

1 [Resolution—Supporting Establishment of Statewide Extended Producer Responsibility
2 System and Framework.]

3 **Resolution urging the California State Legislature to enact an extended producer**
4 **responsibility framework, requesting the City and County of San Francisco's lobbying**
5 **efforts include extended producer responsibility advocacy, authorizing the City to**
6 **become a member of the California Product Stewardship Council and recommitting the**
7 **City to the goals of the Environmentally Preferable Purchasing Ordinance.**

8
9 **WHEREAS**, Approximately 620,000 tons of discarded materials and products
10 are currently sent to disposal from San Francisco each year at a cost exceeding \$150 million
11 dollars; and

12 **WHEREAS**, On February 8, 2006 California's Universal Waste Rule (CCR, Title
13 22, Division 4.5, Chapter 23) became effective; and

14 **WHEREAS**, The Universal Waste Rule banned landfill disposal of certain
15 products that are deemed hazardous, including household batteries, fluorescent bulbs and
16 tubes, thermostats and other items that contain mercury, and electronic devices such as,
17 televisions, cell phones, microwave ovens, printers, and computers; and

18 **WHEREAS**, It is anticipated that the list of waste products determined to be
19 hazardous or problematic will continue to grow and will therefore be banned from landfills as
20 demonstrated by the 2007 ban of treated wood and the 2008 ban on sharps; and

21 **WHEREAS**, State policies currently hold local governments responsible for
22 achieving waste diversion goals and enforcing product disposal bans, both of which are
23 unfunded mandates; and

1 **WHEREAS**, The costs to manage Universal Waste and problematic products
2 are currently borne by taxpayers and rate payers and because of the bans these costs are
3 increasing substantially and will continue to do so unless policy changes are made; and

4 **WHEREAS**, Data from City and County annual reports show that, statewide,
5 less than ten percent of the household hazardous waste and Universal Waste generated is
6 being collected; and

7 **WHEREAS**, Local governments do not have the resources to adequately
8 address the rising volume of discarded products; and

9 **WHEREAS**, Costs paid by local governments to manage products are, in effect,
10 subsidies to the producers of hazardous products and products designed for disposal; and

11 **WHEREAS**, Assuming a fifty percent recovery rate, collecting and disposing of
12 universal waste items now banned from the trash costs San Francisco and estimated \$5
13 million each year; and

14 **WHEREAS**, In 2006 the San Francisco Board of Supervisors adopted resolution
15 0094-06 on file with the Clerk of the Board of Supervisors in File No. 060194, which is hereby
16 declared to be a part of this resolution as if set forth fully herein, supporting statewide efforts
17 to ensure producers share in the responsibility for Universal Waste and other products they
18 create; and

19 **WHEREAS**, There are significant environmental and human health impacts
20 associated with improper management of Universal Waste, sharps, pharmaceuticals, and
21 other products and economic impacts when waste becomes litter, including ocean litter; and

22 **WHEREAS**, Extended Producer Responsibility (EPR) is a policy approach in
23 which producers have cradle-to-cradle responsibility for the products they create and sell and
24 are responsible for designing and managing effective end-of-life systems for those products;
25 and

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1 **WHEREAS**, EPR incorporates the cost of disposal and recovery for discarded
2 products into the purchase price and reduces the financial burden on local taxpayers and
3 garbage ratepayers; and

4 **WHEREAS**, EPR encourages reuse and recycling and also encourages
5 producers to consider the health and environmental costs associated with the products they
6 create and to include those costs in the product price, thereby creating an incentive to design
7 products that are more durable, easier to repair and recycle, and are less toxic; and

8 **WHEREAS**, EPR framework legislation is a holistic approach that establishes
9 transparent and fair principles and procedures for applying EPR to categories of products and
10 ensures a level playing field for all producers of those products; and

11 **WHEREAS**, The California Product Stewardship Council (CPSC) is a non-profit
12 organization of California local governments working to speak with one voice building
13 knowledge and capacity for transparent and fair EPR systems in California; and

14 **WHEREAS**, San Francisco incorporates EPR policies into the procurement
15 practices to reduce costs and protect the environment, as part of the Environmentally
16 Preferable Purchasing Ordinance; and

