

SB222 Advisory Council

EPR Policy Discussion



PRO

- 1 PRO (Current State)
- Multiple Pros
 - Producer gets to shop around. Producer is still responsible for meeting goals.
- Multiple PROs with Individual Producer Responsibility option
 - Like Ontario



Packaging Materials

1 **(1) “PACKAGING MATERIALS” MEANS, REGARDLESS OF**
2 **RECYCLABILITY, ANY PART OF A PACKAGE OR CONTAINER, INCLUDING MATERIAL**
3 **THAT IS USED FOR THE CONTAINMENT, PROTECTION, HANDLING, DELIVERY, AND**
4 **PRESENTATION OF A PRODUCT THAT IS SOLD, OFFERED FOR SALE, IMPORTED, OR**
5 **DISTRIBUTED IN THE STATE.**

6 **(2) “PACKAGING MATERIALS” INCLUDES:**

7 **(I) PRIMARY, SECONDARY, AND TERTIARY PACKAGING**
8 **INTENDED FOR THE CONSUMER MARKET;**

9 **(II) SERVICE PACKAGING DESIGNED AND INTENDED TO BE**
10 **FILLED AT THE POINT OF SALE, INCLUDING:**

11 **1. CARRY-OUT BAGS;**

12 **2. BULK GOODS BAGS; AND**

13 **3. TAKE-OUT AND HOME DELIVERY FOOD SERVICE**
14 **PACKAGING; AND**

15 **(III) BEVERAGE CONTAINERS.**



Packaging Materials Exemptions

- 1 (3) "PACKAGING MATERIALS" DOES NOT ~~INCLUDE ANY~~ INCLUDE:
- 2 (I) ANY PART OF A PACKAGE OR CONTAINER THAT IS SOLD OR
- 3 SUPPLIED IN CONNECTION WITH:
- 4 ~~(H)~~ 1. A PESTICIDE PRODUCT REGULATED BY THE FEDERAL
- 5 INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT UNDER 7 U.S.C. § 136 ET SEQ.
- 6 OR ANY OTHER APPLICABLE FEDERAL LAW, RULE, OR REGULATION;
- 7 ~~(H)~~ 2. A FEDERALLY REGULATED DRUG, MEDICAL DEVICE,
- 8 BIOLOGIC, ~~OR~~ DIAGNOSTIC, OR DIETARY SUPPLEMENT INCLUDING ITEMS INTENDED
- 9 FOR ANIMALS; OR
- 10 ~~(H)~~ 3. A MEDICAL PRODUCT THAT IS REQUIRED TO BE
- 11 STERILE OR ENCLOSED IN PACKAGING WITH TAMPER-RESISTANT SEALS TO
- 12 PROTECT PUBLIC HEALTH, INCLUDING MEDICAL PRODUCTS INTENDED FOR
- 13 ANIMALS; OR
- 1 (II) LIQUEFIED PETROLEUM GAS CONTAINERS THAT ARE
- 2 DESIGNED TO BE REFILLED.



PRO Application

- **(2) (I) BEGINNING JULY 1, 20246, AND EACH YEAR THEREAFTER, A THE PRODUCER RESPONSIBILITY ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE DEPARTMENT.**
- **(II) THE REGISTRATION FORM SHALL INCLUDE:**
 - 1. A LIST OF THE ~~RESPONSIBLE PARTIES~~ PRODUCERS PARTICIPATING IN THE PRODUCER RESPONSIBILITY ORGANIZATION;**
 - 2. A LIST OF THE BRANDS OF EACH ~~RESPONSIBLE PARTY~~ PRODUCER PARTICIPATING IN THE PRODUCER RESPONSIBILITY ORGANIZATION;**
 - 3. A LIST OF THE COVERED MATERIALS OF EACH ~~RESPONSIBLE PARTY~~ PRODUCER PARTICIPATING IN THE PRODUCER RESPONSIBILITY ORGANIZATION; AND**
 - 4. THE NAME, ADDRESS, AND CONTACT INFORMATION OF A PERSON RESPONSIBLE FOR ENSURING THE PRODUCER RESPONSIBILITY ORGANIZATION'S AND THE MEMBER ~~RESPONSIBLE PARTIES'~~ PRODUCERS' COMPLIANCE WITH THIS SUBTITLE.**
- **(III) ~~AT~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AT THE TIME OF FILING THE REGISTRATION FORM, A THE PRODUCER RESPONSIBILITY ORGANIZATION SHALL PAY TO THE DEPARTMENT AN ANNUAL REGISTRATION FEE TO COVER THE COSTS OF RECORD KEEPING, NOT TO EXCEED \$1,000.**
- **(IV) AT THE TIME OF THE INITIAL SUBMISSION OF THE REGISTRATION FORM BY A THE PRODUCER RESPONSIBILITY ORGANIZATION, THE ORGANIZATION SHALL HAVE 60 DAYS TO **REIMBURSE ~~PAY TO~~** THE DEPARTMENT **FOR** THE ESTIMATED COST OF CONDUCTING THE INITIAL STATEWIDE RECYCLING NEEDS ASSESSMENT REQUIRED UNDER **SECTION 2 OF SB0222 §9-1702.2 OF THIS TITLE.****



