

HB 3105 A STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Action Date: 04/12/17
Action: Do pass with amendments
and be referred to Ways and Means by prior reference. (Printed A-Eng.)
Vote: 5-4-0-0
Yeas: 5 - Barnhart, Helm, Holvey, Marsh, Power
Nays: 4 - Bentz, Johnson, Reschke, Smith DB
Fiscal: Fiscal impact issued
Revenue: Has minimal revenue impact
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WHAT THE MEASURE DOES:

Makes legislative findings related to collection and management of household hazardous waste. Defines terms. Prohibits manufacturer or retailer from selling or offering for sale "covered product" unless covered product is labeled with brand and brand is included in plan for stewardship program. Requires a stewardship organization for specified household products register annually with the Department of Environmental Quality (DEQ), and include in registration list of all manufacturers participating in stewardship organization and list of brands manufactured, sold or imported by participating manufacturers. Requires stewardship program to submit plan to DEQ describing how the stewardship organization will: finance, manage and conduct statewide stewardship program; provide for environmentally sound management of covered products; provide advertising; coordinate with architectural paint stewardship program; and provide convenient service. Establishes requirements for collection based on population and presence of permanent publicly owned or contracted hazardous waste collection site. Establishes requirements for stewardship organization that include but are not limited to: meet or exceed convenient service requirements; retailer notification; and provide annual report to DEQ. Requires DEQ to calculate weight of covered products each year and establish collection target for upcoming year, starting in 2022. Requires DEQ to establish annual minimum return share for each stewardship program to enable state to reach weight-based collection targets, and requires stewardship organizations not meeting targets to pay DEQ the amount not achieved at rate determined by DEQ. Requires DEQ to establish system for granting credits to stewardship organizations that exceed program's return share. Requires DEQ to report to Legislative Assembly on statewide system biennially. Allows DEQ to bring action against manufacturers and stewardship organizations that violate the provisions of the Act. Creates the Household Hazardous Waste Stewardship Fund (Fund). Allows DEQ to charge an annual fee to stewardship organizations to cover administration costs to be credited to the Fund. Stipulates for the year 2018, annual fee shall be set at \$85,000 unless DEQ determines higher fee is necessary. Phases in additional covered products in 2020 and 2021. Declares an emergency, effective on passage.

ISSUES DISCUSSED:

- Performance of other product stewardship programs
- Sharing cost of collecting hazardous waste
- Potential cost to consumer

EFFECT OF AMENDMENT:

Replaces measure.

BACKGROUND:

Product stewardship programs require manufacturers to share in the financial and physical responsibility for collecting and recycling products at the end of their useful lives. There are two statewide product stewardship

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programs currently operating in Oregon addressing paint and electronic equipment.

In 2007, House Bill 2626 established a statewide program financed by manufacturers for recycling computers, monitors and TVs. The program allows anyone bringing seven or fewer items at one time to recycle their electronics at no charge at participating collection sites. In 2015, computer peripherals (keyboards and mice) and printers were added to the program.

In 2009, House Bill 3037 created a paint stewardship pilot program to reduce the generation of post-consumer paint and required the creation of a stewardship organization made up of paint manufacturers to implement the program by developing a plan and funding its implementation, including the development of educational materials for consumers. Under the legislation, consumers may take unwanted paint to locations throughout the state for disposal. The program was made permanent in 2013.

House Bill 3105A would establish a product stewardship program for household hazardous waste.