



**SWANA**<sup>®</sup>  
SOLID WASTE ASSOCIATION  
of North America

May 4, 2015

The Honorable Jimmy Gomez  
California State Assembly  
State Capitol, Room 2114  
Sacramento, CA 95814

**CALIFORNIA CHAPTERS**

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**LEGISLATIVE TASK FORCE**

[www.swanacal-leg.org](http://www.swanacal-leg.org)

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**RE: AB 1159 (Gordon and Williams) – EPR Pilot Program: Sharps and Batteries SUPPORT**

Dear Assemblymember Gomez,

The California Chapters of the Solid Waste Association of North America (SWANA) represent much of the publicly-owned and -operated solid waste management infrastructure in the state and the local governments responsible for implementing waste diversion and recycling programs. The SWANA Legislative Task Force (LTF) represents the California Chapters on legislative and regulatory issues.

The SWANA LTF is pleased to **support** your AB 1159, which would require CalRecycle to establish two pilot programs for Extended Producer Responsibility (EPR) in California. EPR is a public policy option that assigns to the manufacturer some of the responsibility for managing the end of life consequences for some consumer products.

Although it has been illegal to dispose of sharps waste in the trash or recycling containers since 2008, the problem persists because of an increase in the in-home use of sharps for human and pet applications and a lack of convenient alternatives for consumers. The result is an increasing number of needle stick injuries that profoundly impact sanitation handling professionals, despite the relatively low probability of contracting a life-threatening infection such as HIV or Hepatitis. Solid waste workers stuck while sorting recyclables are impacted in very personal ways. They have to go through months of blood tests to determine if a serious illness has been contracted, family planning can be put on hold, and some workers never return to their occupations out of fear. Multiple studies have demonstrated that the single most important factor determining the extent of wage loss associated with a workplace injury is the workers' ability to return to the at-injury employer. Workers that fail to return to the at-injury employer suffer far greater economic damage as a result of their injuries.

AB 1159 is a pilot-program that seeks to demonstrate the effectiveness and potential applications of extended producer responsibility to the state legislature. EPR is a public policy option that recognizes the significant public health, environmental, occupational safety and health, and fiscal impacts resulting from some products at the end of their useful life. Primary batteries and sharps are both banned from disposal in California, meaning that local governments are required to divert and properly manage those products if they are found in the

municipal waste stream. Batteries are exceptionally expensive to divert and recycle, and sharps create a significant occupational safety and health hazard for municipal solid waste workers. Compared to other products, sharps and batteries are expensive and dangerous for local governments to manage.

AB 1159 will require producers of household batteries and sharps to create and manage a collection system that is safe and convenient for California consumers to conveniently recycle and dispose. The bill does not require manufacturers to bear all of the responsibility for the impact of these products – it just requires a contribution to the efforts already funded by taxpayers and managed by local governments. It's recognition that industry has a role in managing the end-of-life consequences of the products they produce when those products have substantial societal impacts at the end-of-life.

For the reasons stated above, the SWANA LTF is pleased to support your AB 1159.

Sincerely,

A handwritten signature in black ink that reads "Jason Schmelzer". The signature is written in a cursive, flowing style.

Jason Schmelzer  
SWANA Legislative Advocate

cc: Members of the Assembly Committee on Appropriations