

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**

- |                          |                                     |                                              |
|--------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget Analyst Report                        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Legislative Analyst Report                   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form (for hearings)             |
| <input type="checkbox"/> | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU                                          |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

**OTHER** (Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>
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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

**INTRODUCTION FORM**

By a member of the Board of Supervisors or the Mayor

2010 APR 3 PM 1:06

Time Stamp or Meeting Date AK

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
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection 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: [Handwritten Signature]

For Clerk's Use Only:

100475

1 [Supporting Establishment of Statewide Extended Producer Responsibility System and  
2 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 060194 on file with the Clerk of the Board of Supervisors in File No. 0094-06, 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

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**, by 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.           , 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.

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25



**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

**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.