

### SB 199: Product Stewardship for Household Hazardous Waste



#### Senate Environment and Natural Resources February 16, 2017

# SB 199 Product Stewardship for Household Hazardous Waste

- What is Household Hazardous Waste (HHW) and why is it a problem?
- Why Product Stewardship for HHW?
- What are SB 199's key provisions?
- What have we heard from stakeholders?

### Household Hazardous Waste (HHW)



### Why Collect HHW?

- To address adverse health and environmental impacts
- HHW may be: *flammable, corrosive, reactive, poisonous*



# If residents have no quick & easy way to properly dispose of HHW...



#### ... it may languish in storage...

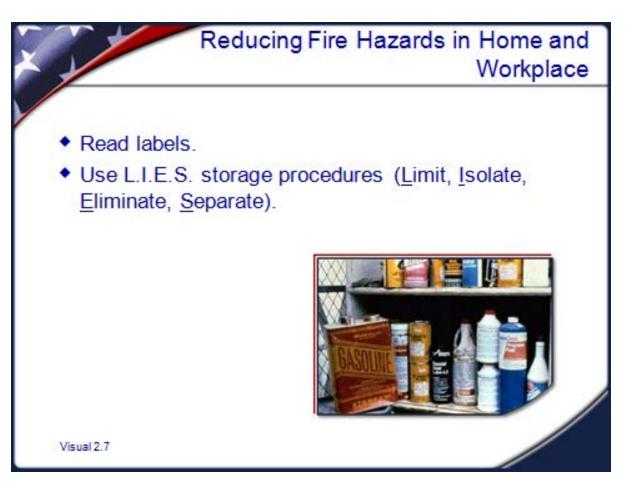


#### Or worse...

In 2014 there were more than 300,000 reported exposures to pesticides, cleaning products, solvents, and other chemicals

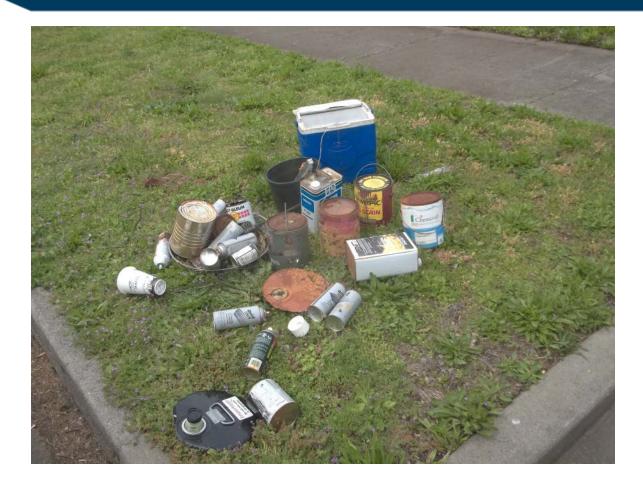
American Association of Poison Control Centers

#### ... add to fire risk ...



From FEMA CERT training

#### ... or be dumped



#### Photo courtesy of Metro's RID (Report Illegal Dumping) Patrol

#### Solid waste workers are at risk



#### Allied Waste driver hospitalized, neighborhood locked down after chemical reaction in truck

#### Services. **ColeRoservaren** Dive Brief:

· Normal collections in a Fremont, CA neighborhood quickly escalated into PUBLISHED an emergency situation last week after a driver for Allied Waste of Aug. 15, 2016 Alameda County, a subsidiary of Republic Services, placed a load containing pool chemicals into the back of his truck. The load started releasing large amounts of chemical smoke, according to SFGate.

Editor's Note: This story has been updated with information from Republic

Improper Hazardous chemical disposal puts recycling facility and sanitation workers at risk

May 26, 2016

Source: Milwaukee Dept. of Public Works press release

Old chemicals, gasoline, and propane cylinders should not be put in garbage or recycling carts With a recent incident involving a garbage truck on the City of Milwaukee's west side and a separate incident of a small fire at the Materials Recovery Facility (MRF), the City of Milwaukee Department of Public Works (DPW) reminds residents to not dispose of hazardous waste in your garbage or recyclable carts.

Chemicals, gasoline, and propane cylinders pose a very serious health risk to collection crews and MRF staff members. In an incident earlier in May, muriatic acid placed in a resident's garbage cart created a gas, and two DPW Sanitation drivers were taken to the hospital for inhaling the fumes and were later cleared to return home.



Dept. AUG 5, 2016 9:10 PM EST BY SHAWN MCVICAR LOCAL NEWS AA Operators of a garbage truck in Hermon called for help today when they began to feel ill. Firefighters tell us an unknown chemical reaction in the trash sent fumes into the cab of the truck The driver and passenger called for assistance and were checked and cleared by EMS. Jason Jordan of the Hermon Fire Dept. would like to remind people to be careful of what they throw away, "For folio who put out trash please understand folks that not everything that goes in a trash can belongs in a trash can. So that if it needs to be properly disposed of and you're unsure what it is call your local trash facility and ask them what to do with it and they will be happy to explain to you how to properly dispose of the materials that you're trying to get rid of.

