

Extended Producer Responsibility (EPR) Advisory Board Meeting Agenda

Wednesday, May 14, 2025 | 11:00 am – 3:00 pm

Meeting location: Lower-Level Board Room, MPCA St Paul Offices, 520 Lafayette Rd N., St. Paul, MN 55155

[Microsoft Teams](#) | Phone conference ID: 436 617 706# | Call in (audio only) +1 651-395-7448

If attending in person, RSVP to Mallory Anderson by noon on Friday, May 9, 2025

Agenda

1. Call to Order
2. Approval of Agenda
3. An Introduction to CAA
4. Overview of advisory board role and implementation timeline Information Page 2
5. Public Comment
6. Business
 - a. Conflict of Interest Policy and Disclosure Action Page 7
 - b. Board Charter Action Page 9
7. Discussion
 - a. Identify and prioritize topics for 2025 Board Schedule
8. Adjourn

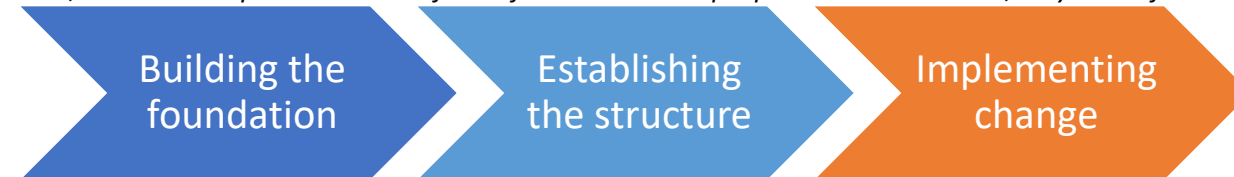
Next meeting

Friday, June 20, 2025 | 9 am – noon | MPCA St Paul Offices | [Event link](#)

Timeline of Packaging Waste and Cost Reduction Act

Advisory Board duties and opportunities for engagement

Note, dates and requirements are often referenced in multiple places in the statutes, only one reference is cited and linked in this document.



2025-2026 – Building the foundation

Date	What	Advisory Board role	Citation	Status
Jan. 1, 2025	Producers appoint initial producer responsibility organization (PRO).		MINN STAT § 115A.1443 Subd. 3	Completed
Jan. 1, 2025	Advisory Board established and membership appointed.		MINN STAT § 115A.1444	Completed
Jan. 1, 2025	Service providers to register with MPCA (annually).	Optional: ongoing opportunity to advise MPCA on ways to improve registration.	MINN STAT § 115A.1443 Subd. 5	In progress
Feb. 15, 2025	Implementation fee (annually until 2028).		MINN STAT § 115A.1443 Subd. 3 (c)	In progress
March 1, 2025	First Advisory Board meeting.	Advisory Board must meet at least twice in a year.	MINN STAT § 115A.1446 (1)	Completed
July 1, 2025	Producer must be a part of a PRO registered in the state.		MINN STAT § 115A.1448 1 (a)	

<i>NO DATE</i> <i>[July 2025]</i>	Initiate preliminary assessment and needs assessment.	Must participate in a consultation process on the type and scope of information collected for needs assessments.	MINN STAT § 115A.1450	RFP closed on April 15
Dec. 31, 2025	Preliminary assessment due.	Option: provide written comments.	MINN STAT § 115A.1450	
July 1, 2026	First full registration of PRO.		MINN STAT § 115A.1443 Subd. 1	
<i>NO DATE</i> <i>[Oct. 2026]</i>	Make needs assessment available for Advisory Board, PRO, and public review. MPCA to respond in writing to comments and recommendations of Advisory Board and PRO.	Advisory Board to provide written comments.	MINN STAT § 115A.1450	
<i>NO DATE</i> <i>[Oct. 2026]</i>	Advisory Board vacancies posted for those with two-year terms.		MINN STAT § 115A.1444	
Dec. 31, 2026	Full “initial” needs assessment due (every five years).		MINN STAT § 115A.1450	

