



## Annual Report

### Toxics in Packaging Clearinghouse July 1, 2019 – June 30, 2020

Prepared by Melissa Nadeau, TPCH Program Manager  
Accepted by Members November 2020

This report summarizes the activities and accomplishments of the Toxics in Packaging Clearinghouse (TPCH) from July 1, 2019 to June 30, 2020 (FY20). The first section highlights TPCH's accomplishments in FY20. The remainder of the document is organized by major activity as identified in the TPCH work plan.

#### FY20 HIGHLIGHTS

- Completion of a **one-year screening project on packaging**. Compliance outreach to companies selling and distributing packaging identified as non-compliant in the screening project. Enforcement resulted in the removal of over 6,000 packages containing lead and cadmium from retail stores and product distribution centers in TPCH member states.
- Finalization of a **draft update to the TPCH Model Legislation**. Continued work on this project in FY21 includes a [public comment period](#), revising the draft language, sharing the updated Model Legislation and making all necessary changes to all TPCH outward facing documents and website to reflect the change.
- **32,025 site visits** (26,807 of those unique visitors) to the TPCH [website](#) in FY20, with an average of **2,669 visitors per month**, an increase of 672 visitors per month compared to FY19. There were **81,495** page views on the site, an annual increase of 9,975.
- TPCH received and responded to **47 inquiries** by telephone and email (36 unique inquiries plus 11 follow-up questions), an average of 4 per month.
- **Convened** a two-day Annual Membership Meeting in Providence, Rhode Island.
- **Outreach** to non-member state environmental agency commissioners and staff, the National Caucus of Environmental Legislators (NCEL), the Northeast Waste Management Officials' Association (NEWMOA), and more.

#### TPCH ADMINISTRATION BY PROGRAM MANAGER

- Manages all aspects, but for finances, of organization including coordination and facilitation of monthly two-hour conference calls with members and Executive Committee planning calls.
- Coordinated and convened a 2-day face-to-face annual membership meeting in Providence, Rhode Island October 28-29, 2019. Coordinated travel and conference room for members, prepared and distributed agendas and all other meeting documents before meeting. Five of nine member states attended the meeting in person plus one historical member, 2 member states called in, with guests from the Maine Department of Environmental Protection in person and calling in.

- Recorded and distributed minutes for all conference calls and the annual meeting to members.
- Maintained TPCCH electronic file of call and meeting minutes and all other TPCCH documents.
- Worked with TPCCH Executive Committee to prioritize projects and meeting agendas.
- Prepared and distributed TPCCH annual report for FY19.

#### ◆ **Program Reporting**

- Prepared and distributed to members the FY19 Annual Report (July 1, 2018 – June 30, 2019).
- Posted the [FY19 Annual Report](#) on the TPCCH website.
- Prepared the FY21 budget, which was approved by members in April 2020.

#### • **TPCCH Financial Management**

TPCCH's finances are administered and annually audited as part of the Northeast Recycling Council's operations. The [NERC Audit FY20](#) is available online.

- Revenues in FY20 (\$42,067.61) came in lower than expenses (\$44,572.25).
- TPCCH began FY20 with a reserve account balance of \$76,433.30. and ended the fiscal year up with a balance of \$77,948.11.
- TPCCH CA SEP funds once again covered member state travel to the annual membership meeting; spending \$2,367.57 of these restricted funds. As of June 30, 2020, the remaining balance in the California SEP account was \$264.60. TPCCH is extremely frugal with spending from this account, initially funded in September 2008 with \$50,000 from a California enforcement settlement.
- Appendix A provides a financial summary for the TPCCH for FY20.

#### ◆ **Additional Sources of Funding**

No grants or contracts funded TPCCH activities in FY20.

