

Testimony of Nicholas Georges  
Director, Scientific Affairs  
Household & Commercial Products Association  
Submitted to the Committee on Natural Resources,  
Fish & Wildlife  
March 1, 2018



### **H.560: Household Products Containing Hazardous Substances**

Chairman Deen, and esteemed members of the Natural Resources, Fish & Wildlife Committee:

Thank you for the opportunity to provide comments on H.560, which would institute new product stewardship programs for consumer products in Vermont. On behalf of the Household & Commercial Products Association (HCPA), I respectfully request you oppose the most recent draft of the bill.

HCPA 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 (for example disinfectants and sanitizers) are registered FIFRA products because they provide significant public health benefits.

Similar to the original introduction of the bill, the new draft continues to classify almost all consumer products as hazardous waste. The reference to the Hazardous Materials Transportation Act under “covered household product” will include the bulk of consumer products offered for sale in the state of Vermont into the stewardship program. The federal government has routinely determined that these products do not qualify as hazardous waste under the Resource Conservation Recovery Act (RCRA). This is because the federal government recognizes that these products do not pose a threat to human or environmental health when properly used and disposed by consumers. For example, the draft of the legislation would appear to include a glass cleaner into a hazardous waste designation. This is significant because nearly every product formulation of glass cleaner is composed of greater than 96% water. That is only one of many examples of products which would be inappropriate to include in hazardous waste collection programs.

The inclusion of the Hazardous Materials Transportation Act in this bill would do little to accomplish the goals product stewardship programs across the world have built towards. The proposed language would, in fact, hamper the ability of household hazardous waste programs who properly categorize their products and provide meaningful environmental benefits. 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. This bill represents a significant departure from federal and other states’ definition of HHW, and would lead to significantly more non-hazardous waste going into HHW streams, wasting resources dedicated for products which

are rightfully categorized as hazardous. 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)<sup>1,2,3</sup>.

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 HCPA respectfully requests an unfavorable vote on the measure.

Sincerely,

A handwritten signature in cursive script that reads "Nicholas Georges". The signature is written in black ink and is positioned above the typed name and title.

Nicholas Georges  
Director, Scientific Affairs

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<sup>1</sup> American City and County (1983) How hazardous are municipal wastes? March: 41-42

<sup>2</sup> Anonymous (1990) Stop hazwaste at the landfill. *World Wastes* February: 18-19

<sup>3</sup> Bertrand H, Oliver D, Tormey M, Cearley D, Beck RW (1995) Household hazardous waste characterization study for Palm 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.