Adopted by the National Association of Counties
July 15, 2008

Resolution in Support of Extended Producer Responsibility Framework Approach

Issue: Responsibility for discarded products.

Proposed policy: NACo supports an Extended Producer Responsibility Framework Approach, which creates effective producer-lead reduction, reuse and recycling programs, to deal with a product's lifecycle impacts from design through end of life management, without relying solely on state and local governments.

Background: Manufactured goods and packaging constitute approximately 75% of the materials managed by government jurisdictions (US EPA). Consumer products and packaging may contain toxins such as heavy metals, certain plastics, or harmful substances that pose a threat to human health and the environment.

Current federal and state policies often make local government responsible for waste diversion, enforcing product disposal bans, hazardous waste collection, or other costly waste management programs, without providing funding. For example, Minnesota counties currently spend $13 million annually on household hazardous waste programs. The Extended Producer Responsibility Framework Approach supports a shift in financial and physical responsibility from local government to those benefiting economically from the sale of the products they produce.

An Extended Producer Responsibility Framework Approach is a comprehensive environmental policy that addresses producer responsibility by using a set of criteria to evaluate products, along with established processes, plans, and certifications to provide a consistent approach for a wide scope of products. When producers are responsible for ensuring their products are reused, recycled or otherwise managed 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.

This comprehensive approach is more efficient than trying to address individual products on a case-by-case basis. It encourages environmentally preferable product design and management to protect human health and the environment in a more effective way. Policies to promote government purchase of environmentally preferable products – a market driven approach – are also an important principle of an Extended Producer Responsibility Framework Approach.

Fiscal/Urban/Rural Impact: Passage of legislation for an Extended Producer Responsibility Framework Approach, which creates producer-lead reduction, reuse and recycling programs for their products, will help protect human health and the environment without relying solely on government funding.

Submitted by: Commissioner Victoria A. Reinhardt, Ramsey County, Minnesota

Adopted by the National Association of Counties
July 15, 2008

Resolution in Support of Mercury Fluorescent Lamp Recycling

Issue: Recycling of mercury fluorescent lamp and lights.

Proposed policy: NACo supports maximizing the collection and recycling of mercury-containing fluorescent lamps through a financing system that includes working with the fluorescent lamp industry and other stakeholders, that effectively covers the cost of collection, transportation, and recycling, without relying solely on state and local governments.

Background: Mercury is hazardous to human health and our environment and steps have been taken to reduce mercury contamination of our land, air and water. Despite their value for energy efficient lighting, fluorescent lamps containing mercury are banned from the waste stream in many states because of this hazardous component. In addition, there is a recycling industry in the nation to recover the mercury, glass and other materials and reuse them in manufacturing processes. Therefore, it is important to maximize the collection and recycling of mercury-containing fluorescent lamps to reduce their negative impact on the environment.

Hazardous waste management is costly to state and local governments. Properly managing fluorescent lamps at the end of their useful lives through a process that considers the perspectives of all relevant stakeholders is a shared responsibility. The stakeholders would benefit from understanding the lifecycle costs and benefits related to the "retirement" of collected mercury, which is often put back into mercury products.

Through this shared responsibility and understanding, a financing system can be developed that effectively covers the cost of collection, transportation, and recycling of lamps without relying solely on local and state governments to pay these expenses.

A Congressional proposal would preempt states from devising financing mechanisms for lamp recycling by prohibiting manufacturer responsibility. Although the goal of increasing recycling of mercury-containing fluorescent lamps is an important and fully supported goal, limiting state and local governments on a fair and effective financing system would likely burden local governments with additional costs.

Fiscal/Urban/Rural Impact: Passage of legislation to increase recycling of mercury-containing fluorescent lamps is positive, but if the legislation includes language that would preempt states from including manufacturer responsibility, it would limit financing options and likely burden local governments with added expenses associated with mercury fluorescent lamp recycling.

Submitted by: Commissioner Victoria A. Reinhardt, Ramsey County, Minnesota

Adopted by the National Association of Counties
July 15, 2008

Resolution in Support of Electronic Waste Recycling

Issue: Recycling of electronic waste products.

