



County Administrative Office
Governmental & Legislative Affairs

Josh Candelaria
Director

April 9, 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 March 19, 2015 – OPPOSE
Set for Hearing on April 22, 2015

Dear Chairman Maienschein:

The County of San Bernardino respectfully opposes AB 45, legislation what would require jurisdictions that collect and dispose of solid waste to establish a baseline of household hazardous waste (HHW) and then to meet an as-yet unspecified diversion requirement. Further, the bill would allow the Department of Resources, Recycling and Recovery (Cal Recycle) to create a model ordinance for a door-to-door collection and diversion program. While we fully agree that HHW, if improperly handled, poses a threat to public health and safety and that increasing collection and diversion of HHW is a laudable goal, we strongly object to the approach outlined in this bill.

AB 45 would impose mandates that would be expensive to implement, would reduce the incentives for industry to maximize the effectiveness of the Extended Producer Responsibility program, would be inefficient and difficult to administer, have limited effectiveness and may have unintended consequences.

Cities and counties are already required to adopt and submit to Cal Recycle an HHW Element, which spells out a program for the safe collection, treatment and disposal of HHW. In addition, jurisdictions must report to Cal Recycle how much HHW they collect. Local jurisdictions already have comprehensive plans for safely disposing of HHW, tailored to the needs and resources of the community.

Requiring local governments to collect a certain amount of HHW places the burden of the end-of-life management of toxic products squarely on local governments and taxpayers rather than the companies that profit from the products. Secondly, door-to-door collection programs are not the only method of HHW collection, and in many jurisdictions, it is not the preferred method. Local governments are better suited to design and implement HHW programs that are appropriate for their community.

Curbside collection may work well in an urbanized setting where all residential housing is required to be subscribed to service, but this does not work in more rural areas where service isn't mandatory. Curbside collection increases the risk of a chemical spill, which could require thousands of dollars and litigation to remedy. Further, door-to-door collection would be expensive

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to implement, inefficient and of limited effectiveness. Additional reporting requirements beyond current law are unnecessary, and would impose an additional burden on jurisdictions still struggling with tight budgets.

For these reasons, the County of San Bernardino respectfully requests a “No” vote on AB 45. If you have any questions, please contact Josh Candelaria, Director of Governmental and Legislative Affairs at (909) 387-4821 or jcandelaria@sbcountry.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Ramos', with a stylized flourish at the end.

JAMES RAMOS
Board of Supervisors Chairman
Third District Supervisor
County of San Bernardino

c:

Honorable Members and Consultants, Assembly Local Government Committee
The Honorable Kevin Mullin
County of San Bernardino Legislative Delegation