

Council Meeting of  
December 9, 2008

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: Public Works – Approval of RESOLUTION to join the California Product Stewardship Council. Expenditure: \$1,500.00.**

### **RECOMMENDATION**

Recommendation of the Environmental Commission and the Public Works Director that City Council approve a **RESOLUTION** to join the California Product Stewardship Council and authorize an annual membership fee of \$1,500.00.

### **Funding**

Funding is available in the Public Works Sanitation Enterprise Fund.

### **BACKGROUND/ANALYSIS**

The California Product Stewardship Council (CPSC) is a non-profit coalition of local governments, solid waste organizations and other related groups working to support product stewardship and extended producer responsibility (EPR). By approving this Resolution, Torrance will become part of a larger effort coordinated by the CPSC with the goal of implementing EPR systems, policies and legislation that will help in the ultimate goal of reducing waste.

Extended producer responsibility (EPR) is a system that encourages manufacturers of products to take responsibility for minimizing the environmental impact of those products through all stages of the product's life cycle, including disposal at the end of the useful life. EPR encourages producers to find ways to manufacture products that will be more environmentally friendly both in the short and the long term, as they will be required to take greater responsibility for the disposal or recycling of their products at the end of their useful life. It is hoped that programs such as EPR will result not only in less waste entering the waste stream but also products made with fewer hazardous materials.

Currently, waste disposal is a local responsibility. Mandates regarding disposal of items such as batteries, pharmaceuticals and other items require the local jurisdiction to provide options that meet the requirements of the Universal Waste Ban and allow for safe disposal of hazardous wastes that are banned from regular trash pick up.

Unfortunately, these mandates are unfunded and local governments must bear the cost of finding proper disposal methods for hazardous and toxic waste.

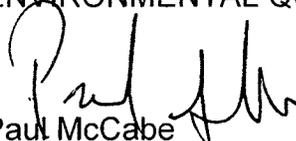
Adoption of the attached Resolution will signify the City's support of a system that will take some of the pressure off of local governments and place it back with the producers of products that result in hazardous or toxic waste. As a direct result of adopting the Resolution, the City will pledge an annual fee of \$1,500 to the CPSC to help with advocacy and education programs, and will be requested to act as liaison for legislative support. These functions will be handled by the Public Works Department as part of their recycling and waste management programs.

**Environmental Quality Commission Recommendation:**

At the November 6, 2008 meeting of The Environmental Quality and Energy Commission (TEQECC), a representative of the CPSC gave a presentation on the subject of EPR. The Commission moved to approve a recommendation supporting the Resolution to Council.

Respectfully submitted,

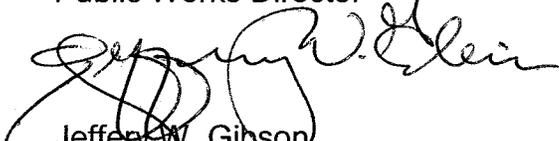
ENVIRONMENTAL QUALITY COMMISSION

  
Paul McCabe  
Chair

CONCUR:

  
Robert J. Beste  
Public Works Director

ROBERT J. BESTE  
Public Works Director

  
Jeffrey W. Gibson  
Community Development Director

  
By: Alison Sherman  
Waste Management Coordinator

  
LeRoy J. Jackson  
City Manager

Attachments: A) Resolution  
B) TEQECC Agenda Item

**RESOLUTION NO. \_\_\_\_\_****RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE SUPPORTING  
EXTENDED PRODUCER RESPONSIBILITY**

- WHEREAS,** nearly 200,000 tons of discarded materials and products are currently sent to landfills from our community on annual basis at a minimum cost of \$41.39 per ton; and
- WHEREAS,** on February 8, 2006 California's Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective, which 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 electronics devices such as cell phones, radios, microwave ovens, and video cassette recorders; 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 government has no input on the design of the products, make no profit from the products and do not have 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,** the City of Torrance supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and
- WHEREAS,** there is significant environmental and human health impacts associated with improper management of Universal Waste 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 principals and procedures for applying ERP 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 Torrance wishes to incorporate EPR policies into the City's product procurement practices to reduce costs and protect the environment; and

**WHEREAS,** The California Integrated Waste Management Board has adopted Strategic Directives to begin developing statewide EPR programs; and

**NOW, THEREFORE, BE IT RESOLVED** that the Torrance City Council urges the California Integrated Waste Management Board to continue taking timely action to implement the Strategic Directive #5 on Producer Responsibility to manage Universal and other wastes; and

**BE IT FURTHER RESOLVED,** that the City of Torrance urges the California Legislature to enact framework legislation that shifts the Universal and other waste management costs from local governments 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 Public Works Director be authorized to send letter 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 Public Works Director be authorized to sign the California Product Stewardship (CPSC) Pledge of Support and participate by contributing \$1500.00 annually to CPSC to educate and advocate for EPR policies and programs; and

**BE IT FURTHER RESOLVED**, that the City of Torrance 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 manufacturing 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 Torrance and its member agencies develop producer responsibility policies such as requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products at the end of their useful life.

