

Date of Hearing: June 30, 2026

ASSEMBLY COMMITTEE ON ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Damon Connolly, Chair

SB 1010 (Ashby) – As Amended June 11, 2026

**SENATE VOTE:** 30-9

**SUBJECT:** Hazardous waste: major appliances: recycling

**SUMMARY:** Updates the requirements for managing discarded major appliances under the certified appliance recycler (CAR) program, managed by the Department of Toxic Substances Control (DTSC). Specifically, **this bill:**

- 1) Requires a certified appliance recycler and any person that transports, delivers, or sells discarded major appliances to a scrap recycling facility that is also a CAR, to provide to DTSC specified information about the discarded major appliances that it sold, delivered, transported, or received.
- 2) Updates the information required as part of the application submitted to DTSC to become a CAR to include a description of the facility, including but not limited to, how and where the materials requiring special handling (MRSH) will be stored and managed onsite, and registering with the certified unified program agency (CUPA), if there is one in the jurisdiction of the facility seeking to become a CAR.
- 3) Requires the CUPA, upon the issuance of a certificate to be a CAR for a facility within the CUPA's jurisdiction, to, as soon as practicable, but no later than six months after issuance of the certificate, inspect the CAR's facility for compliance with requirements of the hazardous waste control law (HWCL) and the requirements for being a CAR.
- 4) Authorizes DTSC to impose a charge on an applicant for the initial certification to become a CAR, and on the renewal for certification of being a CAR, in order to cover DTSC's reasonable and actual regulatory costs for implementing the requirements of the CAR program.
- 5) Prohibits, except under specified conditions, a scrap recycling facility from accepting a discarded major appliance from anyone other than a CAR.
- 6) Requires a scrap recycling facility to document each appliance it receives and confirm that the materials that require special handling have been removed from the appliance. Requires the scrap recycling facility to report this information to DTSC.
- 7) Clarifies that a violation of the CAR program is a violation of the HWCL.
- 8) Requires DTSC to post a list of certified appliance recyclers on its internet website.
- 9) Requires, on and after January 1, 2028, DTSC to post on its internet website the number of appliances, by type, processed by a CAR each year, as well as the number of appliances, by type, accepted by a scrap recycling facility.

**EXISTING LAW:**

- 1) Creates the HWCL, which authorizes DTSC to regulate the management of hazardous waste in California. (Health and Safety Code (HSC) § 25100 et. seq.)
- 2) Authorizes DTSC to deny, suspend, or revoke any permit, registration, or certificate applied for, or issued pursuant to, the HWCL. Includes within this authority the ability of DTSC to deny, suspend, or revoke any permit, registration, or certificate applied for any violation of various state and federal environmental laws and regulations further specified. (HSC § 25186)
- 3) Defines "metal shredding facility" as an operation that uses a shredding technique to process end-of-life vehicles, appliances, and other forms of scrap metal to facilitate the separation and sorting of ferrous metals, nonferrous metals, and other recyclable materials from nonrecyclable materials that are components of the end-of-life vehicles, appliances, and other forms of scrap metal. "Metal shredding facility" does not include a feeder yard, a metal crusher, or a metal baler, if that facility does not otherwise conduct metal shredding operations. (HSC § 25150.82 (b))
- 4) Requires MRSH to be removed from major appliances and vehicles in which they are contained prior to crushing for transport or transferring to a baler or shredder for recycling. (PRC § 42175)
- 5) Defines "major appliance" as any domestic or commercial device, including, but not limited to, a washing machine, clothes dryer, hot water heater, dehumidifier, conventional oven, microwave oven, stove, refrigerator, freezer, air-conditioner, trash compactor, and residential furnace. (Public Resources Code (PRC) § 42166)
- 6) Defines "certified appliance recycler or CAR" as a person or entity engaged in the business of removing and properly managing MRSH from discarded major appliances, and who is certified by DTSC. (HSC § 25211)
- 7) Defines "scrap recycling facility" as a facility where machinery and equipment are used for processing and manufacturing scrap metal into prepared grades and whose principal product is scrap iron or nonferrous metallic scrap for sale for remelting purposes. A scrap recycling facility includes, but is not limited to, a feeder yard, a metal shredding facility, a metal crusher, and a metal baler. (HSC § 25211)
- 8) Prohibits a person, other than a CAR or an appliance service technician certified to remove refrigerant from major appliances under federal regulations, from removing MRSH from a major appliance. (HSC § 25211.1)
- 9) Requires, except as specified, a person who transports, delivers, or sells discarded major appliances to a scrap recycling facility to provide evidence that they are a CAR, and that all MRSH have been removed from the appliances. (HSC § 25211.2)
- 10) Requires, on and after January 1, 2008, a person wishing to operate as a CAR, to submit an initial or renewal application to DTSC containing specified information. (HSC § 25211.4)
- 11) Prohibits MRSH that are contained in major appliances from being disposed of at a solid waste facility. Requires MRSH to be removed from major appliances before the appliance is

