

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**RESOLUTION IN SUPPORT OF EXTENDED PRODUCER RESPONSIBILITY (EPR)  
AND PRODUCT STEWARDSHIP.**

**Summary Statement:**

On April 27, 2010, the Town Council expressed its support for the concept of Extended Producer Responsibility (EPR), and the stated mission of the California Product Stewardship Council (CPSC):

“To shift California’s product waste management system from one focused on government funded and ratepayer 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.”

At Council’s direction, staff prepared the attached resolution for the Council’s consideration. In approving a resolution in support of EPR, the Town of Apple Valley joins over 90 cities, counties and agencies in California, including the Southern California Association of Governments, League of California Cities, National League of Cities, California State Association of Counties and National Association of Counties.

**Recommended Action:**

Approve and Adopt Resolution No. 2010-20 A Resolution in support of Extended Producer Responsibility.

Proposed by: Diana McKeen

Item Number \_\_\_\_\_

T. M. Approval: \_\_\_\_\_

Budgeted Item  Yes  No  N/A

**RESOLUTION NO. 2010-20**

**A RESOLUTION OF THE TOWN OF APPLE VALLEY  
SUPPORTING EXTENDED PRODUCER RESPONSIBILITY**

**WHEREAS**, approximately 60,000 tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of \$35.38 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 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**, costs paid in 2009 for managing household hazardous waste was over \$80,000; and

**WHEREAS**, the Town Council of the Town of Apple Valley 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 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**, in January 2001, the Town of Apple Valley adopted a Green Waste Purchasing Policy in recognition of the importance of preserving limited and increasingly valuable landfill space, conserving natural resources and protecting the environment; and

**WHEREAS**, in September 2007, the Town of Apple Valley adopted a Zero Waste Resolution which emphasizes the need to incentivize manufacturers to reduce the toxics in their products and design them to be reusable and recyclable; and

**WHEREAS**, the Town of Apple Valley 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

**WHEREAS**, in July 2008 the National Association of Counties adopted a resolution in support of a framework approach to EPR; and

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY** that the Town Council of the Town of Apple Valley that by adoption of this Resolution, the Town of Apple Valley urges the California Department of Resources Recycling and Recovery (CalRecycle) and associated state agencies with responsibility for environmentally safe disposal and recycling of materials to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other waste products; and

**BE IT FURTHER RESOLVED**, that the Town Council of the Town of Apple Valley urges the California Legislature to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to reuse and recycle; and

**BE IT FURTHER RESOLVED**, that the Environmental & Regulatory Compliance Manager of the Town of Apple Valley be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Department of Resources Recycling and Recovery, and the State legislature and to use other advocacy methods to urge support for EPR Framework legislation and related regulations; and

**BE IT FURTHER RESOLVED**, that the Town of Apple Valley 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 Town of Apple Valley further explore 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 passed by the Town Council of the Town of Apple Valley this 11<sup>th</sup> day of May, 2010.

Signed: \_\_\_\_\_  
Peter Allan, Mayor

ATTEST:

\_\_\_\_\_  
LaVonda M-Pearson, Town Clerk