while the remainder was primarily disposed of in landfills.

The main goal of product stewardship is to divert waste from landfills and lessen the negative environmental impact of consumerism, regardless if the material is hazardous or toxic.

Product stewardship places ultimate responsibility for a product’s proper disposal on the shoulders of producers that make or sell products, and can be applied to many different products, from paints to prescription medication to electronics and batteries. The concept builds upon programs designed to handle potentially dangerous products—such as lead acid batteries—or for products with residual value in their reuse, like newspaper. These

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programs, though vulnerable to the fluctuation of commodity prices, are by most measures successful, ensuring that products are reused and bypass the wastestream.

However, when consumers are done with an electronic gadget and ready to move on to the latest version just six months to a year later, it often ends up in a landfill, ultimately becoming the local government's problem. This has increasingly created a burden for local governments, and the product stewardship movement has become one of the more popular ways to shift financial burden to private industry.

The Role of the Government

While product stewardship programs may ease the financial burden borne by municipal governments, they continue to serve other very vital roles. First, they must serve as both role models and cheerleaders for recycling efforts; otherwise, the consumer rarely takes notice. Second, local governments often have the infrastructure, such as household hazardous waste (HHW) centers and curbside programs, to maximize performance of recycling programs. Finally, local government adds credibility to any recycling initiative that private industry finds more difficult to garner.

In North America, several provinces in Canada (e.g., Ontario and British Columbia) and state and local governments (e.g., Vermont, Maine, and Oregon) are in various stages of considering or implementing product stewardship programs that cover products ranging from cell phones and televisions to batteries and computers. Product stewardship has in fact become the strategy *du jour* for minimizing the impact of waste on the environment.

The Industry's Example

For many industries, product stewardship is in its infancy, but for the battery industry, it's reached a kind of adolescence. As far back as 1994, major rechargeable battery manufacturers established the Rechargeable Battery Recycling Corp. (RBRC) to manage a program for the recovery and recycling of nickel-cadmium (Ni-Cd) batteries. A nonprofit corporation, RBRC established a voluntary take-back program, which was the first national, industrywide producer responsibility program to be implemented in the United States. The program expanded to Canada in 1997 and eventually broadened to include all small rechargeable batteries in 2001. In 2004, RBRC enlarged its program to include used cell phones, and reintroduced the collection program as Call2Recycle.

Call2Recycle funds the program by licensing the right to imprint the organization's Battery Recycling Seals on manufacturers' rechargeable batteries, products, and packaging. In turn, Call2Recycle uses these licensee fees to fund education campaigns and to establish collection sites at retail outlets, municipal locations, and commercial establishments. The program is free for the consumer and for collection sites. To ensure that the RBRC recycling program became the national model, the battery industry sought federal legislation that facilitated its national rollout. The Mercury-Containing and Rechargeable Battery Management Act ("The Battery Act") became law on May 13, 1996.

 While the Call2Recycle program is voluntary for retailers, both California and New York passed laws requiring retailers to collect and recycle rechargeable batteries. In addition, several states, such as Minnesota, New Jersey and Florida, require the recycling of certain rechargeable chemistries because of their potential harm to the environment.

The battery industry's approach exemplifies how business, government, and consumers must work together to make product stewardship efficient and effective. Manufacturers and retailers have important roles in helping to reduce the environmental impact of batteries by redesigning them in ways that eliminate or reduce toxic constituents and by making them more recyclable at the end of their useful life. Their participation is also key to increasing recycling opportunities for batteries.

Implementing on a Grand Scale

The battery industry's product stewardship movement certainly offers some lessons for municipalities and industries to set up similar programs to be successful. While still evolving, the battery industry's efforts provide a workable template for other industries to learn from.

Product stewardship is about funding municipalities' waste collection and ensuring proper end-of-life disposal.

Product stewardship can be funded in several different ways. It can be financed through an end-user fee, where a surcharge added to the purchase price pays for collection, disposal and recycling of the product, such as the bottle deposit. Or, it can be a free "take-back" program, where a company accepts used products for recycling at no cost. For example, as of December 2008, Michigan requires that manufacturers establish free and convenient take-back



programs for consumers to recycle old computers and TVs, as set forth by the state Department of Environmental Quality's Natural Resource and Environmental Protection Act. By April 2010, all Michigan retailers were required to sell new computers and televisions made by manufacturers that have registered with the state in compliance with a free and convenient e-waste take-back program for consumers.

If industry is going to fully fund the system, industry should have the opportunity to manage it.

For product stewardship programs to succeed, municipalities will need to accept that their traditional role in waste management will need to be reconsidered. Manufacturers can be resistant to the sweeping changes required for product stewardship responsibilities to be met, and negotiations will only

move forward if government entities allow manufacturers some flexibility in how they meet performance expectations and goals. When corporations engage with the private sector to discharge activities such as collection, shipment and metal extraction, the result is often more cost- and time-efficient than if the municipalities were to move forward with it through their own channels.

If you build it, they still may not come.

Simply creating sources to fund recycling programs and the infrastructure to manage them does not ensure that programs will perform. In the end, the consumer must recognize and act on an obligation to ensure the proper disposal of materials. Consumer education—part of the leadership responsibility that key opinion leaders and government must embrace—is the only way to ensure success.

Recycling programs (overall, not for just batteries) to date have collected a low rate of material in the United States. Product stewardship still depends, ultimately, on the end-user for its success, and since most systems in place are voluntary, there is little incentive to propel them to action. However, last year, Call2Recycle collected more than 7 million pounds of batteries, its highest level to date. By building relationships with municipalities and retailers as well as educating consumers, Call2Recycle has been able to motivate consumers to recycle their batteries because it's the right thing to do. This is not an easy goal to achieve, but a successful product stewardship program will require public education if it wants to reach its goals.

And that is truly the point for any product stewardship program to be successful, no matter what the industry or product. We've moved way beyond the "producer responsibility" angle and must look to all stakeholders to be part of the solution with voluntary and negotiated involvement. Product stewardship, for both equity and effectiveness reasons, must be a shared responsibility amongst manufacturers, retailers, consumers, *and* government.

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