2027-2029 – Establish the structure

Date	What	Advisory Board role	Citation
Jan. 1, 2027	Registration of PRO with MPCA (annually).		MINN STAT § 115A.1443 Subd. 1
<i>NO DATE</i> <i>[July 2028]</i>	Statewide requirements set by MPCA. Must follow needs assessment and precede plan submittal (anticipated rulemaking).	<ul style="list-style-type: none"> - Advisory Board to provide written comments on all rulemakings. - To provide comments on revision of statewide requirements. 	MINN STAT § 115A.1451 Subd. 7
July 1, 2028	Recyclable or compostable covered materials list and alternative collection list completed (anticipated rulemaking).	Must participate in a consultation process with the MPCA on development and amending of lists.	MINN STAT § 115A.1453
<i>NO DATE</i> <i>[Summer 2028]</i>	Commissioner to establish exemption process for packaging for health and safety.	Commissioner must submit exemption requests to Advisory Board for review and comment before finalizing decision.	MINN STAT § 115A.1453 Subd. 6
Min. 60-day review <i>[Aug. 2028]</i>	PRO must submit draft plan or amendment to Advisory Board for review (min. 60 days). Comments must be addressed in final plan or amendment submitted to commissioner.	Advisory Board to provide written comments to PRO on draft plans or amendments.	MINN STAT § 115A.1451 Subd. 2
Oct. 1, 2028	Registration fee paid to MPCA (annually).		MINN STAT § 115A.1443 Subd. 2
Oct. 1, 2028	Stewardship plan due (every five years).		MINN STAT § 115A.1451
Jan. 1, 2029	Producers must enter into an agreement with the PRO operating a program to sell covered materials.		MINN STAT § 115A.1448 (b)
120-day review <i>[Jan. 29, 2029]</i>	First Stewardship Plan reviewed by MPCA (incl. 45-day public comment period) within 120 days.	Option: provide written comments.	MINN STAT § 115A.1451 Subd. 4

If plan requires revisions

[60 days] Apr 1, 2029 - PRO to revise and resubmit the plan if rejected or info requested

[60 days] June 1, 2029 - MPCA to review revised plan

[60 days] Aug 1, 2029 - PRO to revise and resubmit the plan if rejected again

[60 days] Oct 1, 2029 - MPCA to review and modify second resubmitted plan

Option: provide written comments.

MINN STAT § [115A.1451](#)
Subd. 4

Resume timeline

NO DATE

PRO must implement stewardship plan.
Producers pay annual fee to PRO to cover program costs.

MINN STAT § [115A.1447](#) (c)

MINN STAT § [115A.1454](#)

Feb. 1, 2029

50% reimbursement established.

MINN STAT § [115A.1455](#)
Subd. 4

April 1, 2029

First annual report submitted by PRO (annually).

Option: provide written comments.

MINN STAT § [115A.1456](#)

[90 days]

PRO report following unmet target with plan amendment designed to meet performance targets in following years.

Provide written comments on all amendments.

MINN STAT § [115A.1456](#)
Subd. 2

2030-2032 – Implementing change

Date	What	Advisory Board role	Citation
Feb. 1, 2030	75% reimbursement established.		MINN STAT § 115A.1455 Subd. 4
NO DATE	Commissioner to review scope of needs assessment in consultation with advisory board	Must participate in a consultation process on the type and scope of information collected for needs assessments.	MINN STAT § 115A.1450
Feb. 1, 2031	90% reimbursement established (annually).		MINN STAT § 115A.1455 Subd. 4
NO DATE [Oct. 2031]	Make needs assessment available for Advisory Board, PRO, and public review. MPCA to respond in writing to comments and recommendations of Advisory Board and PRO.	Advisory Board to provide written comments.	MINN STAT § 115A.1450
Oct. 15, 2031	Commissioners Report to Legislature (every two years).		MINN STAT § 115A.1456 Subd. 3
Dec. 31, 2031	Second needs assessment completed.		MINN STAT § 115A.1450
Jan. 1, 2032	Only compliant (recyclable, compostable, reusable, refillable) covered materials collected under an approved plan may be introduced by producers. Exemptions allowed due to technical or market constraints until Jan. 1, 2040.	Option: provide written comments.	MINN STAT § 115A.1448
Jan. 1, 2032	MPCA must contract for (1) workplace conditions and equity study and (2) covered materials pollution and clean-up study. Assumed this is completed in time to include findings as part of a second plan.	Option: provide written comments.	Laws of Minnesota 2024, chapter 116, article 5, section 24 and section 25

DRAFT Packaging EPR Advisory Board

Conflict of interest policy

Purpose of the policy

Pursuant to Minnesota Statutes, Chapters [115A.1444](#) this form gives Packaging EPR Advisory Board Members (Board) an opportunity to disclose any actual, potential, or perceived conflicts of interest that exist. Disclosure is required to be cited as part of all minutes of the Board that include Board action and will be publicly posted.

