

RESOLUTION NO. _____

**RESOLUTION OF THE TOWN OF ACTON
SUPPORTING EXTENDED PRODUCER RESPONSIBILITY (EPR)**

WHEREAS, manufactured goods and packaging constitute nearly three-quarters of the materials managed by U.S. municipalities at considerable costs; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of hazardous products; and

WHEREAS, products and packaging are often toxic and/or disposable by design, and local governments have no input into the design, production, or marketing of products, make no profit from the products, and do not have the resources to address adequately the rising volume of discarded products and associated packaging; and

WHEREAS, Extended Producer Responsibility (EPR) is an environmental policy approach in which producers (brand owners or first importers into the State) accept responsibility for management of their discarded products, so that those who produce and use products bear the costs of recycling and responsible disposal; and

WHEREAS, when producers are responsible for ensuring that their 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, the Massachusetts Department of Environmental Protection Draft Solid Waste Master Plan: Pathway to Zero Waste, 2010–20 includes producer responsibility as one of five major components of the Plan; and

WHEREAS, the Massachusetts Legislature (The General Court of the Commonwealth of Massachusetts) has enacted producer responsibility programs for certain mercury-containing products; and

WHEREAS, 32 of the states in the U.S. have EPR laws; and

WHEREAS, jobs in disassembly, reuse, repair, and recycling are generated by EPR, offering significant local economic development opportunities; and

WHEREAS, the Town of Acton supports statewide legislation to hold producers responsible for product discard management and other product waste management costs; and

WHEREAS, Framework EPR codifies the EPR principle and would give the Massachusetts Department of Environmental Protection the authority to address multiple products over time; and

WHEREAS, the Town of Acton supports the mission of the Massachusetts Product Stewardship Council, working with other Massachusetts municipalities and other states to move EPR policy forward, and supports the *Framework Principles for Product Stewardship Policy* adopted by seven Product Stewardship Councils in North America, including the Massachusetts, Vermont, Rhode Island, and New York Councils and appended below;

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN OF ACTON gives notice to the Commonwealth of Massachusetts and to manufacturers and distributors of products and packaging sold in the Commonwealth, that it supports the transfer of responsibility for the costs of managing discarded products to producers (brand owners and first importers), under oversight of the Massachusetts Department of Environmental Protection; and

BE IT FURTHER RESOLVED, that the Town of Acton departments be authorized to send letters to the State Legislature and State associations and to use other advocacy methods to support EPR legislation; and

BE IT FURTHER RESOLVED, that the Town of Acton urges the Massachusetts Legislature to enact EPR legislation for discarded electronic waste this year; and

BE IT FURTHER RESOLVED, that the Town of Acton urges the Massachusetts Legislature to enact comprehensive EPR legislation based on the *Framework Principles for Product Stewardship Policy*; and

BE IT FURTHER RESOLVED, that the Town of Acton will work with the Massachusetts Product Stewardship Council and the Massachusetts Department of Environmental Protection to enact EPR legislation and regulation.

PASSED AND ADOPTED by the _____,

Commonwealth of Massachusetts, on _____ by the

following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Signed: _____ Date: (mo/day/year) _____
(Name), Chair/President

ATTEST: _____
(Name), Clerk

Appendix

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 sell only 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

Massachusetts Product Stewardship Council / Adopted October 12,
2010



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