

**RESOLUTION NO. 2011-47  
RESOLUTION OF THE CITY OF ROSEMEAD  
SUPPORTING EXTENDED PRODUCER  
RESPONSIBILITY**

**WHEREAS**, approximately 2 million tons of discarded materials and products are currently sent to disposal from the San Gabriel Valley each year; 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**, the City of Rosemead supports statewide efforts to hold producers responsible 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

**WHEREAS**, Extended Producer Responsibility (EPR) is a policy approach in which producers assume financial responsibility for management of waste products and which has been shown to be effective; 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**, in January 2008 the California Integrated Waste Management Board, now known as CalRecycle, 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, November 2009 the National League of Cities adopted EPR policy, and June 2010 the US Conference of Mayors adopted a resolution in support of EPR; and

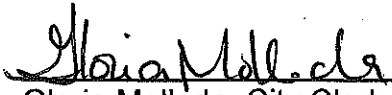
**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSEMEAD** that by adoption of this Resolution, the City of Rosemead urges CalRecycle and the California Legislature to continue taking timely action to implement the Framework for an EPR System in California to manage problematic products; and

**BE IT FURTHER RESOLVED**, that the City of Rosemead 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 communicating with haulers and local governments about end of life management; and

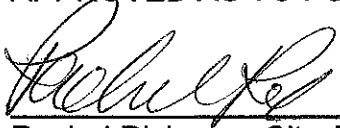
ADOPTED this 9<sup>th</sup> day of August, 2011.

  
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Steven Ly, Mayor

ATTEST:

  
\_\_\_\_\_  
Gloria Molléda, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rachel Richman, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )    SS.  
CITY OF ROSEMEAD            )

I, Gloria Molleda, City Clerk of the City of Rosemead, do hereby certify that the foregoing Resolution No. 2011-47, entitled:

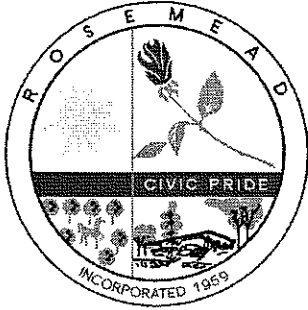
**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ROSEMEAD SUPPORTING EXTENDED  
PRODUCER RESPONSIBILITY**

was duly and regularly approved and adopted by the Rosemead City Council on the 9<sup>th</sup> of **August 2011**, by the following vote to wit:

Yes: Alarcon, Armenta, Low, Ly  
No: None  
Abstain: None  
Absent: Clark



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Gloria Molleda  
City Clerk



# ROSEMEAD CITY COUNCIL STAFF REPORT

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TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: JEFF ALLRED, CITY MANAGER *JA*

DATE: AUGUST 9, 2011

**SUBJECT: RESOLUTION IN SUPPORT OF EXTENDED PRODUCER  
RESPONSIBILITY**

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## SUMMARY

The California Product Stewardship Council (CPSC) has asked California cities, counties, and other government agencies to support extended producer responsibility (EPR), an effort to help ensure the proper disposal of household hazardous waste (HHW), universal waste, medical waste (sharps/pharmaceutical waste) and other problematic products at the end of their useful life. This effort is designed to help shift the financial burden from government agencies and rate payers to the producers of the products. EPR will benefit the community by driving a better, healthier product design that reduces the toxicity and volume of the waste stream and ensure more available collection options for these products. This issue was recently discussed by the San Gabriel Valley Council of Governments which has asked member cities to support this initiative.

## **Staff Recommendation**

It is recommended that the City Council authorize the mayor to sign the attached resolution in support of extended producer responsibility.

## DISCUSSION

The United States Environmental Protection Agency (EPA) estimates that approximately 75 percent of today's waste stream comes from manufactured products – including common household items such as televisions, cell phones, personal computers, fluorescent lights and batteries to household hazardous waste products like paint and pesticides. Electronics contain lead, cadmium, and other toxic heavy metals that pose a threat to public health and the environment when improperly disposed. Other products also contain toxic constituents, such as the mercury contained in fluorescent lights or some thermostats and switches. Other products are packaged with problematic materials that cannot be recycled and packaging can be excessive. Other products, such as hypodermic needles and other "Sharps" can injure the public and sanitation workers when improperly disposed.

In response to concerns about the landfilling of such products, California has enacted landfill bans. In 2006, "Universal Waste" (fluorescent lights, household batteries, electronics, mercury switches, etc.) were banned from landfilling. In 2008, "Sharps" were banned from landfilling. Because of growing concerns about the presence of prescription and non-prescription drug residues in our waterways, it is anticipated that pharmaceutical waste will likely be banned from landfill disposal in the near future. The downside of these bans is that enforcement responsibilities are placed on local governments, which lack the funding, capacity or resources to manage the volume of the growing list of products banned from landfills. These unfunded mandates result in bans without plans.

Under today's waste management system, the responsibility for managing the product wastes falls on local governments. Many products today are actually designed for disposal, rather than reuse or recycling. It is both the toxicity of the waste stream and the volume of waste that is of concern to local governments. Ratepayers and taxpayers are financing costly collection infrastructure and programs which could be more cost-effectively managed in the private sector.

Statistics vary, but according to a 2002 report by the California Integrated Waste Management Board (now known as CalRecycle), more than 500 million batteries are sold each year in California. According to the report, only one-half of one percent is recycled through City and County HHW programs — and the cost to ratepayers and taxpayers is astronomic — projected to exceed \$31 million per year and costs on average \$800 per ton to manage. On a broader scale, it is estimated that the statewide percentage of households using local government-sponsored HHW programs is no more than 5 percent. This means that approximately 95% of the residentially-generated HHW in California is unaccounted for and local governments cannot afford to offer expanded services.

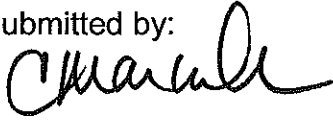
EPR offers a solution by engaging producers in the lifecycle management of their products to take responsibility for the proper management of products. Instead of requiring local governments to fund collection and recovery programs, EPR establishes performance goals for stewardship programs that are designed and implemented by producers and ensures the cost of recovery is reflected in the cost of the product creating a sustainable funding source — a user pays system instead of pushing the costs onto taxpayers and ratepayers. Furthermore, an effort is made to "design it green", thereby reducing the environmental impact of the product. EPR recognizes that all stakeholders share some responsibility, but the producer has the greatest responsibility because only they can change the design of products.

To date, numerous government agencies have adopted EPR resolutions, including counties, cities, regional government agencies, national government agencies, and solid waste advocacy agencies. The San Gabriel Valley Council of Governments has asked

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its member cities to support this effort and approve the attached resolution related to product stewardship.

Submitted by:



Chris Marcarello  
Public Works Director

Attachments:

- (1) Resolution 2011 - 47
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