

1 **WHEREAS**, local governments do not have the resources to adequately address the
2 rising volume of discarded hazardous and disposable products; and

3 **WHEREAS**, costs paid by local governments to manage hazardous and disposable
4 products are in effect subsidies to the producers of these products; and

5 **WHEREAS**, the Council supports statewide efforts to have producers share in the
6 responsibility for Universal-Waste products and other product waste management costs; and

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

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

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

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

19 **WHEREAS**, in January 2008 the California Integrated Waste Management Board,
20 now known as CalRecycle, adopted a Framework for an EPR System in California; and

21 **WHEREAS**, in July 2008 the National Association of Counties adopted a resolution
22 in support of a framework approach to EPR, in November 2009 the National League of
23 Cities adopted an EPR policy, and in June 2010 the US Conference of Mayors adopted a
24 resolution in support of EPR; and

25 **WHEREAS**, on February 1, 2010 the City's Sustainability Task Force unanimously
26 recommended that the Council approve a resolution supporting EPR.

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1 **NOW, THEREFORE**, be it resolved by the Council of the City of Chico as follows:

- 2 1. That the Council urges CalRecycle to continue taking timely action to implement the
3 Framework for an EPR System in California to manage problematic products, and
4 urges the Department of Toxic Substances Control to implement the Green Chemistry
5 initiative to manage Universal and other toxic products.
- 6 2. That the Council urges the California Legislature to enact product specific and
7 framework EPR legislation which will give producers the incentive to design
8 products to make them less toxic and easier to reuse and recycle; and
- 9 3. When deemed appropriate, the City Manager is authorized to send letters and use
10 other advocacy methods to urge support for EPR Framework legislation and other
11 related regulations.
- 12 4. That the Council encourages all manufacturers to share in the responsibility for
13 eliminating waste through minimizing excess packaging; designing products for
14 durability, reusability and the ability to be recycled; using recycled materials in the
15 manufacture of new products; providing financial support for collection, processing,
16 recycling, or disposal of used materials; and communicating with haulers and local
17 governments about end-of-life management.
- 18 5. That the City develops producer responsibility practices or policies, such as leasing
19 products rather than purchasing them, requesting producers to offer less toxic
20 alternatives, and to take responsibility for collecting and recycling its own products
21 and the end of their useful life.

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THE FOREGOING RESOLUTION was adopted by the Council of the City of

Chico at its meeting held on March 1,, 2011, by the following vote:

AYES: Flynn, Gruendl, Holcombe, Walker, Schwab

NOES: Evans, Sorensen

ABSENT: None


ABSTAINED: None

DISQUALIFIED: None

ATTEST:

APPROVED AS TO FORM:


Deborah R. Presson, City Clerk


Lori J. Barker, City Attorney
By: Alicia M. Rock
Assistant City Attorney

DATE 3/1/11 AGENDA _____ COUN _____
ADD. INFO _____ CM _____ ACM _____ CA _____
GSD CPSD _____ ASD _____ CLK _____ PSD _____
BDS _____ HR/IR _____ FIN.D _____ COP _____ FC _____
HNSD _____ File _____ OTHER _____



EPR

Extended Producer Responsibility

A collaborative approach for business flexibility and streamlined government to reduce, reuse, and recycle. Protecting our natural resources and environment.

WHAT IS EPR?

Extended Producer Responsibility (EPR) is a means for California to go beyond everyday recycling and waste reduction by creating a connection between a product's creation and its eventual disposal. This important economic link provides producers with an incentive to give greater thought to how they manufacture and package products, taking responsibility for their products from beginning to end to decrease the volume of products and packaging that ends up in landfills.

WHY DO WE NEED EPR?

Managing waste—especially products that are hazardous and toxic—is very costly for local governments. California's local governments and ratepayers, spend upwards of \$500 million annually to manage products banned from landfills as well as those headed to a landfill, buried forever!

