

ASSEMBLY BILL

No. 2891

Introduced by Committee on Environmental Safety and Toxic Materials (Assembly Members Alejo (Chair), Gonzalez, McCarty, and Ting)

February 29, 2016

An act to amend Sections 47104, 47105, and 47106 of the Public Resources Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2891, as introduced, Committee on Environmental Safety and Toxic Materials. Household hazardous waste: guidelines.

(1) Existing law authorizes public agencies to operate household hazardous waste collection facilities, as defined, and specifies conditions for the transportation of household hazardous waste.

Existing law requires the Department of Resources Recycling and Recovery to prepare, in consultation with the Department of Toxic Substances Control, guidelines and a state policy to guide the efforts of local agencies to provide household hazardous waste collection, recycling, and disposal programs pursuant to this article.

This bill would require the department to additionally consult with the State Water Resources Control Board in preparing the guidelines and state policy.

(2) Existing law requires the Department of Resources Recycling and Recovery, in establishing guidelines on which products should be disposed of as hazardous waste, to consider specified factors.

This bill would require the department to consider those factors in consultation with the Department of Toxic Substances Control and the State Water Resources Control Board.

(3) This bill would require the Department of Resources Recycling and Recovery, beginning January 1, 2019, to annually update and post the guidelines referenced in paragraphs (1) and (2) on its Internet Web site.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 47104 of the Public Resources Code is
2 amended to read:

3 47104. The ~~board~~ *department* shall prepare, in consultation
4 with the Department of Toxic Substances ~~Control~~, *Control and*
5 *the State Water Resources Control Board*, guidelines and a state
6 policy to guide the efforts of local agencies to provide household
7 hazardous waste collection, recycling, and disposal programs
8 pursuant to this article. The guidelines required by this section
9 shall allow adequate flexibility to local agencies in meeting their
10 individual needs, to the extent that the local agency’s program
11 does not conflict with the state policy prepared pursuant to this
12 ~~subdivision~~ *section*.

13 SEC. 2. Section 47105 of the Public Resources Code is
14 amended to read:

15 47105. (a) The guidelines required by this article shall include
16 ~~all~~ *both* of the following elements:

17 (a)
18 (1) Development of a model operation plan for community
19 household hazardous waste collection, recycling, and disposal
20 programs required to be identified pursuant to this article. The
21 model operation plan shall include a description of proper
22 procedures for hazardous waste handling, storage, transportation,
23 and personnel training.

24 (b)
25 (2) The establishment of guidelines on the generic types of
26 household hazardous substances ~~which~~ *that* should be disposed of
27 as hazardous waste, and guidelines on the safe management of
28 hazardous wastes generated by households ~~which~~ *that* may be
29 excluded from household hazardous waste collection programs
30 but ~~which~~ may require some special handling.

1 **(b)** *Beginning January 1, 2019, the department shall annually*
2 *update and shall post on its Internet Web site the guidelines*
3 *required by this article.*

4 SEC. 3. Section 47106 of the Public Resources Code is
5 amended to read:

6 47106. In establishing guidelines on which products should be
7 disposed of as hazardous waste, ~~the board~~ *department*, in
8 *consultation with the Department of Toxic Substances Control and*
9 *the State Water Resources Control Board*, shall consider such
10 factors as toxicity, concentration of toxic ingredients in a product,
11 and other appropriate factors. ~~The board~~ *department* shall also
12 consider the appropriateness of excluding from any listing of
13 household hazardous wastes specific categories of household
14 products, such as products intended for human consumption,
15 personal hygiene products, and other categories of household
16 products intended for general consumer use.