This Board establishes a process for the Minnesota Pollution Control Agency and registered producer responsibility organization(s) to get feedback from those impacted by the Packaging Waste and Cost Reduction Act. Members of the Board are tasked with participating in review and formulating recommendations in the form of written comments of study documents, plans, and program operations. For most Board members these activities will have direct or indirect impact on the organizations and people they represent.

To comply with the requirements each Board member must:

- review this policy and comply with the procedures as required;
- disclose actual, potential, or perceived conflicts of interest you may have because of your employment or financial holdings with respect to yourself or family members; and
- disclose any instance of actual or perceived conflicts of interest at each meeting of the Board at which recommendations regarding stewardship plans, programs, operations, or activities are made.

Private and personal interest

Actual conflict of interest: When a Board member has an interest that influences their Board responsibilities to the extent that their responsibilities or decisions are influenced to the detriment of the public or the benefit of the Board member's personal interest. Such action may include a Board member receiving a direct or indirect financial benefit because of using their Board position and/or influence; or the outside influence could be so prevalent that the Board decision is influenced or dictated by an outside interest.

Potential conflict of interest: When a Board member is in a situation in which their outside, private influence and/or interests that could influence Board decisions, actions, or responsibilities.

Appearance of a conflict of interest: When a Board member is in any situation in which a reasonable person would conclude there is an outside influence and/or interest that conflicts with Board duties or responsibilities.

DRAFT Conflict-of-interest disclosure

- ☐ I certify that I have read and understand the description of conflict of interest within this policy.
- ☐ I certify, that if at any time during Board activities I discover a conflict of interest, I will disclose that conflict immediately to appropriate Board staff.
- ☐ I understand that a summary of my disclosure will be publicly posted for transparency as to comply with the requirements of Minnesota Statute, Chapter [115A.1444](#).

Check one of the three boxes below as appropriate to you.

- ☐ I DO NOT have any conflicts of interest and am able to participate in all Board activities without disclosure.

AND/OR

- ☐ I have an ACTUAL OR POTENTIAL conflict of interest. *(The Board member may state any and all agencies or organizations with which they have a conflict of interest and describe the nature of the conflict in the space below.)*

Describe Here:

AND/OR

- ☐ I have a possible PERCEIVED conflict of interest. *(Describe the nature of the perceived conflict of interest.)*

Describe Here:

Board member's electronic signature:

Date:

DRAFT Charter for the Packaging Extended Producer Responsibility Advisory Board

About this charter

- Last updated: 4/23/2025
- Based on MN OCDR's [Task force charter template](#)

Advisory Board overview

Purpose

The Packaging Extended Producer Responsibility (EPR) Advisory Board (Board) includes 18 individuals, 17 voting members and one non-voting member representing the Commissioner of the Minnesota Pollution Control Agency (MPCA). Members represent a wide range of impacted parties under the Packaging Waste and Cost Reduction Act. This Board will review activities conducted by the MPCA and the producer responsibility organization (PRO) and advise on program implementation.

Background

In early 2024, Minnesota's EPR bill for packaging, food packaging, and paper products was signed into law. The [Packaging Waste and Cost Reduction Act](#) ("the act") requires producers — generally the brand owner, manufacturer, or importer — to appoint and join a 501(c)3 nonprofit organization called a PRO, to coordinate and fund the statewide program. The program's purpose is to reduce the environmental and human health impacts of these materials and benefit all Minnesotans.

Relevant statutes and authorities

Minn. Stat. § 115A.144 to 115A.1463 and Board responsibilities are outlined in 115A.1446.

Outcomes and deliverables

Desired impacts and outcomes

Act as effective and engaged members on behalf of the entities and communities each member was selected to represent, balancing the needs and interests of those groups with the best interest of the program overall. Advise MPCA and PRO on navigating critical matters and provide advice regarding their respective field(s). Identify how decisions may affect implementation and communities statewide, including identifying and communicating on risks associated with specific decisions or actions, advising on ways to mitigate them.

Deliverables

- Provide strategic, non-binding advisement on matters relative to the administration of the law by submitting written comments.
- Consult on the scope of the needs assessments and provide written comments on needs assessments.
- Review and advise on the development and amendment of:

- Material collection lists (recyclable or compostable and alternative).
- Program statewide requirements and performance targets.
- Stewardship plans and amendments to stewardship plans.
- Review and advise on requests to exempt a material from the requirements of the law.
- Advise on the need for third-party certifications on any activity or achievement of a standard required by the law.
- Provide written comments to the MPCA during any rulemaking process undertaken.

