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April 14, 2009

Assemblymember Nancy Skinner, Chair  
Assembly Committee on Natural Resources  
State Capitol  
P.O. Box 942849  
Sacramento, CA 94249-0014

**RE: Support for AB 283 The California Product Stewardship Act**

Dear Chairwoman Skinner:

The Product Stewardship Institute (PSI) is writing to express our support for **AB 283, The California Product Stewardship Act**, which will establish an overarching framework in the state to continue to shift the burden of mitigating environmental and public health impacts caused by products onto manufacturers and consumers and off local and state government. We support our state and local government members in their efforts to devise and implement sustainable solutions to environmental problems within their jurisdiction.

PSI is a national non-profit organization with membership from 45 state governments, over 75 local agencies, and over 50 businesses, environmental groups, and other organizations that have pledged to work together to reduce the health and environmental impacts from consumer products. These stakeholders work through PSI to develop and implement "product stewardship" solutions that share responsibility for safely managing consumer products across their entire life cycle, from design to reuse, recycling, or disposal. The California Integrated Waste Management Board (CIWMB) was a founding member of PSI's Board of Directors over eight years ago, and a representative serves on the PSI Board today, along with one local government representative from Sonoma County. In total, 14 California local governments are members of PSI.

AB 283 is fully aligned with the mission of our organization, and the basic approach we take to finance the recycling of difficult-to-manage wastes. PSI follows our *Principles of Product Stewardship*, developed in 2001 by PSI founding state and local government members to negotiate product by product legislation. All 45 PSI member states currently support these *Principles*, which specify, among other things, that product manufacturers have the greatest ability and responsibility to reduce the lifecycle impacts of their products. When companies do *not* do so, they pass on an "unfunded mandate" to government to take care of their products at the end of their useful life. The "product stewardship" way of doing business -- internalizing the cost of safely managing products throughout their lifecycle -- is taking hold across the country. There are now over 40 laws requiring manufacturers to take this responsibility: this number has doubled since 2006. Over 30 similar bills are currently under consideration across the country.

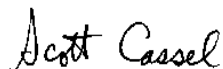
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AB 283 will provide the greatest financial incentive for manufacturers of covered products to invest in environmentally sound technologies. In the absence of a system that requires manufacturers to include the cost of recycling within their normal business expenses, manufacturers have less incentive to develop technologies that reduce their external impacts on the environment. AB 283 includes the same principles that appear in PSI's *Principles of Product Stewardship*, and is intended to develop product legislation in a more efficient manner.

To date, 18 states (including California) manage scrap electronics through product stewardship or modified product stewardship systems, and 6 states (including California) have product stewardship legislation for mercury thermostats. Other states have mandated such systems for rechargeable batteries and mercury auto switches. Bills on fluorescent lamps, paint, and pharmaceuticals are under consideration in several states. As states gain experience with individual product stewardship legislation, patterns emerge, including "designated products" subject to the legislation; the roles for companies, government, and retailers; submittal of manufacturers' plans for agency review; provisions for planning, performance metrics, and enforcement. While the specifics of each relationship must be negotiated separately depending on the product and associated stakeholders, there are common elements among these legislative initiatives. AB 283 capitalizes on these common elements to develop a more efficient and consistent approach that will save resources over time. AB 283 will allow for industry-specific negotiations to take place within the context of an overall system that is based on key principles of product stewardship that state and local government agencies in the United States would like integrated into legislation on a range of priority products.

Let me again express PSI's appreciation for your time spent to understand this complex environmental issue, and to take action toward eliminating the impacts from consumer products.

Sincerely,



Scott Cassel  
Executive Director/Founder

Cc: Assemblymember Danny D. Gilmore (Vice Chair)  
Assemblymember Wesley Chesbro  
Assemblymember Jerry Hill  
Assemblymember Steve Knight

Assemblymember Julia Brownley  
Assemblymember Kevin de Leon  
Assemblymember Jared Huffman  
Assemblymember Dan Logue