

DEPARTMENT OF CITY CLERK

CITY HALL

JUNE 10, 2010

The Committee on Public Works meets this day at 5:30 o'clock P.M., in Committee Room "A", City Clerk's Department, Third Floor, City Hall.

PRESENT: Chairman Leon F. Tejada, Councilman Michael A. Solomon and Councilman Seth Yurdin – 3.

ABSENT: Councilwoman Balbina A. Young and Councilman John J. Igliazzi – 2.

Also present are Lincoln Lennon, Assistant City Solicitor, Law Department; Councilwoman Josephine DiRuzzo; John Berard, Clean Water Action; Anna M. Stetson, City Clerk and Sheri A. Petronio, Assistant Clerk.

(Subsequently, Councilman Igliazzi joins the meeting)

**RESOLUTION IN SUPPORT OF EXTENDED PRODUCER RESPONSIBILITY.**

CHAIRMAN TEJADA: If there is anybody who is going to testify please come forward.

COUNCILMAN YURDIN: I would like to say a couple of words quickly. This is a resolution that basically calls on the General Assembly, and also the Department of Public Works, to put in some policies to encourage manufacturers to make product more environmentally friendly and easier to recycle and reuse, basically, to make sure that they pay for the cost of disposing of the products at the end of their life cycle. These are things like mattresses, computers, paint cans, motor oil, pesticides and even some medications have pretty negative effects if they are not disposed of properly. It's also very costly for local governments to deal with these things. So, there is a policy that's been out and around the country called Extended Producer Responsibility. This is common sense principal that companies are going to design with recycling in mind if they actually have to take

their products back and recycle them at the end. The way this works is it either requires manufacturers to manage the collection and recycling of the products or assesses a fee to cover the cost of government collection. So, right now Providence is bearing the cost of disposing of these items. It could be giant mattresses, TV sets and things like that. So, instituting this kind of policy would save the city a significant amount of money. So, that's kind of a little bit of the background. We have somebody here from Clean Water Action who can talk a little bit more about it.

CHAIRMAN TEJADA: How does that policy work if you have any knowledge of the tires that you had to pay like \$5.00 for recycling or batteries or something similar to that?

COUNCILMAN YURDIN: I mean we can have this gentleman talk a little bit about some of the details of it.

MR. BERARD: I am an organizer with Clean Water Action. Councilman Yurdin gave you a brief overview of what's going on with Producer Responsibility. He hit a lot of things that I'm going to hit to and if you have any questions at the end feel free to ask. Clean Water Action is a grassroots organization with over forty thousand members in Rhode Island, and we support the passage of the Extended Producer Responsibility Resolution. I want to thank Councilman Yurdin and the rest of the Council for the leadership that they've shown pushing this issue forward. As you know, the disposal of waste products is a tremendous burden on municipalities and residents. The end of life's cost of these items, many of which are bulky and hazardous, are solely from taxpayers not by the manufacturers who put them into the waste stream. This is why we have been working, to build support for Producer Responsibility policies throughout the state. Producers should be held responsible for ensuring that their products don't result in a public encumbrance. Basically, there is three things to promote this idea of Producer Responsibility. First, it encourages the General Assembly to enact the

framework Producer Responsibility legislation for the entire state. Second, it directs the use of preferential producer take back language in city contracts when applicable, and third it requests the DPW to make recommendations for establishing Producer Responsibility policies on a citywide basis. There are numerous products that municipalities like Providence struggle with the disposal of everyday. Councilman Yurdin said mattresses, they're bulky, difficult to store and extremely expensive to dispose of especially once they're wet. Excess paint is hazardous and hard to dispose of as well. The average disposal cost to municipalities to manage unused paint is \$8.00 a gallon. Leftover prescription medication and used medical sharps also pose a danger to citizens yet no effective disposal program exists for either of the two. Now, communities could take the initiative to create management recycling programs, and many of them do but they're expensive and local governments, and ultimately the taxpayers, are the ones left holding the bag for the cost of waste disposal. Producer Responsibility approach to waste management changes all of this. The costs of the products are internalized into the price of goods by making the cost the responsibility of the manufacturer three things occur. First, much of the financial burden is taken off the municipalities and taxpayers. Second, innovative product design and marketing that minimizes the impact on human health and the environment are encouraged, and third Producer Responsibility ferments small business growth by opening up new markets and creating green jobs in the recycling sector. Producer Responsibility is improving efficiencies and waste is not efficient. When businesses are required to take the responsibility for the end of life management, they find ways to reduce that waste, reduce operating costs and impact both the bottom line and the company's image, and local governments benefit from this efficiency when the weight of the cost of waste management is eased by Producer Responsibility policies and overall waste is reduced. So, we commend the city for its leadership in the matter. The city, as well as the state, only stands to benefit

