



NATIONAL
STEWARDSHIP
ACTION COUNCILSM

ADVOCATING FOR AN EQUITABLE, CIRCULAR ECONOMY

Update to the San Francisco Bay Area Pollution Prevention Group

December 6, 2023

NSAC'S VISION: The United States attains an equitable, circular economy.

Who is NSAC & SAF?



The National Stewardship Action Council (NSAC) is a 501(c)4 non-profit organization. NSAC is a network of committed proponents comprised of governments, non-government organizations, businesses, & consumers who advocate that **producers fairly share responsibility in an equitable, circular economy.**

Vision: The U.S. attains an equitable, Circular Economy.



Affiliated 501(c)3 for **education & outreach** initiatives that aligns with NSAC's advocacy work



Staff Jordan Wells, Heidi Sanborn, & Victoria Reiser

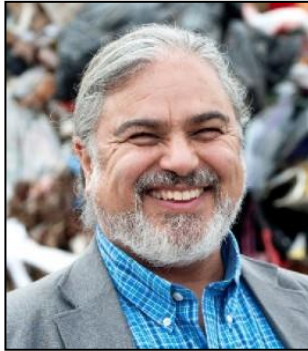


Thank You to Our Sponsors!



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www.stewardship-action-foundation.org



The Stewardship Action Foundation (SAF) is the complimentary 501(c)3 non-profit to NSAC focusing on education, facilitation, bridge building & outreach capacity to support NSAC's policy efforts.



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What is a Circular Economy?

It is based on three principles:

