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February 7, 2024

Representative Cathy Kipp, Chair  
Representative Jenny Willford, Vice-Chair  
House Energy and Environment Committee  
Colorado General Assembly  
200 E. Colfax Ave.  
Denver, CO 80203

**RE: Support with Amendments for HB 1069, Recycling of Single-Use Electronic Smoking Devices**

Dear Chair Kipp, Vice-Chair Willford, and Members of the Committee:

Thank you for the opportunity to submit testimony in **support with amendments** of **HB 1069**, which will create an advisory group to study and make recommendations regarding the recycling of single-use vape devices. PSI applauds Representative Valdez for recognizing these issues and sponsoring HB 1069, which will enable Colorado to consider more robust statewide options for managing this growing waste stream.

The Product Stewardship Institute (PSI) is a national nonprofit that pioneered product stewardship in the United States, along with hundreds of state and local government members, including those in Colorado, as well as over numerous partners from companies, environmental groups, academia, and international governments. Since 2000, PSI has developed policy models for most of the 136 EPR laws enacted for 18 industry sectors, including Colorado's EPR laws on paint and packaging.

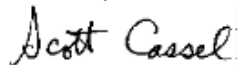
Many of PSI's state and local government members have expressed frustration with figuring out how to best manage the growing waste from both reusable and single-use vape devices. The batteries and remaining liquids in the devices pose hazards in the waste and recycling streams and these issues are compounded with the inability to remove batteries and liquid cartridges from single-use devices. PSI is currently evaluating local policy options for Boulder County, CO to safely manage post-consumer vapes. A key consideration is that a solution provide sustainable funding.

PSI would like to recommend some changes to HB 1069 to better ensure that the advisory group is able to make meaningful and actionable recommendations.

- Consider providing the advisory group with the authority to explore options for the recycling and/or proper disposal of all vape devices. While reuse and recycling might be the goal, their design creates barriers that may take time to resolve. Local governments, schools, and other stakeholders dealing with these devices need safe disposal options now. PSI would also recommend that the advisory group evaluate all vape devices, not just those that are single use.
- Consider Extended Producer Responsibility as a policy option for creating a sustainable program for managing vapes that can drive better product design.
- Include at least two members on the advisory group from Colorado local governments, including county health officials who have been working on issues regarding vape waste for several years.
- Focus on policies that create sustainable funding and place all, or some, of the financial and managerial burden on vape brands and manufacturers. Relying continually on state and federal funding will continue to be a financial burden on governments and taxpayers and removes a key financial incentive for changes to the product design and the post-consumer management system.
- Ensure that the advisory group and department have the resources they need to develop the best possible policy options.

If you have any questions, please feel free to contact me at (617) 513-3954, or [Scott@ProductStewardship.us](mailto:Scott@ProductStewardship.us).

Sincerely,



Scott Cassel  
Chief Executive Officer/Founder