

Colorado's Extended Producer Responsibility Program (HB 22-1355)

February 3, 2026



COLORADO

**Hazardous Materials
& Waste Management Division**

Department of Public Health & Environment



What is Extended Producer Responsibility (EPR)?

A policy approach and practice in which producers take responsibility for management of the products and/or packaging they produce at the end of their useful life.



COLLECTION &
TRANSPORTATION



PROCESSING



EDUCATION



INFRASTRUCTURE
INVESTMENTS

HB 22-1355: Requirements

- Create a comprehensive recycling system at no cost to the government or taxpayers, with equitable and convenient access to recycling services for all
- Create a consistent statewide list of recyclable materials
- Statewide education and outreach to make recycling easier and reduce contamination in the recycling stream
- Funding for recycling infrastructure development
- Encourage more sustainable packaging design through eco-modulation of producer dues and recycled content goals



Free & equitable
recycling for all



Save local
Govts money



Statewide
collection list



Strengthen local
supply chains



Incentivize
sustainable packaging

HB 22-1355: Program Timeline



Producer Responsibility Organization

The State of Colorado designated Circular Action Alliance (CAA) as the Producer Responsibility Organization in May of 2023 to coordinate, fund, and manage this statewide recycling system

- 2,100 producers registered with CAA Colorado as of January 2026
- Producers shall not sell products in Colorado unless they are participating in the program
- Producers must pay dues towards funding the statewide recycling program and are subject to penalties for non-compliance

Producer Responsibility for Statewide Recycling Advisory Board

- The Advisory Board consists of 13 voting members:
 - Municipality (or city and county)
 - County
 - Non-Front Range local government
 - Materials recovery facility
 - Recyclable materials hauler
 - Compost facility
 - Environmental or community based non-profit
 - Packaging supplier
 - Manufacturer of recycled paper products
 - Trade association /chamber of commerce
 - Nonprofit organization
 - Environmental justice group
 - Solid waste landfill with recycling
- Advise CAA through needs assessment; review needs assessment
- Review plan proposal and consult with CAA on amendments
- Recommend that CDPHE approve or reject the plan proposal
- Review the annual reports submitted by CAA
- Consult with CAA on developing and updating the minimum recyclable list

Needs Assessment Selection: Medium Scenario

- CAA was required to conduct a statewide needs assessment by January 2024
 - CAA proposed three scenarios (high, medium, and low) for increasing Colorado's collection and recycling rates by 2030 and 2035
 - The Department was required by the bill to recommend one of the scenarios to the JBC
- Joint Budget Committee approved the Department's Medium Scenario recommendation in April 2024
 - Includes the following:
 - Increase recycling rates of paper and packaging from ~25% in 2023 to 58% by 2035
 - Expand curbside recycling to 500,000 additional households
 - Reduce waste by 410,000 tons annually by 2035
 - Funding for recycling infrastructure and facility upgrades for increased efficiency

Program Plan

CAA's plan describes the statewide program implementation, based on requirements in the Act, including:

- Producer dues and program budget
- Reimbursement rates and process for service providers
- Goals for recycling, refill/reuse, and Post-Consumer Recycled (PCR) content
- Statewide minimum recycling list (MRL) and additional materials list (AML)
- Education and outreach methods
- Timelines for implementation
- Infrastructure investment & upgrades
- Eco-modulation factors
- Compliance & reporting



What does this program mean for producers?

- As of January 2026, producers selling consumer facing products in paper and packaging must pay membership dues to CAA based on the amount and type of packaging sold in Colorado
 - The less packaging a company uses, the less they will pay
 - Incentives for recyclable packaging through lower dues (eco-modulation)
- Creates a greater supply of recycled materials for Colorado companies to manufacture their products - eg. circular economy for glass packaging in Colorado
- Small businesses are exempt if they generate less than 1 ton of paper or packaging in Colorado each year or have less than \$5.6 million in gross revenue



What does this program mean for service providers?

