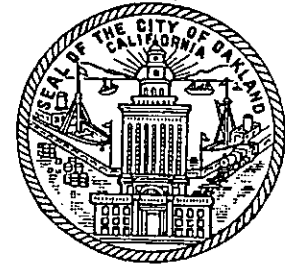


CITY OF OAKLAND

BILL ANALYSIS



FILED
OFFICE OF THE CITY CLERK
OAKLAND
Date: 5/7/08
2008 MAY -8 PM 6:57
Bill Number: AB 2347

Bill Author: Assembly Member Ira Ruskin

DEPARTMENT INFORMATION

Contact: Mark Gagliardi
Department: PWA Environmental Services Division
Telephone: 238-6262 **FAX #** 238-7286
E-mail: mgagliardi@oaklandnet.com

RECOMMENDED POSITION: SUPPORT

Summary of the Bill

AB 2347 would establish a "Mercury Thermostats Take-Back" program that would provide for the free and convenient return of mercury-containing thermostats (designated as a new category of hazardous waste called Universal Wastes by the State of California in 2006) to any location that sells them. Once returned to the point of purchase, AB 2347 would require proper recycling funded by thermostat manufacturers.

Positive Factors for Oakland

AB 2347 would protect the local and wider environment from improper disposal of mercury-containing thermostats. AB 2347 represents an important step toward establishing extended producer responsibility requirements for all items designated in 2006 by the California Department of Toxic Substance Control as a new category of hazardous waste called Universal Wastes. Universal Wastes include items such as computers, cellular phones, consumer batteries, and mercury-containing products such as fluorescent light bulbs and thermometers and thermostats which are discarded on a widespread basis throughout the state. Extended producer responsibility seeks to end the "waste subsidy" for manufacturers that is currently borne by local governments and ratepayers, and to insist that the costs and risks to manage end-of-life products and materials be the responsibility of manufacturers. For Oakland, this reduces future increases to existing Household Hazardous Waste program surcharges which are included in garbage rates paid by Oakland ratepayers.

Negative Factors for Oakland

None identified.

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PLEASE RATE THE EFFECT OF THIS MEASURE ON THE CITY OF OAKLAND:

- Critical** (top priority for City lobbyist, city position required ASAP)
- Very Important** (priority for City lobbyist, city position necessary)
- Somewhat Important** (City position desirable if time and resources are available)
- Minimal or** **None** (do not review with City Council, position not required)

Known support:

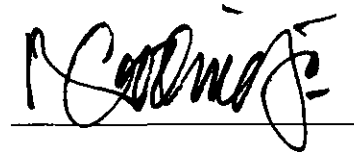
- California Product Stewardship Council (co-sponsor)
- Sierra Club (co-sponsor)
- Clean Water Action
- City of Sunnyvale
- City of Santa Monica
- Napa County
- Planning and Conservation League
- California Association of Environmental Health Administrators
- Regional Council of Rural Counties
- AFSCME
- California Retailers Association

Known Opposition:

None

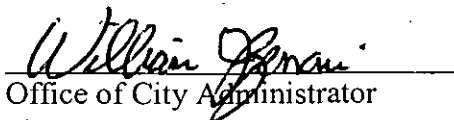
Attach bill text and state/federal legislative committee analysis, if available.

Respectfully Submitted,



Raul Godinez II
Director, Public Works Agency

Approved for Forwarding to
Rules Committee



Office of City Administrator

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OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

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RESOLUTION IN SUPPORT OF AB 2347 (RUSKIN) - "MERCURY THERMOSTATS TAKE-BACK" THAT WOULD PROVIDE FOR FREE AND CONVENIENT RETURN OF MERCURY-CONTAINING THERMOSTATS TO ANY LOCATION THAT SELLS THEM

WHEREAS, in 2007 the City Council adopted an Extended Producer Responsibility Resolution (Resolution #80390 C.M.S), authorizing the City to pursue extended producer responsibility legislation that will give incentives for the redesign of products to make them less toxic, and shift the cost for recycling and proper disposal of products from local governments to the producer and distributor of the product; and

WHEREAS, the City Council's adopting an Extended Producer Responsibility Resolution stems from the Council's previously adopting by Resolution #80286 C.M.S in 2006 a Zero Waste Strategic Plan which includes strategies to "Advocate for Manufacturer Responsibility for Product Waste, Ban Problem Materials" and "Educate, Promote and Advocate a Zero Waste Sustainability Agenda"; and

WHEREAS, in 2006 the California Department of Toxic Substance Control designated mercury-containing thermostats as a hazardous waste which may not be disposed as solid waste; and

WHEREAS, opportunities to properly recycle mercury-containing thermostats in California are severely limited in most cases to government-operated, taxpayer-funded household hazardous waste drop-off facilities and events; and

WHEREAS, AB 2347 (Ruskin) would allow Californians at no additional charge to return mercury-containing thermostats to any location that sells new thermostats; now, therefore be it

RESOLVED: the City of Oakland declares its support for AB 2347 (Ruskin); and be it

FURTHER RESOLVED: that the City Council hereby directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council