

RESOLUTION NO. 08-38

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN JOAQUIN SUPPORTING EXTENDED
PRODUCER RESPONSIBILITY**

WHEREAS, approximately 2100 tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of \$21.25 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 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 of the City of San Joaquin 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, costs paid in 2007 for managing household batteries was equivalent to over \$ 100 per ton and the costs paid by the operator of the Mid Valley Transfer Station to properly dispose of fluorescent tubes was over \$250 per ton; and

WHEREAS, the City Council of City of San Joaquin 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, sharps, and other 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, the City of San Joaquin wishes to incorporate EPR policies into the City's and County's product procurement practices to reduce costs and protect the environment; and

WHEREAS, in January 2008 the California Integrated Waste Management Board adopted a Framework for an EPR System in California; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF THE City of San Joaquin that the City Council of the City of San Joaquin urges the California Integrated Waste Management Board to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other wastes; and

BE IT FURTHER RESOLVED, that the City Council of City of San Joaquin 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; and

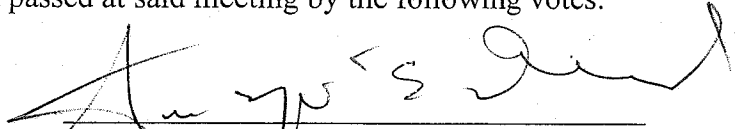
BE IT FURTHER RESOLVED, that the City Manager of City of San Joaquin be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation; and

BE IT FURTHER RESOLVED, that the City of San Joaquin 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

BE IT FURTHER RESOLVED, that the City of San Joaquin and its member agencies develop producer responsibility policies such as leasing products rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products and the end of their useful life.

The foregoing resolution was adopted at a regular meeting of the City Council of the City of San Joaquin held on July 9, 2008 and passed at said meeting by the following votes:



Amarpreet Dhaliwal, Mayor
City of San Joaquin

ATTEST:

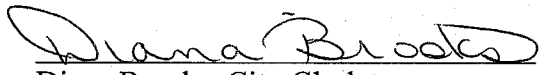
I, Diana Brooks, City Clerk of the City of San Joaquin, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a special meeting of said Council, held at the San Joaquin Council Chambers on July 9, 2008, by the following vote:

AYES: 5 Dhaliwal, Hernandez, Lua, Reynaga, Vallejo

NOES: 0

ABSENT: 0

ABSTAIN: 0



Diana Brooks, City Clerk
City of San Joaquin