- Starting in June, 2026 recycling service providers (haulers and processors) will be eligible for 100% of all recycling costs reimbursed through CAA
- Existing contracts will continue with the same service but recycling costs will be reimbursed by CAA, residents will not be charged for recycling
- Participation in the program for recycling reimbursement is not mandatory
- Education and outreach resources will be developed and provided by CAA
- Additional materials will be added for recycling in certain areas due to the statewide Minimum Recyclables List (MRL)



What does this program mean for consumers and local governments?

- **Consumers**

- No cost for residential recycling, as convenient as trash service, as soon as June, 2026
- Residents will continue to receive service from the same service provider
- Many households will save \$100-\$150 per year by no longer having to pay for recycling collection services
- The approved plan is projected to bring recycling to an estimated 700,000 more households
- Notable impact for rural communities and multi-family housing with limited recycling access

- **Local Governments**

- Starting in June, 2026 CAA's reimbursement covers 100% of eligible net recycling service costs, including operating, administrative, education and capital costs
- Recycling reimbursement expanded to non-residential entities starting in 2028 through 2030, including public places and schools

Contact and questions

Wolf Kray

Materials Management Unit Leader

wolfgang.kray@state.co.us

eprcomments@state.co.us



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Extended Producer Responsibility for Local Government Service Providers

February 3, 2026

Colorado House Transportation, Housing and Local Government Committee

Presented by Deborah Nelson and Rob Writz, Circular Action Alliance Colorado



The Role of the PRO

A **Producer Responsibility Organization (PRO)** is a producer-led, nonprofit organization that manages and improves the system for collecting and recovering materials after use. We ensure compliance with Extended Producer Responsibility (EPR) laws, leading to positive environmental outcomes for communities.

