

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE REPORT

WEDNESDAY, DECEMBER 7, 2011

Present: Ald. Sangiolo (Chairman), Linsky, Baker, Blazar, Merrill, Fischman, Hess-Mahan

Absent: Ald. Rice

City Personnel: Maureen Lemieux (Chief Financial Officer), Rebecca Smith (Committee Clerk)

Chairman's Note: The meeting began at 8 p.m. following a meeting of the Rules Subcommittee. We met jointly with the Public Facilities Committee to discuss the first item and then adjourned to Room 222 to resume our regularly scheduled meeting.

REFERRED TO PROG & SERV, PUBLIC FACIL. AND FINANCE COMMITTEES

#367-10 HIS HONOR THE MAYOR requesting authorization to appropriate an amount not to exceed five million dollars (\$5,000,000) from bonded indebtedness for the following:
(B) installation of up to six modular classrooms at five elementary schools as well as the addition of permanent classrooms and renovations to the core of F.A. Day Middle School. [11/29/10 @ 3:23 PM]
(A) \$75,000 for site plan work for 1 modular at Horace Mann, 2 at Zervas, and 1 at Burr was approved on December 20, 2010.
(B1) \$923,375 for installation of 4 modulares was approved on July 11, 2011
(B2A) \$86,545 for additional expenses related to the construction and installation of modular was approved on November 21, 2011.
(B2B) \$102,117 for design of sprinkler systems at three elementary schools was approved on November 21, 2011.

#367-10(B2C) – Six hundred forty-three thousand five hundred dollars (\$643,500) of the remaining \$3,812,963 for the design and other related expenses associated with the building renovations to F.A. Day Middle School.

PUBLIC FACILITIES APPROVED 6-0-1 (Lennon abstaining; Salvucci not voting) on 12/07/11

FINANCE APPROVED 7-0-1 (Ciccione abstaining) on 12/12/11

ACTION: **APPROVED 6-0 (Linsky not voting)**

NOTE: For details on this item please see the Public Facilities report.

#367-10(B2) – \$3,169,463 (remaining balance) for renovations to the core of F.A. Day Middle School and sprinkler systems.

**PROG & SERV REFERRED TO 2012-2012 BOARD OF
ALDERMEN
PUBLIC FACILITIES REFERRED TO 2012-2013 BOARD on
12/07/11
REFERRED TO 2012-2013 BOARD OF ALDERMEN**

ACTION: **APPROVED 6-0 (Linsky not voting)**

NOTE: For details on this item please see the Public Facilities report.

#404-11 GREEN DECADE NEWTON requesting Board of Aldermen approval of Newton Extended Producer Responsibility (EPR) RESOLUTION which seeks statewide DPR framework legislation to support 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. 11/12/11 @11:58AM]

ACTION: **APPROVED 7-0**

HELD: Marcia Cooper, President of Green Decade and Jay Walter, EcoTeam Project Co-Chair of Green Decade joined the committee to introduce the item. Mr. Walter shared that this proposal is about making our consumer world more sustainable by making manufacturers more responsible for what they produce. This is accomplished by insisting that they reclaim the waste that they produce and reuse it. This would halt the now ubiquitous process of taking resources, producing goods, and throwing resources away. Requiring that they reclaim the waste from their products would incentivize the manufacturers to recycle those resources as it would not be economical to pay to throw them away, only to then go acquire more new resources. Mr. Water explained that the purpose of this resolution is to express support.

Ms. Cooper added that the e-waste bill that's part of the EPR resolution would save Newton considerable costs. Residents would not need to pay to recycle their electronics for instance. She informed the committee that local governments in California, British Columbia, northwest Wisconsin, Vermont, Texas have all formed product stewardship processes. Additionally, many other communities in Massachusetts, including Amherst, Cambridge, Carlisle, Concord, Salem, Springfield, Worcester, have all come out with resolutions in favor of this bill.

Members of the Committee expressed that they agree with the idea and think this is a good first step, but question how this will be implemented especially given the potential legal problems that could arise regarding interstate commerce.

It was explained that a method for how to go about this hasn't yet been developed by the state, but that this is something created by environmental groups to encourage a state level initiative. Ald. Baker made the motion to approve the item which carried unanimously.

