SUPPORTING EXTENDED PRODUCER RESPONSIBILITY FOR PRODUCTS

WHEREAS, the U.S. Conference of Mayors 2000 Resolution, entitled "Shared Responsibility for Waste Reduction," urged the membership to engage in dialogue with manufacturers, distributors, retailers, and citizens in their communities and develop voluntary programs regarding Shared Responsibility for Waste Reduction with measurable goals and objectives; 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 problematic products are currently borne by taxpayers and rate payers and these costs are increasing substantially and will continue to do so unless policy changes are made; and

WHEREAS, approximately 250 million tons of discarded products and packaging are currently managed in communities each year; and

WHEREAS, statewide data from California show that less than ten percent of household hazardous waste products are being collected at average costs upwards of $1,000 per ton; and

WHEREAS, there are environmental and human health impacts associated with improper management of mercury lamps, sharps, pharmaceuticals and other products and economic impacts when waste becomes litter, including ocean litter; and

WHEREAS, costs paid by local governments to manage products are, in effect, subsidies to the producers of hazardous products and of products designed for disposal; and

WHEREAS, Extended Producer Responsibility (EPR, also known as Product Stewardship) is a policy approach that encourages shared responsibility where all entities involved in the product chain have some responsibility to reduce the life-cycle impacts of a product and its packaging, but primary responsibility lies with the producer, or brand owner, who makes design and marketing decisions; and

WHEREAS, under EPR producers are responsible for designing, financing and managing effective end-of-life systems for their products and associated packaging; and

WHEREAS, EPR incorporates the cost of disposal and recovery of discarded products into the purchase price to allow for a more free-market approach with the private sector playing a bigger role in product waste management, bringing innovation and competition to reduce the recycling costs and 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, less toxic, and cost-effective to repair and recycle; and
WHEREAS, local jurisdictions in Minnesota, Texas, New York and Massachusetts, and 92 local governments and associations in California have adopted local resolutions calling for state EPR legislation; and

WHEREAS, the National League of Cities, the National Association of Counties and municipal leagues in Minnesota and California have adopted policy statements in support of EPR legislation, and statewide local government Product Stewardship Councils in CA, NW, NY, TX and VT have adopted Principles for Framework Product Stewardship; and

WHEREAS, more than 50 producer responsibility laws in 32 states covering 7 categories of hazardous products have been passed since 2005, and the Maine legislature unanimously passed the first EPR Framework law in 2010 with Maine Chamber of Commerce and Merchant support; and

WHEREAS, local governments are eager to develop a partnership with manufacturers to “close the loop” on product waste to keep materials in the economic stream of commerce to support our economy instead of becoming a long-term liability by putting materials in landfills; and

NOW, THEREFORE BE IT RESOLVED, that The U.S. Conference of Mayors supports state and federal EPR legislation which gives producers the incentive to design products to make them less toxic and easier to reuse and recycle.

BE IT FURTHER RESOLVED, that The U.S. Conference of Mayors urges Congress to protect and support the ability of local and state governments to establish producer responsibility legislation.

BE IT FURTHER RESOLVED, that The U.S. Conference of Mayors 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.

BE IT FURTHER RESOLVED, that The U.S. Conference of Mayors encourage its members to develop producer responsibility policies such as purchasing recycled content products, 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.