Roles and responsibilities

Role of Board members:

Members will:

- Commit to the purpose of the Board.
- Prioritize attending all meetings. Notify facilitator and MPCA staff if attending in-person at least two business days prior to the meeting.
- Alert Chair and MPCA staff to your schedule availability or any changes to your availability. (Please note that alternates cannot stand in for your seat on the Board).
- Participate in meeting discussions, staying up to date on the program's latest developments and sharing insights with other members.
- Review assigned materials, drafts, or other information prior to meetings, including responding to emails and completing minor tasks that support the work of the Board.
- Where appropriate, confer with and provide input from your networks, organizations, and communities.
- Develop and adhere to policies and procedures governing the disclosure of actual or perceived conflicts of interest that Board members may have as a result of their employment or financial holdings with respect to themselves or family members.
- Strive to communicate for understanding and consensus building.

Board Chair will:

- Lead the Board, ensuring its focus on the key outcomes and deliverables related to the law and stewardship program.
- Ensure the Board takes a broad-based (statewide) view and approach to fulfilling its mission.
- Identify topics and necessary information/speakers needed for the Board to successfully fulfill its role, confirming agendas with the facilitator and MPCA staff.
- Guide discussions alongside the facilitator and bridge communication between the Board members, the MPCA, and the PRO.
- Provide expert advice and guidance without having direct decision-making power.
- Sign documents on behalf of the Board and serve as spokesperson for the Board.

Board Vice-Chair will:

- Act as the deputy to the Chair, assuming the Chair's responsibilities when they are unavailable, with the potential of serving as a successor to the Chair role.
- Actively collaborate with the Chair and facilitator(s) to manage the Board's operations, ensuring smooth functioning and continuity of leadership.

Subcommittees

Subcommittees may be established by the Board and act as advisory capacity with no decision-making power.

Role of the facilitator

MPCA staff or a contracted third-party facilitator will provide administrative and operating support to the Board including:

- Support development of agendas for all meetings with input from Chair, Vice Chair, and members.
- Support meeting logistics including meeting scheduling and calendar appointments.
- Help locate requested information and subject matter experts.
- Attend all meetings to:
 - support facilitation, as requested by the Board, including facilitation conversations and supporting hybrid meetings; and
 - take meeting notes and prepare official minutes of the Board.
- Meet with any members to address concerns or problem solve.
- Advocate for a fair, effective, and credible process, but remain impartial with respect to the outcome of the Board's work.
- Maintain the work group website, Microsoft Team, and necessary materials.
- Other duties as requested by the Board and allowed by the act.

Terms and schedule

- Terms are four years in length (with some first terms being two years).
- Members are limited to serving eight consecutive years.
- Terms for Chair and Vice Chair are two years.
- Board must have a minimum of two meetings per year; however, the frequency will vary based on the program needs and required deadlines and deliverables.
- Each year the Board will review program needs, deadlines, and deliverables needed to develop an annual schedule of regular meetings.

Note, per Minn. Stat. § [15.059, subdivision 4](#). A member may be removed by the appointing authority at any time. After the second consecutive missed meeting missed and before the next meeting, the facilitator shall notify the member in writing that the member may be removed for missing the next meeting.

Decision making

Quorum. A majority of the voting Board members constitutes a quorum. If there is a vacancy in the membership of the Board, a majority of the remaining voting members constitutes a quorum.

Voting. Action by the Board, including approval of written comments, requires a quorum and a majority of those present and voting. All members of the Board, except the member appointed as the MPCA commissioner's designee, are voting members. **Decisions are to be made by a majority vote.**

The Chair may call for a vote that occurs outside of a meeting. The Chair must give members at least two business days to vote outside of a meeting. Voting can be done in person, via email, phone, or other means.

The Board must conduct its meetings in general keeping with Robert's Rules of Order.

Communicating for understanding and consensus building

To facilitate an open and collaborative discussion, members agree to:

- Share your interests and concerns; don't just restate your position.
- Listen to understand when others are speaking, rather than planning a rebuttal.
- Ask questions of others, rather than assuming you know their thoughts and intentions.
- Be mindful of how long you speak for the purpose of ensuring that all voices are heard.
- Look for areas of common ground.
- Be tough on issues; treat people with dignity and respect.
- Be respectful of different forms of expertise including lived experience and local knowledge.
- Give each other the benefit of the doubt.

Members may have private conversations with the facilitator upon request to discuss concerns about communication or group dynamics.

External communication agreements and norms

Media

Any communications on activities of the Board should be developed collaboratively with the Commissioner designee, facilitator, and MPCA staff.