REFERRED TO PROG & SERV, PUB FACIL. & FINANCE COMMITTEES

#130-11 PAUL COLETTI, ALD. SANGIOLO, DANBERG, & JOHNSON
requesting Home Rule Legislation to create a Capital Preservation Fund

for the City of Newton modeled on the Community Preservation Fund to address the capital needs of the City. [04/11/11 @9:42 PM]

FINANCE VOTED NO ACTION NECESSARY ON 10/12/11

PUBLIC FACILITIES VOTED NO ACTION NECESSARY ON 10/19/11

ACTION: REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

NOTE: Former Alderman Coletti joined the committee to discuss his proposal that the city impose a 1.5% surcharge on residents, similar to the process in which the Community Preservation Act (CPA) is funded; the purpose of this surcharge would be to create a Capital Preservation Fund. Ideally, Mr. Coletti would, in time, like to see the state create a match for this as they do CPA funds, but stressed that this is necessary because the city needs a mechanism short of a debt service override, as debt service overrides are continuous and all for certain periods of time. Seed money for the Capital Preservation fund is necessary as the city needs a dedicated source for capital projects. Mr. Coletti encourages the committee to vote this at the start of the next term so that the Mayor can have this before the budget is put in place and so that it can be put on the ballot next November.

Ald. Baker expressed that there is a legal and policy issue in that generally speaking property needs to be taxed on a uniform basis, so you need a statewide authorization. He expressed hesitation for how easy it would be constitutionally for the city to be able to get a special surcharge for this. He stated that the implementation of the CPA surcharge was different as it was created locally under existing state legislation. Before this is pursued, Ald. Baker would like the City to understand the legal questions so that we can know whether or not this is able to move forward. Maureen Lemieux, Chief Financial Officer, opined that this discussion belongs within the CIP discussion. She stated that it's clear that another source of funding is needed, and that the best approach will be decided in the near future.

Ald. Baker moved referral of this item, and the Committee requested that the docketers confer with the law department before this goes any further. The motion to refer carried unanimously.

#207-08(2) **PROGRAMS & SERVICES COMMITTEE** requesting discussion with the Executive Department and various City Department heads regarding use of debt exclusions to address city needs. [03-14-11 @ 10:26AM]

ACTION: REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

NOTE: Ald. Baker moved referral of the item. The committee agreed with this motion as keeping the item alive will allow for them to call up this discussion again when/if they see fit. The motion carried unanimously.

THE FOLLOWING ITEMS WERE REFERRED TO THE 2012-2013 BOARD WITHOUT DISCUSSION:

#275-11 **ALD. LAPPIN AND LENNON** requesting an addition to the Board of Aldermen's rules to require that the Board of Aldermen review the salary of the City Clerk/Clerk of the Board of Aldermen during a 90 day period

following the Clerk's election pursuant to Sec. 4-20 of the City of Newton Rev Ord, 2007. [09/22/11 @ 1:50PM]

REFERRED TO THE RULES SUBCOMMITTEE

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #205-11 ALD. SANGIOLO, GENTILE, HARNEY, LINSKY requesting a discussion with the School Committee regarding a proposal to enter into contractual relationships with the Newton Schools Foundation to sell naming rights on behalf of the Newton Public Schools. [06/22/2011 @ 8:32AM]

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

- #312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10-27-10 @ 11:07 AM]
FINANCE VOTED NO ACTION NECESSARY ON 10/12/11
PUBLIC FACILITIES VOTED NO ACTION NECESSARY ON 11/18/11

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #114-11(2) ALD. HESS-MAHAN & ALD. SALVUCCI requesting a discussion on the definition of "tot lot" in the ordinance and whether there are other play areas/structures which should be protected from the presence of dogs.

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #334-11 ALD. LENNON & LAPPIN requesting that Article 1 Section 3(6)(d) of the Rules of the Board of Aldermen be amended to raise the limit on budget transfers or appropriations that need only be referred to finance from \$20,000 to \$50,000 and to add language to allow referral of all requests for changes to a funding source for previously discussed items to be referred only to finance.