Requirements for Plan Submittal

1 ~~(2)~~ ~~(B)~~ ~~(1)~~ ON OR BEFORE APRIL 1, ~~20286~~, AND EVERY 5 YEARS THEREAFTER, EACH PRODUCER SHALL, INDIVIDUALLY OR AS PART OF A PRODUCER RESPONSIBILITY ORGANIZATION, SUBMIT A PRODUCER RESPONSIBILITY PLAN TO THE DEPARTMENT FOR REVIEW AND APPROVAL.

~~(H)~~ (2) BEFORE SUBMITTING THE PLAN REQUIRED UNDER THIS SUBSECTION TO THE DEPARTMENT, A PRODUCER OR PRODUCER RESPONSIBILITY ORGANIZATION SHALL:

(I) CONSULT WITH THE ADVISORY COUNCIL ESTABLISHED UNDER § 9-2505 OF THIS SUBTITLE; AND

(II) CONSIDER THE WRITTEN RECOMMENDATIONS OF THE ADVISORY COUNCIL PROVIDED UNDER § 9-2505(G)(6) OF THIS SUBTITLE AND RESPOND IN WRITING TO THE ADVISORY COUNCIL.

(3) ~~(1)~~ ~~ON~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON OR AFTER A DATE ESTABLISHED IN REGULATIONS ADOPTED BY THE DEPARTMENT UNDER § 9-2509 OF THIS SUBTITLE, A PRODUCER MAY NOT SELL, OFFER FOR SALE, DISTRIBUTE, OR IMPORT FOR SALE OR DISTRIBUTION PACKAGING MATERIALS FOR USE IN THE STATE UNLESS THE PRODUCER, INDIVIDUALLY OR AS PART OF A PRODUCER RESPONSIBILITY ORGANIZATION, HAS AN APPROVED PRODUCER RESPONSIBILITY PLAN ON FILE WITH THE DEPARTMENT.

(II) A PRODUCER IS NOT REQUIRED TO SUBMIT A PRODUCER RESPONSIBILITY PLAN TO THE DEPARTMENT, INDIVIDUALLY OR AS PART OF A PRODUCER RESPONSIBILITY ORGANIZATION, IF ANOTHER PERSON HAS AGREED TO ASSUME RESPONSIBILITY UNDER THIS SUBTITLE FOR ALL ANY PACKAGING MATERIAL SOLD, OFFERED FOR SALE, OR DISTRIBUTED IN OR INTO THE STATE BY THAT PRODUCER.



Plan Requirements

~~(B)~~ (C) A PRODUCER RESPONSIBILITY PLAN SHALL:

(1) IDENTIFY THE PRODUCERS COVERED BY THE PLAN, INCLUDING THE CONTACT INFORMATION FOR EACH PARTICIPATING PRODUCER AND THE PRODUCER RESPONSIBILITY ORGANIZATION;

(2) IDENTIFY EACH BRAND OF PACKAGING MATERIALS COVERED BY THE PLAN;

(3) REQUIRE, IN ACCORDANCE WITH SUBSECTION ~~(C)~~ (D) OF THIS SECTION, ACHIEVEMENT WITHIN 5 YEARS AFTER THE DATE ON WHICH THE FIRST VERSION OF THE PLAN IS APPROVED AND ESTABLISH THE FOLLOWING PERFORMANCE GOALS, AS RELEVANT, FOR EACH PACKAGING MATERIAL TYPE:

(I) POST CONSUMER RECYCLED CONTENT GOALS;

(II) RECYCLABILITY AND RECYCLING RATE GOALS;

(III) REUSE GOALS;

(IV) PACKAGING REDUCTION GOALS;

