

RESOLUTION NO. 09-7677

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, SUPPORTING EXTENDED PRODUCER
RESPONSIBILITY**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the Countywide Household Hazardous Waste Program (CoHHWP) spent over \$3.9 million to properly dispose of household hazardous waste in Fiscal Year 2008-09;

WHEREAS, 3,533 Santa Clara residents utilized the CoHHWP drop-off opportunities in FY 2009-10, which cost the City \$314,000 to fund;

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

WHEREAS, the Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats, microwaves, and electronic devices;

WHEREAS, the Universal Waste Rule was expanded to include the ban of treated wood in 2007 and sharps in 2008, and can be expanded to include other hazardous items in the future;

WHEREAS, local governments do not have the resources to adequately address the rising volumes of discarded products that are banned from landfill disposal;

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers assume responsibility for the end of life management of waste material;

WHEREAS, when producers are required to account for health and environmental costs, there is an incentive to design more durable, less toxic, and easier to recycle products;

WHEREAS, the California Product Stewardship Council (CPSC) is a coalition of local government, local government associations and organizations related to environmental

sustainability, non-governmental organizations, and business partners with the purpose of supporting EPR policies on a statewide basis; and,

WHEREAS, the Council of the City of Santa Clara supports statewide efforts to hold producers responsible for Universal Waste products and other hazardous waste management costs.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Council of the City of Santa Clara urge the Federal and State governments to enact framework EPR legislation that will give producers the incentive to design products to make them less toxic and easier to reuse and recycle;
2. That the City Manager be authorized to send letters to State and Federal government legislatures and agencies to urge support for EPR framework legislation and related regulations;
3. That the City Manager be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing up to \$500.00 per year to CPSC to educate and advocate for EPR policies and programs; and

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4. That the City of Santa Clara 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.

5. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City of Santa Clara hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.


I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 24th DAY OF NOVEMBER 2009, BY THE FOLLOWING VOTE:

AYES: COUNCILORS: Caserta, Kennedy, Kornder, Matthews, McLeod and Moore and Mayor Mahan

NOES: COUNCILORS: None

ABSENT: COUNCILORS: None

ABSTAINED: COUNCILORS: None

ATTEST: 

ROD DIRIDON, JR.
CITY CLERK
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. California Product Stewardship Council Pledge of Support