



March 20, 2024

Dear Chair Taylor and Committee Members,

Our names are Antonia Langowski and Moriah Daniels, we are law students at Lewis & Clark Law School and volunteer Environmental Justice Coordinators with the Northwest Environmental Defense Center (“NEDC”). We write today in strong support of Senate Bill 1020. NEDC is a nonprofit environmental organization based in Portland that has worked for over 50 years to protect the environment and natural resources of the Pacific Northwest through legal advocacy and public engagement. Our Environmental Justice Team specifically focuses on protecting frontline communities from disproportionate environmental harms, and we are deeply concerned about the growing impacts of electronic cigarette waste on both Oregon’s environment and the health of its most vulnerable communities.

Electronic cigarette use is rapidly rising nationwide and in Oregon, with millions of devices sold each month.¹ These products contain hazardous substances—including nicotine, lithium batteries, and heavy metals—that pose serious threats to the environment and human health when improperly disposed of.² Yet, due to a lack of robust federal action on this issue, these toxic devices are ending up in landfills, public spaces, waterways, and high-traffic areas like schools across the state.³ The introduction of a refundable deposit and producer responsibility scheme, as outlined in SB 1020, is an effective way to hold the producers—not the users—accountable for the waste their products generate. This approach is **already proven to be effective**—similar systems for beverage containers, electronics, and mattresses have had success in reducing waste and increasing recycling rates.⁴ For example, in 2023, Oregon’s Bottle Drop program achieved an impressive 87% recycling rate, demonstrating the exciting potential of such deposit systems.⁵ SB 1020 uses this same proven model by requiring a \$5 refundable deposit on electronic cigarettes and mandating that producers join a Producer Responsibility Organization (“PRO”) to manage safe collection, recycling, and disposal.

¹ <https://www.cdc.gov/media/releases/2023/p0622-ecigarettes-sales.html>; *see also* <https://truthinitiative.org/research-resources/smoking-region/tobacco-use-oregon-2023> (providing that in 2022, 6.9% of adults in Oregon used e-cigarettes and 10.8% of 11th graders in Oregon used e-cigarettes).

² *See generally* Gabrielle Ngambo et al., *A scoping review on e-cigarette environmental impacts*, TOBACCO PREVENTION & CESSATION (Sept. 9, 2023) (pdf available online at <https://pmc.ncbi.nlm.nih.gov/articles/PMC10542855/pdf/TPC-9-30.pdf>).

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<https://truthinitiative.org/research-resources/harmful-effects-tobacco/toxic-plastic-problem-e-cigarette-waste-and-environment>.

⁴ *See* SB 1020 One Pager.

⁵ <https://obrc.com/results/how-bottle-bills-compare/>.



As previously stated, Moriah and I are Environmental Justice Coordinators for NEDC, so we feel its necessary to highlight the existing environmental justice implication of SB. The fact of the matter is that communities that already experience higher burdens of pollution—often low-income communities and communities of color—are the same communities likely to face disproportionate impacts from hazardous e-cigarette waste. These environmental justice communities frequently lack sufficient waste management infrastructure and are more likely to live near landfills and waste transfer stations where improperly discarded e-cigarettes can leach toxic substances into the surrounding environment.⁶

Without SB 1020, the growing wave of e-cigarette waste threatens to deepen environmental health disparities in Oregon. SB 1020 offers a tangible solution by ensuring that the industries profiting from these products take full responsibility for the environmental and public health impacts of their waste.

In conclusion, SB 1020 is a commonsense, proactive policy that protects Oregon’s environment, prioritizes public health, and advances environmental justice by preventing hazardous e-cigarette waste from polluting our communities. We respectfully urge your support for this bill and appreciate your leadership on this important issue.

Thank you for your time and consideration.

Sincerely,

Antonia Langowski and Moriah Daniels
Environmental Justice Project Coordinators
Northwest Environmental Defense Center (NEDC)

⁶ See <https://www.eesi.org/articles/view/qa-addressing-the-environmental-justice-implications-of-waste>; see also <https://truthinitiative.org/research-resources/harmful-effects-tobacco/toxic-plastic-problem-e-cigarett-e-waste-and-environment>.