(V) COMPOST ACCESS OR COMPOST RATE GOALS, IF APPLICABLE AND TECHNOLOGICALLY AND ENVIRONMENTALLY FEASIBLE;

(VI) CONTAMINATION REDUCTION RATE GOALS;

(VII) GREENHOUSE GAS REDUCTION GOALS; AND

(VIII) ANY OTHER GOAL THAT REDUCES PACKAGING MATERIAL WASTE AND IS JUSTIFIED IN THE PLAN;



Plan Requirements

(4) REQUIRE ~~EACH~~ PARTICIPATING ~~PRODUCER~~ PRODUCERS TO REDUCE ALLPACKAGING MATERIAL WASTE TO THE MAXIMUM EXTENT PRACTICABLE, AND BY NOT LESS THAN 25% FOR EACH PACKAGING MATERIAL TYPE, WITHIN 5 YEARS AFTER THE DATE ON WHICH THE FIRST VERSION OF THE PLAN IS APPROVED;

(5) DESCRIBE, IN ACCORDANCE WITH SUBSECTION ~~(D)~~ (E) OF THIS SECTION, THE FINANCING METHOD THAT WILL BE USED TO IMPLEMENT THE PLAN;

(6) DESCRIBE HOW THE PERFORMANCE GOALS ESTABLISHED UNDER ITEM (3) OF THIS SUBSECTION WILL BE MET OR EXCEEDED;

(7) DESCRIBE HOW STAKEHOLDER COMMENTS WERE CONSIDERED IN THE DEVELOPMENT OF THE PLAN;

(8) DESCRIBE HOW STAFFING AND ADMINISTERING THE IMPLEMENTATION OF THE PLAN WILL BE HANDLED;

(9) DESCRIBE THE STRATEGY FOR REDUCING PACKAGING MATERIALS IN THE STATE, INCLUDING HOW PRODUCERS PARTICIPATING IN A PLAN WILL WORK TOGETHER TO REDUCE PACKAGING THROUGH PRODUCT DESIGN AND PROGRAM INNOVATIONS;



Plan Requirements

(10) DESCRIBE THE ACTIONS TAKEN OR THAT WILL BE TAKEN FOR PUBLIC OUTREACH, EDUCATION, AND COMMUNICATION, TAKING INTO ACCOUNT THAT PUBLIC OUTREACH, EDUCATION, AND COMMUNICATION SHALL:

(I) PROMOTE THE RESPONSIBLE END-OF-LIFE MANAGEMENT OF PACKAGING MATERIALS;

(II) PROVIDE INFORMATION ON HOW TO PREVENT LITTER OF PACKAGING MATERIALS;

(III) PROVIDE RECYCLING AND ORGANICS RECYCLING INSTRUCTIONS THAT ARE, TO THE EXTENT PRACTICABLE:

1. CONSISTENT STATEWIDE, TAKING INTO ACCOUNT DIFFERENCES AMONG LOCAL LAWS AND PROCESSING CAPABILITIES;

2. EASY TO UNDERSTAND; AND

3. EASILY ACCESSIBLE; AND

(IV) PROVIDE FOR OUTREACH AND EDUCATION THAT ARE:

1. DESIGNED TO ACHIEVE PACKAGING MATERIALS MANAGEMENT GOALS AND REQUIREMENTS, INCLUDING THE PREVENTION OF CONTAMINATION OF PACKAGING MATERIALS;

2. COORDINATED ACROSS PROGRAMS TO AVOID CONFUSION FOR CONSUMERS; AND

3. DEVELOPED IN CONSULTATION WITH LOCAL GOVERNMENTS AND OTHER STAKEHOLDERS;



Plan Requirements

(11) DESCRIBE, IN ACCORDANCE WITH SUBSECTION ~~(E)~~ (F) OF THIS SECTION, THE AMOUNT OF FUNDING THAT WILL BE USED FOR IMPROVING REUSE, ORGANICS RECYCLING, AND RECYCLING IN THE STATE;

(12) DESCRIBE THE PROCESS BY WHICH A LOCAL GOVERNMENT MAY REQUEST REIMBURSEMENT FOR COSTS ASSOCIATED WITH TRANSPORTING, COLLECTING, AND PROCESSING PACKAGING MATERIALS THAT ARE IDENTIFIED IN THE PLAN, INCLUDING:

(I) THE PROCESS BY WHICH THE REQUEST WILL BE REVIEWED;

