



SENATOR ANNA CABALLERO
TWELFTH SENATE DISTRICT

SENATE BILL 726: Household Hazardous Waste Reuse

SUMMARY

This legislation seeks to reduce the unnecessary incineration and disposal of hazardous household waste products by empowering local jurisdictions to improve and expand their Household Hazardous Waste (HHW) reuse programs.

BACKGROUND

California's Integrated Waste Management Act, AB 939 from 1989, addresses solid and HHW, setting the waste reduction hierarchy as Source Reduction First, then Recycling and Disposal. California's intent is to encourage waste reduction and reuse while ensuring that waste is disposed of in the most environmentally responsible manner possible.

Household Hazardous Waste is typically disposed of through incineration or hazardous waste landfill, often outside of the state, where environmental standards are less stringent. Reusable household hazardous products are items still readily available for sale and are subject to strict requirements of a Quality Assurance Plan, as required under Health and Safety Code 10.8 Section 25218.1 (j).

California's existing hazardous waste reduction law favors source reduction and preferred management practices. The Department of Toxic Substances Control (DTSC) also has a Community Protection and Hazardous Waste Reduction Initiative that seeks to accomplish the following:

1. Identify Hazardous Waste
2. Reduce hazardous waste that is generated, treated, and disposed in significant quantities in California
3. Identify hazardous waste that can pose substantial risks or hazards to human health or the environment

PROBLEM

It is estimated that up to 10% of all household hazardous waste may be reusable; however, existing laws define some terms so narrowly that local jurisdictions cannot implement effective reuse programs. Definitions of "Household Hazardous Product or material", a "materials exchange" and

a "recipient" have forced DTSC to adopt a strict regulatory posture that unnecessarily limits reuse opportunities.

Based on a March 2015 CalRecycle Survey, only 46% of responding HHW Programs provide a reuse program in their jurisdiction. Unfortunately, as little as 3% of all household hazardous products collected annually is being reused, when roughly 15% are actually reusable.

While HHW disposal costs are difficult to assess across the State, it is estimated at approximately \$5-10 per gallon. The potential reuse loss cost to local governments is at least \$5 million annually.

Additionally, at least one jurisdiction was recently cited by DTSC for their efforts to establish a more robust HHW reuse program. Other jurisdictions that were considering working with the same contractor to expand their reuse programs have since decided against reuse. Regulators have raised issues about other jurisdiction reuse programs. The result is that California is missing a clear opportunity to reduce the amount of hazardous waste that will be landfilled or incinerated in California.

SOLUTION

The proposed statutory changes simply update the Health and Safety Code to enable local HHW reuse programs to expand their operations beyond current efforts to hold materials on site for reuse by customers, which aligns with California law.

Modern technology allows local jurisdictions and their contractors to scan HHW and make determinations about whether an item is reusable. Reusable items can then be diverted from landfill or incineration and reused by other consumers. This often benefits lower income households and the non-profits that serve them, such as Habitat for Humanity.

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National Stewardship Action Council

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