17 **WHEREAS**, In January 2008 the California Integrated Waste Management
18 Board (now CalRecycle) adopted a Framework for an EPR System in California; and

19 **WHEREAS**, The National and California League of Cities adopted policy
20 statements in support of a framework approach to EPR, the National and California
21 Association of Counties have adopted policies and resolutions in support of a framework
22 approach to EPR; the Solid Waste Association of North America adopted a policy supporting
23 EPR, and the Association of State and Territorial Solid Waste Management Officials adopted
24 a Product Stewardship Framework Policy Document; now, therefore, be it
25

1 **RESOLVED**, that the Board of Supervisors of the City and County of San
2 Francisco hereby urges the California Legislature to continue taking timely action to
3 implement the Framework for an EPR System adopted by CalRecycle in 2008 to manage
4 problematic products; and be it

5 **FURTHER RESOLVED**, that the Board of Supervisors of the City and County of
6 San Francisco additionally urges the California Legislature to enact framework EPR legislation
7 which will give producers the incentive to design products to make them less toxic and easier
8 to reuse and recycle; and, be it

9 **FURTHER RESOLVED**, That the Board of Supervisors of the City and County
10 of San Francisco encourages the Department of Toxic Substances Control to implement the
11 Green Chemistry initiative to manage Universal Waste and other toxic products; and, be it

12 **FURTHER RESOLVED**, That the Board of Supervisors requests the Mayor to
13 send letters to the League of California Cities, the California State Association of Counties,
14 the Department of Toxic Substance Control, and the State Legislature and to use other
15 advocacy methods to urge support for EPR product and framework legislation and related
16 regulations and otherwise direct the City's Sacramento Lobbying efforts to advocate for EPR
17 product and framework legislation; and, be it

18 **FURTHER RESOLVED**, That the Director of the Department of the Environment
19 is hereby authorized to sign the California Product Stewardship Council (CPSC) Pledge of
20 Support on file with the Clerk of the Board of Supervisors in File No. ¹⁰⁰⁴⁷⁵, which is hereby
21 declared to be a part of this resolution as if set forth fully herein, and contribute such monies
22 that may be available for such purpose to CPSC to educate and advocate for EPR policies
23 and programs; and, be it

24 **FURTHER RESOLVED**, That the Board of Supervisors of the City and County
25 of San Francisco encourages all manufacturers to share in the responsibility for eliminating

1 waste through minimizing excess packaging, designing products for durability, reusability and
2 the ability to be recycled; using recycled materials in the manufacture of new products; and
3 providing financial support for collection, processing, recycling, or disposal of used materials;
4 and, be it

5 **FURTHER RESOLVED**, That the Board of Supervisors of the City and County
6 of San Francisco recommits to, and reminds all City Departments of, the goals encompassed
7 in the Environmentally Preferable Purchasing Ordinance: Reduce occupational health hazards
8 for City staff as well as reduce exposure of City residents and visitors to potential toxics;
9 reduce San Francisco's contribution to global climate change by purchasing products that
10 lead to a reduction in greenhouse gas emissions; improve the air quality by purchasing
11 equipment that minimizes emissions of air pollutants; protect the quality of ground and surface
12 waters by eliminating the use of chemicals known to contaminate through toxicity,
13 bioaccumulation or persistence; preserve resources locally and globally through purchasing
14 practices that maximize water and energy efficiency; utilize post consumer recycled content
15 and readily recyclable or compostable materials; favor renewable energy sources and long-
16 term use through product durability, reparability, and reuse; and consider the life cycle
17 economics of a product's manufacture, transportation, use and disposal.



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 100475

Date Passed: April 20, 2010

Resolution urging the California State Legislature to enact an extended producer responsibility framework, requesting the City and County of San Francisco's lobbying efforts include extended producer responsibility advocacy, authorizing the City to become a member of the California Product Stewardship Council and recommitting the City to the goals of the Environmentally Preferable Purchasing Ordinance.

April 20, 2010 Board of Supervisors - ADOPTED

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi

Excused: 1 - Maxwell

File No. 100475

I hereby certify that the foregoing Resolution was ADOPTED on 4/20/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Mayor Gavin Newsom

4-30-10

Date Approved