

August 18, 2008

The Honorable Mike Feuer  
State Capitol, Room 4005  
Sacramento, CA 95814

Submitted via fax: 916-319-2142

**Re: AB 1879 (Feuer), Green Chemistry/Product Take-Back – Strong Support**

Dear Assemblymember Feuer:

The California Product Stewardship Council (CPSC) is an organization of California local governments who are working towards a single mission: To shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

The Department of Toxic Substances Control (Department) currently only has authority to ban products from disposal that fail various toxicity tests or to "ban without a plan." The Department needs the authority to solve the systemic problems resulting from imposing disposal bans. The current process leaves local governments with unfunded mandates to somehow design and fund collection and recycling systems for these products to ensure they are not disposed. With very limited resources, local governments simply cannot respond and the environmental problems from toxic products persist.

CPSC supports the most recent amendments to AB 1879 which include requiring that the Department adopt regulations by January 2011 to establish a process to evaluate chemicals of concern in products. That process of chemical evaluation includes an evaluation of the following which could lead to a regulatory response: restricting the use of the chemical of concern, prohibiting the use of the chemical of concern, and will allow requiring take-back for recycling or responsible disposal. The take-back approach is in line with the Overall Framework for an Extended Producer Responsibility System adopted by the California Integrated Waste Management Board on January 23, 2008 and the recommendations of the Green Chemistry report from the University of California Centers for Occupation and Environmental Health.

AB 1879 is an important first step in a comprehensive green chemistry/extended producer responsibility bill and we strongly support the new language. CPSC envisions future product management systems to be predominantly private-sector programs without extensive governmental involvement, thereby saving money for both state and local governments and protecting public health and the environment.

Respectfully,



Heidi Sanborn, Executive Director

Cc: Maureen Gorsen, Director, Department of Toxic Substances Control  
Margo Reid-Brown, Chair, California Integrated Waste Management Board

Attachments: CPSC Extended Producer Responsibility Framework Principles  
CPSC List of Participating Jurisdictions and Associations