Members shall not represent the views of the Board except as clearly agreed upon by the Board. When speaking in public, such as providing a presentation or comment at a public meeting on a topic potentially relevant to the act, Board members should articulate the following disclaimer: "I am speaking on behalf of (myself or organization name) and not speaking on behalf of the Board or MPCA".

Data practices act

This Board is subject to the Minnesota Government Data Practices Act, [Minnesota Statutes Chapter 13](#). Things like emails, notes, computers records, or saved phone messages related to the work of the Board and any subcommittees are considered government data and are subject to the requirements of this law. If there is a data request for information you might have, the MPCA will work with you to provide that data. For more information about the Data Practices Act, see the [Data Practices Office](#) at the Department of Administration.

Open meeting law

This Board is subject to Minnesota Open Meeting Law, Minnesota Statutes Chapter 13D. This means that the public and media may attend meetings of the task force, notice of task force meetings must be provided to the public, and documents used at meetings must be available to the public. The MPCA will provide notice of meetings and ensure appropriate availability of meeting materials on their website. For more information about Open Meeting Law, see the Data Practices Office at the Department of Administration.

Membership

Packaging EPR Advisory Board Members:

Name	Position	Term
Kirk Koudelka	Commissioner designee	<i>Serves at the pleasure of the Commissioner</i>
Mike Griffin	Member representing a community-based nonprofit environmental justice organization	1/1/2025 – 12/31/2028
Maggie Schuppert	Member representing a statewide nonprofit environmental organization	1/1/2025 – 12/31/2026
Steve Vrchota	Member representing a waste facility that receives and sorts covered materials and transfers them to another facility for reuse, recycling, or composting	1/1/2025 – 12/31/2028
Kristen (Kris) Coperine	Member representing a waste facility that receives compostable materials for composting or a statewide trade association that represents such facilities	1/1/2025 – 12/31/2028
Mac Sellars	Member representing an entity that develops or offers for sale covered materials that are designed for reuse or refill and maintained through a reuse or refill system or infrastructure or a statewide or national trade association that represents such entities (#1)	1/1/2025 – 12/31/2028
Sydney Harris	Member representing an entity that develops or offers for sale covered materials that are designed for reuse or refill and maintained through a reuse or refill system or infrastructure or a statewide or national trade association that represents such entities (#2)	1/1/2025 – 12/31/2026
Megan Daum	Member representing manufacturers of covered materials or a statewide or national trade association representing those manufacturers (#1)	1/1/2025 – 12/31/2028
Gregory Melkonian	Member representing manufacturers of covered materials or a statewide or national trade association representing those manufacturers (#2)	1/1/2025 – 12/31/2026

Name	Position	Term
Victoria Reinhardt	Member representing organizations of political subdivisions, with at least one member representing a political subdivision outside the metropolitan area (#1)	1/1/2025 – 12/31/2026
Jon Steiner	Member representing organizations of political subdivisions, with at least one member representing a political subdivision outside the metropolitan area (#2)	1/1/2025 – 12/31/2026
Gabrielle (Gabbie) Batzko	Member representing organizations of political subdivisions, with at least one member representing a political subdivision outside the metropolitan area (#3)	1/1/2025 – 12/31/2028
Kate Davenport	Member representing other interested parties or additional members of interests represented under other listed positions as determined by the commissioner (#1)	1/1/2025 – 12/31/2026
Shoshana Micon	Member representing other interested parties or additional members of interests represented under other listed positions as determined by the commissioner (#2)	1/1/2025 – 12/31/2026
Miriam Holsinger	Member representing recycling facilities that manage covered materials (#1)	1/1/2025 – 12/31/2028
Vacant	Member representing recycling facilities that manage covered materials (#2)	1/1/2025 – 12/31/2026
Sara Bixby	Member representing a waste hauler or statewide association representing waste haulers (#1)	1/1/2025 – 12/31/2026
Townsend Brown	Member representing retailers of covered materials or a statewide trade association representing those retailers	1/1/2025 – 12/31/2028

The Board members are also listed on the [website of the Office of the Secretary of State](#) and the MPCA [Packaging EPR Advisory Board webpage](#).

Staff and facilitation

- Lead project manager: Mallory Anderson, MPCA

Signatures

Members agree to what is described in the charter, while recognizing that the work of the board will evolve, and the charter can be revisited and adjusted as needed. Members agree to commit to the purpose and goals of the board, to follow the communication agreements, and to treat fellow board members with respect.

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