

RESOLUTION NO. 3361-2010

RESOLUTION OF THE FORT BRAGG CITY COUNCIL SUPPORTING EXTENDED PRODUCER RESPONSIBILITY

WHEREAS, on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

WHEREAS, the Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, and electronic devices such as, televisions, cell phones, microwave ovens, printers, and computers; and

WHEREAS, state policies currently hold local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

WHEREAS, the costs to manage Universal Waste and problematic products are currently borne by taxpayers and rate payers and, because of the bans these costs are increasing substantially and will continue to do so unless policy changes are made; and

WHEREAS, data from City and County annual reports show that, statewide, less than ten percent of the household hazardous waste and Universal Waste generated is being collected; and

WHEREAS, local governments do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by local governments to manage products are, in effect, subsidies to the producers of hazardous products and products designed for disposal; and

WHEREAS, in 2009, Mendocino Solid Waste Management Authority (MSWMA) spent the equivalent of \$17,000 to properly manage household batteries and \$28,000 to manage fluorescent tube disposal; and

WHEREAS, if the City of Fort Bragg were able to collect all of the batteries and fluorescent tubes generated in Fort Bragg, such a service would cost more than all of the other current household hazardous waste programs combined; and

WHEREAS, the City Council of the City of Fort Bragg supports statewide efforts to ensure producers share in the responsibility for Universal Waste and other products they create; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, pharmaceuticals, and other products and economic impacts when waste becomes litter, including ocean litter; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers have cradle-to-cradle responsibility for the products they create and sell and are responsible for designing and managing effective end-of-life systems for those products; and

WHEREAS, EPR incorporates the cost of disposal and recovery for discarded products into the purchase price and reduces the financial burden on local taxpayers and garbage ratepayers; and

WHEREAS, EPR encourages reuse and recycling and also encourages producers to consider the health and environmental costs associated with the products they create and to include those costs in the product price, thereby creating an incentive to design products that are more durable, easier to repair and recycle, and are less toxic; and

WHEREAS, EPR framework legislation is a holistic approach that establishes transparent and fair principles and procedures for applying EPR to categories of products and ensures a level playing field for all producers of those products; and

WHEREAS, the California Product Stewardship Council (CPSC) is a non-profit organization of California local governments working to speak with one voice building knowledge and capacity for transparent and fair EPR systems in California; and

WHEREAS, in January 2008 the California Integrated Waste Management Board (now CalRecycle) adopted a Framework for an EPR System in California; and

WHEREAS, the National and California League of Cities adopted policy statements in support of a framework approach to EPR, the National and California Association of Counties and adopted policies and resolutions in support of a framework approach to EPR; Solid Waste Association of North America adopted a policy supporting EPR, and the Association of State and Territorial Solid Waste Management Officials adopted a Product Stewardship Framework Policy Document; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby urge the California Legislature to continue taking timely action to implement the Framework for an EPR System adopted by CalRecycle in 2008 to manage problematic products, and to urge the Department of Toxic Substances Control to implement the Green Chemistry initiative to manage Universal Waste and other toxic products; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby urge the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby direct the City Clerk to send a copy of this Resolution to the League of California Cities, the California State Association of Counties, the Department of Toxic Substance Control, and the State Legislature; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby authorize the Mayor to sign the California Product Stewardship Council (CPSC) Pledge of Support; and

BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg does hereby encourage all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials.

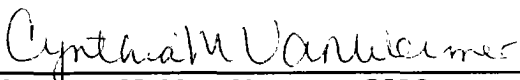
The above and foregoing Resolution was introduced by Councilmember Melo, seconded by Councilmember Turner, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 26th day of April, 2010, by the following vote:

AYES: Councilmembers Turner, Courtney, Gjerde, Melo, and Mayor Hammerstrom.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DOUG HAMMERSTROM,
Mayor

ATTEST:



Cynthia M. VanWormer, CMC
City Clerk