
NAHMMA Policy Statement on Producer Responsibility for Household Hazardous Waste (HHW)

The North America Hazardous Materials Management Association (NAHMMA) is a professional organization established in 1993, dedicated to pollution prevention and reducing the hazardous constituents entering municipal waste streams from households, small businesses and other entities that may be exempt from local, regional or national regulations. We are a non-profit, membership based organization, with a membership that includes individuals, businesses, government officials, and non-profit organizations from more than 35 US states, as well as Canada and overseas.

NAHMMA advocates for comprehensive product policy legislation based on producer responsibility. While many producer responsibility initiatives target specific waste types, such as paint, batteries, pharmaceuticals, etc., several Canadian provinces have implemented producer responsibility programs that target a wide variety of materials commonly managed in HHW programs. NAHMMA supports the establishment of similar programs at the state level in the U.S.

Hazardous household products pose a variety of risks to public health and the environment. In particular, when no environmentally sound disposal option is available these products may be stored in the home for long periods of time, sometimes resulting in poisonings, fires, and other problems. When hazardous products are disposed of as solid waste they can injure solid waste workers and damage trucks and processing facility equipment.

Because of these and other risks, some local governments provide HHW collection services to their residents, many of them operated by NAHMMA members. However these programs are only able to manage a portion of the HHW that is generated, given the limited financial resources that are allocated to them. Many parts of the country have limited or no HHW collection at all.

Through robust, sustainably funded producer responsibility programs, HHW can be conveniently and effectively collected, mitigating the health and environmental risks.

NAHMMA's HHW Producer Responsibility Principles:

NAHMMA supports the creation of collection programs for HHW that are convenient and well promoted, that properly manage the wastes collected, and that are fully financed by the manufacturers and distributors of the products.

NAHMMA advocates for HHW collection programs that adhere to the following guidelines:

- **Product Scope**

Programs should target products that are toxic, corrosive, flammable and chemically reactive, and are commonly collected in HHW programs. Programs may target specific product types, such as those that some Canadian programs focus on, e.g. solvents, pesticides, pharmaceuticals, etc. Or covered products can be based on physical characteristics, such as those defined in the RCRA hazardous waste regulations for so-called characteristic wastes (products with these characteristics would in fact would be regulated as hazardous waste if not for the household exemption found in RCRA), or the characteristics used to define hazardous materials that are regulated in transportation by the US DOT.

Manufacturers selling designated products into the state for consumer use would be responsible for providing stewardship programs for the collection and proper management of waste from those products.

- **Program Financing**

NAHMMA supports legislation that encourages and requires manufacturers to build the cost for managing a product at the end of life into the initial product price. The cost to manage the discarded products is borne by the consumer of those products – rather than by solid waste rate payers, taxes, or other funding sources for government-run HHW programs.

- **Use of existing infrastructure**

Some products commonly collected in HHW programs may be amenable to collection at retail, such as paint, batteries, pharmaceuticals, and sharps. Other products are best managed in either specialized facilities, or at traditional HHW collection events. For these products the collection should be handled by qualified trained staff, wearing appropriate personal protective equipment (PPE) and following approved operating procedures, and there should be adequate preparations for responding to spills and other emergencies.

Where local government agencies have invested in dedicated collection facilities, these facilities should be incorporated into the collection system under the product stewardship program. All costs including collection, transportation, recycling/disposal should be covered by the stewardship program.

- **Sustainable Management Practices**

HHW product stewardship programs should be operated in a sustainable and environmentally-sound manner. The stewardship program should follow a waste management hierarchy for HHW in the order as follows: reduce consumer generation; reuse; recycle; energy recovery; treatment to render materials less hazardous or non-hazardous; destructive incineration; land disposal in permitted hazardous waste landfills. Consideration should also be given to reducing emissions of greenhouse gases.

- **Program Performance**

Producer responsibility programs for HHW should clearly define the role of all stakeholders including producers, government, haulers/collectors, recyclers/processors, retailers and consumers with regard to program financing, implementation, evaluation, reporting, education and outreach, market development, oversight, enforcement, agency coordination and other necessary responsibilities. The ability of the state to recover its full costs for providing oversight and enforcement of the program should be clearly defined in statute.

Product stewardship programs for HHW should include performance requirements of responsible parties that are measured by the achievement of goal-oriented results and standards. Policies should ensure that all consumers have reasonable access to HHW collection by providing a collection convenience standard. The standard should be established in statute and include specific criteria about the number of collection sites, based on geographic distribution of the population at the local level, including frequency of collection events, and where they are used to provide collection.