

Resolution No. 2008-050 N.C.S.
of the City of Petaluma, California

**SUPPORTING EXTENDED PRODUCER RESPONSIBILITY TO SHIFT
RESPONSIBILITY IN MANAGING HAZARDOUS WASTE
AWAY FROM GENERAL TAXPAYERS AND BACK TO MANUFACTURERS**

WHEREAS, approximately 30,000 tons of discarded materials and products are currently sent to disposal from our community on an annual basis, at a cost of \$53.10 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,

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 of the City of Petaluma area and are expected to increase substantially in the short term unless policy changes are made; and,

WHEREAS, local governments have no input on the design of the products, make no profit from the products, and 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, not including e-waste, in 2007, the cost to Sonoma County to properly dispose of 30,076 pounds of HID bulbs, sodium bulbs, compact fluorescent bulbs, mercury articles, lithium batteries, NiCd batteries, and household batteries cost over \$16,560.45; and,

WHEREAS, the cost to properly dispose of 174,249 feet of fluorescent tubes cost \$24,394.86 in 2007; and,

WHEREAS, a total of 16,494 residents participated in Sonoma County's household hazardous waste programs for 2007; and,

WHEREAS, if Sonoma County were able to collect all of the batteries and fluorescent bulbs generated in Sonoma County, such a service cost would amount to more than all of the other current household hazardous waste programs combined; and,

WHEREAS, the City Council of the City of Petaluma 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 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 producers are responsible for ensuring their 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, Sonoma 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, the California Integrated Waste Management Board has adopted Strategic Directives to begin developing statewide EPR programs; and,

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Petaluma urges the California Integrated Waste Management Board to continue taking timely action to implement the Strategic Directive #5 on Producer Responsibility to manage universal and other wastes.

BE IT FURTHER RESOLVED, that the City Council of the City of Petaluma urges the California Legislature to enact framework EPR legislation that shifts universal and other waste management costs from local government to the producers of the product, and which will give producers the incentive to redesign products to make them less toxic and easier to reuse and recycle.

BE IT FURTHER RESOLVED, that the City Manager of the City of Petaluma be authorized 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.

BE IT FURTHER RESOLVED, that the City of Petaluma supports the mission of the California Product Stewardship Council (CPSC) in educating and advocating for EPR policies and programs.

BE IT FURTHER RESOLVED, that the City Council of the City of Petaluma 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.

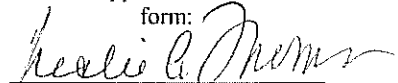
BE IT FURTHER RESOLVED, that the City of Petaluma supports development of producer responsibility policies which will require producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products at the end of their useful life.

BE IT FURTHER RESOLVED, that the City Council of the City of Petaluma does hereby reaffirm that certain Resolution No. 2001-021 of the Sonoma County Waste Management Agency, dated June 20, 2001, supporting extended producer responsibility. The City of Petaluma, as a participating member of the Sonoma County Waste Management Agency approved the initial 2001 Resolution, herein attached.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE: I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 17th day of March, 2008, by the following vote:

Approved as to form:


Assistant City Attorney

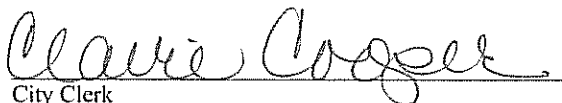
AYES: Barrett, Freitas, Harris, Nau, O'Brien, Vice Mayor Rabbitt, Mayor Torliatt

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:


City Clerk


Mayor

ORIGINAL

RESOLUTION NO. 2001-021

Dated: June 20, 2001

RESOLUTION
OF THE SONOMA COUNTY WASTE MANAGEMENT AGENCY ("AGENCY") SUPPORTING
EXTENDED PRODUCER RESPONSIBILITY ("EPR")

WHEREAS, more consumer goods and products are being designated or determined to be hazardous waste upon disposal; and

WHEREAS, it is important to remove hazardous waste from disposal in Sonoma County's Central Landfill to protect the environment and public health; and

WHEREAS, Agency has a limited budget to manage hazardous wastes, and a limited ability to raise more funds without imposing unreasonable costs on county residents; and

WHEREAS, Agency supports the premise that consumers should be made aware of the full cost of their purchases at the time of purchase, allowing for more informed choice; and

WHEREAS, Agency believes that less toxic formulations, alternative products and/or greater durability, recyclability and reusability of products will increase because manufacturers have responsibility for their products at the end of their useful life; and

WHEREAS, in the interest of long-term economic health, resource sustainability, environmental protection, public health and safety, and limiting Agency's future liability, it is desirable to support efforts that extend manufacturer responsibility for goods and products they create to include their final disposition.

NOW, THEREFORE, BE IT RESOLVED that the Agency hereby declares its support for Extended Producer Responsibility policies and supports governmental and non-governmental organizations in the effort to develop such policies.

MEMBERS:

<u>AYE</u> Santa Rosa	<u>AYE</u> Cloverdale	<u>AYE</u> County	<u>AYE</u> Sonoma	<u>AYE</u> Windsor
<u>AYE</u> Sebastopol	<u>AYE</u> Petaluma	<u>AYE</u> Healdsburg	<u>AYE</u> Cotati	<u>AYE</u> Roberts Park

AYES -10-NOES -0-ABSENT -0- ABSTAIN -0-

The within instrument is a correct copy of the original on file with this office.

ATTEST: Virginia P. Peltz DATE: 6/20/01
Clerk of the Sonoma County Waste Management Agency of the State of California, In and for the County of Sonoma.