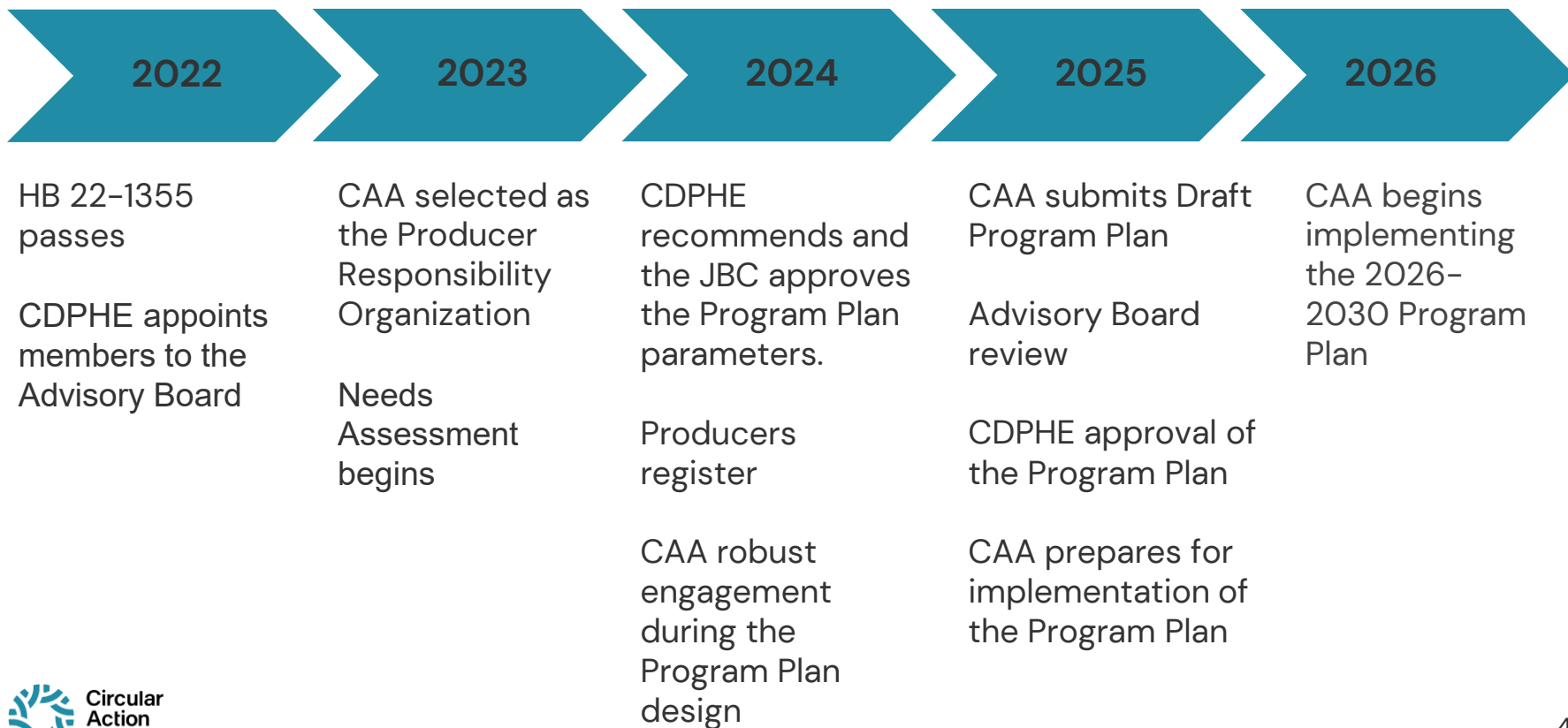


The U.S. PRO – Circular Action Alliance

- Circular Action Alliance (CAA) is a 501(c)(3) nonprofit PRO dedicated to implementing effective EPR laws for paper and packaging in the U.S.
- CAA was founded by companies from the food, beverage, consumer goods, and retail industries.
- CAA the approved PRO in California, Colorado, Maryland, Minnesota and Oregon.



Preparing for Extended Producer Responsibility in Colorado



EPR Implementation: PRO's Vantage Point

End Markets

Responsible End Markets.

REM verification, data tracking, audits, and investments. Provide an opportunity for producers to purchase recycled content materials and increase PCR rates.

Compost Facilities

Provide funding and assistance to reduce contamination and increase recovery of covered materials, no reimbursement of services.

Post Collection

Transfer Stations and MRFs.

Services are reimbursed through service agreements. Investment to expand capacity, materials, and efficiency.

Drop-offs and Curbside.

Services provided by local governments, non-profits, and private business. Services are reimbursed through service agreements.

Collection

CAA to reimburse 100% net service costs, including expansion.

Circular
Action
Alliance

Producers

Producers are required to meet compliance obligations, report data, and fully fund the recycling services and infrastructure in Colorado.

Financing

Obligated producers pay dues on covered materials. Dues vary by type of covered material, whether the material is readily recyclable, and net recycling service costs for each material. Dues are eco-modulated to incentivize or discourage targeted outcomes.

Covered Entities

Single family, multi-family and non-residential.

Recycling services are provided to covered entities at no cost. Access expanded to all residents by 2030. Non-residential is phased in beginning in 2028.

Education and Outreach

Statewide education and outreach campaign. Includes CAA efforts, funding to local governments, and through service agreements with collectors.

Key: Provides System Funding Receives System Funding

EPR Implementation: Local Government's Vantage Point

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Circular Action Alliance

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Current State: Collection Across the Colorado

Region	Open Market	Contract	Local Government
Front Range	60%	34%	6%
Mountains	74%	13%	13%
Eastern Plains	40%	23%	37%
Western Slope	40%	40%	20%
Statewide	56%	27%	17%

Each community has a different beginning.

Communities that currently do not have recycling services invited to participate.

Reimbursable Local Government Recycling Services

Reimbursable Services include:

- Collection and hauling
- Drop-off
- Processing
- Education & Outreach
- Invoicing, reporting & compliance

Eligible Costs include:

- Operating Expenses
- Capital Expenses
- Debt Service
- Education and Outreach Expenses
- Material Processing



