

Intro No. 61  
Date 9/24/09  
Reviewed by JAS  
Co. Attorney  
Date 8/26/09

**RESOLUTION**  
**BROOME COUNTY LEGISLATURE**  
**BINGHAMTON, NEW YORK**

Permanent No 09-437  
Date Adopted 9/24/09  
Effective Date 9/28/09

**Introduced by:** County Administration, Public Health and Environmental Protection and Public Works Committees

**Seconded by:** Hon. Timothy P. Cleary

**RESOLUTION SUPPORTING EXTENDED PRODUCER RESPONSIBILITY**

WHEREAS, manufactured goods and packaging constitute approximately 75% of the materials managed by solid waste facilities in the United States, based on figures by the U.S. Environmental Protection Agency; and

WHEREAS, residents and businesses in Broome County are required to spend large sums of money to manage discarded manufactured goods and packaging; and

WHEREAS, hazardous and hard-to-recycle product management costs are expected to increase substantially in the short term unless policy changes are made; and

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

WHEREAS, New York State policy currently makes local governments responsible for achieving waste diversion goals, which is an unfunded mandate; and

WHEREAS, the municipal waste management system in the United States was established a century ago to manage far simpler and more homogeneous wastes like ashes, food scraps and horse manure, rather than the manufactured goods and packaging which dominate today's municipal waste stream; and

WHEREAS, local governments such as Broome County have no input into the design or marketing of products, may not profit from the products and do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by citizens and local governments to manage products are, in effect, subsidies to producers that enable and encourage producers to design products for disposal and without regard to end of life management; and

WHEREAS, some corporate producers have implemented take-back efforts which have been helpful, but there is a need for consistent industry-wide practices and this can only be accomplished by legislation on a Federal level, and

WHEREAS, Extended Producer Responsibility (EPR) is an environmental policy approach in which producers (brand owners and importers) accept responsibility for the management of post-consumer products, so those who produce products bear the costs of recycling and responsible disposal; and

WHEREAS, when producers are responsible for ensuring 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

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WHEREAS, United States Government can advance EPR through a variety of mechanisms including requiring the manufacturers of many products sold to the federal government to take financial responsibility for collecting and recycling those products at the end of their useful life; by incorporating EPR policies into federal product procurement practices; by favoring vendors and manufacturers that take back their product and associated packaging at the end of life; and

WHEREAS, Broome County supports nationwide efforts to hold producers responsible for hazardous product discard management and other product waste management costs; now, therefore, be it

RESOLVED, that the County intends to encourage United States Congress to transfer responsibility for the costs of managing certain products at end-of-life to producers (brand owners and first importers); and be it

FURTHER RESOLVED, that Broome County urges Congress to enact framework EPR legislation which will give producers the incentive to design products to make them less toxic and easier to repair, reuse and recycle; and be it

FURTHER RESOLVED, that the Deputy Commissioner of the Broome County Division of Solid Waste Management is requested to send letters to Congressional officials and to use other advocacy methods to urge support for EPR legislation; and be it

FURTHER RESOLVED, that Congress is urged to include EPR language, such as specifying product and packaging collection and recycling requirements, in contracts for commodities, and be it

FURTHER RESOLVED, that this Resolution shall take effect immediately.

COUNTY OF BROOME } ss.:  
STATE OF NEW YORK }

I, the undersigned, Clerk of the Legislature of the County of Broome, DO HEREBY CERTIFY that the above is an original resolution of such Legislature duly adopted on the 24th day of September, 2009, by a majority of the members elected to the Legislature of said County at a regular meeting of said Legislature.

I FURTHER CERTIFY that at the time said resolution was adopted said Legislature was comprised of nineteen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 25th day of September, 2009.

Date sent to County Executive September 25, 2009

Approved Beckwith F. Hill  
County Executive

Date 9/28, 2009

[Signature]  
Clerk, County Legislature  
County of Broome