

E-Cigarette Collection and Disposal in Schools: ABCs and FAQs

November 17, 2021



**Geographic Health
Equity Alliance**

A  CADCA Initiative

geohealthequity.org



**PUBLIC HEALTH
LAW CENTER**

at Mitchell Hamline School of Law

publichealthlawcenter.org



Building Drug-Free Communities

cadca.org

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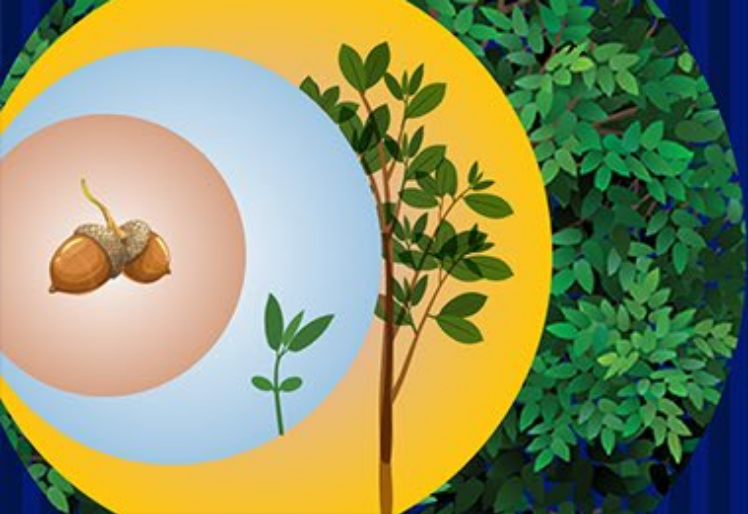


Raise Hand



Q&A

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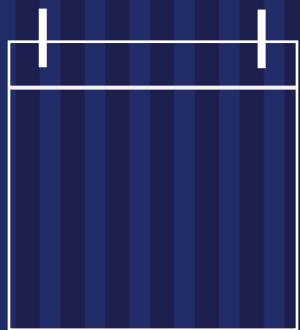
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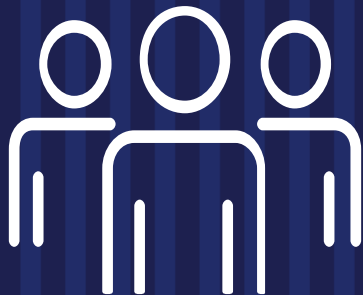
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100+ Trainings



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Networking



Wellness Activities

Register Early and Save
December 13: Early Bird | January 18: Advance

CADCA.org/Forum2022

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Meet the Presenters



Kyra Hill, J.D.

Staff Attorney

Public Health Law Center



Terry Rousey, MPH

Youth Tobacco Policy Specialist

Colorado Department of Public Health and Environment

E-CIGARETTE COLLECTION AND DISPOSAL IN SCHOOLS: ABCS AND FAQs



PUBLIC HEALTH
LAW CENTER
at Mitchell Hamline School of Law

11/17/2021

5

POLL

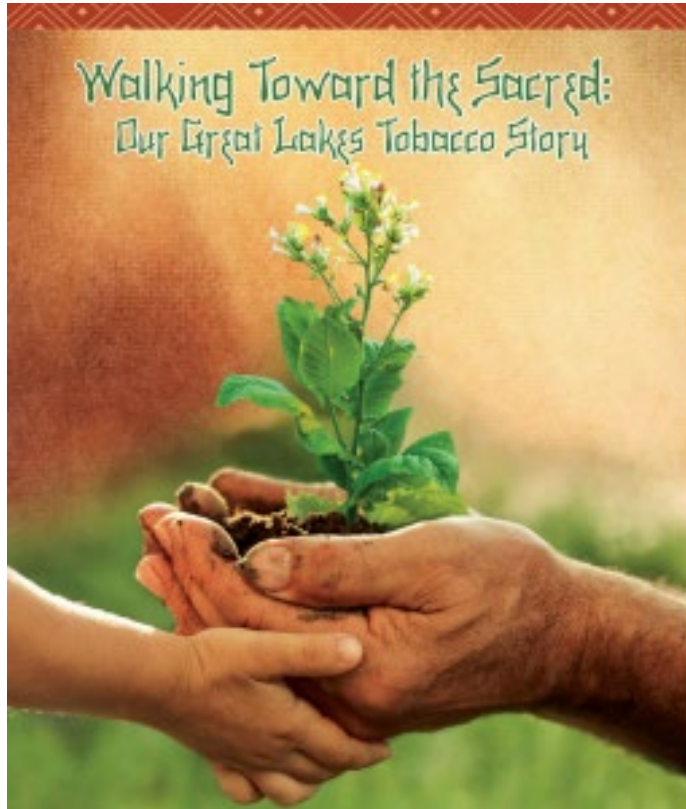
Please select the statement(s) that best describe your work affiliation:

- I work with or at a school (as a counselor, teacher, etc.)
- I work at a tobacco control program for a City, County, or state government
- I work in public health policy generally
- I work for a nonprofit/non-governmental organization
- I work for the federal government
- I work in a field or organization not described above

THE PUBLIC HEALTH LAW CENTER



COMMERCIAL TOBACCO IS NOT TRADITIONAL TOBACCO









[Available at this link](#)



Nicotiana rustica, Solanaceae, Mapacho, flower. Botanical Garden KIT, Karlsruhe, Germany. Wikimedia Commons.

