

SB 1143 – Household Hazardous Waste Producer Responsibility SENATOR BEN ALLEN Fact Sheet

SUMMARY

SB 1143 will continue California's tradition of nation-leading policies protecting consumers and our environment from toxic pollutants by building upon the recent success of extended producer responsibility (EPR) programs. The cost to manage household hazardous waste (HHW) disposal continues to climb. At the same time, consumers struggle to understand how to handle these dangerous products properly and often lack access to convenient disposal. SB 1143 requires producers of the most toxic consumer products to fund and ensure convenient access to a system for the safe collection, transportation, and disposal of HHW, shifting the cost burden of managing HHW disposal from local jurisdictions and ratepayers to the producers.

BACKGROUND

Thousands of everyday household products are classified as HHW since they pose severe threats to residents, animals, and the environment if improperly managed at the end of life (EOL). While some of these hazards are intuitive – as with waste containing acid, mercury, or asbestos – products like adhesives and cleaning agents may not be. The list of products that can be collected at a local HHW facility also varies from jurisdiction to jurisdiction, further hindering a consumer's ability to manage a toxic product at EOL properly.

Disposal of HHW is regulated by the Department of Toxic Substance Control (DTSC) through a requirement on municipal solid waste entities to provide for safe collection, along with a prohibition on these products being sent to landfills. Yet, consumers must navigate an inadequate patchwork of local programs using different collection methods. These local programs rely on various types of facilities – permanent, temporary, recycle-only, curbside, door-to-door, and mobile HHW collection facilities – each authorized to process certain materials at distinct

frequencies. There is no centralized or standardized approach to HHW collection or disposal across the state, and access to resources is far from assured.

What a local jurisdiction can collect and manage safely is usually a function of what that jurisdiction can afford. As collection and disposal costs increase, there is a reduction in consumer access and convenience, leading to improper disposal. The state has offered limited grants, but funding has fallen far short of what is needed to keep pace. For example, while CalRecycle's facilities grant program has a cap of \$5 million a year, the expected construction cost of a new facility in Sonoma is between \$13-16 million.

The current system leads to improper disposal and puts California families, ecosystems, and water sources at risk of contamination. In industries with similar costs not accounted for by the producer, the EPR model has shifted the onus off the consumers and municipalities and onto the producers responsible for the material while allowing the relevant state agency to provide oversight and enforcement.

SOLUTION

SB 1143 replaces California's current patchwork system of managing HHW with an EPR program, paid for by the producers, required to enhance consumer convenience and improve the collection and management of the most toxic household products. Producers of covered products must join a Producer Responsibility Organization and develop a producer responsibility plan detailing how the industry will meet this standard. The plan's costs will be proportionally distributed to member producers based on sales volume and relative disposal costs, encouraging less toxic alternatives and ensuring producers pay their fair share.



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