



Bay Area Hazardous Waste Management Facility Allocation Committee

Administered by:
Association of Bay Area Governments

101 Eighth Street, Oakland, CA 94607-4756
<http://www.abag.ca.gov/hazwaste>

P. O. Box 2050, Oakland, CA 94604-2050
510/464-7961

Date: May 25, 2012
To: Hazardous Waste Management Facility Allocation Committee
From: Ceil Scandone, Senior Regional Planner
Re: 2012 Legislation Status

The Committee has been charged with reviewing Extended Producer Responsibility (EPR) and other relevant legislation and forwarding information and recommended positions to ABAG's Legislation and Governmental Organizations Committee. Staff works with the California Product Stewardship Council and Technical Advisory Committee members to identify bills for Committee consideration.

In the 2012 session, we have identified one new bill that is germane to the Committee's mission. Bills carried over from the 2011 session have either died or remain inactive.

2012 State Legislation

Active:

AB 1442, Wieckowski, Unwanted Pharmaceuticals Reverse Distribution

According to the California Product Stewardship Council, this bill would amend current regulations to redefine pharmaceutical waste under the Medical Waste Management Act and allow common carrier transport (instead of costly medical waste haulers) of pharmaceutical waste. This change will ultimately make it easier to recover unwanted pharmaceuticals from the public by reducing the cost of transport and bringing California one step closer to EPR. A Fact Sheet issued by Assemblymember Wieckowski's office is attached.

The bill passed out of the Assembly Environmental Safety and Toxic Materials Committee on an 8 to 0 vote and is currently in the Appropriations suspense file. The bill may be reviewed at http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1401-1450/ab_1442_bill_20120104_introduced.pdf.

Proposed Action: The Committee may make a recommendation to the Legislation and Governmental Organizations Committee on this bill.

Inactive:

The following bills, which were introduced in 2011 and supported by the Committee, were turned into two year bills:

SB 419, Senator Simitian's Home – Generated Sharps bill, remains in the Assembly inactive file.

SB 589, Senator Lowenthal's Mercury Lamp Stewardship bill, passed the Senate but was pulled before it could be considered in the Assembly. It has not been reintroduced.

SB 515, Senator Corbett's Battery bill, was not reintroduced and has died.

Staff will continue to monitor the CPSC website and consult with TAC members as the legislative session progresses.

Other Initiatives

Alameda County Safe Drug Disposal Ordinance:

At the last meeting, TAC member Bill Pollock mentioned the proposed Alameda County Safe Drug Disposal Ordinance. If adopted, the ordinance would require any person who produces a drug for sale in Alameda County to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources. The County held a series of workshops in April in May to engage stakeholders and community members and solicit input. The ordinance is scheduled to go before the Board for a vote in June.

According to a press release issued by the office of Supervisor Nate Miley, President of the Alameda County Board of Supervisors, if the ordinance is adopted the County will be the first in the nation to make pharmaceutical manufacturers take responsibility for the entire lifespan of their products. The ordinance requires drug manufacturers to provide a medication take-back program, just like they already do in other countries including Canada, Spain and France.

Supervisor Miley states, "For years, the community has faced the problem of what to do with unused and expired medication and together we have created a groundbreaking policy solution. Our goal is to reduce teenage prescription drug abuse, expand local medication collection sites in the county and prevent discarded drugs from entering our waterways and landfills."

Mr. Pollock will be on hand to provide details. Staff will apprise the Committee of the outcome of the Board vote in June.

Battery Recycling

At the January 2012 meeting, Rob D'Arcy reported that U.S. manufacturers of non-rechargeable alkaline household batteries had established the Corporation for Battery Recycling (CBR), a not-for-profit corporation established to aid in the development of a stewardship program they intend to launch in 2013. The companies involved produce the

Duracell, Energizer, Kodak, Panasonic and Spectrum brands. They are working with six foundation programs – including Santa Clara County and San Luis Obispo Counties in California – to gather data that will aid in program development.

Mr. D’Arcy recently forwarded a notice that demonstrates that the effort is moving forward. During the week of June 25th, CBR will issue an open Request for Proposal (RFP) to manage and service the national recycling program beginning April 2013. The RFP will seek proposals from qualified and experienced organization(s) to act as the ‘Stewardship Organization (SO)’ responsible for managing and delivering an environmentally positive and cost effective national program for recycling primary household batteries. The proposal is expected to provide details of how the SO would manage the underlying system for services related to the collection, transportation, sorting and recycling of primary batteries collected by the program. In addition the SO will be responsible for raising the awareness of the program with battery users and be legally responsible for compliance with all laws and regulations relevant to all their activities.

For more information about CBR, see their home page: <http://recyclebattery.org/>