1. Design out waste & pollution.
2. Keep products & materials in use.
3. Regenerate natural systems.



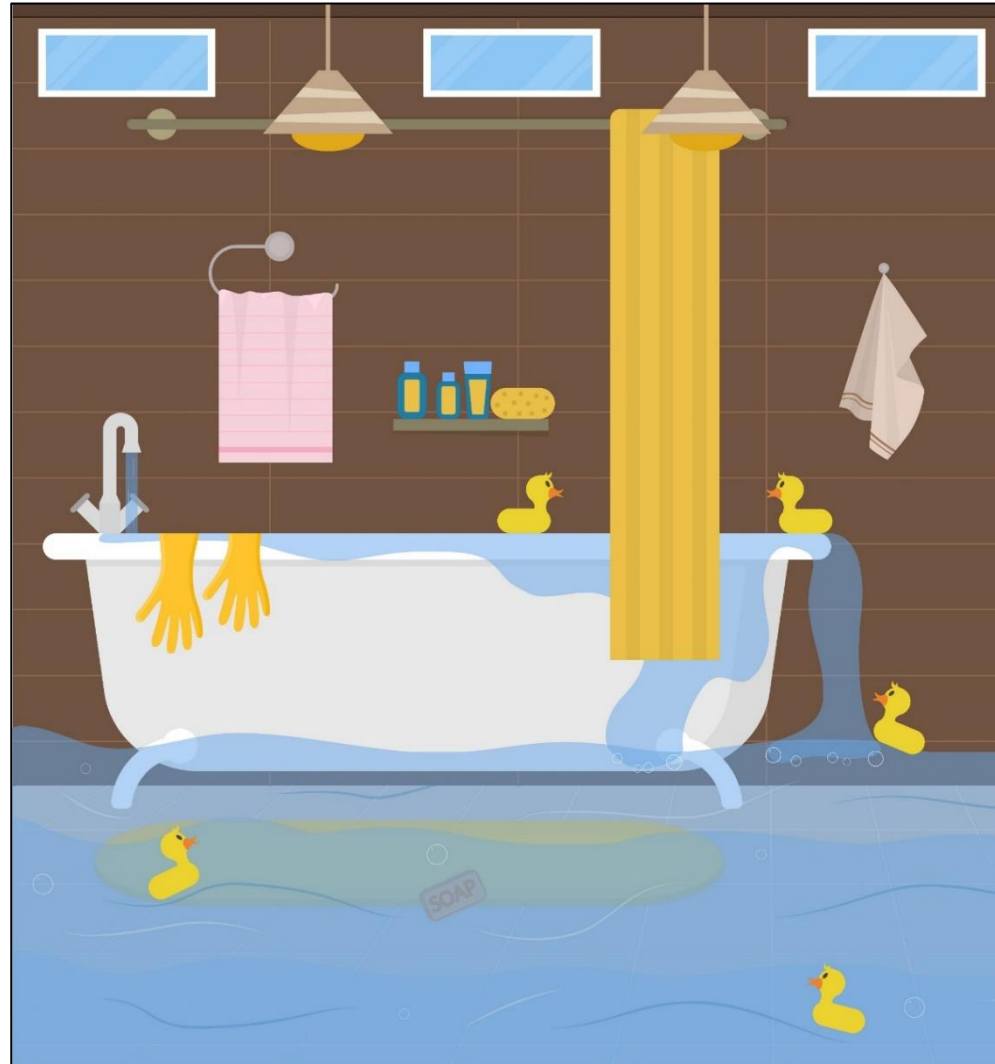
**ELLEN
MACARTHUR
FOUNDATION**

**Decouples economic activity
from the consumption of
finite resources.**



**The bathtub is overflowing, what do you do
FIRST?!**

Second?



Governments Can Implement Extended Producer Responsibility!

Alameda County: 1st EPR Ordinance in the U.S.

- **7/24/2012:** Adopts first EPR ordinance for meds in U.S.
- **12/29/14:** PhRMA & other plaintiff organizations file a Petition For Writ of Certiorari asking the U.S. Supreme Court to consider the case – [Petition text](#)
- **5/26/15: Denied! National Impact!**
- EPR in U.S. allowed so long as the product has a public health and safety nexus



Policies That Support Circular Economy: EPR/Stewardship in CA

1. Ag Pesticide Containers (2008) – EPR
2. Recalled Products (2008) –EPR
3. Mercury Thermostats (2008) – EPR
4. Paint (2010)
5. Carpet (2010)
6. Mattresses (2013)
7. Medications & Sharps (2018) – EPR
8. Loose batteries (2022) – EPR
9. Packaging (2022) – Circular Economy



Therm@statCare



DRUG TAKEBACK SOLUTIONS
FOUNDATION



Mattress
Recycling
Council



California Carpet
Stewardship Program
An Initiative of CARE: Carpet America Recovery Effort

PaintCare™
RECYCLING MADE EASY



MED-Project™
Medication Education & Disposal



NATIONAL STEWARDSHIP ACTION COUNCIL

SB 212 (Jackson, Gray, Ting): Meds/Sharps EPR

- Producers must fund & operate convenient safe disposal programs.
- Medicines collection via take-back kiosks & mail-back for homebound, mail-back only for sharps.
- Eligible locations can request a med collection bin & receive one within 90 days.
- Med kiosk convenience standard of 1 collection site per 50K people in the county and a minimum of 5 collection sites per county.
- Cost reimbursement for HHWs (Sharps).
- Public education and outreach requirements.



SB 212 (Meds/Sharps EPR) Implementation

Two Producer Responsibility Organizations (PROs):

1. Drug Take Back Solutions Foundation



Medications: [Disposal Kiosks](#)

• [Residents Medication Mail-Back Services Order Request Form](#)

Sharps: [Residents Sharps Mail-Back Services Order Request Form](#)

• Local Agency HHW Reimbursement: to initiate email info@takebackfoundation.org (Subject line: HHW Reimbursement).
Provide site name, address, contact information

2. Med-Project



Medications: [Disposal Kiosks](#)

• [Residents Medication Mail-Back Services Order Request Form](#)

Sharps: [Residents Sharps Mail-Back Services Order Request Form](#)


• [Local Agency HHW Registration](#) (for reimbursement)

