

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

627



**FROM:** Executive Office

**SUBMITTAL DATE:**  
April 6, 2015

**SUBJECT:** AB 45 (Mullin) Household Hazardous Waste – Oppose Unless Amended. All Districts [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Oppose AB 45 (Mullin) which would require a “one size fits all” approach to Household Hazardous Waste management. It would establish curbside collection as the principal means of collecting household hazardous waste, taking away local control and decision-making.

**BACKGROUND:**

**Summary**

Assembly Bill 45 would require jurisdictions to create a household hazardous waste (HHW) baseline and to meet an unspecified diversion requirement for HHW collection. The bill also would create a model ordinance for door-to-door collection and diversion program. Riverside County recognizes the need to increase collection and ensure for the proper management of HHW, as these products, when improperly disposed of, create a health and safety issue for our communities. However, we have strong objections to the approach outlined in this bill.

Steven Horn  
Senior Management Analyst

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
<b>SOURCE OF FUNDS:</b> N/A				<b>Budget Adjustment:</b> N/A	
				<b>For Fiscal Year:</b> N/A	

**C.E.O. RECOMMENDATION:**

APPROVE

BY:

County Executive Office Signature

Alex Gann

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: ALL

Agenda Number:

**3-20**

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
FORM 11: AB 45 (Mullin) Household Hazardous Waste – Oppose Unless Amended. All Districts  
[\$0]**

**DATE: April 6, 2015**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

Cities and counties are currently required to prepare, adopt, and submit to Cal Recycle a Household Hazardous Waste Element, which identifies a program for the safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households. The Household Hazardous Waste Element (HHWE) specifies how HHW must be collected, treated, and disposed. In addition, local jurisdictions are required to report to Cal Recycle how much HHW they collect annually. Thus, jurisdictions across the state have developed comprehensive programs to collect and manage HHW, each tailored to the needs of their respective community. Many jurisdictions have implemented several different types of programs to increase convenience to the consumer. These methods include weekly HHW mobile events where residents can drop off their materials at a specified location, permanent collection centers, and door-to-door pickup service. However, due to the immense cost to manage HHW, local programs cannot afford to collect everything.

Riverside County strongly supports the concept of Extended Producer Responsibility (EPR). While this model may not be appropriate for all products, EPR is an excellent tool to employ for the producers of toxic and expensive-to-manage products, requiring the industries that profit from these products to have a stake in their proper management and disposal. Furthermore, this model incentivizes producers to incorporate environmental considerations in their design process, creating healthier products that are less toxic to our environment.

We believe that AB 45 would have the opposite effect on California's HHW management system. Requiring local jurisdictions to create a HHW base line amount, which would be used to calculate an unspecified diversion mandate, removes all incentive for the creation of additional EPR programs in California. HHW management is a very expensive process as these toxic products require very specific handling and local governments and tax payers should not have to bear the entire burden of managing these products. Furthermore, HHW is much different than municipal solid waste and creating targets for diversion is more complicated than household garbage. HHW includes a number of different products, including fluorescent lamps and tubes, various chemicals, sharps, pharmaceuticals and more. Households consume varying amounts of these types of products and hold onto them for varying amounts of time, thus making the development of a baseline difficult.

Finally, we do not agree with the assertion that door-to-door HHW collection is the most desirable or preferred method of collection. While several jurisdictions have implemented these types of programs, they are often more expensive to the rate payer and more time intensive than other methods. We do not believe it is an effective use of Cal Recycle resources to develop a model ordinance for a door-to-door collection program. Cal Recycle currently manages a small HHW grant program to help local governments establish or expand HHW collection programs. We believe that resources would be better spent by augmenting this grant program to help jurisdictions increase hours of operation and frequency of collection events.

**Impact on Citizens and Businesses**

This bill has the potential to increase costs to residents through the creation of new regulations to manage household hazardous waste. Opposing this legislation will assist with retaining local control over the management of household hazardous waste programs.



## Board of Supervisors

District 1	Kevin Jeffries 951-955-1010
District 2	John F. Tavaglione 951-955-1020
District 3	Chuck Washington 951-955-1030
District 4	John J. Benoit 951-955-1040
District 5 <i>Chairman</i>	Marion Ashley 951-955-1050

April 7, 2015

The Honorable Brian Maienschein, Chair  
Assembly Local Government Committee  
State Capitol Building, Room 4139  
Sacramento, CA 95814

**RE: AB 45 (Mullin) – Household Hazardous Waste  
As Amended on March 19, 2015 – OPPOSE  
Referred to the Assembly Local Government Committee**

Dear Assembly Member Maienschein:

On behalf of the Riverside County Board of Supervisors, I write to respectfully express our opposition to AB 45, by Assembly Member Kevin Mullin. This bill would require jurisdictions to create a household hazardous waste (HHW) base line and to meet an unspecified diversion requirement for HHW collection. The bill also allows the Department of Resources, Recycling and Recovery (Cal Recycle) to create a model ordinance for a door-to-door collection and diversion program. Riverside County recognizes the need to increase collection and ensure for the proper management of HHW, as these products, when improperly disposed of, create a health and safety issue for our communities. However, we have strong objections to the approach outlined in this bill.

Cities and counties are currently required to prepare, adopt, and submit to Cal Recycle a Household Hazardous Waste Element, which identifies a program for the safe collection, recycling, treatment, and disposal of hazardous wastes that are generated by households. The Household Hazardous Waste Element (HHWE) specifies how HHW must be collected, treated, and disposed. In addition, local jurisdictions are required to report to Cal Recycle how much HHW they collect annually. Thus, jurisdictions across the state have developed comprehensive programs to collect and manage HHW, each tailored to the needs of their respective community. Many jurisdictions have implemented several different types of programs to increase convenience to the consumer. These methods include weekly HHW mobile events where residents can drop off their materials at a specified location, permanent collection centers, and door-to-door pickup service. However, due to the immense cost to manage HHW, local programs cannot afford to collect everything.

In addition to local programs, the state has required manufacturers of certain products, including paint, which is banned from our landfills, to create and fund a product

Letter to The Honorable Brian Maienschein, Chair  
Assembly Local Government Committee  
April 7, 2015  
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stewardship plan for the end-of-life management of their product, commonly referred to as Extended Producer Responsibility. In this model, the manufacturer is required to fund and operate collection programs for the products they produce. In the instance of paint, manufacturers have come together to form a joint product stewardship organization that offers convenient collection at no cost to the consumer at many retail paint establishments, such as Sherwin Williams and Kelly Moore paint stores.

Riverside County strongly supports the concept of Extended Producer Responsibility (EPR). While this model may not be appropriate for all products, EPR is an excellent tool to employ for the producers of toxic and expensive-to-manage products, requiring the industries that profit from these products to have a stake in their proper management and disposal. Furthermore, this model incentivizes producers to incorporate environmental considerations in their design process, creating healthier products that are less toxic to our environment.

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It is for these reasons that we must respectfully oppose AB 45. Should you have any questions regarding our position, please feel free to contact Alex Gann at 951-955-1110, or [agann@rceo.org](mailto:agann@rceo.org).

Sincerely,

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MARION ASHLEY, Chairman  
Riverside County Board of Supervisors