File No. 100475

Committee Item No. _____
Board Item No. 35

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting **Date** April 20, 2010

Cmte	Board	
☐	☐	Motion
☐	☑	Resolution
☐	☐	Ordinance
☐	☐	Legislative Digest
☐	☐	Budget Analyst Report
☐	☐	Legislative Analyst Report
☐	☐	Youth Commission Report
☐	☐	Introduction Form (for hearings)
☐	☐	Department/Agency Cover Letter and/or Report
☐	☐	MOU
☐	☐	Grant Information Form
☐	☐	Grant Budget
☐	☐	Subcontract Budget
☐	☐	Contract/Agreement
☐	☐	Award Letter
☐	☐	Application
☐	☐	Public Correspondence

OTHER (Use back side if additional space is needed)

☐ ☐ _____
☐ ☐ _____
☐ ☐ _____

Completed by: Annette Lonich **Date** April 15, 2010
Completed by: _____ **Date** _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document is in the file.

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2010 APR 13 PM 1:06

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or Meeting Date AK

BY

I hereby submit the following item for introduction:

_____ 1. For reference to Committee:
An ordinance, resolution, motion, or charter amendment.
_xx_ 2. Request for next printed agenda without reference to Committee
_____ 3. Request for Committee hearing on a subject matter.
_____ 4. Request for letter beginning "Supervisor _____ inquires…".
_____ 5. City Attorney request.
_____ 6. Call file from Committee.
_____ 7. Budget Analyst request (attach written motion).
_____ 8. Substitute Legislation File Nos.
_____ 9. Request for Closed Session
_____ 10. Board to Sit as A Committee of the Whole

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

☐ Small Business Commission
☐ Ethics Commission
☐ Building Inspection Commission
☐ Youth Commission
☐ Planning Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor Mirkarimi

SUBJECT: Resolution- —Supporting Establishment of Statewide Extended Producer Responsibility System and Framework

The text is listed below or attached:

Attached

Signature of Sponsoring Supervisor: _____

For Clerk's Use Only:

100475

FILE NO. 100475 RESOLUTION NO.

[Supporting Establishment of Statewide Extended Producer Responsibility System and Framework]

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.

WHEREAS, Approximately 620,000 tons of discarded materials and products are currently sent to disposal from San Francisco each year at a cost exceeding $150 million dollars; 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 banned landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, and electronic devices such as, televisions, cell phones, microwave ovens, printers, and computers; and

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

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

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

WHEREAS, Data from City and County annual reports show that, statewide, less than ten percent of the household hazardous waste and Universal Waste generated is being collected; 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, Assuming a fifty percent recovery rate, collecting and disposing of universal waste items now banned from the trash costs San Francisco and estimated $5 million each year; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CPSC
California Product Stewardship Council SM

P.O. Box 216381
Sacramento, CA 95821
916-480-9010

www.CalPSC.org

PLEDGE OF SUPPORT

The California Product Stewardship Council (CPSC) is a coalition of local government, their associations and organizations related to solid waste, recycling, resource conservation, environmental protection, water quality, and other cross-media issues (Associates). Together with non-government organizations (NGOs) individuals, and businesses (Partners) across California they form a network supporting product stewardship and extended producer responsibility (EPR). CPSC is a federally recognized 501(c)(3) non-profit public benefit California corporation that exists by means of your monetary and in-kind contributions in addition to private and public grant funding.

CPSC MISSION: 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.

CPSC FUNCTIONS:

1. Build relationships among local government and other stakeholders to increase capacity and knowledge in order to bring about producer financed and managed systems for life cycle and end of life management of their products.
2. Develop practical local and statewide EPR policy and educational tools such as model ordinances, legislation, newsletters, articles, policy briefings, PowerPoint presentations, etc.

The undersigned supports the mission and functions of the California Product Stewardship Council, has reviewed, understands and endorses the Framework Principles for Product Stewardship Policy, and will advocate in support of product stewardship and EPR.

Affiliation (check one): ☐ **Associate - Local Government (City, County, Local Government Association)**
☐ **Partner - Individual, Business, NGO, Other Organization**

_____

Signature **Date**

_____

Name (print) **Title**

_____

Organization/Jurisdiction (city, county, regional agency) **Department/Agency**

_____

Mailing Address (street address or P.O. Box, City, State, zip)

_____

Telephone (with area code) **Email**

☐ **Check here if you are including or will provide a financial contribution to CPSC**
Please sign, include contribution, and mail to CPSC, P.O. Box 216381, Sacramento, CA 95821