Waste generation over the years has grown with population and economic growth. While California has made enormous advances in recycling, today we throw away about the same amount of trash as 20 years ago! Innovative product design and packaging will lead to less waste generation and more easily recycled products that support a healthy environment and alleviate costs.

WHAT DOES THIS MEAN FOR CALIFORNIA?

Supports California's economy

EPR increases recycling. Recycling a ton of "waste" has twice the economic impact of burying it in the ground! Each year, recycling provides an average of 85,000 jobs, \$4 billion in salaries and wages, and \$10 billion in goods and services.

Streamlines government

California's framework approach, where producers lead the process, addresses EPR with low government administrative costs. Additionally, the Statewide program relieves businesses from having to comply with a varying patchwork of statutes and local government ordinances that are implemented in response to rising disposal costs.

Reaps environmental benefits

Changing product and packaging design and using materials more effectively results in:

- Increased recycling
- Reduced greenhouse gas and other air emissions
- Reduced toxic product components
- Increased energy efficiency

The California Integrated Waste Management Board

www.ciwmb.ca.gov/EPR

Exhibit A-1



Extended Producer Responsibility Questions and Answers

Extended Producer Responsibility (EPR), also known as Product Stewardship, is an adopted strategic policy priority for the California Integrated Waste Management Board (CIWMB). CPSC supports the CIWMB in making that policy a reality. EPR provides an opportunity to use market forces to create sustainability, drive environmental benefits, and save local governments a lot of money!

What is EPR?

EPR is a policy which ensures that responsibility for end-of-life product management is shared with the producers, and all entities involved in the product chain, instead of just the general public; EPR encourages product design changes that minimize a negative impact on human health and the environment at every stage of the product's lifecycle. This allows the costs of treatment and disposal to be incorporated into the total cost of a product. It places primary responsibility on the producer, or brand owner, who makes design and marketing decisions. It also creates a setting for markets to emerge that truly reflect the environmental impacts of a product, and to which producers and consumers can respond.

Why change the current system?

Californians are generating more waste than ever before. We recycle a lot more, which is great, but recycling alone is not enough. Placing potentially useful resources in the ground is not sustainable - it is wasteful! It costs a lot to safely manage products that contain hazardous or toxic substances. Local governments need relief from these costs. It is time for producers to help pay for the management of products they create and profit from. EPR will send economic signals to the producers and the market will sort out the best solutions. Right now, there is no economic link between production and waste management costs. Until that link is made through EPR, producers have little incentive to change product and packaging design. In short, EPR can help fix a broken economic system.

If EPR is a market-based approach, is there still a role for government?

Yes, but not in the traditional way. Instead of government designing and running programs to recover, dispose or otherwise properly manage products at the end of their useful life, EPR calls for producers to design and implement product stewardship programs that meet state goals. Producers may carry out this responsibility by themselves or participate in a group with others, called a stewardship organization.

Government will have a role in ensuring the same rules apply to all producers and to oversee a process that identifies products, and which sets performance goals and recovery rates. Just as it is hard to imagine a ball game without players, it is hard to image a ballgame without referees and a rule book.

Who exactly are "producers"? Why not call them manufacturers?

Producers are defined as one of the following: the direct manufacturer that sells or distributes a product in California under its own name or a brand name; an entity that is not a manufacturer but is the owner or licensee of a trademark or brand name of a product sold or distributed in California; or an entity that imports the product into California for sale or distribution.

The CIWMB does not refer to “producers” as “manufacturers” because the term “manufacturer” is too narrow. For example, many companies that we think of as manufacturers are actually brand owners, while the manufacturer is located overseas and works under contract for the brand owner. It is the brand that is advertised. Also, many retailers are producers as they sell products under their own brand. Generally, the producer will be the brand owner.

What products will be affected?