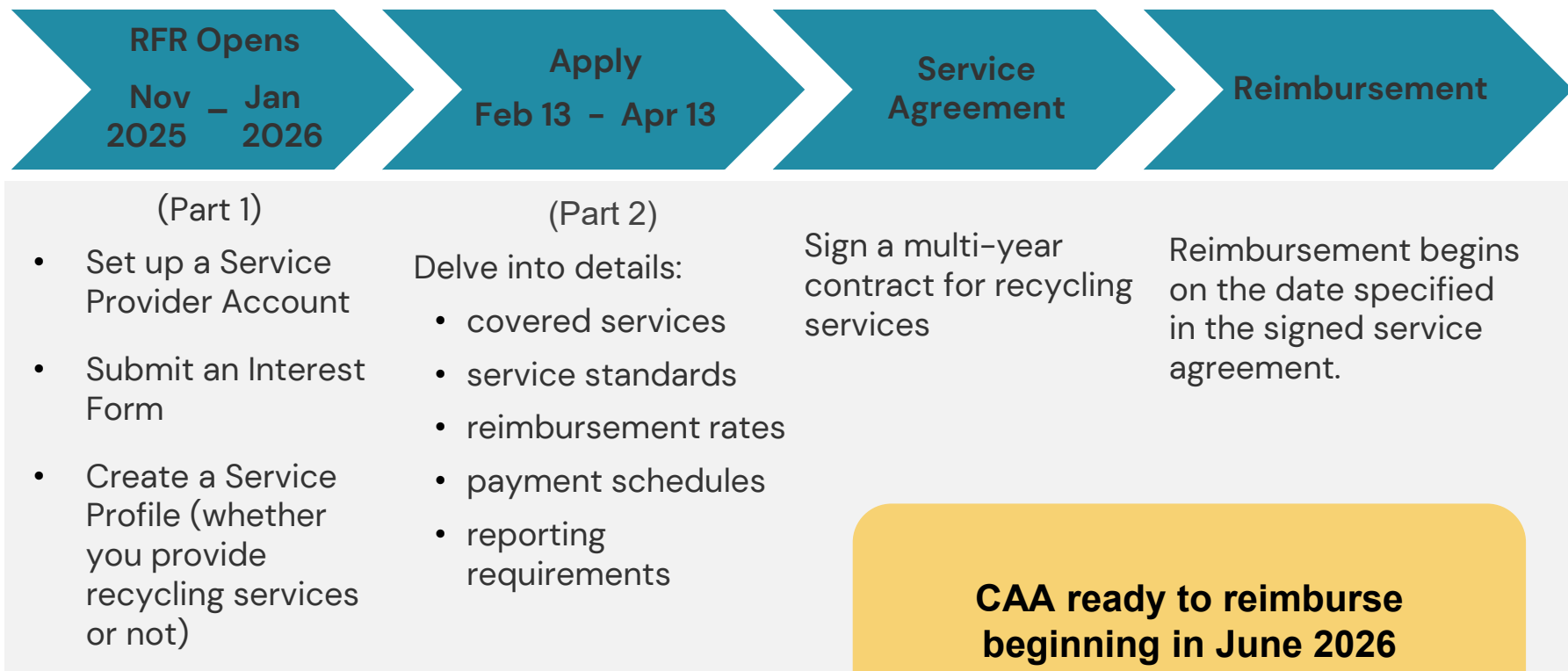
Helping Local Governments Prepare for the Procurement

- Consultation in plan development
- Meet with local governments
- Local Government Webinar Series
- Presentations through partner organizations
- Guidance documents
- Newsletter updates
- Email questions

**REQUEST FOR
REIMBURSEMENT
(RFR) GUIDE**
Local Government



Process for Local Governments who Elect to Participate



Participation is the Current Priority

- Local government, processors and the open market participation is critical.
- Bring everyone to the table and then work to improve the recycling system incrementally over time.
- The goal for 2026 is not lose anyone in the transfer.

Target	Baseline (2022)	2030	2035
Collection Rate	29%	44%	59%
Recycling Rate	25%	41%	55%



EPR Success in 2026

- Strong Participation
 - High interest in the two procurements on the street.
 - Open Market Request for Reimbursement to open later this spring
 - Compost Funding to open later this year.
- Begin diving into rural and underserved local governments desire for access
- Education
 - Augment collector and local government education with a statewide education campaign

Stay Engaged



Sign up for the
newsletter

Email ColoradoInfo@circularaction.org with
questions.

Go to <https://circularactionalliance.org/circular-action-alliance-colorado> for webinar archives and
information



Thank You



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