



SWANA[®]
SOLID WASTE ASSOCIATION
of North America

April 3, 2015

The Honorable Kevin Mullin
California State Assembly
State Capitol, Room 3160
Sacramento, CA 95814

CALIFORNIA CHAPTERS

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GOLD RUSH

LEGISLATIVE TASK FORCE

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**RE: AB 45 (Mullin) – Household hazardous waste
OPPOSE**

Dear Assemblymember Mullin,

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 respectfully **opposed** to your AB 45. The underlying premise of the bill is that an arbitrary metric needs to be imposed on local jurisdictions in order to bolster the convenience and, therefore, the collection of household hazardous waste (HHW) in California. There is currently no data indicating that there is a statewide problem in participation or convenience.

Jurisdictions across the state have invested in infrastructure and collection programs to provide different forms of convenience to residents. Some cities and counties have permanent facilities, some have mobile roundup events, and some have a combination of both types of collection opportunities. Several jurisdictions have residential curbside or door-to-door (DTD) collection, particularly for the elderly and disabled population. Certain jurisdictions have also implemented a variety of approaches that include the collection of sharps at convalescent homes, batteries at public libraries, pharmaceuticals at law enforcement offices, and used marine oil at ports. This local flexibility is a fundamental tenet of the Integrated Waste Management Act, including for HHW programs. (See Public Resources Code, Section 47104)

These existing HHW collection programs are robust, comprehensive, cost effective, and tailored for the communities served by the jurisdictions. HHW programs are very expensive to implement due to the special handling and regulation involved and the many diverse waste streams classified as HHW. With limited financial resources, jurisdictions need to be fiscally prudent in their selection of collection methods. DTD residential collection, for example, can be several times more expensive than permanent facilities and mobile roundup events. With DTD programs, residents may have to wait weeks before their wastes are picked up, and the convenience may be illusory, as DTD programs not only require residents to wait at home for a scheduled appointment time but they may also require the resident to manage their HHW in a

variety of different ways. Separate packaging is required for sharps and unused medicine. For rural areas, where communities are remote and self-haul is more common, DTD residential pickup may not work. Additionally, given the hazardous nature of household chemicals, there are significant safety and liability issues associated with curbside or DTD pickup.

AB 45 would place a substantial financial burden and liability on local governments for managing end-of-life household products at a time when recently enacted laws mandate jurisdictions implement other new diversion programs, such as the recycling of organic waste from businesses (AB 1826, Chesbro). Moreover, AB 45 does not appear to provide any funding to local governments for the implementation of an expanded mandate on local government to collect more HHW.

The SWANA LTF believes that producing products that are less toxic and, for those products that cannot avoid the use of hazardous chemicals, preventing end-of-life household products from entering the waste stream, are far more cost effective approaches to managing solid waste in California. This approach is also consistent with the integrated waste management hierarchy adopted by the Legislature in 1989 (Public Resources Code, Section 40051). A framework that allows manufacturers to develop their own take-back programs for spent or unused consumer goods, as in the extended producer responsibility model, is a better approach to achieving these important policy goals. It also builds in incentives for manufacturers to produce less toxic and less wasteful products. The SWANA LTF believes that AB 45 would undermine these waste prevention opportunities. For these reasons, SWANA LTF is opposed to AB 45.

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