

CITY OF NEWTON

IN CITY COUNCIL

May 17, 2021

RESOLUTION

**Resolution in Support of an Extended Producer Responsibility and Bottle Bill**

Whereas, in FY20, 18,175 tons of discarded materials and products were sent to disposal from our community, and the cost per ton is currently \$68.97, but is expected to significantly increase by 2028; and

Whereas, in FY20, 9,400 tons of discarded packaging and printed paper were collected at the curb through single stream recycling from our community, and the processing cost per ton has increased from \$30 to approximately \$75 since 2020; and

Whereas, our community has paid over \$92,000 in contamination fees for our recycling from late 2017 to early 2019; and

Whereas, local governments must arrange and pay for the management of waste and recycling, and state policies currently make local governments responsible for achieving waste diversion goals; and

Whereas, municipal recycling programs have expanded, diverting more waste materials from landfills and incinerators; and

Whereas, the U.S. faces a solid waste crisis stemming from overconsumption of material goods, excess packaging and reliance on single-use plastics; and

Whereas, Massachusetts faces a finite and dwindling amount of landfill space and capacity at waste-to-energy disposal facilities; and

Whereas, municipalities must find alternative ways of managing products banned from disposal or incineration through the MassDEP Waste Disposal Bans using taxpayer funding; and

Whereas, China's National Sword policy and the policies of other international purchasers of recyclables from the U.S., has made recycling more expensive throughout the country, and in Massachusetts specifically; and

Whereas, excess packaging, single-use products, products designed for disposal, and hazardous products contaminate recycling streams, increasing costs to municipalities; and  
Whereas, local governments do not have the resources to adequately address the contamination rates of recycling streams, nor hard-to-manage and hazardous products; and

Whereas, costs paid by local governments to manage products are, in effect, subsidies to the producers of products designed for disposal or recycling, and hard-to-manage or hazardous products; and

Whereas, there are significant environmental and human health impacts associated with improper and inefficient management of all categories of waste, and the costs of such impacts are externalized with the burden placed on taxpayers; and

Whereas, Extended Producer Responsibility (EPR) is a policy approach in which producers are obligated to pay for and manage the end-of-life collection and disposal/recycling of their products and/or product packaging, reducing costs to municipalities, and which has been shown to be effective at increasing recovery of materials and reducing costs of recycling systems overall; and

Whereas, when the higher costs of responsible management for products are placed on the producer, there is an incentive to design products that are durable, easier to repair and recycle and less toxic; and

Whereas, there has been national support for EPR legislation in the form of resolutions and polices (National Association of Counties, July 2008; National League of Cities, November 2009; US Conference of Mayors, June 2020); and

Whereas, in January 2019, the Massachusetts Municipal Association passed a resolution which supports statewide product stewardship legislation; and

Whereas, the Massachusetts Bottle Bill, a type of EPR program enacted in 1982, has incentivized the collection and recycling of up to 70% of deposit containers, reducing litter and lowering the cost of recycling of or disposal for deposit containers from municipal government and taxpayers,

Therefore be it resolved, that by the adoption of this Resolution, the City of Newton urges MassDEP and the Massachusetts Legislature to continue taking timely action to promote a circular economy in Massachusetts to manage excess packaging, single-use products, products designed for disposal, and hazardous products; and

Be it further resolved, that the Newton City Council instructs the Massachusetts Legislature to enact product specific and framework legislation to have producers share in the responsibility for product waste management costs by passing extended producer responsibility laws, including bills currently under consideration, which will shift costs from municipalities and give producers the incentive to design products to make them easier to reuse and recycle and less toxic

Be it further resolved, that the Newton City Council instructs the Massachusetts Legislature and the Governor to support and vote in favor of updating the Massachusetts Beverage Container Law by adding to the definition beverage containers bottled water, sports drinks, tea, wine, spirits, "nips" and others, and an increase in the deposit fee to 10 cents to further reduce litter and waste management costs for municipal governments; and

Be it further resolved, that the Director of Sustainable Materials Management of the City of Newton Department of Public Works be authorized to send letters to the Massachusetts Municipal Association, MassDEP, the State legislature, and any other local government and to use other advocacy methods to urge support for EPR Framework or product legislation and related regulations when deemed appropriate; and

Be it further resolved, that the City of Newton encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability, repairability and the ability to be recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials; and communicating with waste haulers and local governments about end-of-life management of their products and product packaging.

Under Suspension of Rules  
Readings Waived and Approved  
23 Yeas 0 Nays 1 Absent (Councilor Gentile)



(SGD) NADIA KHAN  
Acting City Clerk