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SB-423 Surplus household consumer product waste: management. (2015-2016)

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Senate Bill No. 423

CHAPTER 771

An act to add Section 25218.14 to the Health and Safety Code, relating to hazardous waste.

[Approved by Governor September 28, 2016. Filed with Secretary of State September 28, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 423, Bates. Surplus household consumer product waste: management.

Existing law requires the Department of Resources Recycling and Recovery, in consultation with the Department of Toxic Substances Control, to develop and implement a public information program to provide uniform and consistent information on the proper disposal of hazardous substances found in and around homes. Existing law provides for regulation of the disposition of hazardous waste by the Department of Toxic Substances Control.

This bill would require the Department of Toxic Substances Control to convene a Retail Waste Working Group, as prescribed, to consider and make findings and recommendations relating to requirements for the management of surplus household consumer products, waste reduction opportunities for those products, and waste management requirements, as specified. The bill would require the working group to report these findings and recommendations to the Legislature by June 1, 2017.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 25218.14 is added to the Health and Safety Code, to read:

25218.14. (a) The department shall convene a Retail Waste Working Group comprised of representatives of large retailers, small retailers, district attorneys, certified unified program agencies, nongovernment organizations, local governments, other relevant state agencies as determined by the department, manufacturers, reverse distributors, and other stakeholders to consider and make findings and recommendations on the following:

(1) Regulatory and statutory requirements that may be considered confusing or may need clarification or specification when applied to the overall management by manufacturer, distributor, supplier, vendor, retail, and reverse logistics facilities of surplus household consumer products, including products that can be considered hazardous waste or pharmaceutical waste once a waste determination is made.

(2) Statutory or regulatory recommendations to facilitate and increase the donation, liquidation, and sale of surplus household consumer products, and waste reduction opportunities for those products, and to clarify waste management requirements to encourage the management of surplus household consumer products by manufacturer, distributor, supplier, vendor, retail, and reverse logistics facilities in a manner that is protective of public health and the environment.

(b) For purposes of this section, "surplus household consumer product" means a household consumer product that cannot or will not be sold to a consumer through that product's primary market.

(c) By June 1, 2017, the Retail Waste Working Group shall report the findings and recommendations made pursuant to subdivision (a) to the Legislature.