

**BEFORE THE BOARD OF DIRECTORS
OF
DELTA DIABLO SANITATION DISTRICT**

**Re: Supporting Extended)
 Producer Responsibility)**

RESOLUTION NO. 16/2009

THE BOARD OF DIRECTORS OF DELTA DIABLO SANITATION DISTRICT HAS DETERMINED THAT:

WHEREAS, approximately 453 tons of hazardous waste and products are currently sent to disposal from East Contra Costa County on an annual basis at a cost of \$1,124 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 2008/09 for managing household batteries was equivalent to over \$1,600 per ton and the costs paid to properly dispose of fluorescent tubes was over \$3,300 per ton; and

WHEREAS, if the District were able to collect all of the batteries and fluorescent tubes generated in East Contra Costa County, such a service cost would cost 65% percent of the total annual budget for HHW collection and disposal; and

WHEREAS, the District Board 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, Delta Diablo Sanitation District wishes to incorporate EPR policies into the District'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;

NOW THEREFORE, the Board of Directors of Delta Diablo Sanitation District DOES HEREBY RESOLVE AND ORDER as follows:

1. The District urges the California Integrated Waste Management Board to continue taking timely action to implement the Framework for an EPR System in California to manage Universal and other waste products; and
2. The District 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
3. The Board authorizes the General Manager to send letters 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 related regulations; and

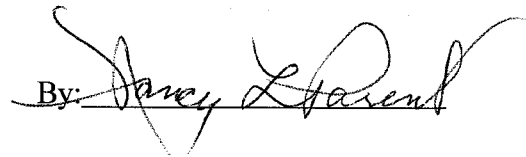
4. The Board authorizes the General Manager to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing \$2,500 to CPSC on an annual basis to educate and advocate for EPR policies and programs; and
5. The District encourages all manufacturers to share in 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
6. The District will develop 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.

PASSED AND ADOPTED on September 9, 2009, by the following vote:

AYES:	DAVIS, GLOVER and PARENT	ABSENT:	NONE
NOES:	NONE	ABSTAIN:	NONE

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Board of Directors of Delta Diablo Sanitation District on September 9, 2009.

ATTEST: Nancy L. Parent
Board Secretary

By: 

cc: Heidi Sanborn, California Product Stewardship Council

Exhibits: A) California Product Stewardship Council Pledge
B) Framework Principles for Product Stewardship Policy

RESOLUTION NO. 16/2009



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.

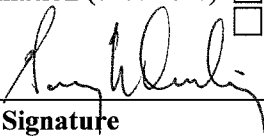
CPSC MISSION: To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

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

	9-9-09
Gary Darling	General Manager
Delta Diablo Sanitation District	Department/Agency
2500 Pittsburg-Antioch Hwy, Antioch, CA 94509	
Mailing Address (street address or P.O. Box, City, State, zip)	
(925) 756-1910	garyd@ddsd.org
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

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
California 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.

Northwest Product Stewardship Council www.productstewardship.net Adopted May 19, 2008
California Product Stewardship Council www.calpsc.org Adopted June 4, 2008
Vermont Product Stewardship Council www.vtpsc.org Adopted November 6, 2008
British Columbia Product Stewardship Council www.bcproductstewardship.org Adopted Dec. 9, 2008
Texas Product Stewardship Council www.txpsc.org Adopted January 30, 2009
NYS Assoc. for Solid Waste Management www.newyorkwaste.org Adopted March 11, 2009



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