

HB 2955 A STAFF MEASURE SUMMARY
House Committee On Energy and Environment

Action Date: 03/29/21

Action: Do pass with amendments and be referred to Ways and Means by prior reference.
(Printed A-Eng.)

Vote: 4-3-0-0

Yeas: 4 - Helm, Marsh, Pham, Speaker Kotek

Nays: 3 - Moore-Green, Owens, Smith DB

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Erin Pischke, LPRO Analyst

Meeting Dates: 2/10, 2/22, 3/29

WHAT THE MEASURE DOES:

Establishes product stewardship program for household hazardous waste that is submitted to and approved by the Department of Environmental Quality (DEQ). Requires manufacturers to participate in an approved stewardship organization and be responsible for all obligations placed on the stewardship organization. Requires manufacturers to provide information on available collection opportunities for the covered product in an electronic and printable format for retailers. Requires stewardship organizations to submit to DEQ, every four years, a plan for the development and implementation of a household hazardous waste stewardship program. Requires stewardship organizations to submit to DEQ initial plans for managing and conducting household hazardous waste stewardship programs no later than April 1, 2023. Requires DEQ to approve plan submitted by stewardship organizations no more than 60 days after receiving plan and, if plan is rejected, requires stewardship organizations to resubmit revised plan no more than 60 days after plan is rejected. Authorizes DEQ to revoke the approval of plan for the development and implementation of a household hazardous waste stewardship program approved by the DEQ if the department determines that a stewardship organization is in violation of the provisions of the act. Establishes a Household Hazardous Waste Stewardship Fund which is funded through stewardship organizations' household hazardous waste stewardship program registration fees paid to DEQ and used to cover costs of administering, implementing, and enforcing the programs. Requires household hazardous waste stewardship program developed pursuant to approved plan to be implemented no earlier than January 1, 2024. Imposes penalty for violation by retailer of program provisions not to exceed \$100 per day for each day of violation. Imposes penalty for violation by manufacturer or stewardship organization of program provisions not to exceed \$25,000 per day for each day of the violation. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Potential liability to industry
- Existing product stewardship programs in Oregon

EFFECT OF AMENDMENT:

Requires manufacturers to participate in an approved stewardship organization and be responsible for all obligations placed on the stewardship organization. Requires a stewardship organization to submit to the Department of Environmental Quality (DEQ) every four years a plan for the development and implementation of a household hazardous waste stewardship program. Authorizes DEQ to revoke the approval of plan for the development and implementation of a household hazardous waste stewardship program approved by the DEQ if DEQ determines that a stewardship organization is in violation of the provisions of the act.

BACKGROUND:

HB 2955 A STAFF MEASURE SUMMARY

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 programs currently operating in Oregon, one to address electronic waste, and one to address paint. In 2007, House Bill 2626 established a statewide program financed by manufacturers for recycling computers, monitors, and televisions. The program allows anyone to recycle up to seven electronics free of charge by bringing them to 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 waste by allowing consumers to take unwanted paint to locations throughout the state for disposal. The bill also required creation of a stewardship organization of paint manufacturers to develop a plan and fund implementation of the program, as well as develop educational materials for consumers. The paint stewardship program was made permanent in 2013.

House Bill 2955 A would establish a product stewardship program for household hazardous waste that is submitted to and approved by the Department of Environmental Quality (DEQ). The measure would require a household hazardous waste stewardship program, developed pursuant to an approved plan, to be implemented no earlier than January 1, 2024.