crushed, baled, shredded, sawed or sheared apart, disposed of, or otherwise processed in a manner that could result in a release of the MRSH. Provides that a person who violates these prohibitions and requirements is in violation of the HWCL. (HSC § 25212 (a))

- 12) Declares that all MRSH removed from a major appliance are a hazardous waste and are subject to all provisions of the HWCL. (HSC § 25212 (c))
- 13) Requires DTSC, a local health officer, or a CUPA, to incorporate into their existing inspection and enforcement activities the regulation of MRSH and oversight of the proper management of MRSH from major appliances, including the prohibition on disposing a major appliance at a solid waste facility. (HSC § 25212 (e))
- 14) Defines "Certified Unified Program Agency" or "CUPA" as the agency certified by the Secretary of the California Environmental Protection Agency (CalEPA) to implement the unified program within a jurisdiction. (HSC § 25404(a)(1)(A))
- 15) Defines "Unified Program Agency" or "UPA" as the CUPA to implement or enforce a particular Unified Program element. UPAs have the responsibility and authority to implement and enforce the unified program requirements and implementing regulations. (HSC § 25404(a)(1)(C))
- 16) Requires the Secretary of CalEPA to adopt implementing regulations and implement a unified hazardous waste and hazardous materials management regulatory program, known as the Unified Program. (HSC § 25404(b))

**FISCAL EFFECT:** Unknown.

**COMMENTS:**

*Need for the bill:* According to the author,

"Many of the household appliances we use every day – such as refrigerators, freezers, and air conditioners – contain refrigerants and other hazardous materials. When not properly handled at the end of their useful life, these hazardous materials can escape into the atmosphere with serious climate consequences. The impact of proper recovery is clear – for every 1,000 refrigerators responsibly recycled, emissions are reduced by the equivalent of removing 1,500 cars from the road for a year.

Current law requires recyclers to remove hazardous materials from appliances before recycling, but it does not require consistent reporting or disclosure of those standards. Therefore, we are not maximizing the potential reductions in hazardous materials being introduced into the environment at the level we should be in California.

SB 1010 establishes oversight of California's Certified Appliance Recycler program by improving reporting, inspections, and certification requirements. This bill provides regulators with better information on appliance recycling standards and helps ensure hazardous materials are properly removed and managed before appliances are recycled. In doing so, SB 1010 promotes safer handling practices for workers who manage and recover these materials.

By improving accountability and transparency, SB 1010 supports California's climate goals and strengthens the state's appliance recycling system."

*California Hazardous Waste Control Law (HWCL):* The HWCL is the state's program that implements and enforces federal hazardous waste law in California and directs DTSC to oversee and implement the state's HWCL. Any person who stores, treats, or disposes of hazardous waste must obtain a permit from DTSC. The HWCL covers the entire management of hazardous waste, from the point that hazardous waste is generated to management, transportation, and ultimately disposal of waste into a state- or federally-authorized facility.