At this point we don’t know. Initially, a few products would be selected based on their impact on society in terms of the environment, public health, and cost to taxpayers and rate payers for their end-of-life management. Consideration would also be given as to whether or not there are good opportunities for improvements in design and manufacture. Given the high number of products meeting those criteria and the significant resources required to conduct individual legislative processes for each product, the CIWMB and the CPSC recommend a more streamlined, broad based approach. This approach is called “EPR Framework.”

What is meant by an EPR “Framework” approach?

Rather than implementing EPR through individual pieces of legislation for each product, under a Framework approach, there is one law that gives state government the authority, through regulation, to address multiple products. The state would develop a public process to identify priority products, and then use this process to select products that should be covered by a Product Stewardship Program. This law would also provide state government with the authority to develop rules, set goals and targets, and establish oversight so there is a level playing field for all producers.

Is EPR a “one-size-fits-all” solution?

No. An EPR Framework approach would be flexible and customized for each product category. A consistent and predictable process for each product type would make it easier for all stakeholders to understand how to participate in the process. All decisions would be made through a public process. While goals would be established by state government with public input, producers would determine how to achieve the goals. This allows producers, who best know their products, the opportunity to identify the most efficient system for sustainable design, reducing toxicity and waste, reuse, recycling, and ultimately disposing of their products.

Are “take back programs” considered EPR programs?

The short answer is sometimes. Take back programs may or may not be EPR. It depends on whether or not the producers share in the management or the costs of taking back their discarded products. For example, when state government collects an advanced recycling fee at the point of sale, the fee may subsidize a state recycling program. Such a program may be successful at collecting materials, but it does not provide an incentive for manufacturers to make their products differently nor does it establish the economic link between production and waste management costs. Instead, it simply creates a costly bureaucracy and leaves the producers with no incentive to re-design the product.

What happens to the existing reuse, recycling, and waste management infrastructure under an EPR Framework scenario?

Based on EPR programs being implemented elsewhere, most producers would contract for waste management related services. In some cases, the producers may pay another organization, called a

stewardship organization, to carry out their responsibilities for product management at the point of discard. This organization would then negotiate contracts with reuse, recycling, and waste management companies and local governments. For example, in British Columbia, the Paint Stewardship Organization pays the local governments, haulers and retailers directly for each gallon of paint collected at public facilities, private collections, and retail outlets.

A producer could also choose to set up its own take back program, just for its product. This is currently done by Sony and Caterpillar. Setting up its own take back program provides the producer with an incentive to design products that are easy to refurbish and reuse or recycle, because they directly benefit. Even in these situations, waste management companies may be hired to collect and haul old products.

How do we know the products would be reused or recycled responsibly, rather than sent to a landfill or incinerator?

After consultations with producers and other stakeholders, the state would establish recovery rates for each product category. Producers would have to submit annual reports explaining their progress toward achieving the recovery rates and the recovery rates could be adjusted over time to encourage higher levels of environmental and public health protection. Current laws governing the safe and proper handling of materials would remain in effect.

There are three incinerators in California. They can only incinerate the waste that remains after pulling out the recyclables. Pharmaceutical products are an exception because one of the current legal options for managing unused medications is incineration. Consequently, in this product category, incineration does occur.

How can I get involved and show my support for EPR in California?