Proposed policy: NACo supports maximizing the recycling of electronic waste - including computers, televisions, and other electronic devices - that has reached the end of its useful life through an internalized electronics industry financing mechanism that covers the cost of collection, transportation, and recycling, and does not rely on state and local government funding.

Background: Electronic products are an important component of everyday life. When they are not longer useful, however, they pose challenges for consumers, governments, and others along the product chain.

Electronic products may contain lead, mercury and other harmful substances that, if not managed properly, pose a threat to human health and the environment. The collection and recycling of waste electronics promotes resource conservation, saves energy and creates economic development opportunities. Local governments are facing increased volumes of discarded electronic products and this is expected to continue, particularly with the transition of analog televisions signals to digital transmission slated for February 2009. It is expected that between 30 million and 80 million televisions will be impacted by the transition.

The costs to consumers and state and local governments to collect and recycle waste electronics are increasing, and it has become necessary to establish a system whereby manufacturers are engaged in the collection and recycling of waste electronics. For example, Hennepin County, Minnesota spends nearly $2 million annually to manage their collection program for discarded products from households.

The states of California, Maine, Maryland, Washington, Minnesota, Oregon, Texas and Connecticut have adopted electronic waste legislation, and other states have legislation under consideration. A federal approach is to be encouraged to promote consistency and address certain issues of managing discarded electronics that are more effectively addressed nationally. However, federal legislation should embrace a comprehensive approach for a wide scope of products and importantly, not preempt existing or future state or local programs to collect and recycle discarded electronic products.

Fiscal/Urban/Rural Impact: Passage of legislation to increase recycling of consumer electronic waste will have positive impacts on the environment, and should be conducted in cooperation with all relevant stakeholders through development of an internalized electronics industry financing mechanism that does not rely on government funding.

Submitted by: Commissioner Victoria A. Reinhardt, Ramsey County, Minnesota

Adopted by the National Association of Counties
July 15, 2008

Resolution in Support of Paint Reuse and Recycling

Issue: Recycling of paint products.

Proposed policy: NACo supports maximizing the reuse and recycling of leftover paint through a financing system that includes the paint industry that effectively covers the cost of collection, transportation, and reuse or recycling without relying solely on state and local governments.

Background: The U.S. Environmental Protection Agency estimates that there are 50-130 million gallons of paint that is leftover each year in the United States. The cost to manage that paint properly would be $400 million to $1 billion per year. Paint management represents the largest cost to local household hazardous waste programs in Minnesota and across the country.

The 2005 Memorandum of Understanding was signed or endorsed by over 60 representatives of paint manufacturers, retailers, painting contractors, recyclers, government officials, and other relevant stakeholders. The 2005 MOU outlined work on 11 projects through September 2006 that will become the basis for developing a nationally coordinated paint management system. The 2005 MOU acknowledges that there is a shared responsibility to properly manage latex and oil-based paints at the end of their useful lives. A second MOU was signed in 2007, which outlined the National Paint and Coatings Association's intent to develop and implement an industry-lead waste paint program on a national level, beginning with Minnesota and then rolling out to other states. The primary goal of the 2007 MOU is to develop a national program that will result in:

1) Reduced paint waste;
2) The efficient collection, reuse, and recycling of leftover paint; increased markets for products made from leftover paint; and
3) A sustainable financing system to cover any resulting end-of-life management costs for past and future products.

Supporting objectives include decreasing the improper disposal of leftover paint, attaining the highest value possible for leftover paint, and improving container collection and recycling.

The Solid Waste Management Coordinating Board (SWMCB) includes six counties in the Twin Cities Metropolitan Area in Minnesota. The SWMCB is a member of the national Paint Product Stewardship Initiative, which developed the Memorandums of Understanding.

Regarding financing, it has been pointed out that a financing system that continues to rely solely on government funding is neither equitable nor sustainable.

Fiscal/Urban/Rural Impact: Passage of legislation to increase reuse and recycling of leftover paint will have positive impacts on the environment, and should be conducted in cooperation with all relevant stakeholders through development of a financing system that does not rely solely on government funding.

Submitted by: Commissioner Victoria A. Reinhardt, Ramsey County, Minnesota