#### ◆ **Executive Committee**

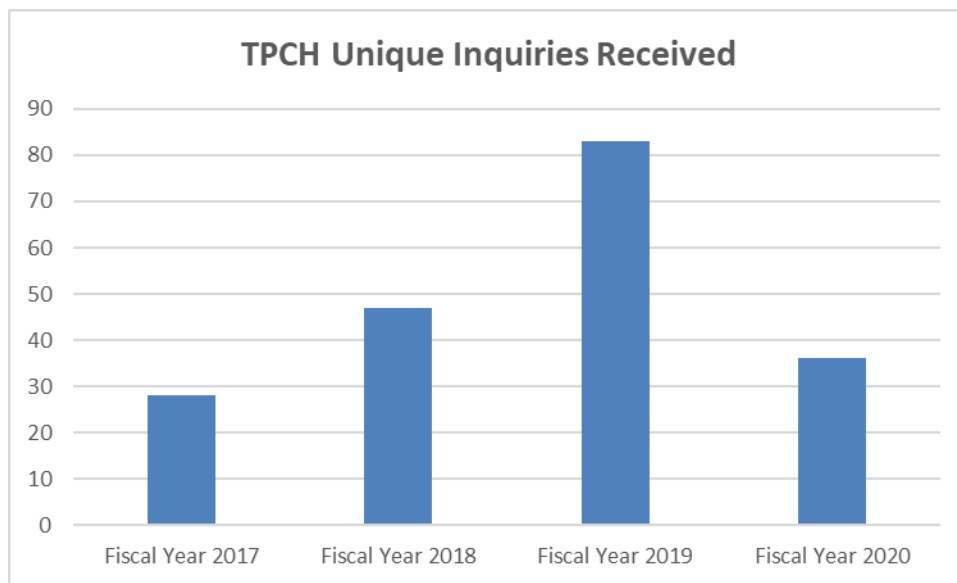
The Executive Committee was in the 1<sup>st</sup> year of a 2-year term, which ends in June 2021. Executive Committee members included: John Gilkeson, Minnesota, Chair; Matt McCarron, California, Vice-Chair; Tom Metzner, Connecticut, Member-At-Large; and Kathleen Hennings, Iowa, Member-At-Large.

## **GENERAL INQUIRIES & EXEMPTION REQUESTS**

#### ◆ **General Inquiries**

TPCCH received and responded to 36 unique inquiries by telephone and email, plus 11 follow-up conversations. Each inquiry usually requires multiple emails or phone calls to resolve, and many involve multiple discussions with analysis by TPCCH members. The TPCCH program manager coordinates all incoming communications from industry, policy makers, advocates and the general population. All inquiries are documented and shared with TPCCH members each year.

The bar chart below tracks the number of phone and email inquiries to TPCCH from FY17 through FY20. The most frequent inquiries continue to deal with the basic requirements of state toxics in packaging laws; how to obtain a Certificate of Compliance; whether a specific item was considered “packaging” under state laws; and testing of packaging components. Appendix B provides a brief analysis of the general inquiries, focusing on the types of organizations requesting information and assistance.



◆ **Exemption and Other Requests**

- TPCCH received no new requests for exemption.