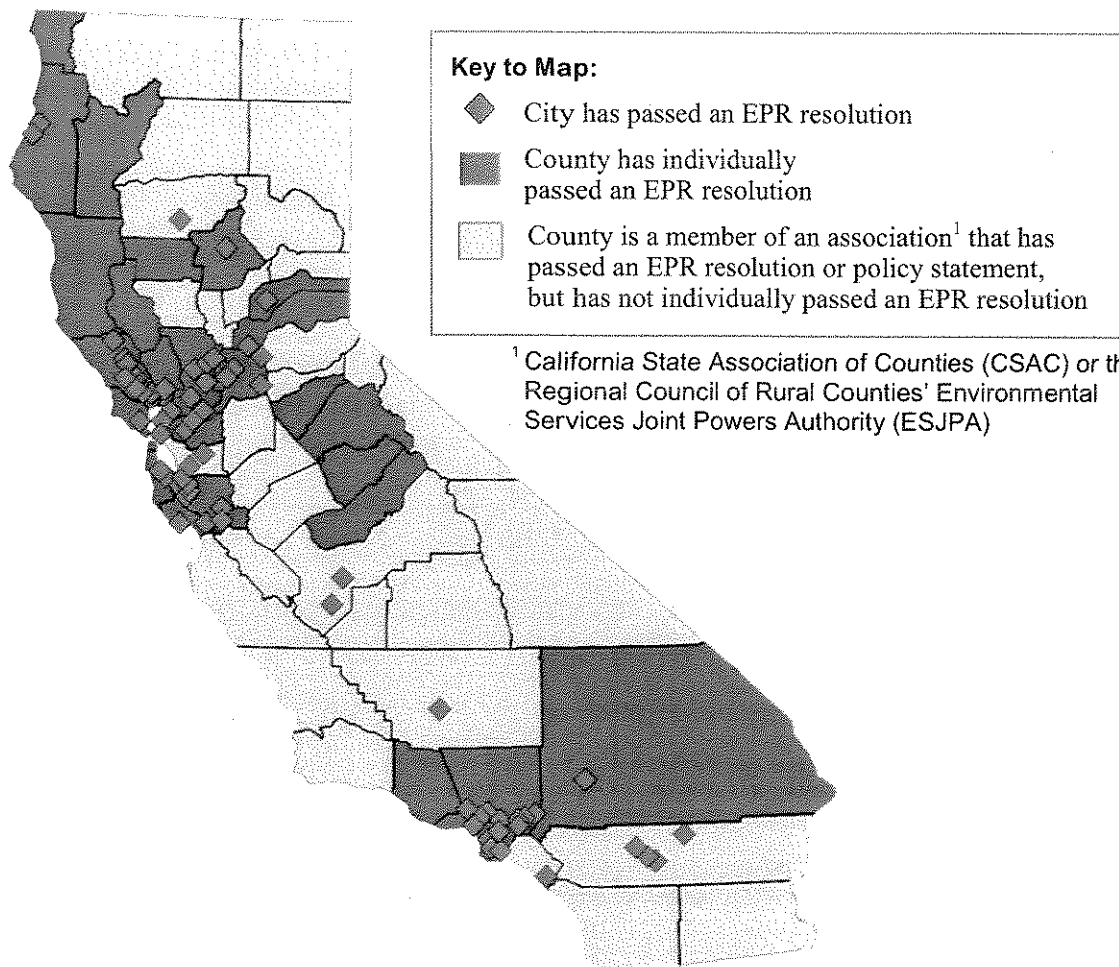
- The California Product Stewardship Council has a variety of tools to assist local governments, businesses, health officials, citizens and others interested in advancing EPR.
- Donate to CPSC. Local governments can support CPSC through Associate's fees. Businesses and individuals can help us continue this important work by making tax-deductible contributions.
- The CIWMB's EPR website identifies other organizations actively supporting EPR.
- You can also contact companies and elected officials directly to voice your support for EPR.

Have a question that we haven't answered? Send questions to: Heidi@CalPSC.org



Who is CPSC?

Map of CPSC Associated Counties and Cities with EPR Resolutions (1/11/11)



Local Government Agencies Participating in CPSC By Pledge, Resolution or Funding

Counties: Board of Supervisors or Countywide Agency (35)

- | | | | |
|----------------|---------------|------------------|------------|
| • Alameda* | • Lake | • Sacramento | • Solano |
| • Amador* | • Los Angeles | • San Bernardino | • Sonoma |
| • Butte | • Madera | • San Diego* | • Tehama |
| • Calaveras | • Marin* | • San Francisco | • Trinity |
| • Contra Costa | • Mariposa | • San Joaquin* | • Tuolumne |
| • Del Norte* | • Mendocino* | • San Mateo | • Ventura |
| • Glenn | • Monterey* | • Santa Barbara* | • Yolo |
| • Humboldt | • Napa | • Santa Clara | |
| • Kern* | • Nevada | • Santa Cruz | |
| | • Placer | | |
- * Countywide agency other than Board of Supervisors*