(II) THE PROCESS FOR APPROVING OR DENYING A REQUEST FOR REIMBURSEMENT;

(III) THE SCHEDULE FOR PROVIDING REIMBURSEMENT THAT INCLUDES REIMBURSEMENT ON AT LEAST A QUARTERLY BASIS; AND

(IV) THE PROCESS FOR PROVIDING REIMBURSEMENT FOR MULTIPLE BRANDS OF PACKAGING MATERIALS;

(13)(I) PROVIDE THE WRITTEN RECOMMENDATIONS FROM THE ADVISORY COUNCIL PROVIDED UNDER § 9-2505(G)(6) OF THIS SUBTITLE AND THE PRODUCER RESPONSIBILITY ORGANIZATION'S WRITTEN RESPONSE TO THE ADVISORY COUNCIL; AND

(II) DESCRIBE HOW THE WRITTEN RECOMMENDATIONS FROM THE ADVISORY COUNCIL WERE CONSIDERED AND ADDRESSED IN THE DEVELOPMENT OF THE PLAN; AND

(14) INCLUDE ANY OTHER INFORMATION THAT IS REQUIRED BY THE DEPARTMENT.



Establishing Goals

~~(C)~~ (D) **BASED ON THE RESULTS OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS TITLE, THE DEPARTMENT, IN COORDINATION WITH A PRODUCER RESPONSIBILITY ORGANIZATION, SHALL ESTABLISH PERFORMANCE GOALS FOR EACH PACKAGING MATERIAL TYPE USING A BASELINE YEAR THAT IS INFORMED BY THE STATEWIDE RECYCLING NEEDS ASSESSMENT, INCLUDING ESTABLISHING RECYCLING RATE GOALS FOR EACH PACKAGING MATERIAL TYPE, AT 5-, 10-, AND 15-YEAR INTERVALS.**



Financing

~~(D)~~ (E) (1) THE FINANCING METHOD THAT WILL BE USED BY PRODUCER RESPONSIBILITY ORGANIZATION TO IMPLEMENT A PRODUCER RESPONSIBILITY PLAN SHALL:

(I) PROVIDE THE METHOD FOR EITHER DIRECT INVESTMENTS OR REIMBURSEMENTS FOR IMPROVING INFRASTRUCTURE FOR REUSE, ORGANICS RECYCLING, AND RECYCLING IN ACCORDANCE WITH SUBSECTION ~~(B)~~ ~~(11)~~ (C) (11) OF THIS SECTION;

(II) ~~PROVIDE~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, PROVIDE A REASONABLE ANNUAL RATE PER TON OF RECYCLED OR COMPOSTED PACKAGING MATERIALS FOR REIMBURSING LOCAL GOVERNMENTS FOR COSTS ASSOCIATED WITH:

1. UP TO 50% OF THE COST OF COLLECTING PACKAGING MATERIALS THAT ARE IDENTIFIED IN THE PLAN;
2. TRANSPORTING RECYCLABLE OR COMPOSTABLE PACKAGING MATERIALS TO A ~~RECYCLING OR MATERIALS RECYCLING FACILITY OR~~ AN ORGANICS RECYCLING FACILITY;
3. PROCESSING PACKAGING MATERIALS, INCLUDING REMOVING CONTAMINATION; AND
4. ~~RECYCLING PACKAGING MATERIALS THAT ARE DIVERTED TO BE RECYCLED OR COMPOSTED IN THE STATE~~ CONVERTING PACKAGING MATERIALS THAT ARE DIVERTED TO BE RECYCLED OR COMPOSTED INTO COMMODITY MATERIALS;



Fee Structure

(III) ~~ESTABLISH SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,~~ ESTABLISH A FEE STRUCTURE FOR PARTICIPATING PRODUCERS THAT IS SET IN A MANNER TO COVER COSTS ASSOCIATED WITH:

- 1. IMPLEMENTING THE PLAN, INCLUDING THE ADMINISTRATIVE COSTS OF A PRODUCER RESPONSIBILITY ORGANIZATION;**
- 2. REIMBURSING LOCAL GOVERNMENTS FOR COSTS IN ACCORDANCE WITH ITEM (II) OF THIS PARAGRAPH;**
- 3. THE ADMINISTRATION, REVIEW, OVERSIGHT, AND ENFORCEMENT OF THE PLAN BY THE DEPARTMENT;**
- 4. IMPLEMENTING THE STRATEGY IN THE PLAN FOR REDUCING PACKAGING MATERIALS IN ACCORDANCE WITH SUBSECTION ~~(B)(9)~~ (C)(9) OF THIS SECTION; AND**
- 5. IMPLEMENTING THE STRATEGY IN THE PLAN FOR IMPROVING REUSE, ORGANICS RECYCLING, AND RECYCLING IN THE STATE IN ACCORDANCE WITH SUBSECTION ~~(B)(11)~~ (C)(11) OF THIS SECTION;**