**INTRODUCED, APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Mayor of the City of Torrance

ATTEST:

\_\_\_\_\_  
City Clerk of the City Torrance

APPROVED AS TO FORM:

JOHN FELLOWS  
CITY ATTORNEY

BY \_\_\_\_\_  
Ronald T. Pohl,  
Assistant City Attorney



**TORRANCE ENVIRONMENTAL QUALITY COMMISSION**

November 6, 2008

To: Chairman McCabe and Members  
of the Torrance Environmental Quality Commission

Subject: Extended Producer Responsibility

Attached is a resolution recommended by the California Product Stewardship Council (CPSC) regarding extended producer responsibility (EPR). This resolution is part of a larger effort coordinated by the CPSC with the goal of implementing EPR systems, policies and legislation that will help in the ultimate goal of reducing waste.

Extended producer responsibility (EPR) is a system that encourages manufacturers of products to take responsibility for minimizing the environmental impact of those products through all stages of the product's life cycle, including disposal at the end of the useful life. EPR encourages producers to find ways to manufacture products that will be more environmentally friendly both in the short and the long term, as they will be required to take greater responsibility for the disposal or recycling of their products at the end of their useful life. It is hoped that programs such as EPR will result not only in less waste entering the waste stream but also products made with fewer hazardous materials.

Currently, waste disposal is a local responsibility. Mandates regarding disposal of items such as batteries, pharmaceuticals and other items require the local jurisdiction to provide options that meet the requirements of the Universal Waste Ban and allow for safe disposal of hazardous wastes that are banned from regular trash pick up. Unfortunately, these mandates are unfunded and local governments must bear the cost of finding proper disposal methods for hazardous and toxic waste.

Adoption of the attached resolution will signal our support of a system that will take some of the pressure off of local governments and place it back with the producers of products that result in hazardous or toxic waste. As a direct result of adopting the resolution, the City will pledge a contribution of \$1,500 to the CPSC to help with advocacy and education programs, and will be requested to act as liaison for legislative support. These functions will be handled by the Public Works Department as part of their recycling and waste management programs.

Respectfully Submitted,  
Linda Cessna  
Deputy Community Development Director



California Product Stewardship Council  
Northwest Product Stewardship Council



# Framework Principles for Product Stewardship Policy

The following principles are intended to guide development of product stewardship policies and legislation that governs multiple products. It is primarily aimed at state legislation but is also intended as a guide for local and federal policy.

## 1. Producer Responsibility

- 1.1 All producers selling a covered product into the State are responsible for designing, managing, and financing a stewardship program that addresses the lifecycle impacts of their products including end-of-life management.
- 1.2 Producers have flexibility to meet these responsibilities by offering their own plan or participating in a plan with others.
- 1.3 In addressing end-of-life management, all stewardship programs must finance the collection, transportation, and responsible reuse, recycling or disposition of covered products. Stewardship programs must:
  - Cover the costs of new, historic and orphan covered products.
  - Provide convenient collection for consumers throughout the State.
- 1.4 Costs for product waste management are shifted from taxpayers and ratepayers to producers and users.
- 1.5 Programs are operated by producers with minimum government involvement.

## 2. Shared Responsibilities

- 2.1 Retailers only sell covered products from producers who are in compliance with stewardship requirements.
- 2.2 State and local governments work with producers and retailers on educating the public about the stewardship programs.
- 2.3 Consumers are responsible for using return systems set up by producers or their agents.

## 3. Governance

- 3.1 Government sets goals and performance standards following consultation with stakeholders. All programs within a product category are accountable to the same goals and performance standards.

- 3.2 Government allows producers the flexibility to determine the most cost-effective means of achieving the goals and performance standards.
- 3.3 Government is responsible for ensuring a level playing field by enforcing requirements that all producers in a product category participate in a stewardship program as a condition for selling their product in the jurisdiction.
- 3.4 Product categories required to have stewardship programs are selected using the process and priorities set out in framework legislation.
- 3.5 Government is responsible for ensuring transparency and accountability of stewardship programs. Producers are accountable to both government and consumers for disclosing environmental outcomes.

#### 4. Financing

- 4.1 Producers finance their stewardship programs as a general cost of doing business, through cost internalization or by recovering costs through arrangements with their distributors and retailers. End of life fees are not allowed.

#### 5. Environmental Protection

- 5.1 Framework legislation should address environmental product design, including source reduction, recyclability and reducing toxicity of covered products.
- 5.2 Framework legislation requires that stewardship programs ensure that all products covered by the stewardship program are managed in an environmentally sound manner.
- 5.3 Stewardship programs must be consistent with other State sustainability legislation, including those that address greenhouse gas reduction and the waste management hierarchy.
- 5.4 Stewardship programs include reporting on the final disposition, (i.e., reuse, recycling, disposal) of products handled by the stewardship program, including any products or materials exported for processing.

Adopted by Northwest Product Stewardship Council: May 19, 2008

[www.productstewardship.net](http://www.productstewardship.net)

Adopted by California Product Stewardship Council: June 4, 2008

[www.caproductstewardship.org](http://www.caproductstewardship.org)



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[www.productpolicy.org](http://www.productpolicy.org)