*Certified Appliance Recycler (CAR):* A person wishing to remove MRSH from major appliances is required to be certified by DTSC. DTSC issues a CAR certificate to any applicant who submits an application containing all of the information required by the law, including an adequate description of their ability to properly remove and manage all MRSH. Under existing law, a person may only transport, deliver, or sell discarded major appliances containing MRSH to a CAR, or a scrap recycling facility that is a CAR. The CAR is required to remove any MRSH prior to processing an appliance for scrap metal (e.g., by crushing, bailing, shredding, sawing, or sheering), and the CAR must maintain a record containing the following information:

- 1) The amount, by volume or weight, or both, of each material that requires special handling;
- 2) The method used by the appliance recycler to recycle, dispose of, or otherwise manage each material that requires special handling, including the name and address of the facility to which each material was sent; and,
- 3) The number and types of appliances from which materials that require special handling are removed each year.

An abandoned (or orphaned appliance) appliance may be delivered to a scrap recycling facility by a person other than a CAR, provided that the receiving facility is a CAR and the person delivering the appliance completes the certified appliance orphan waste form required by DTSC. An "abandoned appliance," or "orphaned appliance," is an appliance that is found already processed in a way that could result in the release, or prevent the removal, of MRSH.

*Certified Unified Program Agencies (CUPAs):* CUPAs are local agencies certified by the Secretary of CalEPA to implement and enforce six "unified hazardous waste and hazardous materials management" regulatory programs (Unified Program). Currently, there are 81 CUPAs in California tasked with implementation and enforcement of the following:

- 1) Hazardous Materials Release Response Plans and Inventories (Business Plans);
- 2) California Accidental Release Prevention Program (CalARP);
- 3) Underground Storage Tank Program (USTP);
- 4) Aboveground Petroleum Storage Act (APSA);
- 5) Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs; and,
- 6) California Uniform Fire Code: Hazardous Material Management Plans and Hazardous Material Inventory Statements.

*Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs:* State and federal law and regulation require businesses to manage their hazardous waste from the point of generation until proper disposal or recycling. This includes labeling and storage requirements

and ensuring it is properly transported to a facility authorized to receive hazardous waste. Additionally, there are requirements for entities that treat their hazardous waste on-site. CUPAs enforce hazardous waste generator requirements as well as onsite hazardous waste treatment requirements within their jurisdiction.

*This bill:* SB 1010 updates the inspection requirements of a CAR by a CUPA to include inspecting the CAR within 6 months of the facility receiving certification as a CAR. The CUPA would inspect the CAR for compliance with the CAR program and the HWCL.

*Enforcement Actions:* Over the past several years, DTSC has taken enforcement action against entities involved in the handling of MRSH from major appliances. Below are a couple examples:

- 1) Royal Recycling, Modesto, CA: According to the consent order signed by the parties in 2024, DTSC alleges that Royal Recycling "processed major appliances in a manner that could result in the release or prevent the removal of materials requiring special handling. On June 5, 2019, DTSC observed piles of appliances including refrigerators and ovens with their MRSH intact that were piled up near the baler waiting to be baled. DTSC also observed MRSH still intact in major appliances located in the scrap pile for disposal. On February 11, 2022, DTSC observed several appliances with MRSH still intact in the scrap pile. In the appliances that were accessible, DTSC found microwaves with capacitors still intact and refrigerators with compressors still intact. At least two refrigerators with compressors had already been baled." This facility paid a fine of \$134,000 for the alleged violations, and DTSC's compliance requirements included correcting all violations alleged and immediately complying with all requirements of the HWCL.
- 2) Express Metal Recycling, Sun Valley, CA: According to the consent order signed by the parties in 2024, DTSC alleges that Express Metal Recycling "removed MRSH without being a CAR; treating major appliances before removing all MRSH, and removing ballasts, capacitors, and compressors without a permit or authorization from DTSC; failing to minimize the release of hazardous wastes or hazardous waste constituents into the air, soil or water or surface water; and, accepting, storing, and treating hazardous waste without a permit or authorization from DTSC." This facility paid a fine of \$100,000 for the violations alleged and DTSC's compliance requirements included operating and maintaining the facility in compliance with all of the statutory and regulatory requirements of the HWCL.