**EDUCATION & OUTREACH**

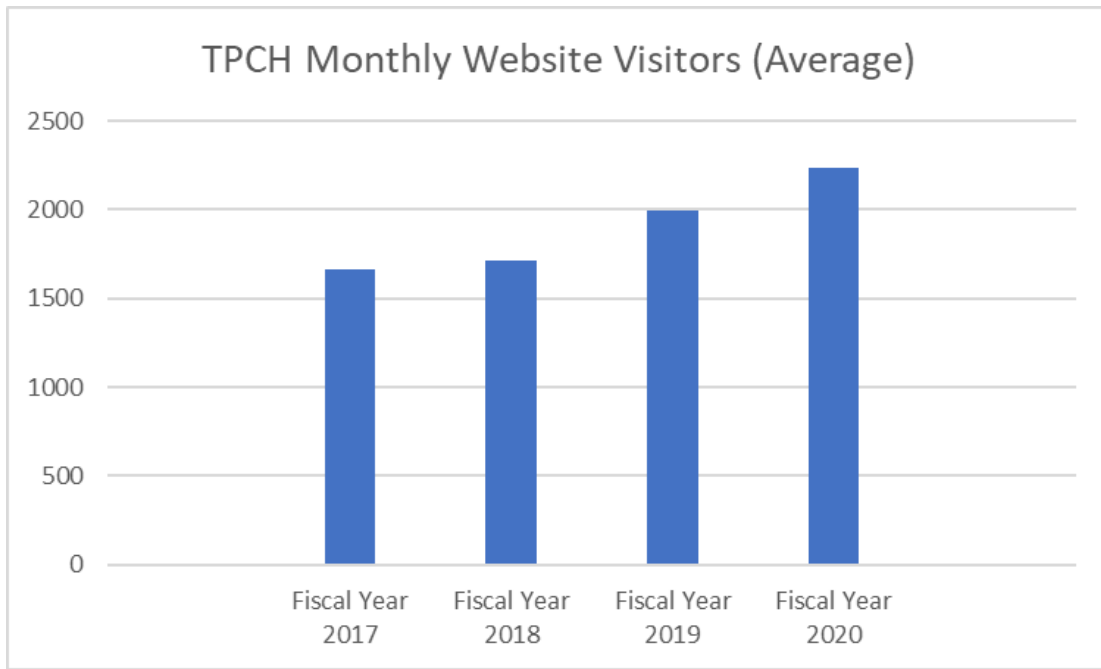
◆ **TPCH Website**

TPCH had 32,025 site visits to the Toxics in Packaging Clearinghouse website in FY20, an average of 2,669 visitors per month, an increase of 672 visitors per month compared to FY19. New site visitors made up 90% of the visitors, with 10% returning visitors. There were 81,495 page views on the site, an annual increase of 9,975, averaging 6,791 per month. Consistent with prior years, the top three web page resources most viewed were the [Model Legislation](#), [Sample Certificate of Compliance](#) and [Frequently Asked Questions \(FAQs\)](#). There is continued need to maintain the website pages and documents to keep all up to date and accessible to all seeking information on the toxics in packaging laws and how to be in compliance.

Document additions to the TPCCH website in FY20:

- [TPCH FY2019 Annual Report July 2018 - June 2019](#)
- [FY19 TPCCH Annual Report Summary](#)
- [TPCH Presentation to NERC Nov 2019](#)
- [TPCH Quality Assurance Considerations revised April 2020](#)
- [SAMPLE TPCCH Certificate of Compliance revised April 2020](#)

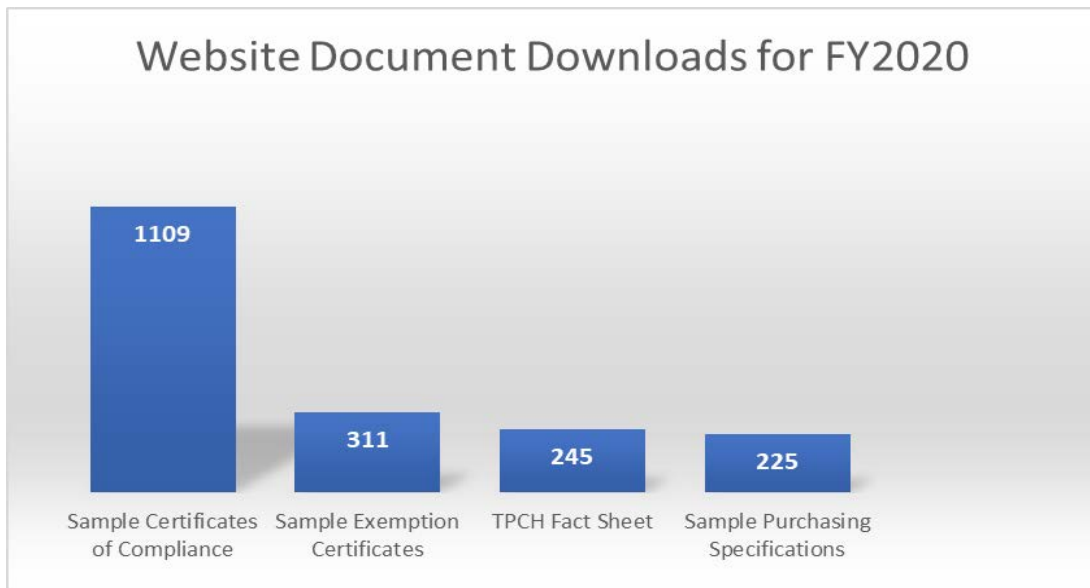
The bar chart below tracks the average number of monthly website visitors from FY17 through FY20.



◆ **Website Utilization**

**2,378** PDF documents were downloaded from the TPCH website in FY20. The TPCH documents most downloaded were:

- Sample Certificates of Compliance – 1109
- Sample Exemption Certificates - 311
- TPCH Fact Sheet - 245
- Sample Purchasing Specs – 225
- Model Legislation Fact Sheet – 245



#### ◆ **Presentations**

- Presentation to the Northeast Recycling Council (NERC)'s Fall 2019 meeting attendees

#### ◆ **Articles, News Briefs and Press Releases**

- None for FY20

### **MEMBERSHIP**

#### ◆ **TPCH Members**

TPCH had 13 members (9 states, 3 industry affiliate members, and 1 independent subject matter expert) in FY20. Member states included California, Connecticut, Iowa, Minnesota, New Hampshire, New Jersey, New York, Rhode Island, and Washington. Affiliate members included the American Chemistry Council; the Glass Packaging Institute; the Steel Recycling Institute; and Walter (Chip) Foley (subject matter expert).