REFERRED TO RULES SUBCOMMITTEE ON 11/09/2011

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO FINANCE AND APPROPRIATE COMMITTEES

- #383-11 HIS HONOR THE MAYOR submitting the FY13-FY17 Capital Improvement Program, totaling pursuant to section 5-3 of the Newton City Charter and the FY12 Supplemental Capital budget which require Board of Aldermen approval to finance new capital projects over the next several years. [10/31/11 @ 3:12 PM]

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #245-10 ALD. SCHNIPPER requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #205-11 ALD. SANGIOLO, GENTILE, HARNEY, LINSKY requesting a discussion with the School Committee regarding a proposal to enter into contractual relationships with the Newton Schools Foundation to sell naming rights on behalf of the Newton Public Schools. [06/22/2011 @ 8:32AM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROG & SERV. AND PUB. FACIL. COMMITTEES

- #99-11 ALD. ALBRIGHT, JOHNSON, and DANBERG requesting that the Department of Public Works coordinate data on the impact of the snow removal ordinance from the Department of Public Works, Parks and Recreation Department, Executive Office, and Senior Services into a monthly report for the winters 2012 and 2013, which will be sent to the Public Facilities Committee of the Board of Aldermen that includes the following data: (1) the number of people requesting exemptions; (2) the number of exemptions awarded; (3) the number of warning letters sent; (4) the ability of the City to maintain the same standard regarding treating the surface to preserve safe passage; and (5) cost of the implementation of the program.
PUBLIC FACILITIES COMMITTEE VOTED TO APPROVE 4-0
ON 10/5/2011
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO FINANCE AND PROGRAMS AND SERVICES COMMITTEES

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.
FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
REFERRED TO FINANCE 02/23/2011
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #422-06(2) ALD. HESS-MAHAN requesting that a task force be established to meet and prepare a report and recommendations regarding the regulation of noise, air pollution and best practices with respect to the operation of power equipment used in landscaping, property and yard maintenance, including, without limitation, leaf blowers. [01/27/09 @ 3:47 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #306-08 ALD. BAKER, DANBERG, MANSFIELD & PARKER requesting discussion of how swimming at Crystal Lake might be lawfully and safely extended beyond mid-August. [08/26/08 @ 5:03 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO LAND USE AND PROGRAMS & SERVICES COMMITTEES

- #474-08(2) ALD. HESS-MAHAN & VANCE proposing that Article X of the Rules & Orders of the Board of Aldermen be amended to conform with a proposed amendment to Chapter 30 re transfer of the special permit granting authority to the Zoning Board of Appeals and/or the Planning & Development Board for projects that are not classified as Major Projects pursuant to Article X.
REFERRED TO RULES SUBCOMMITTEE
LAND USE VOTED NO ACTION NECESSARY on 11/1/11
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #287-07(2) ALD. PARKER requesting a discussion with Parks and Recreation Department in regards to an appropriate marker or plaque to honor and recognize Olympic figure skater and Newton resident Tenley Albright and her skating exhibition at the Crystal Lake upon her return from the 1956 Olympic Games where she won a gold medal. [09/20/07 @ 1:22 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

- #298-09 ALD. MANSFIELD proposing Home Rule Legislation to amend **Article 2, Section 2-1(c) Composition; Eligibility; Election and Term** of the Newton Charter to establish four-year terms for Aldermen-at-Large with the provision for one Aldermen-at-Large to be elected from each ward at each biennial municipal election. [09-29-09 @ 6:45 PM]
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments. [07/17/08 @ 9:53 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

REFERRED TO PROG. & SERV., PUB.FAC. AND FINANCE COMMITTEES

#89-08

ALD. PARKER requesting the following:

- A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
- B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
- C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds.

[02/13/08 @ 12:07 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10
PUBLIC FACILITIES NO ACTION NECESSARY ON 11/3/10
REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

#329-05(3)

ALD. YATES requesting a discussion relative to amending the noise control ordinance to (A) prohibit the cumulative noise level from multiple pieces of equipment operating simultaneously on the same site to exceed the maximum noise levels allowed when measured at the nearest lot line and (B) to eliminate various exemptions in residential districts.