from Producer Responsibility policies both environmentally and financially and we strongly urge the committee to pass the resolution, and if you have any questions I would be happy to answer them.

CHAIRMAN TEJADA: Do we need enabling legislation for that?

COUNCILMAN YURDIN: Well, I think the way this is written is that it's really asking the Assembly to take the step statewide, and it's asking DPW to institute policies to start dealing with it. This does not take steps that assess fees or do anything directly at this point. So, I think we're required to do enabling legislation.

CHAIRMAN TEJADA: Can we take any action at the city level without the need to go to the state?

COUNCILMAN YURDIN: I think that administratively DPW can take action and I will be happy to look at and consider some other legislation if there is something that goes beyond just this policy and is actually a schedule or program that can be enacted at the ordinance level it may well make sense. This is a good lead in to that.

COUNCILMAN SOLOMON: I have to commend you guys. You finally retrofitted the diesel.

MR. BERARD: It went through yesterday.

COUNCILMAN SOLOMON: They had to react on that because we had passed the ordinance last time around and we gave them a year. So, maybe we can put some kind of pressure on the state to do something like this. If we take the initiative we could force the state.

COUNCILMAN YURDIN: We are the capital city.

MR. BERARD: The state already does have a couple of laws that are on the books that do deal with Producer Responsibility; mercury auto switches, electronic waste and then just this week they passed a Producer Responsibility law for mercury thermostats. So, what we're trying to do is a framework legislation.

Doing it one by one is administratively costly and very burdensome, so setting up a framework legislation, which this resolution supports kind of streamlines that whole process and creates a recommendation committee who recommends the products to the General Assembly every year. That will change. Councilman Tejada had spoke about tires. It will change from product to product. So, we will work with the industry, depending on what industry it is, to find out what the best way to manage that specific product.

COUNCILMAN SOLOMON: Have you talked with our Recycling Coordinator?

MR. BERARD: Yes, we have. She is 100% behind this and she has been instrumental in helping us talk to other recycling coordinators throughout the state who are also supportive of policies such as this.

COUNCILMAN SOLOMON: Very good.

CHAIRMAN TEJADA: I think it's a good time to push for this kind of issue and making the public aware of this and making sure that they know the benefits of this. Okay, another questions?

COUNCILMAN SOLOMON: I make a motion that we send it to the full Council for approval.

COUNCILMAN YURDIN: Second.

On motion of Councilman Solomon, Seconded by Councilman Yurdin, it is voted to approve the foregoing resolution.

CHAIRMAN TEJADA: All those in favor.

COMMITTEE: Aye.

CHAIRMAN TEJADA: All those opposed. The "Ayes" have it.

Motion Carries.

**RESOLUTION REQUESTING THE DEPARTMENT OF ADMINISTRATION AND THE DIRECTOR OF PUBLIC WORKS TO DELAY THE IMPLEMENTATION OF THE "GREEN UP PROVIDENCE" PROGRAM IN ORDER TO PROVIDE AND EDUCATE THE CITIZENS OF THE CITY OF PROVIDENCE ON THE NEW RECYCLING PROGRAM.**

CHAIRMAN TEJADA: Item number two is going to be continued.

COUNCILMAN YURDIN: So moved.

COUNCILMAN SOLOMON: Second.

On motion of Councilman Yurdin, Seconded by Councilman Solomon, it is voted to continue the foregoing resolution.

CHAIRMAN TEJADA: All those in favor.

COMMITTEE: Aye.

CHAIRMAN TEJADA: All those opposed. The "Ayes" have it.

Motion Carries.

**ADJOURNMENT:** On motion of Councilman Solomon, Seconded by Councilman Igliazzi, it is voted to adjourn the meeting at 6:00 o'clock P.M.



City Clerk



Assistant Clerk