Meds/Sharps Mail-Back Order Forms for Residents

Choose your package type How many packages do you need

Medicine 1

Contact Information

 **DRUG TAKEBACK SOLUTIONS
FOUNDATION**

First Name* Last Name* Email Address*

Address Line 1* Address Line 2

City* CA 95695

Submit

Contact Information

First Name* Last Name*

Email

Address*

Apt #, Building #, Suite #

City* CA Zip Code*

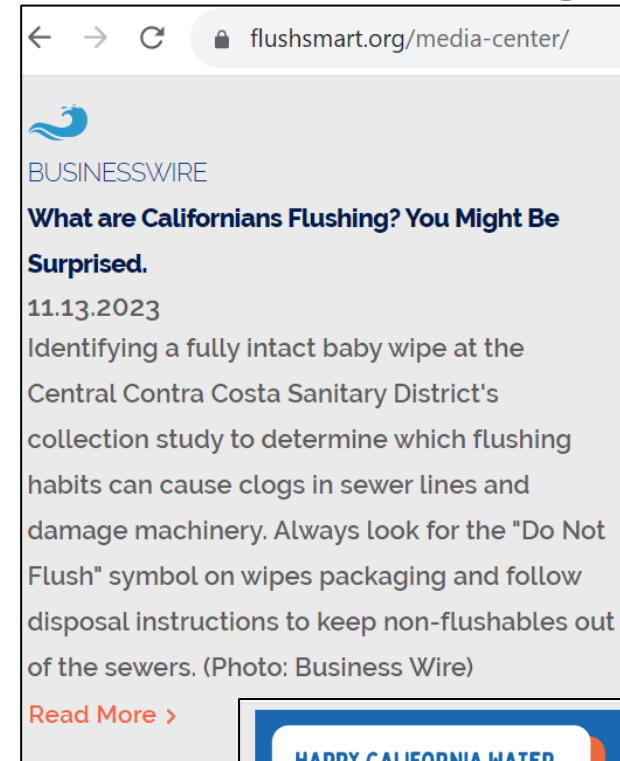
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MED-Project[®]
Medication Education & Disposal



AB 818 (Bloom): “Flushable” Wipes Truth in Labeling

- **Co-sponsored by NSAC, CASA, & Association of Nonwoven Fabrics Industry & signed into law in 2021.**
- **California Consumer Education & Outreach Program through 12/31/2026: The Responsible Flushing Alliance (RFA).**
- **Reports due to Senate Committee on Environmental Quality, Assembly Committee on Environmental Safety and Toxic Materials, & State Water Resources Control Board annually.**
- **Lack of enforcement for the education & outreach.**



Wipes “Truth in Labeling” Legislation

Signed into Law:

1. Washington (3/25/2020)
Updated in 2023 via HB 1213 to fix unenforceability.
2. Illinois (8/6/2021)
3. Oregon (6/8/2021)
4. California (10/6/2021)
5. Colorado (4/11/2023)

Introduced in 2023:

1. Hawaii (HB 268) - Ban
2. New Jersey (SB 3632) – Labeling
3. New Jersey (SB 3649) – Ban



"It is time to pass this bipartisan legislation and spare Americans from being misled to think these wipes are flushable that results in unnecessary stress and costly repairs." - Heidi Sanborn, Founding Executive Director, NSAC.

HR 2964 & S 1350: The Wastewater Infrastructure Pollution Prevention and Environmental Safety (WIPPES Act)

- HR 2964: Forwarded by Subcommittee to Full Committee by Voice Vote on 11/2/23.
 - S1350: No activity since introduction (4/27/23).
- Requires the Federal Trade Commission to issue regulations requiring covered entities to label covered products clearly & conspicuously with “Do Not Flush” label notices & symbols.
- FTC may consult with the Administrator of the Environmental Protection Agency, the Commissioner of Food & Drugs, & the Consumer Product Safety Commission when developing regulations.

**McClain, Peltola, Merkley,
Collins Introduce Bipartisan,
Bicameral WIPPES Act**

April 27, 2023

Packaging - SB 54 (Allen) 2022: EPR 3.0+

- PRO must be 501(c)3 non-profit.
- Source reduction targets including reuse/refill.
- Recycling rates and dates.
- Eco-modulation.
- Enforcement: Up to \$50K/day & ability to revoke PRO.
- Advisory Board for stakeholder input.
- Protects existing infrastructure.
- Public education and outreach requirements.
- \$5B remediation fund (Circular Economy Principle 3).
- Environmental Justice provisions.

California's New Law and EPR
Around Plastics Breaks
Boundaries

NEWS

California passes strongest EPR and recycling
legislation in the US



SB 54 (Packaging) Implementation

- Draft regulations coming soon!
- CalRecycle will hold a **workshop on the Needs Assessment on 12/14 from 10 AM to Noon PT** (virtual & in-person at CalEPA in Sacramento).
- Join NSAC's Working Group ASAP!
- Prices increase in 2024.