Incentives and audits

(IV) 1. DESCRIBE THE INCENTIVES TO ENCOURAGE PARTICIPATING PRODUCERS TO ENGAGE IN WASTE REDUCTION AND RECYCLING ACTIVITIES; AND

2. DESCRIBE THE DISINCENTIVES TO DISCOURAGE DESIGNS OR PRACTICES THAT INCREASE THE COST OF MANAGING PACKAGING MATERIALS;

(V) BE EVALUATED BY AN INDEPENDENT FINANCIAL AUDITOR, AS DESIGNATED BY THE DEPARTMENT, TO ENSURE THAT THE COSTS OF IMPLEMENTING THE PLAN ARE COVERED; AND

(VI) MEET ANY OTHER REQUIREMENT ESTABLISHED BY THE DEPARTMENT BY REGULATION.



Reimbursement Rate

(2) THE REIMBURSEMENT RATE ESTABLISHED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE:

(I) BASED ON:

- 1. THE POPULATION SIZE OF A LOCAL JURISDICTION;**
- 2. THE DISTANCE TO THE ~~NEAREST RECYCLING OR ORGANICS~~ RELEVANT MATERIALS RECYCLING FACILITY OR ORGANICS RECYCLING FACILITY;**
- 3. THE COMMODITY VALUE OF RECYCLED PACKAGING MATERIALS; AND**
- 4. ANY SOCIOECONOMIC OR GEOGRAPHIC FACTOR, AS DETERMINED BY THE DEPARTMENT; AND**

(II) DISCOUNTED EQUIVALENT TO THE ESTIMATED ANNUAL VOLUME OF PACKAGING MATERIALS SOLD IN THE STATE ~~TO~~ BY A PERSON THAT IS EXEMPT FROM THE REQUIREMENTS OF THIS SUBTITLE UNDER § 9-2503(B) OF THIS SUBTITLE.



Implementing Fee Structure

(3) (I) BEFORE ESTABLISHING THE FEESTRUCTURE FOR PARTICIPATING PRODUCERS UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION, THE PRODUCER RESPONSIBILITY ORGANIZATION SHALL:

- 1. PUBLISH A PROPOSED FEE ON ITS WEBSITE; AND**
- 2. ALLOW 90 CALENDAR DAYS FOR PUBLIC COMMENT.**

(II) THE FEE STRUCTURE ESTABLISHED UNDER PARAGRAPH (1)(III) OF THIS SUBSECTION SHALL BE VARIABLE BASED ON:

- ~~(H)~~ 1. COSTS ASSOCIATED WITH TRANSPORTING, COLLECTING, AND PROCESSING PACKAGING MATERIALS;**
- ~~(H)~~ 2. AN ECO-MODULATION OF FEES, INCLUDING ESTABLISHING:**
 - ~~1.~~ A. A HIGHER FEE FOR PACKAGING MATERIALS WITH LOW RECYCLABILITY OR RECYCLED CONTENT; AND**
 - ~~2.~~ B. A DISCOUNTED FEE FOR PACKAGING MATERIALS WITH HIGH RECYCLABILITY OR RECYCLED CONTENT; AND**
- ~~(H)~~ 3. ANY OTHER FACTOR, AS DETERMINED BY THE DEPARTMENT. 3**

(4) (I) A PRODUCER RESPONSIBILITY ORGANIZATION SHALL RETAIN ANY FEE COLLECTED UNDER THIS SUBSECTION IN ITS OWN ACCOUNT.

(II) THE DEPARTMENT MAY REQUEST AT ANY TIME AN AUDIT OF THE FINANCIAL RECORDS OF A PRODUCER RESPONSIBILITY ORGANIZATION.



