

Date of Hearing: May 5, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 818 (Bloom) – As Introduced February 16, 2021

Policy Committee:	Environmental Safety and Toxic Materials	Vote:	9 - 0
	Judiciary		11 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires pre-moistened nonwoven disposable wipes, by July 1, 2022, to be labeled indicating the product should not be flushed. This bill also establishes a consumer education and outreach program.

The bill also establishes the California Consumer Education and Outreach Program, funded by companies with products required to be labeled (covered entities). The program, among other thing, requires covered entities to participate in a collection study with wastewater agencies and a multimedia education and outreach program. Additionally, this bill:

- 1) Establishes penalties for violating labeling requirements not to exceed \$2,500 per day, up to a maximum of \$100,000, for each violation, and provides civil penalties may be assessed and recovered in a civil action brought in any court of competent jurisdiction.
- 2) Preempts and supersedes all rules, regulations, codes, ordinances and other laws adopted by a city, county, city and county, municipality or local agency regarding the labeling of products.
- 3) Requires covered entities to report to annually the Senate Committee on Environmental Quality, the Assembly Committee on Environmental Safety and Toxic Materials, and the State Water Resources Control Board (State Water Board) on their activities.
- 4) Sunsets on January 1, 2027.

FISCAL EFFECT:

Minor Department of Justice enforcement costs, likely of less than \$25,000 annually.

COMMENTS:

- 1) **Background and Purpose.** This bill is a result of a compromise between the wipe manufacturing industry and California's sanitation districts.

Last session, AB 1672 (Bloom) originally established standards for flushable wipes.

AB 1672 became a two-year bill to allow stakeholders including the California Association of Sanitation Agencies and the trade associations for non-woven fabrics, to come to an agreement to establish labeling requirements for products that should not be flushed instead of content or performance standards. AB 1672 was held in the Senate Appropriations Committee during the pandemic. The author reintroduced this compromise bill with the agreed-upon language from AB 1672.

- 2) **The Problem.** Products that are poorly designed or not 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," causing local agencies to spend significant resources to remove them. Out of control fatburgs contribute to sanitary sewer overflows, which threaten public health and the environment, and result in fines and penalties for public agencies.