Mission: To shift California's product waste management system from one focused on government funded and ratepayer or financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

City & Town Councils (89)

- Albany
- Amador City
- Apple Valley
- Arcata
- Arvin
- Belmont
- Burbank
- Calabasas
- Carson
- Chula Vista
- Claremont
- Cloverdale
- Corning
- Cotati
- Covina
- Cupertino
- Davis
- Diamond Bar
- Dixon
- Dublin
- El Cerrito
- Elk Grove
- Eureka
- Fairfield
- Folsom
- Fort Bragg
- Fortuna
- Fresno
- Glendale
- Healdsburg
- Hillsborough
- Huntington Park
- Indian Wells
- Larkspur
- La Puente
- La Quinta
- La Verne
- Lemon Grove
- Lincoln
- Los Altos Hills
- Los Angeles
- Los Gatos
- Lynwood
- Millbrae
- Monrovia
- Monte Sereno
- Morgan Hill
- Mountain View
- Napa
- Nevada City
- Oakland
- Palm Desert
- Palm Springs
- Palo Alto
- Paradise
- Pasadena
- Petaluma
- Pittsburg
- Rio Vista
- Rohnert Park
- Roseville
- Sacramento
- San Dimas
- San Joaquin
- San Jose
- San Juan Capistrano
- Santa Clara
- Santa Cruz
- Santa Monica
- Santa Rosa
- Sebastopol
- Sierra Madre
- Signal Hill
- Sonoma
- Stockton
- Sunnyvale
- Thousand Oaks
- Torrance
- Union City
- Vacaville
- Vallejo
- Ventura
- Vernon
- Walnut Creek
- West Hollywood
- West Sacramento
- Windsor
- Winters
- Woodland

Local Government Associations (35)

- Association of Bay Area Governments (ABAG)
 - Bay Area Hazardous Waste Management Facility Allocation Committee
 - San Francisco Estuary Project
- Bay Area Clean Water Agencies
- Bay Area Stormwater Management Agencies
- California Council of Directors of Environmental Health (CCDEH)
- California State Association of Counties
- California Stormwater Quality Association
- Central Contra Costa County Solid Waste Authority
- Central Contra Costa Sanitation District
- Coachella Valley Association of Governments
- Contra Costa Clean Water Program
- Delta Diablo Sanitation District
- East Bay Municipal Utility District
- Fresno Council of Governments
- League of California Cities
- Los Angeles County Integrated Waste Management Task Force
- Mojave Desert and Mountain Recycling Authority
- Rural Counties' Environmental Services JPA (ESJPA)
- Sacramento Business Environmental Resource Center
- Sacramento County Dept. of Waste Management and Recycling
- Sacramento County Dept. of Water Resources
- Sacramento County Stormwater Quality Program
- Sacramento Regional County Sanitation District
- San Gabriel Valley Council of Governments
- Santa Clara County Recycling and Waste Reduction Commission
- Santa Clara Valley, CLEAN South Bay
- Santa Clara Valley Urban Runoff Pollution Prevention Program
- Santa Clara Valley Water District
- South Bayside Waste Management Authority
- Southern California Association of Governments
- Solid Waste Association of North America (SWANA)
- Tamalpais Community Services District
- West Contra Costa Integrated Waste Management Authority
- Western Placer Waste Management Authority
- West Valley Clean Water (Campbell, Los Gatos, Monte Sereno, Saratoga)



