

CIWMP – Relevant Household Hazardous Waste Legislation

SB 20 - Solid waste: hazardous electronic waste SB 20 enacted the Hazardous Electronic Waste Recovery, Reuse, and Recycling Act of 2003 (Act). The Act required manufacturers of hazardous electronic devices sold in the State to establish and implement a hazardous electronic device recovery system that is certified by the IWMB for the collection, handling, transportation, processing, recovery, reuse, and recycling of hazardous electronic devices sold by the manufacturer. The Act required manufacturers to submit a hazardous electronic device recovery plan to the IWMB or to allow manufacturers to pay a fee in lieu of submitting a recovery plan, and authorized the IWMB to expend the funds on recycling incentive payments to hazardous electronics material handlers, grant funds to local governments and nonprofit agencies, financial incentives to manufacturers, public information programs on recycling of hazardous electronic devices, and funding for the Department of Toxic Substances Control for its costs under the bill.

Universal Waste Under California's Universal Waste Rule, households and "conditionally exempt small quantity generators" were allowed to dispose fluorescent lamps, batteries (not lead/acid batteries of the type used in autos), mercury thermostats, and electronic devices to the trash through February 8, 2006, unless the local trash companies or other agencies prohibited it. Large and small quantity handlers are required to ship their waste to either another handler, a universal waste transfer station, a recycling facility, or a disposal facility. On February 9, 2004, regulations took effect in California that classified all discarded fluorescent lamps as hazardous waste. Televisions and computer monitors also cannot be disposed to the trash.

AB 1343 - Architectural Paint: Recovery Program. Creates a product stewardship program for architectural paint, which requires manufacturers to develop and implement a program to collect, transport, and process postconsumer paint to reduce the public costs and environmental impacts of the management of postconsumer paint in California. The bill further requires CalRecycle to administer the program, approve and disapprove plans, and provide oversight to ensure a level playing field among manufacturers.

SB 546 - Used Oil SB 546 recasts the Used Oil Program, allowing the CIWMB to focus on collection of oil from "Do-It-Yourselfers," streamline local jurisdiction grants, discourage illegal disposal of used oil, and provide incentives to manufacturers of re-refined oil in order to develop additional capacity for the re-refining of used oil. This bill also changes the testing and analysis process for used oil and revises the certification and reporting requirements for both in and out-of state recycling facilities.

Pharmaceutical and Sharps Waste Stewardship Regulations

SB 212 was enacted on September 30, 2018 to establish safe and convenient collection and disposal options for home-generated pharmaceutical drug and sharps waste. CalRecycle is required to adopt regulations for the implementation of SB 212 by January 1, 2021.

SB 212 requires covered entities, individually or through a stewardship organization, to design, submit, fund, and implement stewardship plans to achieve the statute's goals. Covered entities, through a tiered definition in the statute, can be manufacturers, distributors, re-packagers, or the owner or licensee of a covered product. The statute requires retail pharmacy chains to make a reasonable effort to participate as a collector of covered drugs, and, if there are not at least five collection locations in a county, that 15% of each retail pharmacy chain's store locations must be a collection location. SB 212 also requires the creation of a mail-back program for home generated sharps waste.