

RESOLUTION NO. 28,211A RESOLUTION OF THE COUNCIL OF THE CITY OF
BURBANK IN SUPPORT OF EXTENDED PRODUCER
RESPONSIBILITY.

THE COUNCIL OF THE CITY OF BURBANK FINDS:

- A. Approximately 110,000 tons of discarded materials and products are currently sent to disposal from our community each year.
- B. On June 10, 2008, the City of Burbank adopted its Zero Waste Strategic Plan, which emphasizes the need to incentivize manufacturers to reduce the toxins in their products and design them to be reusable and recyclable. The City of Burbank wishes to incorporate Extended Producer Responsibility (EPR) policies into the City's procurement practices to reduce costs and protect the environment.
- C. 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.
- D. In January 2008, CalRecycle adopted a Framework for an EPR System in California. In April 2008, the California League of Cities adopted a policy statement in support of a framework approach to EPR. In July 2008, the National Association of Counties adopted a resolution in support of a framework approach to EPR. In November 2009, the National League of Cities adopted a policy statement in support of a framework approach to EPR. The California Product Stewardship Council (CPSC) is a non-profit organization of California local governments working to speak with one voice in advancing transparent and fair EPR systems in California.
- E. EPR is a policy approach in which producers have cradle-to-cradle responsibility for the products they create and sell. Many of the same manufacturers of products sold in California are responsible for designing, managing and funding effective end-of-life systems for their products in other countries. EPR encourages producers to consider the health and environmental costs associated with their products, to include those costs in the product price, and thereby incentivize improved product design.
- F. On February 8, 2006, California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective. The Universal Waste Rule banned landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent lights, thermostats and other mercury containing items, and electronic
c: B. Teaford, S. Richardson, K. Hampel, J. Molinar - PW

devices such as televisions, cell phones, microwave ovens, printers, and computers. It is anticipated that the list of hazardous and problematic waste products will continue to grow and be banned from landfills, as demonstrated by the 2007 ban of treated wood and the 2008 Sharps ban.

G. Taxpayers and ratepayers bear the costs to manage Universal Waste and other problematic products rather than the users or manufacturers of the products. State policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates. Because of the bans, these costs are increasing and will continue to do so unless costs are shared.

H. Data from California city and county annual reports show that, statewide, less than ten percent of the Household Hazardous Waste and Universal waste generated is actually collected. Local governments do not have the resources to adequately address the rising volume of problematic products. Costs paid by local governments to manage these products are in effect subsidies to the producers of both hazardous and disposable products. There are significant environmental and human health impacts associated with improper management of Universal Waste, sharps and other products.

I. The Council of the City of Burbank supports statewide efforts to shift responsibility to producers of Universal Waste products and other product waste. The Council also supports efforts on a national and international scale.

THE COUNCIL OF THE CITY OF BURBANK RESOLVES:

1. The Council of the City of Burbank resolves to urge the California Legislature and Agencies to continue taking timely action to implement the framework for an EPR System adopted by the California Integrated Waste Management Board (CalRecycle) in 2008 to manage problematic products. Council also urges the Department of Toxic Substances Control to implement EPR under the Green Chemistry initiative to manage Universal and other toxic products.

2. The Council of the City of Burbank further 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.

3. The Public Works Director of the City of Burbank is authorized to advocate for support of EPR product or framework legislation and related regulations.

4. The Mayor of the City of Burbank is authorized to sign on behalf of the City of Burbank the California Product Stewardship Council (CPSC) Pledge of Support to promote EPR.

5. The City of Burbank urges all manufacturers to share in the responsibility for eliminating product waste and excess packaging; to design products that are durable, reusable and easily recycled; to manufacture new products with recycled materials; and to provide financial support for collection, processing, recycling, or disposal of used materials.

6. The City of Burbank resolves to further develop producer responsibility policies and practices to require producers to offer healthy alternatives and to collect and recycle their products at the end of their life.

7. The Sustainable Task Force is encouraged to report to City Council on the progress of the California Product Stewardship Council and statewide Extended Producer Responsibility policies when relevant to the City of Burbank.

PASSED and ADOPTED this 21st day of September, 2010.

s/Anja Reinke
Anja Reinke
Mayor of the City of Burbank

Attest:

s/Margarita Campos
Margarita Campos, CMC, City Clerk

Approved as to Form and Legal Content
Dennis A. Barlow, City Attorney

s/Mary F. Riley
By: Mary F. Riley, Sr. Asst. City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Margarita Campos, CMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Council of the City of Burbank at its regular meeting held on the 21st day of September 2010, by the following vote:

AYES: Council Members Bric, Golonski, Talamantes and Reinke.

NOES: Council Member Gordon.

ABSENT: Council Members None.

s/Margarita Campos _____
Margarita Campos, CMC, City Clerk