Join the SB 54 (Allen) Implementation Working Group

CA'S PLASTIC POLLUTION PREVENTION & PACKAGING PRODUCER RESPONSIBILITY ACT



WHAT IS INCLUDED?

- 1.5 hour monthly calls to discuss proposed regulations
- NSAC staff attendance at regulatory hearings and report outs
- Template regulatory comment letters
- Technical assistance as needed

COST: Annual membership of \$500 per year or more (collaborating EJ groups & NGOs can qualify for free)

JOIN TODAY!

Contact Heidi@nsaction.us for more information

2023 Legislation: SB 54-Related

Bill #	What it Will Do
AB 1526 (Assembly Natural Resources Committee)	SB 54 clean-up. Mitigation surcharge collection. Other technical changes & adds Aerosols to the PaintCare program!

Bill #	What it Would Have Done	Veto Rationale
AB 1489 (Wood)	Compostable material exemption from SB 54 source reduction requirements.	Interferes with SB 54 regulation adoption deadline of 1/1/25.
SB 303 (Allen)	SB 54 clean-up. Arbitration process.	Interferes with SB 54 regulation adoption deadline of 1/1/25.
SB 665 (Allen)	Working group to evaluate novel plastic and plastic-alternative material types used to produce single-use products.	Duplicative and unnecessary. Interferes with SB 54 regulation adoption deadline of 1/1/25.

PFAS: DDT of Our Generation!

Turn the spigot off first!!!

NSAC advocated successfully for PFAS to be included in the U.S. Plastics Pact's Problematic & Unnecessary Materials List. Pact Activators will take measures to eliminate intentionally added PFAS by 2025.



CA Legislation in 2023 (Plastics, Toxics, Etc.)

- NSAC Sponsored: AB 863 (Aguiar-Curry): Carpet - Lobbying to include astroturf, among other amendments. Status: Two-year bill
- Signed into Law:
 - AB 496 (Friedman): PFAS in Cosmetics – Adds 26 chemicals to existing Toxic-Free Cosmetics Act
 - SB 622 (Allen): Eliminates single-use plastic cannabis plant tag requirement.
 - SB 676 (Allen): Allows cities & counties to ban or restrict artificial turf.

Bill	What it Would Have Done	Veto Rationale
AB 246 (Papan)	Ban PFAS in menstrual products.	“Lack of regulatory oversight”.
AB 727 (Weber)	Ban PFAS in cleaning products.	“Lack of regulatory oversight”.
AB 1423 (Schiavo)	Ban PFAS in astroturf.	“Lack of regulatory oversight”.
AB 1628 (McKinnor)	Washing machine microfiber filtration.	Water Board currently assessing impacts of microplastics. Increases consumer costs.

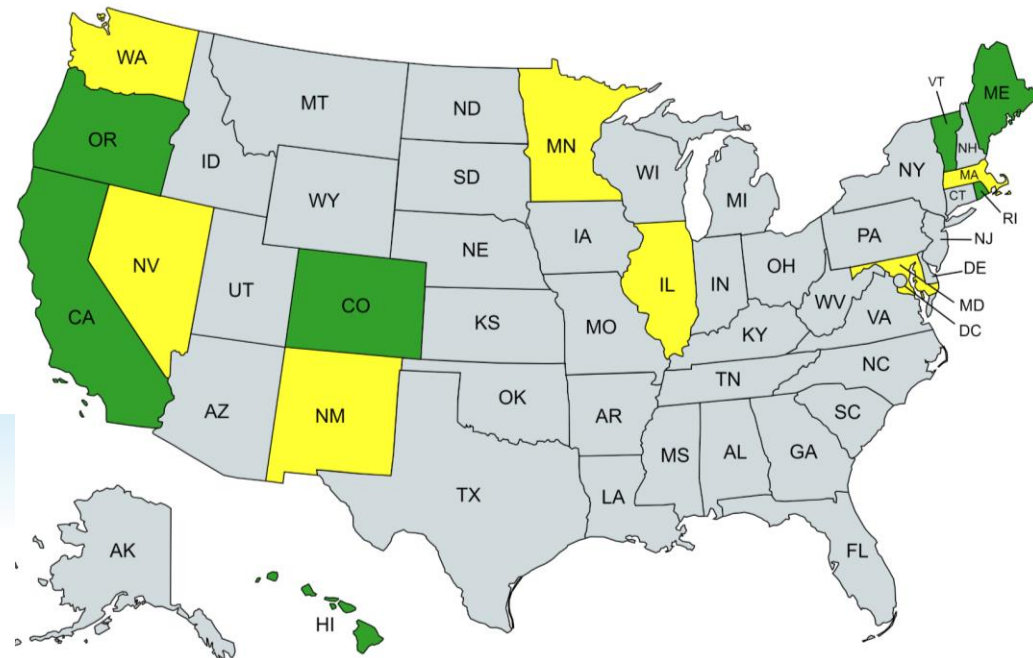
California moves closer to banning toxic 'forever chemicals' in cleaners

