

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SANTA CLARA SUPPORTING EXTENDED  
PRODUCER RESPONSIBILITY**

**WHEREAS**, the County of Santa Clara's Board of Supervisors support statewide efforts to hold producers responsible for product waste; and

**WHEREAS**, the County of Santa Clara's Board of Supervisors requests that the Department of Environment Health recommend local extended producer responsibility policies and work with necessary agencies to develop producer responsibility language for inclusion in County contracts; and

**WHEREAS**, manufactured goods and packaging constitute the vast majority of the materials managed by the County of Santa Clara and Santa Clara County Cities and sent to landfills, costing Santa Clara residents and businesses millions of dollars a year in refuse rates plus millions more in taxes to manage; and

**WHEREAS**, on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) took effect that makes it illegal to throw in the garbage items defined as "universal waste," which includes household batteries, fluorescent bulbs or tubes, thermostats, other items that contain mercury, as well as electronic devices including VCRs, microwaves, cellular phones, cordless phones, printers, and radios; and

**WHEREAS**, Senate Bill 1305 has passed into law and will be implemented September 2008 making it unlawful for households to dispose any sharps waste into the municipal solid waste stream or any container used for recyclable materials; and

**WHEREAS**, it is anticipated that the list of products determined to be hazardous and therefore banned from landfills will continue to grow; and

**WHEREAS**, assuming a fifty percent recovery rate, collecting and disposing of products currently banned from the landfills could cost Santa Clara County and cities an estimated additional \$3 million each year; and

**WHEREAS**, as additional products are declared as hazardous by the State the burden to manage these items will fall to local jurisdictions; and

**WHEREAS**, there are significant environmental and human health impacts associated with household products that present a danger to handlers or contain toxic ingredients, including mercury, lead, cadmium and other toxic chemicals that when disposed of improperly can contaminate water supplies; and

**WHEREAS**, by covering the costs of collection and disposal, local governments are subsidizing the production of waste because manufacturers know that whatever they produce, the local government will ultimately bear the responsibility for recycling or disposal; and

**WHEREAS**, Extended Producer Responsibility is an environmental policy approach in which producers assume responsibility—financial and/or physical—for the management of post-consumer products, so that those who produce and use products bear the costs of recycling and proper disposal; and

**WHEREAS**, County of Santa Clara’s Board of Supervisors through its 2006 Legislative Policies and Priorities supports the implementation of E-waste legislation mandating producer responsibility; and

**WHEREAS**, when brand owners are responsible for ensuring their products are recycled responsibly, and when health and environmental costs are included in the product price, there is a strong incentive to design and purchase goods that are more durable, easier to recycle, and less toxic; and

**WHEREAS**, it is timely to develop and support extended producer responsibility legislation to address product stewardship for hazardous products currently banned from the landfills and those which will be added to the list of banned items at any time in the future;

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA:**

1. That the Board of Supervisors urges our representatives in Sacramento to pursue statewide extended producer responsibility legislation that will give incentive for the redesign of products to make them less toxic and easier to recycle, and shift the cost for recycling and proper disposal of products from the local government to the producer and distributor of the product.
2. That the County of Santa Clara supports producer responsibility policies such as leasing products rather than purchasing them, requiring the manufacturers of products sold to County departments to offer less toxic alternatives, and requiring manufacturers of products to take responsibility for collecting and recycling their products at the end of their useful life.

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3. That the County of Santa Clara will continue to support extended producer responsibility initiatives and statewide legislation beyond universal waste to cover areas including other hazardous products, bulky packaging, and items like plastics and multi-material products that are difficult to recycle.
4. That the Chair of the Board of Supervisors be authorized to send a letter to the League of California Cities and the California State Association of Counties to urge support for extended producer responsibility legislation.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Santa Clara, State of California on \_\_\_\_\_ by the following vote:

AYES: Supervisors

NOES: Supervisors

ABSENT: Supervisors

ABSTAIN: Supervisors

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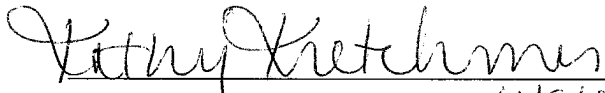
Donald F. Gage, Chairperson  
Board of Supervisors

ATTEST:

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Phyllis A. Perez  
Clerk, Board of Supervisors

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Kathy Kretchmer 4/5/07  
Deputy County Counsel