
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2019 - 2020 Regular Session

AB 1672 (Bloom) - Solid waste: premoistened nonwoven disposable wipes

Version: July 9, 2020

Policy Vote: E.Q. 5 - 0

Urgency: No

Mandate: No

Hearing Date: August 17, 2020

Consultant: Ashley Ames

Bill Summary: This bill would require labels indicating that a product should not be flushed on specified nonwoven disposable products and establish enforcement provisions and a consumer education and outreach program.

Fiscal Impact:

- The Department of Justice estimates ongoing cost pressure of \$524,000 annually (special fund) due to increased workload for the Consumer Law Section within its Public Rights Division to manage and administer the Outreach Program and to pursue civil actions against violators of the statute.
- The State Water Resources Control Board estimates minor costs related to its information technology staff needing to host the reported data from manufacturers on its website, and ensuring accessibility of that data on the site.

Background: Products that are poorly designed or not at all intended to be flushed down the toilet can cause sewer blockages, which damage sewer lines and can lead to costly sanitary sewer overflows. Damage and overflows present dangers to public health and the environment.

A buildup of nonflushable products has been shown to cause clogs in sewage pumps, lead to entanglements in sewage treatment equipment, lead to sewer backups in residences, and increase the risk of a sanitary sewer overflow during a storm.

Wipes weave together and form large "rags" that can become massive obstructions in sewer lines when they combine with other improperly flushed items and fats, oils, and greases. These obstructions are commonly referred to as "fatburgs," and in addition to being a disgusting environmental problem, local agencies spend significant time and resources to remediate them. In the worst cases, fatburgs attributed to wipes contribute to sanitary sewer overflows, which are a threat to public health and the environment, and result in fines and penalties to public agencies.

Proposed Law: This bill would:

- 1) Require certain nonwoven disposable wipes to be labeled clearly and conspicuously to communicate that they should not be flushed, and prescribes specified "Do Not Flush" symbols, size, and location requirements for the label.
- 2) Prohibit a covered entity from making a representation about the flushable attributes, benefits, performance, or efficacy of those premoistened nonwoven disposable wipes, as provided.

- 3) Establish enforcement provisions.
- 4) Provide that enforcement actions may be brought by the Attorney General, by a district attorney, by a city attorney, a county counsel, or by a city prosecutor in a city or city and county having a full-time city prosecutor.
- 5) Stipulate that these provisions supersede and preempt all rules, regulations, codes, ordinances, and other laws adopted by a city, county, city and county, municipality, or local agency regarding the labeling of covered products.
- 6) Establish a consumer education and outreach program as specified.
- 7) Report to the Senate Committee on Environmental Quality, the Assembly Committee on Environmental Safety and Toxic Materials Committee, and the State Water Board on their activities on an annual basis.

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