Study finds toxic ‘forever chemicals’ may be ‘intentionally added’ to some period products

Once it was hailed as a drought fix – but now California’s moving to restrict synthetic turf over health concerns

Turning the Tap off on Mercury

- **2022: NSAC sponsored AB 2208 (Kalra) in CA**, which banned the sale of compact & linear fluorescent lamps by 2025. (**First in the Nation to include LFLs up to 8'**, Vermont = 4').
- **2022-23: NSAC worked with CLASP (Collaborative Labeling & Appliance Standards Program) & ASAP (Appliance Standards Awareness Projects) to pass clean lighting legislation in five more states (CO, HI, OR, & RI - NV vetoed).**



Graphic by:

ASAP | APPLIANCE STANDARDS
AWARENESS PROJECT

Minamata Convention on Mercury Says Farewell to Fluorescents

Global Leaders Agree to Full Phase-Out of Fluorescent Lighting

Delegates to the Minamata Convention on Mercury address triple planetary crisis with fluorescent lamp phase-out.

03 NOV 2023

- 11/2023: At the Fifth Conference of Parties (COP5), delegates from **147 countries** agreed to phase out **fluorescent lighting globally & completely by 2027.**

H.67 (Dolan-2023): Vermont **Household Hazardous Waste EPR**


VERMONT ENACTS FIRST-IN-THE-NATION HHW EPR LAW

- Covered Products: Consumer product defined as hazardous per state law, regardless the generator. Must be in the original receptacle. Includes certain gas cylinders.
- Required to form ONE Producer Responsibility Organization (PRO) & register with the Agency of Natural Resources (ANR) by 1/1/25.
- First five-year stewardship plan due 7/1/25 & must include a participation goal of 5% of households each year.
- Plan must include public education regarding collection program locations & any special handling considerations, **as well as information on source reduction.**
- Covered products will be banned from landfill disposal on 7/1/25.

Local governments may opt into the program and be reimbursed for their costs of collection by the PRO.

Pyrotechnic Marine Flares




- Each boat is required to carry three flares approved for both day & night, or an US Coast Guard (USCG) approved alternative such as electronic visual distress signaling devices.
- Flares expire within 36-42 months, are costly to properly dispose, & there is a serious lack of disposal options statewide.



**WHY SHOULD YOU THINK TWICE ABOUT
HOW YOU DISPOSE OF YOUR EXPIRED FLARES**

SIRIUS SIGNAL FOR LIFE

**BEWARE OF THE EXPLOSIVE
NATURE OF EXPIRED
MARINE FLARES**

-  DOT classifies pyrotechnic flares as class 1.4 explosives
-  Unexploded expired marine flares are a health and safety hazard to other human beings
-  Most contain perchlorates, which are known to be hazardous to the environment and human health

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2024 & Beyond

- National and California Legislation:
 - National:
 - Passing the WIPPES Act!
 - National Bottle Bill
 - Pyrotechnic Marine Flares
 - Household Hazardous Waste EPR
 - AB 347 (Ting): Existing PFAS law implementation & enforcement (Senate Floor)
 - Vaping Devices & Cigarettes
- Implementation:
 - Educate the Public – Responsible Flushing Alliance!
 - AB 818 (Wipes Labeling) Enforcement
 - SB 212 (Meds/Sharps) Implementation & Enforcement
 - SB 54 (Packaging) Regulations & Implementation

"Twenty years from now, our hope is that nothing goes onto market that has no end-of-life management program in place."

HEIDI SANBORN



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