



April 21, 2025

The Honorable Heather Hadwick  
Member, California State Assembly  
1021 O Street, Suite 5710  
Sacramento, CA 95814

**RE: Assembly Bill 998 – SUPPORT  
As Amended April 10, 2025**

Dear Assembly Member Hadwick,

On behalf of the Rural County Representatives of California (RCRC), California Product Stewardship Council (CPSC), National Stewardship Action Council (NSAC), Association of California School Administrators (ACSA), California State Association of Counties (CSAC), Los Angeles Unified School District (LAUSD), RethinkWaste, Tehama County Solid Waste Management Agency (Tehama County SWMA), and Del Norte Solid Waste Management Authority (Del Norte SWMA), we are pleased to support your Assembly Bill 998 regarding household hazardous waste (HHW) collection facilities.

Assembly Bill 998 seeks to help schools properly dispose of vapes confiscated from students, enable local HHW collection facilities to reduce program management

costs, increases recycling of electronic waste and batteries, and consolidates duplicative HHW reporting to different state agencies.

Local governments are responsible for the collection, processing, recycling and disposal of solid waste, including the operation of local HHW collection facilities. These local programs provide important public services and prevent improper disposal of hazardous waste.

### **Vapes**

Single-use and refillable vapes are commonly encountered in the waste stream and must be managed as hazardous waste because they contain residual chemicals, batteries, and electronic components and sometimes cause fires. Schools often confiscate vape pens that students bring from home. While the student or parent can dispose of the vape pen as HHW at a HHW collection facility, it is not clear that schools can as well because the school is not a household and often generates too much hazardous waste to qualify as a very small quantity generator (VSQG). The school's action to take possession of contraband vape pens, especially when acting *in loco parentis*, should not change the vape pen's categorization as HHW. AB 998 provides another convenient pathway for schools to safely dispose of confiscated vapes by deeming those devices confiscated from students to be HHW, which can continue to be taken to and managed by HHW collection facilities. AB 998 does not require schools to use HHW collection facilities, nor does it compel HHW collection facilities to accept vapes – it merely provides more flexibility for schools and local governments to work together to safely manage this waste stream.

### **HHW Disassembly**

Some HHW devices coming into HHW collection facilities include batteries, circuitry, fluid canisters, etc. Some of these devices, like vape pens and flexible wand lighters can quickly cause massive amounts of damage. It is unclear whether HHWCfs are allowed to disassemble vape pens to separate the batteries and electronic components from the cartridge/tank under their existing permits; however, this authority would significantly reduce management costs and safety risks. The Department of Toxic Substances Control (DTSC) considers any change in the physical, chemical, or biological composition of hazardous waste (or any method/process that removes/reduces the harmful properties or characteristics of hazardous waste) to be hazardous waste "treatment." These common-sense activities (like disassembling a device to remove a battery) should not constitute "treatment" and HHW facilities should be allowed to safely disassemble HHW to separate and appropriately manage the different components of those devices without having to obtain much more expensive and burdensome hazardous waste treatment facility permits. AB 998 simply allows HHW collection facilities to safely disassemble HHW, including vapes, to separate batteries, valves, electronic components and other parts containing liquids or gases.

**Consolidated HHW Reporting**

AB 998 will require CalRecycle and DTSC to develop a consolidated reporting document that HHW collection facilities can use to submit a single annual report to those agencies. HHWCFs have long been required to submit a Form 303 to CalRecycle disclosing the types and quantities of HHW collected at each facility on a fiscal year basis. As part of a recent budget package to stabilize DTSC funding, the Legislature created a new requirement for all hazardous waste generators to submit an annual report containing specified information to DTSC on a calendar year basis. This means that HHW collection facilities must now submit nearly identical information to two different state agencies covering slightly different reporting periods. This duplicative reporting obligation is confusing and unnecessary. Sister state agencies should coordinate their reporting requirements to reduce costs and eliminate redundancies.

For these reasons, we are pleased to support AB 998.

Sincerely,



John Kennedy  
RCRC  
Senior Policy Advocate



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Director of Advocacy and Outreach



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cc: The Honorable Damon Connolly, Chair, Assembly Committee on Environmental  
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Josh Tooker, Chief Consultant, Assembly Committee on Environmental Safety and  
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Gino Folchi, Consultant, Assembly Republican Caucus Office of Policy and Budget