



September 12, 2025

Jill Hunsaker Ryan
Executive Director
Colorado Department of Public Health & Environment
4300 Cherry Creek Drive South
Denver, CO 80246

Delivered via email: eprcomments@state.co.us

RE: Program Plan Public Comment

Dear Executive Director Ryan:

On behalf of the undersigned organizations, thank you for this opportunity to provide feedback on the Amended Program Plan (Plan) for Colorado's Extended Producer Responsibility Program (EPR Program). We share the goals of Colorado's EPR Program: reducing materials sent to landfills, expanding recycling access, and increasing circularity of plastics and packaging. When properly constructed, EPR can deliver significant benefits for Colorado communities, businesses, and the environment.

To achieve the ambitious goals of Colorado's EPR Program, the Plan must be both practical and forward-thinking. This means ensuring:

- **A technology-neutral approach that encourages innovation**
- **Achievability and flexibility to meet statutory requirements**

Technology Neutrality Approach Is Critical

Technology will be the engine driving progress toward these goals. Both mechanical and advanced recycling are essential tools for increasing plastics recovery and creating high-quality recycled materials for food, medical, and other critical applications. Mechanical recycling excels with many rigid plastics, while advanced recycling converts harder-to-recycle plastics into virgin-equivalent feedstocks—without combustion and at lower temperatures. This process ensures valuable materials are recirculated rather than lost.

Achievability and Flexibility

The effectiveness of Colorado's EPR Program depends on ensuring that the Plan is both practical and compliant with statutory requirements. The Plan must align directly with the statute while preserving sufficient flexibility to respond to evolving market dynamics, shifting material streams, and advancements in recycling technologies.

Overly prescriptive requirements risk creating inefficiencies, imposing unnecessary costs, and limiting the program's capacity to achieve its recycling and circularity objectives. Instead, rules should remain outcome-based, allowing producers and implementers to identify the most effective, economically feasible pathways to compliance. This approach recognizes the shared responsibilities and resource constraints of producers, consumers, and local governments, while ensuring the program remains adaptable, durable, and focused on results.

Colorado has the opportunity to establish a leading national framework for EPR that is both ambitious and workable. By grounding the Plan in statutory requirements and prioritizing clarity, flexibility, and achievability, the Department can establish a strong foundation to deliver measurable progress in waste reduction and advance Colorado's leadership in circularity.

Sincerely,

American Chemistry Council
American Fuel and Petrochemical Manufacturers
American Home Furnishings Alliance
American Institute for Packaging and the Environment
Association of Equipment Manufacturers
Association of Home Appliance Manufacturers
Auto Care Association
Color Pigments Manufacturers Association, Inc.
Communications Cable & Connectivity Association
Consumer Brands Association
Household and Commercial Products Association
Motorcycle Industry Council
National Association of Printing Ink Manufacturers
North American Association of Food Equipment Manufacturers
Outdoor Power Equipment Institute
Personal Care Products Council
PLASTICS Industry Association
PRINTING United Alliance
Recreational Off-Highway Vehicle Association
SNAC International
Specialty Equipment Market Association
Specialty Vehicle Institute of America
Structural Insulated Panel Association
Styrene Information and Research Center
The Vinyl Institute
Window and Door Manufacturers Association