*This bill:* SB 1010 updates the requirements for managing discarded major appliances under the CAR program, managed by DTSC. The CAR program was statutorily created in 2004 and other than some amendments in 2007, has largely been unchanged. This bill could help ensure that DTSC and the CUPAs have the tools needed to ensure that all of these facilities process appliances in accordance with hazardous waste laws and regulations.

*Ongoing stakeholder conversations:* The author is continuing to work with stakeholders. Conversations include, but are not necessarily limited to, clarifying the roles and responsibilities of DTSC and the CUPAs, clarifying reporting requirements of scrap recycling facilities, and understanding the responsibilities required of DTSC and the fees that support those costs.

*Arguments in support:* According to a coalition of organizations, including local governments and environmental organizations:

"Refrigerators, freezers, air conditioners, and other cooling appliances contain refrigerants, which are gases used to absorb and release heat. Federal mandates require proper management of refrigerants prior to disposal, but without an active enforcement, improper handling during the reuse and recycling processes can result in the release of these gases into the atmosphere, undermining California's climate progress. Simultaneously, there is no statewide program for safely recovering and managing the appliances that contain refrigerants. Even California's most robust voluntary recycling efforts have reached only a fraction of appliances at end-of-life.

While existing law, AB 1760 (Eastin, 1991), prohibits disposal/landfilling of metallic waste, such as large appliances, including refrigeration units, many units are not properly processed to recover all the hazardous components, such as HFCs, compressor oils, capacitors, etc. These components must be removed by Certified Appliance Recyclers (CAR) regulated by the Department of Toxic Substance Control (DTSC) under the CAR program.

SB 1010 provides a funding mechanism for CAR oversight through a certification fee and additional authority to use those funds on enforcement. Expanding enforcement authority ensures these appliances, and their components, are safely managed and DTSC has funding and authority to fully enforce on all businesses managing household cooling appliances."

*Arguments in opposition:* According to the Recycled Materials Association – West Coast Chapter, writing in an opposed-unless-amended position:

"We are encouraged by the new direction the bill has taken towards enforcement, and we appreciate the author's willingness to work with us. We still, however, have some concerns with the current language. We will continue to work with the author's office in an attempt to rectify these concerns."

*Related legislation:*

- 1) SB 811 (Caballero). Requires the owner or operator of a metal shredding facility to obtain a permit from DTSC. Prohibits a metal shredding facility from operating in the state without a permit. Includes within the permit: requirements for managing various wastes within and leaving the facility, measures to prevent fires, and measures to reduce impacts to communities near the facility. Provides that local and state regulators retain enforcement authority with respect to metal shredding facilities, as that authority exists under current law. This bill is pending before the Assembly Environmental Safety and Toxic Materials Committee.
- 2) SB 404 (Caballero, 2025). Would have required the owner or operator of a metal shredding facility to obtain a permit from DTSC. Would have prohibited a metal shredding facility from operating in the state without a permit. Would have provided that local and state regulators retain enforcement authority with respect to metal shredding facilities, as that authority exists under current law. This bill was vetoed by Governor Gavin Newsom.
- 3) AB 2277 (Dymally, Chapter 880, Statutes of 2004). On and after January 1, 2006, prohibits a person other than a CAR from either: 1) removing MRSH from major appliances; or, 2) transporting, delivering, or selling discarded major appliance to a scrap recycling facility (SRF), except as specified.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

7th Generation Advisors  
A Voice for Choice Advocacy  
California Product Stewardship Council  
Californians Against Waste  
Center for Environmental Health  
Circular Polymers  
City of Roseville  
City of San Jose  
City of Thousand Oaks  
CleanEarth4kids.org  
National Stewardship Action Council  
Northern California Recycling Association  
ReGen Monterey  
ReThink Waste  
Swana California Chapters Legislative Task Force  
The Climate Center  
The Watershed Project  
Western Placer Waste Management Authority

**Opposition**

Shasta County Board of Supervisors  
Recycled Materials Association - West Coast Chapter

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