

## **CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

### **Resolution 2007-189 (Revised)**

Consideration Of General Extended Producer Responsibility Policy Options

**WHEREAS**, state government currently addresses products with problematic end-of-life management issues through a patchwork of product-specific or substance-specific legislation; and

**WHEREAS**, the costs associated with proper end-of-life management of ~~these products~~ with problematic end-of-life management issues is currently borne primarily by local governments which have neither the full responsibility nor the resources to adequately address the rising volume of discarded products, and whose programs are funded by general ratepayers rather than the producers and users of those products; and

**WHEREAS**, the Board currently lacks ~~legislative~~ authority to develop and implement mandatory Product Stewardship Programs to advance extended producer responsibility; and

**WHEREAS**, Public Resources Code Section 40050 authorizes the Board to promote the solid waste management hierarchy in order to reduce the amount of solid waste that must be disposed of by transformation and landfilling; and

**WHEREAS**, on February 13, 2007, the Board adopted Strategic Directive 5: Producer Responsibility, which states, "It is a core value of the CIWMB that producers assume the responsibility for the safe stewardship of their materials in order to promote environmental sustainability. Specifically, the CIWMB will:

- 1) Utilize existing Board authority to foster "cradle-to-cradle" producer responsibility;
- 2) Seek statutory authority to foster "cradle-to-cradle" producer responsibility;
- 3) Analyze the feasibility of various approaches to increasing producer responsibility, including during the product design and packaging phases, and make recommendations to the CIWMB Board by December 2007, and annually thereafter;
- 4) Build capacity and knowledge in CIWMB on extended producer responsibility (EPR) issues and solutions;
- 5) Develop and maintain relationships with stakeholders that result in producer-financed and producer-managed systems for product discards; and

(over)

**WHEREAS**, at the June 5, 2007 Producer Responsibility Public Workshop, the Board directed staff to present the Board with general Producer Responsibility policy options and recommended products/product categories at its September Board meeting; and

**WHEREAS**, Board staff conducted research, analyzed, and evaluated various policy options and products/product categories for Board recommendation.

~~**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby adopts the proposed Extended Producer Responsibility Framework approach as an overall policy objective (see Attachment 1 of this Agenda Item) and directs staff to:~~

- ~~a) Develop, through the annual legislative process, a legislative proposal for an overall EPR framework;~~
- ~~b) Continue implementing current voluntary Product Stewardship initiatives; and~~
- ~~c) Conduct further research and convene an advisory committee to determine and prioritize products for new product stewardship initiatives.~~

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby recognizes the need for State policy, using an Extended Producer Responsibility (EPR) Framework approach, to effectively reduce the cradle-to-cradle impacts of products and their packaging.

Furthermore, the Board adopts the EPR Framework presented in Attachment 1 as an overall policy priority to guide proposals to seek statutory authority and directs staff to: seek additional input from the broad stakeholders community on the Framework and the development of proposals for statutory change and return to the Board for further refinement, continue existing voluntary product stewardship initiatives, and conduct further research and convene an advisory committee to further examine the proposed methodology and determine and prioritize products for future new product stewardship programs for consideration by the Board.

### **CERTIFICATION**

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on September 19, 2007.

Dated:

Mark Leary  
Executive Director