#### FEATURED

#### Modern workers suffer chemical burns while collecting garbage in Lewiston

POLICE: Workers sprayed by unknown liquid while collecting garbage.



#### 0 @

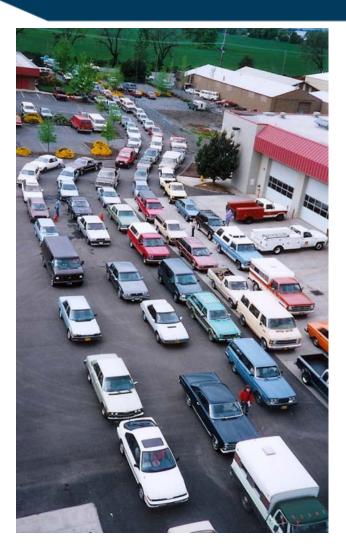
LEWISTON - Two workers from Modern Disposal suffered apparent chemical burns while picking up

The workers were collecting trash along Lower River Road near Joseph Davis State Park. After placing

some trash in the rear of a parbage truck, the workars attempted to compact the debris, according to a

As the compacting machinery began to close down on the garbage, it smashed what was described as a "blue bottle" and a liquid sprayed out of the bottle. The workers were hit by the spray and began to feel a burning sensation on their skin.

#### HHW Collection Events









#### **Permanent Facilities**









#### We aren't getting it all



### What's the problem?

- Improper management has health & safety impacts
- Currently not getting it all health & safety risks remain
- Local governments with DEQ support have been carrying the burden



### Why Product Stewardship for HHW?

 All Oregonians need access to a fair and sustainable system of HHW services



Manufacturers have a responsibility to play a role in providing that system



### Product Stewardship

# Product stewardship is providing services statewide in Oregon for e-waste & paint











Product Stewardship How it works

- Manufacturers that sell products into the state provide a program for its proper end-of life management
- Manufacturers join stewardship organizations to provide that program







Product Stewardship How it works

- Stewardship organizations write up plans for their programs
  - Local providers (collectors, processors)
    enlisted as participants in plans
  - Plans describe how they meet convenience & environmental standards
- DEQ reviews and approves those plans

# SB 199 Key Provisions

 Scope of covered products

79th OREGON LEGISLATIVE ASSEMBLY-2017 Regular Session

#### Senate Bill 199

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with presession filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Senate Interim Committee on Environment and Natural Resources)

#### SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Establishes product stewardship program for household hazardous waste.

• Performance

Financing

# SB 199 Scope of Covered Products

- Cover higher hazard, costly to manage products
- Not appropriate to return to retail



# SB 199 Examples of Covered Products

- Flammable products including solvents
- Home & garden products containing herbicides or pesticides
- Highly corrosive or reactive products like oven cleaners & pool chemicals.





# SB 199 Products *NOT* Covered

- Pharmaceuticals
- Batteries
- Mercury containing products (thermostats, lamps),
- Medical Sharps (needles)
- Commercial pesticides







# SB 199 Financing

- Stewardship organizations decide how to raise funds & apportion program costs among its members
- No state approved fees at point of sale (*not like paint*)
- DEQ cost to administer covered by manufacturers

SB 199 Performance

- Build on current system
- Ensure environmentally sound management
- Meet convenience standard

#### Stakeholder Discussion Issues

- Program approach
- Service levels



Workability - Feasibility

## Proposed Approach

#### What we heard:

 What about approaches other than producer responsibility?

#### **Response:**

- Alternatives such as taxes or fees on products problematic
- Role for producers
- Sustainable financing
- Ability to get more HHW collected

#### Service Levels

#### What we heard:

- Service should be equitable
  Yes, build on existing across the state
- Whether and how to expand services a concern
- Utilize what's out there

#### **Response:**

- infrastructure
  - Status quo the floor
  - Set up process for expanded
- Look for ways to economize:
  - e.g., bundle collection events – HHW, paint, e-waste

# Service Levels Convenience Standard

- 90% of Oregon residents within 15 miles of a collection site
- Underserved areas (i.e., those more than 15 miles) have at least one event per year
  - Bundling with other services encouraged
- After initial program years:
  - DEQ set based on consultations with local governments, producers and other stakeholders.

### Workability - Feasibility

#### What we heard:

- Concerns about potential complexity of program
  - Product sorting requirements
  - # of manufacturers and products involved

#### **Response:**

- Build on sorting practices already occurring (e.g., paint, batteries)
- Technology and data systems for sorting
- PS for HHW programs exist

## Stakeholder Discussions Other Changes to the bill

Added to who can use program: products sold <u>at retail for</u> <u>household use</u> that meet the hazard criteria will be accepted from both residences and businesses.

**Removed a requirement on manufacturers**: producers will <u>not</u> be required to educate consumers about reducing use of hazardous products.

*Clarifying exclusion of commercial pesticides:* checking language to ensure commercial pesticides <u>not covered.</u>

#### THANK YOU

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