

Testimony of Peter Vujovich, Manager, State Affairs
Consumer Specialty Products Association
Submitted to the House Natural Resources, Fish & Wildlife
Committee
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Aerosol - Air Care - Cleaners - Polishes
Automotive Care - Antimicrobial - Pest Management

House Bill 560: Household Products Containing Hazardous Substances

Chairman Deen & members of the House Natural Resources, Fish & Wildlife Committee,

Thank you for the opportunity to submit testimony on House Bill 560, a proposal which would establish a state-run collection and reporting program for products containing Household Hazardous Waste. On behalf of the Consumer Specialty Products Association (CSPA)¹ I respectfully request an unfavorable vote on the measure.

CSPA members manufacture a variety of products including household cleaning products, air care products, aerosol products, floor polishes and waxes, automotive maintenance and appearance products, and consumer pesticides. These products are essential tools for wide a variety of functions necessary to maintain clean and healthy homes and institutional facilities. Many of these products (e.g., disinfectants, sanitizers) are registered FIFRA products because they provide significant public health benefits.

Much has changed since HHW was first addressed at the federal level. Federal and state standards for sanitary landfills have been strengthened to ensure material containment and treatment of leachate, recycling has increased, packaging has been reduced, and the formulas for many consumer products have been modified. Mandatory and voluntary collection programs have diverted high risk materials (e.g., batteries, motor oil and other used automotive fluids, thermostats with mercury, oil-based paints) from landfills.

Household waste, as designated in this legislation, has been continually exempted from being designated as hazardous through the Resource Conservation Recovery Act (RCRA). These products should not be placed in secure hazardous waste sites, as these sites are needed for RCRA hazardous wastes. The overwhelming majority of consumer products are designed to be used in and around the house and in institutions and do not pose a significant enough risk to the environment to be regulated in this manner.

¹ CSPA is the premier trade association representing the interests of companies that manufacture, formulate, distribute and sell \$180 billion annually of familiar household and commercial products that help consumers and workers create cleaner and healthier environments. Formerly known as the Consumer Specialty Products Association, HCPA member companies employ nearly 200,000 people in the U.S. and represent products including disinfectants that kill germs in homes, hospitals and restaurants; candles, and fragrances and air fresheners that eliminate odors; pest management products for home, garden and pets; cleaning products and polishes for use throughout the home and work; products used to protect and improve the performance and appearance of automobiles; aerosol products and a host of other products. Through its product stewardship program, Product Care®, and scientific and business-to-business initiatives, HCPA provides members a platform to effectively address a wide range of issues regarding the health, safety and sustainability of their products.

Although many HHW programs consider post-consumer wastes of many types of formulated products to be candidates for special segregation, collection and management, an examination of the facts does not support this practice. Formulated products normally contain a very small amount of ingredients that might be of concern.

Despite the fact that federal and most state regulations allow all household wastes to be disposed in RCRA Subtitle D compliant facilities (*i.e.*, landfills, incinerators or composting operations), careful study and risk assessment of the performance of those facilities do not suggest significant risks deriving from this practice. Waste characterization studies conducted by federal, state or local agencies indicate that, even given a liberal definition of what product wastes should be considered HHW, the amount of HHW entering the solid waste stream is extremely low (0.2 to 0.4 percent)^{2,3,4}.

Further, manufacturers invest significant resources into ensuring their products are sold in the appropriate size and volume for consumer uses. These products are intended to be disposed of through their use and not through the waste stream. Therefore, any fees levied to support disposal programs for HHW should not be incumbent upon the manufacturer.

Public policy governing the appropriate designation of "HHW" from normal household waste is an important fiscal and environmental protection consideration that should be based on objective and reliable criteria derived from the application of generally accepted scientific risk-assessment practice. Limited resources for HHW collection should be directed toward materials of significant concern. HB 560 simply does not meet that standard, and it is for that reason that CSPA respectfully requests an unfavorable vote on the measure.

Sincerely,



Peter Vujovich
Director, State Government Relations & Public Policy

² American City and County (1983) How hazardous are municipal wastes? March: 41-42

³ Anonymous (1990) Stop hazwaste at the landfill. *World Wastes* February: 18-19

⁴ Bertrand H, Oliver D, Tormey M, Cearley D, Beck RW (1995) Household hazardous waste characterization study for Pam Beach County, Florida: a MITE program evaluation. *EPA/600/R-95/140*. National Risk Management Research Laboratory, Office of Research and Development, USEPA, Cincinnati, OH.