



ASSEMBLY MEMBER

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AB 45: Household Hazardous Waste

SUMMARY

In 1989, landmark legislation (AB 939 by Assemblymember Sher) was enacted that, among other things, required local **jurisdictions to “divert” 50% of all solid waste** from landfill disposal through source reduction, recycling, and related activity by January 1, 2000.

In 2014, legislation was enacted to require **the “diversion” of organics from landfills** by requiring business that generate specified amounts of organic waste to handle organic waste in a manner to minimize traditional **disposal**. If **“disposal” of organic waste** has not been reduced by 50% in 2020 (using 2014 as a baseline), additional businesses are subject to the diversion program.

The “AB 939 Diversion” program is heralded as an environmental and economic success. The law has conserved landfill capacity, created green jobs and businesses, reduced greenhouse gases, conserved natural resources, and contributed to the fight against climate change. As much as any law enacted in California, AB 939 has contributed to the modern environmental ethic of stewardship.

CURRENT LAW

State law has loosely regulated Household Hazardous Wastes (HHWs) for approximately 25 years. Generally, HHWs are ubiquitous household products that contain small (or de minimis) amounts of hazardous or toxic substances, require

more intensive handling, treatment, or disposal than solid waste, but fall outside **the State’s hazardous waste laws applicable** to industrial and large commercial facilities. HHWs include: paint, pesticides, compact fluorescent lamps (CFLs), batteries, sharps, discarded drugs, and similar products.

State law does not contain a “diversion” goal for HHWs. Recent CalRecycle **statistics indicate the State’s HHW** collection and disposal programs are moribund. HHW collection and management is neglected.

SOLUTION

AB 45 borrows from the demonstrably **successful “diversion” laws and programs** described above and requires local **jurisdictions to “divert” a yet to be** determined percentage of HHW from landfills by 2020. Local jurisdictions that deploy convenient residential collection programs will be given more time to achieve the diversion objective.

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