

Resolution No. 9017
Resolution of the Council of the City of Palo Alto Supporting State
and National Extended Producer Responsibility Actions

WHEREAS, manufactured goods and packaging constitute about 75 percent of the materials managed by the City of Palo Alto's garbage and recycling program, costing Palo Alto residents and businesses about \$30 million a year in refuse rates and 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) became effective 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, printers, and radios; 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, there are significant environmental and human health impacts associated with household products that contain toxic ingredients, including mercury, lead cadmium, and other toxic chemicals that when disposed of improperly can contaminate water supplies; 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, 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 the universal waste sector of the waste stream in response to the state ban on universal waste from household disposal;

NOW, THEREFORE, the City Council of the City of Palo Alto does hereby RESOLVE as follows:

SECTION 1. The Council urges our representatives in Sacramento to pursue statewide extended producer responsibility legislation targeted at universal waste that will give incentives for the redesign of products to make them less toxic, and shift the cost of recycling and proper disposal of products from the local government to the producer and distributor of the product.

SECTION 2. The City of Palo Alto 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.

SECTION 3. The City will continue to develop Environmentally Preferable Purchasing policies that give preference to City vendors who employ environmentally responsible practices such as leasing products, offering less toxic alternatives, and who take responsibility for collecting and recycling their products at the end of their useful life.

SECTION 4. If the state does not pass effective legislation within the next 18 months, or if industry does not implement a comprehensive effective take-back system within the next 18 months, the City of Palo Alto will consider adopting and implementing a model mandatory take-back ordinance requiring local retailers, who sell products that become universal waste, to have in place a system for the convenient acceptance and collection of used universal waste for recycling or proper disposal.

INTRODUCED AND PASSED: December 14, 2009

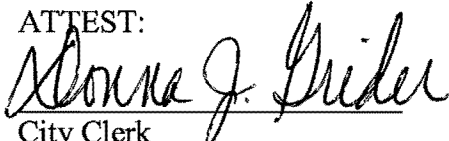
AYES: BARTON, BURT, DREKMEIER, ESPINOSA, KISHIMOTO, KLEIN, MORTON, SCHMID, YEH

NOES:

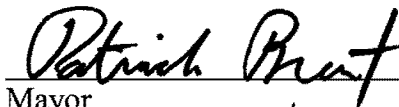
ABSENT:

ABSTENTIONS:

ATTEST:



City Clerk

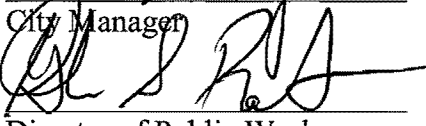
APPROVED:


Mayor

APPROVED AS TO FORM:


Deputy City Attorney


City Manager


Director of Public Works