

NOVEMBER 10, 2009

RESOLUTION  
NO. 09-196SUPPORTING EXTENDED PRODUCER  
RESPONSIBILITY

**WHEREAS**, approximately 75,000 tons of discarded materials and products are currently sent to recycling and disposal from our community on an annual basis at a cost of \$120 per ton; and

**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, as well as electronic devices such as video cassette recorders, microwave ovens, cellular phones, cordless phones, printers, and radios; and

**WHEREAS**, it is anticipated that the list of Universal and other waste products determined to be hazardous and therefore banned from landfills will continue to grow as demonstrated by the ban of treated wood effective January 2007 and sharps in September 2008; and

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

**WHEREAS**, Universal Waste management costs are currently paid by taxpayers and rate payers and are expected to increase substantially in the short term unless policy changes are made; 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**, costs incurred by Public Works in 2008 for managing hazardous waste exceeded \$200,000 in Calaveras County.

**WHEREAS**, the Calaveras County Board of Supervisors supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and

**WHEREAS**, there are significant environmental and human health impacts associated with improper management of Universal Waste, sharps, and other products; and

**WHEREAS**, Extended Producer Responsibility (EPR) is a policy approach in which producers assume responsibility for management of waste products and which has been shown to be effective; and

**WHEREAS**, when products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

**WHEREAS**, EPR framework legislation establishes transparent and fair principles and procedures for applying EPR to categories of products for which improved design and management infrastructure is in the public interest; and

**WHEREAS**, the California Product Stewardship Council (CPSC) is an organization of California local governments working to speak with one voice in promoting transparent and fair EPR systems in California; and

**WHEREAS**, the Calaveras County wishes to incorporate EPR policies into the City's and County's product procurement practices to reduce costs and protect the environment; and

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

**WHEREAS**, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR; and

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF THE Calaveras County Board of Supervisors** adopts this Resolution urging the California Integrated Waste Management Board to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other waste products; and

**BE IT FURTHER RESOLVED**, that the Calaveras County Board of Supervisors urges 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 Calaveras County Board of Supervisors authorizes Public Works to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation and related regulations; and

**BE IT FURTHER RESOLVED**, that the Chair of the Board of Supervisors of Calaveras County be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing \$1,000 from FY09/10 Integrated Waste Fund to CPSC to educate and advocate for EPR policies and programs; and

**BE IT FURTHER RESOLVED**, that the Calaveras County Board of Supervisors encourages 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; and

**BE IT FURTHER RESOLVED**, that the Calaveras County Board of Supervisors directs Public Works to bring before the Board for its consideration local EPR policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life for products it purchases for its own use.

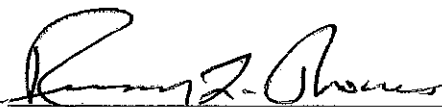
**ON A MOTION BY** Supervisor Tryon, Seconded by Supervisor Wilensky the foregoing Resolution Was **PASSED AND ADOPTED** by the Board of the Supervisors of Calaveras County, State of California on November 10, 2009 by the following vote:

AYES: Supervisor Wilensky, Callaway, Tryon and Thomas

NOES: Tofanelli

ABSENT: None

ABSTAIN: None

Signed:   
Russ Thomas, Chair

Date: November 10, 2009

ATTEST: 