

March 26, 2025

Chair Taylor, Vice-Chair Bonham, and members of the committee, for the record, my name is Cameron Quackenbush. I am a graduate of Lewis & Clark Law School, and Oregon State Bar member/licensee. I am also Senator Frederick's Legislative Assistant. However, the testimony I am here to give is in my personal capacity. I am here today to speak in strong support of SB 1020.

Over the past two years, I researched and wrote a law review article detailing the issues posed by electronic cigarette waste. This article is now published with the Environmental Law Reporter and is submitted as testimony on this measure.

Electronic Cigarettes, though individually small, cast a wide collective shadow. Without a show of hands, I think it is safe to assume that everyone in this room knows what an electronic cigarette is. Further, the vast majority also likely know someone who has or currently uses one. Amongst my family and close friends, I know several. It was my connection to these individuals and mutual questions about what happened to the waste from these devices which led me to advocating for the introduction of SB 1020.

Other measures before the legislative body this session look at the health-based debate around these devices—addressing questions of which flavored tobacco products should be available on the market, and methods of keeping e-cigarettes out of the hands of children while still respecting consumer choice. This bill responds to a different facet of the problem these devices pose: that no matter what the current iteration of electronic cigarette is, if electronic cigarettes exist, there will be waste. This bill seeks to have those profiting from the creation of an immense and hazardous waste stream to reinternalize the cost of properly managing and disposing of that waste, rather than see the cost fall upon the taxpayers of this state.

In Oregon, the CDC foundation on tobacco monitoring reports that from January to September 2024, at least 2,924,200 electronic cigarettes were sold in the state of Oregon.<sup>1</sup> Of those monthly sales, between 55% and 62% were disposable devices.<sup>2</sup> This means that in just nine months, between 1.6 and 1.75 million disposable electronic cigarettes were sold in Oregon. These devices have been circulating the US markets since 2007. Please, for a moment, think about the last gas station you went into. Think about the bright vibrant display behind the front counter, likely filled with rows of these devices. It is the perpetual, day by day output of these devices which scholars have referred to as an “environmental disaster.”<sup>3</sup> Sold as a product, destined to be waste for which there is no clear way to dispose of. And yet, while current federal and state waste law leaves loopholes through which these products can literally fall into the municipal waste stream, where these hazardous devices cause both fire and contamination risks.<sup>4</sup> The issue of electronic cigarette waste deserves immediate attention.

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<sup>1</sup> Monitoring Tobacco Product Use, *Oregon E-Cigarette Unit Sale by Flavor*, Tobacco Use Monitoring (Nov. 15, 2024). Retrieved from: <https://tobacomonitoring.org/state/oregon/>

<sup>2</sup> *Id.* at View by Product Type.

<sup>3</sup> Jamie Ducharme, *The Overlooked Environmental Impact of Vaping*, Time Magazine (July 11, 2023). Retrieved from: <https://time.com/6293772/disposable-vapes-plastic-waste/>

<sup>4</sup> See Cameron Quackenbush, *E-Cigarettes as Waste and the Need to Regulate “Disposable” Products*, 55 ELR\_\_\_ [March Preview] (2025). Retrieved from: [55.E-CigarettesAsWaste.pdf](#) . See also [E-Cigarettes as Waste and the Need to Regulate “Disposable” Products | Environmental Law Reporter®](#)

SB 1020 seeks to rectify this waste crisis by leaning on a tried and true statutory pathway—Oregon’s resilient producer responsibility mandates. Seen through such programs as BottleDrop, Mattress Stewardship, electronic device recycling, drug take-back, and many others, Oregon has been able to hand management for company’s hazardous and recyclable refuse alike back to their generators. Each of these programs have come with their challenges—creating both lessons learned and guidance moving forward. This bill builds upon those pathways and expands them to a product that deserves such regulation: electronic cigarettes.

In meetings with electronic cigarette manufacturers have pointed out a few continuing issues with the implementation of SB 1020. Namely, how the PRO created by this statute will manage the influx of unregulated electronic cigarettes which are continually sold across the United States.<sup>5</sup> Currently only three companies are responsible for the 34 FDA approved electronic cigarettes authorized for sale in the US, compared to the total market of roughly 9,000 different devices. Although this is a sticking point for SB 1020, it highlights the desperate need to bring the sale of electronic cigarettes under control. With further regulatory red-tape surrounding packaging requirements for FDA approved devices, these impediments to the implementation of the bill warrant further consideration. If the committee decides that SB 1020 is not ready to move forward, we welcome a workgroup on this bill in the interim so that an updated version of this concept may be introduced in the future.

Thank you for your time and consideration, I am happy to answer any questions you might have.

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<sup>5</sup> Yuki Noguchi, *They’re illegal. So why is it so easy to buy disposable vapes favored by teens?* NPR Public Health (July 14, 2023). Retrieved from: <https://www.npr.org/sections/health-shots/2023/07/14/1186291971/theyre-illegal-so-why-is-it-so-easy-to-buy-the-disposable-vapes-favored-by-teens>