Green Partners

- Acrylatex Coatings and Paint
- Business Waste Management
- Capital Ideas Development Corp., Inc.
- Curbside, Inc.
- Edgar & Associates
- Greenleaf Project Management
- I2I Innovation To Industry
- MKM Environmental
- Sierra Club - Solano
- SLV Recycling Redemption Centers
- TDC Environmental
- The Carpet Recyclers

Supporters

- A Green Plan
- Abbey Flooring
- Aces Waste Services
- Ag Plastics & Innovations
- Allied Waste, Daly City
- B&J Towing
- Burbank Green Alliance
- BuyGreen
- California Resource Connections Inc.
- Capitol City Automotive, Inc.
- Center for Environmental Health
- Clean Water Action
- Concord Disposal Service
- Condor Earth Technologies
- CR&R Waste and Recycling Services
- Davis Farmer's Market
- Discovery Bay Disposal Service
- Ecology Center
- EcoMom Alliance
- Eco-Stream Sustainability Consulting
- Electronics Take Back Coalition
- Environmental Alternatives Consulting
- Environmental Defense Fund
- Environmental Innovations
- Executive Communications
- General Environmental Management, Inc.
- Gill's Onions
- Going Green Radio Program
- Grassroots Recycling Network
- Green Party of Los Angeles County
- GreenWaste Recovery, Inc.
- Hollinger & Associates, Inc.
- Interagan Technology Group
- Jason Grant Consulting
- Kaiser Chemical Dependency
- Keep California Beautiful
- L2 Environmental
- Leadership Institute for Ecology & the Economy
- Long Beach Coalition for a Safe Environment
- Main Street Moms
- Mediaplanet
- Mt. Diablo Recycling
- Napa Recycling & Waste Services
- NewLevel Group, LLC
- North Bay Corp./Redwood Empire Disposal
- Northern Recycling & Waste Services
- Oakley Disposal Service
- Pacific Ag Commodities Corporation
- Pacific Recycling Solutions
- Pinerworks Architecture & Building Group
- Pittsburg Disposal Service
- Plastic Pollution Coalition
- Reel Green Media
- Remediation Earth
- Rent-A-Green Box
- Reusable Packaging Association
- Reuse Alliance, California Chapter
- ReUse Arizona
- Reverse Logistics Association
- Rick Mauck and Associates
- Rio Vista Sanitation Service
- S. Groner Associates (SGA)
- San Diego Convention & Visitors Bureau
- Sempiterno Solutions LLC
- Sierra Club - Bay Area
- Sierra Club - Canada
- Sierra Club - Napa
- Sierra Club - Zero Waste Committee
- Sierra Cost Management
- Silicon Valley Toxics Coalition
- Special Waste Associates
- State Agency Recycling Coordinator's Comm
- Supply Brothers, Inc.
- Sustainable Napa County
- Sustainable San Rafael
- Takayama Consulting
- Teleosis Institute
- TerraCycle
- The Altum Group
- The Future 500
- The JBC Groups, LLC
- The Watershed Project
- Total Recycling Associates
- Waste Management of Orange County
- YCC International
- Yuba Environmental Science Charter Academy



CPSC

California Product Stewardship Council SM

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CPSC Business Partners



Platinum Partners

- Recology
- Republic Services



Gold Partners

- California Resource Recovery Association
- Product Policy Institute



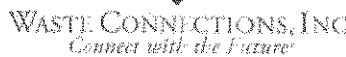
Silver Partners

- CalRecycle*
- Marin Sanitary Service
- Nortech Waste LLC
- Waste Management Inc.



Bronze Partners

- Amazon Environmental, Inc.
- California Waste Solutions
- Clean Harbors Environmental Services, Inc.
- Ecology Action
- Johnson's Environmental Products
- Peninsula Packaging Company
- PSC Environmental Services
- Rinauro Consulting
- SEI Solid Waste
- Visions Paint Recycling



* CalRecycle has not signed the CPSC Pledge, since this would be inappropriate for a State agency, but is a partner of CPSC.

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