Following is a list of the lead representative for each member in FY20:

- **California Department of Toxic Substances Control:** Matt McCarron
- **Connecticut Department of Energy and Environmental Protection:** Tom Metzner
- **Iowa Department of Natural Resources:** Kathleen Hennings
- **Minnesota Pollution Control Agency:** John Gilkeson
- **New Hampshire Department of Environmental Services:** Melissa Zych
- **New Jersey Department of Environmental Protection:** Steven Rinaldi
- **New York Department of Environmental Conservation:** Katie Kidalowski
- **Rhode Island Department of Environmental Management:** Ann Battersby
- **Washington Department of Ecology:** Kathleen Gilligan
- **American Chemistry Council:** Kuper Jones
- **Glass Packaging Institute:** Scott DeFife
- **Steel Recycling Institute:** Mark Thimons
- **Independent Subject Matter Expert:** Walter (Chip) Foley

#### ◆ **Member Communication**

Routine correspondence with members was predominantly completed via email and calls, and included conference call agendas and minutes, queries, requests for document review, and compliance issues.

### **TESTING/RESEARCH**

#### **COMPLIANCE INITIATIVES**

##### ◆ **Coordinated State Efforts**

- TPCH finalized a one-year research project on packaging, including outreach to companies selling and distributing packaging identified as non-compliant on behalf of member states. Due to the work delays of COVID-19, TPCH is still awaiting the number of packaging units removed from shelving and destroyed from this research project.

## Appendix A - FY2020 Financial Summary

TPCH's finances are administered and annually audited as part of the Northeast Recycling Council's operations.

### TPCH Reserve Account

Opening Balance (7/1/19): \$76,433.30

Closing Balance (6/30/20): \$77,948.11

### **FY2020 Revenues & Expenses**

<b>TPCH FY20 Financial Report</b>		
<b>July 1, 2019 through June 30, 2020</b>		
	<b>BUDGET</b>	<b>Total TPCH FY20</b>
<b>Revenue - Budgeted</b>	<b>Revenue</b>	
Membership Dues	\$43,000.00	\$42,000.00
Interest	\$50.00	\$67.61
<b>Total</b>	<b>\$43,050.00</b>	<b>\$42,067.61</b>
<b>Outside of budget</b>		
State Travel		<b>\$0.00</b>
<b>Total revenue</b>		<b>\$42,067.61</b>
<b>Expenses</b>	<b>Expenses</b>	
Administrative fees	\$10,000.00	\$10,000.00
Personnel	\$29,295.00	\$30,409.00
Meeting Expense	\$1,000.00	\$0.00
Telephone	\$350.00	\$305.76
Postage & Delivery	\$100.00	\$81.23
Printing, copying, supplies	\$100.00	\$164.85
State Travel Costs	\$0.00	\$0.00
GoToWebinar annual subscription	\$250.00	\$250.00
Web Design/Maintenance	\$200.00	\$169.02
Travel	\$1,000.00	\$1,852.95
<b>Total</b>	<b>\$42,295.00</b>	<b>\$43,232.81</b>
<b>Expenses - Unbudgeted</b>		
Gifts	\$0.00	\$0.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>
CA SEP (48) Personnel	\$0.00	\$0.00
Member travel	\$2,000.00	\$1,339.44
Packaging Testing	\$345.00	\$0.00
Non-personnel	\$0.00	\$0.00
<b>TOTAL CA (48) SEP</b>	<b>\$2,345.00</b>	<b>\$1,339.44</b>
<b>TOTAL</b>	<b>\$44,640.00</b>	<b>\$44,572.25</b>

### **CA SEP Account Summary**

	<b>\$2,632.17</b>
<b>Balance Carried Over from Fiscal Year 2019</b>	
<b>FY20 Expenses Charged to CA SEP:</b>	
Member travel	\$2367.57
<b>Total Expenses:</b>	<b>\$2367.57</b>
<b>Balance to Carry Over to Fiscal Year 2021</b>	<b>\$264.60</b>

## Appendix B - Analysis of Inquiries

In FY20, TPOCH received and responded to 36 unique inquiries plus 11 follow-ups. Each inquiry generally takes multiple emails or phone calls to resolve, and some require extensive discussion by members.

Below is a brief analysis of the inquiries, focusing on the types of organizations that requested information and assistance.

- By type of organization:
  - Attorneys
  - Companies (manufacturers, distributors, retailers)
  - Consultants
  - Government
  - Research (students, advocates)
  - Testing labs
  
- By industry sector (for companies and trade associations only):
  - Manufacturers/distributors of finished goods
  - Packaging and packaging components (manufacturers and distributors)
  - Retailers
  -
  
- By mode of inquiry (note: some queries were by both phone and email):
  - Emails
  - Telephone calls
  - Website “contact us” form
  
- By location:
  - China
  - United States
  - Australia
  - Mexico