Funding Uses

~~(E)~~ **(F) THE FUNDING THAT WILL BE USED FOR IMPROVING REUSE, ORGANICS RECYCLING, AND RECYCLING SHALL INCLUDE INVESTMENT IN MARKET DEVELOPMENT AND EXISTING AND FUTURE REUSE, ORGANICS RECYCLING, AND RECYCLING INFRASTRUCTURE, GIVING PRIORITY TO INVESTMENT IN EXISTING INFRASTRUCTURE, INCLUDING:**

(1) INSTALLING OR UPGRADING EQUIPMENT TO IMPROVE THE SORTING OF PACKAGING MATERIALS AT EXISTING SORTING AND PROCESSING FACILITIES;

(2) MITIGATING THE IMPACTS OF PACKAGING MATERIALS ON OTHER COMMODITIES AT EXISTING SORTING AND PROCESSING FACILITIES; AND

(3) CAPITAL EXPENDITURES FOR NEW TECHNOLOGY, EQUIPMENT, AND FACILITIES, BASED ON THE RESULTS OF THE STATEWIDE RECYCLING NEEDS ASSESSMENT CONDUCTED UNDER § 9-1702.2 OF THIS TITLE.



Annual Report

(A) BEGINNING MARCH 1, 20297, EACH PRODUCER RESPONSIBILITY ORGANIZATION THAT HAS AN APPROVED PRODUCER RESPONSIBILITY PLAN ON FILE WITH THE DEPARTMENT SHALL REPORT ANNUALLY TO THE DEPARTMENT ON THE PROGRESS TOWARD MEETING PLAN REQUIREMENTS AND GOALS FOR THE IMMEDIATELY PRECEDING CALENDAR YEAR.

(B) THE REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL INCLUDE:

(1) A DETAILED DESCRIPTION OF THE REIMBURSEMENT METHODS USED FOR COLLECTING, TRANSPORTING, AND PROCESSING PACKAGING MATERIALS;

(2) (I) THE STATUS ON ACHIEVING THE PERFORMANCE GOALS ESTABLISHED UNDER ~~§ 9-2504(B)(3)~~ § 9-2504(C)(3) OF THIS SUBTITLE; AND

(II) IF THE GOALS HAVE NOT BEEN ACHIEVED, A DESCRIPTION OF THE ACTIONS PROPOSED TO ACHIEVE THE GOALS;

(3) THE AMOUNT OF EACH PACKAGING MATERIAL TYPE COLLECTED IN THE STATE, INCLUDING THE METHOD OF DISPOSITION OF EACH PACKAGING MATERIAL TYPE;

~~(5)~~ (4) THE TOTAL COST OF IMPLEMENTING THE PLAN, AS DETERMINED BY AN INDEPENDENT FINANCIAL AUDITOR INCLUDING:

(I) A COPY OF THE WORK PRODUCT OF THE INDEPENDENT FINANCIAL AUDITOR; AND

(II) FINANCIAL STATEMENTS DETAILING ALL PAYMENTS RECEIVED AND ISSUED BY THE PRODUCERS COVERED UNDER THE APPROVED PLAN;

~~(6)~~ (5) SAMPLES OF ALL EDUCATIONAL MATERIALS PROVIDED TO CONSUMERS OR OTHER ENTITIES;

~~(7)~~ (6) A DETAILED DESCRIPTION OF THE ACTIONS TAKEN AND AN EVALUATION OF THE METHODS USED TO DISSEMINATE EDUCATIONAL MATERIALS, INCLUDING RECOMMENDATIONS, IF ANY, FOR HOW THE EDUCATIONAL COMPONENT OF THE PLAN CAN BE IMPROVED;



Annual Report

(C) WHEN PROVIDING THE DEPARTMENT WITH THE ANNUAL REPORT REQUIRED UNDER THIS SECTION, A PRODUCER RESPONSIBILITY ORGANIZATION SHALL PAY TO THE DEPARTMENT THE DEPARTMENT'S ESTIMATED COSTS OF ADMINISTERING, OVERSEEING, AND ENFORCING THE PLAN FOR THE 1 YEAR IMMEDIATELY FOLLOWING THE ANNUAL REPORT.

(D) FINANCIAL, PRODUCTION, OR SALES DATA REPORTED TO THE DEPARTMENT BY A PRODUCER RESPONSIBILITY ORGANIZATION SHALL BE KEPT CONFIDENTIAL BY THE DEPARTMENT AND MAY NOT BE SUBJECT TO PUBLIC INSPECTION.

(E) SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE REPORT SHALL BE POSTED ON THE WEBSITE OF THE DEPARTMENT AND THE PRODUCER RESPONSIBILITY ORGANIZATION.





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