REFERRED TO 2012-2013 BOARD OF ALDERMEN 7-0

Respectfully Submitted,

Amy Sangiolo, Chairman

RESOLUTION NO. _____**RESOLUTION OF THE CITY OF NEWTON 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 or disposable by design, and local governments have no input into the design or marketing of products, make no profit from the products, and do not have the resources to adequately address 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 has enacted producer responsibility programs for certain mercury-containing products; and

WHEREAS, 32 of the states in the US 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 City of Newton supports statewide legislation to hold producers responsible for product discard management and other product waste management costs,

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 City of Newton 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

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 only sell 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.

Councils in North America, including the Massachusetts, Vermont, Rhode Island, and New York Councils and appended below;

NOW, THEREFORE BE IT RESOLVED THAT THE CITY OF NEWTON 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 City of Newton 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 City of Newton urges the Massachusetts legislature to enact EPR legislation for discarded electronic waste this year, and

BE IT FURTHER RESOLVED, that the City of Newton 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 City of Newton 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

- 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

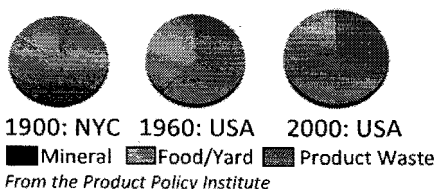


Statewide Extended Producer Responsibility for Massachusetts



Producers are making waste... and MA municipalities are left holding the (trash) bag

When municipalities started managing solid waste more than a century ago, household waste was mostly ash left over from heating and cooking, plus a very small amount of product and packaging refuse, such as paper and glass.



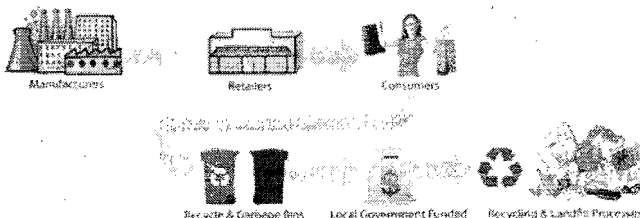
Now most of what we throw away is products and packaging, and much of it is toxic. Municipal governments are burdened with the burden of managing items that were not designed to be safely disassembled, repaired or recycled-- such computers, TVs, cameras, batteries, and fluorescent bulbs--or countless other products that may be less toxic but are high-volume, such as carpet.

Costs are misplaced onto local tax base

Regardless of who makes or buys a product, municipal taxpayers and ratepayers pay for its management when it's discarded.

Disposal or recycling of products and packaging cost municipalities \$\$\$.

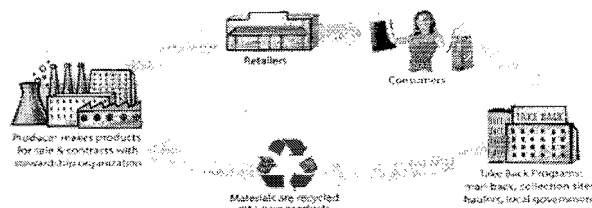
Contamination clean-up from discarded products is an additional burden on taxpayers.



Extended Producer Responsibility (EPR) requires manufacturers to pay for the collection and recycling of their products:

Gives producers an incentive to design products that are less toxic, and more reusable and recyclable.

Allows the recycling or disposal costs to be incorporated into the purchase price of a product so that these costs are shared by the producer and consumers of that product—not the taxpayer.



Relieves the financial burden on local governments. Protects the environment.

See reverse.



262 Washington Street #301
Boston, MA 02108
www.cleanwateraction.org/MA

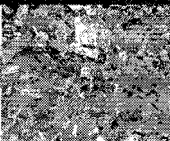
The Campaign for Producer Responsibility is a joint project of Clean Water Fund and Clean Water Action.

Developed with support from The Product Policy Institute



cont'd from reverse

Statewide EPR for Massachusetts



EPR in the region

Maine

e-waste, thermostats,
car switches, batteries,
fluorescent lamps, bottle bill,

Framework EPRVermont

mercury thermostats
certain batteries

New Hampshire

certain mercury products

Massachusetts

bottle bill, certain mercury
products

Rhode Island

e-waste, mercury products,
Framework EPR study bill

Connecticut

e-waste bill, bottle bill

Framework EPR: a consistent process

Well-developed EPR (Extended Producer Responsibility) principles outline roles for government, industry, retailers and consumers. Legislation places most responsibility on those who design and market products: the producers.

