

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY

DEPARTMENT DIRECTOR

CITY MANAGER



June 26, 2007

**FROM:** RENE A. RAMIREZ, Director   
Department of Public Utilities

**THROUGH:** BILL O'BRIEN, Assistant Director   
Solid Waste Management Division

**BY:** ROBERT GEDERT, Chief of Operations   
Solid Waste Management Division

**SUBJECT:** A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,  
IN SUPPORT OF PRODUCER RESPONSIBILITY IN COORDINATION WITH THE  
FRESNO GREEN STRATEGIES

**KEY RESULT AREA**

Public Safety

**RECOMMENDATION**

Staff recommends adoption of resolution presented.

**EXECUTIVE SUMMARY**

The United States Environmental Protection Agency (EPA) estimates that over 70 percent of consumer waste are manufactured products, including 'durable' goods, 'nondurable' goods, and household items.

Decisions regarding the implementation of these statewide disposal bans are often made with little regard for costs to the local government. In addition, decisions regarding the design of these products are often made with little regard for waste prevention, recycling, and the costs to local governments.

The Producer Responsibility resolution clearly sends a signal that the City of Fresno cannot afford to finance the disposal of these waste streams, and seeks an understanding from producers that they bear some responsibility for the products they produce. As such, the staff recommends Council support of the proposed Producer Responsibility resolution.

**KEY OBJECTIVE BALANCE**

The recommendation for supporting producer responsibility balances the three key objectives of Customer Satisfaction, Employee Satisfaction, and Financial Management. Customer Satisfaction is satisfied through the producer support of proper disposal of toxic consumer goods to assist local schools, businesses, and homeowners to reduce waste generation and increase recycling diversion.

Employee Satisfaction is satisfied through the utilization of their talents and skills in promoting a safer, cleaner environment where natural resources are preserved and waste streams are diverted to more productive use, rather than buried in the landfill. Financial Management is satisfied by the financial contribution provided by producers to care for the final disposal of the products they produce, reducing overall disposal costs for the community.

## **BACKGROUND**

On February 8, 2006, California state law took effect, making it illegal to dispose items defined as "universal waste," including household batteries, fluorescent bulbs or tubes, thermostats, other items that contain mercury, as well as electronic devices including VCRs, microwaves, cellular phones, cordless phones, printers, and radios. As the City of Fresno staff explores options to better collect and handle this universal wastes, residents are calling for legal disposal methods that are convenient and "free" to the public.

Currently, the only answer City staff can offer is to inform the public of the twice a year Household Hazardous Waste (HHW) collection events offered by the County, and paid for through a coalition of fifteen cities including the City of Fresno through a landfill tipping fee surcharge. County staff have submitted a grant application to the State to seek funds to construct and operate a permanent HHW facility that is open to the public every weekend.

However, as the producer's generate consumer products containing hazardous materials, the collection burden falls on the local government to provide legal collection methods. For instance, if the residents desired battery collection at the curb, in the same manner as traditional recyclables are collected, the City would expend an estimated \$4 million per year in additional expenses. In addition to batteries, fluorescent bulbs or tubes also need to be collected safely. The costs of such a collection program exceeds our financial resources.

Decisions regarding the implementation of these statewide disposal bans are often made with little regard for costs to the local government. In addition, decisions regarding the design of these products are often made with little regard for waste prevention, recycling, and the costs to local governments.

Staff recognizes 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. As staff attempts to address these concerns, it is recommended the Council support the concept of "Producer Responsibility".

"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. When brand owners are responsible for ensuring their products are re-used or recycled responsibly, and when health and environmental costs are included in the product price, there is a strong market incentive to design and purchase goods that are more durable, easier to recycle, and less toxic.

California communities that have endorsed the "Producer Responsibility" concept by resolution include:

- San Francisco Board of Supervisors
- San Jose City Council
- Oakland City Council
- San Bernardino County Board of Supervisors
- Santa Clara County Board of Supervisors

**REPORT TO COUNCIL**

Resolution Supporting Producer Responsibility

June 26, 2007

Page 3

The Producer Responsibility resolution is a suggested action within Strategy 6 of the Fresno Green Initiative. The resolution is one on many actions toward addressing the issue of toxic product disposal.

Council support of this resolution will not directly impact the manufacturers or producers of these products. However, the resolution of support clearly sends a signal that the City of Fresno cannot afford to finance the disposal of these waste streams, and seeks an understanding from producers that they bear some responsibility for the products they produce. As such, the staff recommends Council support of the proposed Producer Responsibility resolution.

**FISCAL IMPACT**

There is no fiscal impact to the City of Fresno resulting from the adoption of Producer Responsibility resolution.

**Attachment:**

- Producer Responsibility Resolution
- Fresno Green Strategy #6
- Producer Responsibility Fact Sheet