EPR requires brand owners (or first importers) of covered products to plan for, and pay for, the collection and reuse or recycling of their products.

- With stakeholder input, state governments set goals and standards.
- Producers have the flexibility to design cost-effective means of reaching goals and standards.
- Retailers only sell the designated products from producers who are in compliance of the stewardship requirements.
- State and local governments work with producers and retailers to educate the public about stewardship programs.
- Consumers are responsible for using return systems set up by producers.
- Paying for discard management gives producers a financial incentive to design products that are less wasteful and easier to repair or recycle.
- The state regulatory agency designates additional product categories to be included in the program over time.

Two ways to support EPR in Massachusetts

1. Ask your Senator and Representative to pass EPR laws filed in the Legislature this session. Find their contact information at <http://www.malegislature.gov/People/FindMyLegislator>.

EPR laws for electronic waste and for mercury-containing lamps and thermostats would protect public health and the environment.

The Framework EPR bill would (1) eliminate the need to pass new legislation for each new product category (2) provides a clear and predictable process and (3) incorporate opportunity for stakeholder and producer input in developing the details related to each product category.

2. Urge your city or town to join the Massachusetts Product Stewardship Council (MAPSC). No dues!

The MAPSC represents the interests of cities and towns: budget relief, new jobs in reuse and recycling, products designed for easy disassembly, repair, or recycling, with no toxic components.

For more information, contact:

Elisabeth Saunders

Esaunders@cleanwater.org or

Lynne Pledger

Lpledger@cleanwater.org



CLEAN WATER ACTION

MASSACHUSETTS

Rebecca Smith

To: Subject: (Fwd) Fwd: EPR
Date sent: Thu, 15 Dec 2011 16:31:38

----- Forwarded message follows -----

Date sent: Thu, 15 Dec 2011 16:28:03 -0500
Subject: Fwd: EPR
From: amy sangiolo <aldermansangiolo@gmail.com>
To: Rebecca Smith <rsmith@newtonma.gov>,
Sullivan Shawna <ssullivan@newtonma.gov>

From: <b class="gmail_sendername">Jay Walter <swmc@rcn.com
Copies to: Marcia Cooper <marciacooper@greendecade.org Marcia Cooper <marciacooper@greendecade.org>
evening I am attaching some additional</div>

I've attached the report. If we could make sure the resolution that was sent out via email is attached to the report and this email is also attached, that would be great. I may look up the other states and see if I can attach those on Monday.

Thank you. Hope you had a great time last night and have a great trip Rebecca!!!

Take care.

Amy

----- Forwarded message -----

From: Jay Walter <swmc@rcn.com>
Date: Fri, Dec 9, 2011 at 9:27 AM
Subject: EPR
To: asangiolo@newtonma.gov
Cc: Marcia Cooper <marciacooper@greendecade.org>

Alderman Sangoilio:

As discussed at the Programs & Services committee meeting Wednesday evening I am attaching some additional information concerning EPRs (Extended Product Responsibility) requested by committee members. Please forward to the committee members.

Specifically:

1. The Product Stewardship Institute website describes EPR current or pending laws for every state, including the products that are covered. Note Massachusetts currently covers only 'automobile switches' from 2006, less than many other states. Also

note electronics and batteries seems to be the most widely covered products.

<http://www.productstewardship.us/displaycommon.cfm?an=1&subarticlenbr=280>

2. Electronics Take Back Coalition website with the current electronics take back legislation state by state. Ma. has none.

<http://www.electronicstakeback.com/promote-good-laws/state-legislation/>

3. The wikipedia entry for EPRs. It offers a good summary of the topic.

http://en.wikipedia.org/wiki/Extended_producer_responsibility

4. I had mentioned Apple as an example of good corporate stewardship. Their program is described at

<http://www.apple.com/recycling/gift-card/>

If you or your committee have any other questions please let me know. Thank you for your support of this initiative.

Jay C. Walter AIA
The Newton Eco-Project
ENTASIS Architects PC
entasis@rcn.com

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

----- End of forwarded message -----