LEGAL TECHNICAL ASSISTANCE

-  Legal Research
-  Policy Development, Implementation, Defense
-  Publications
-  Trainings
-  Direct Representation
-  Lobby



based on work for First Nations Health Authority at Gathering Wisdom VI Drawing
change

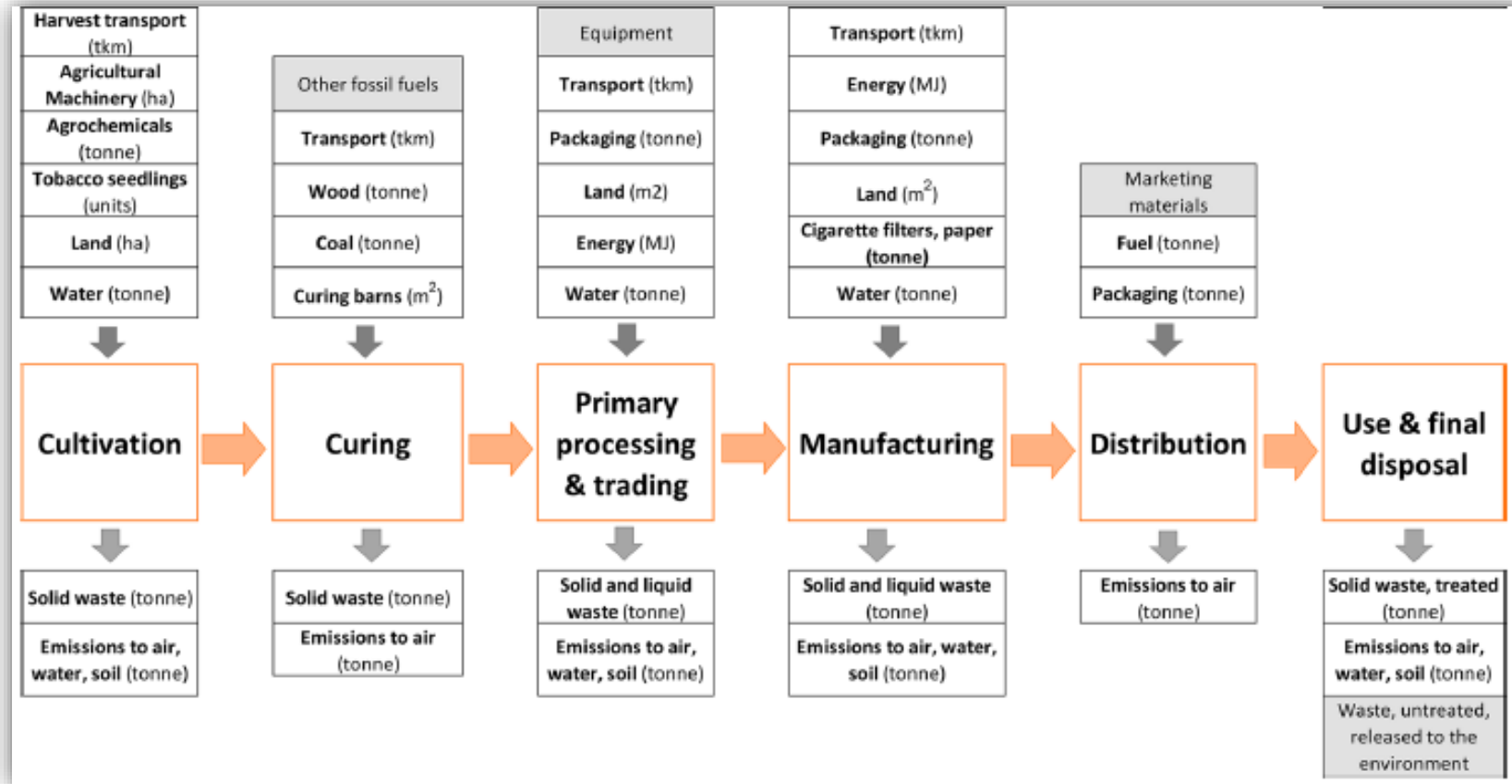
Image credit: Sam Bradd <https://drawingchange.com/gathering-wisdom-visuals-for-a-healthy-future/>

WHAT ARE WE TALKING ABOUT?

- Upstream pollution
- Plastic waste
- Hazardous waste
- Environmental [in]justice



THE TOBACCO LIFE CYCLE

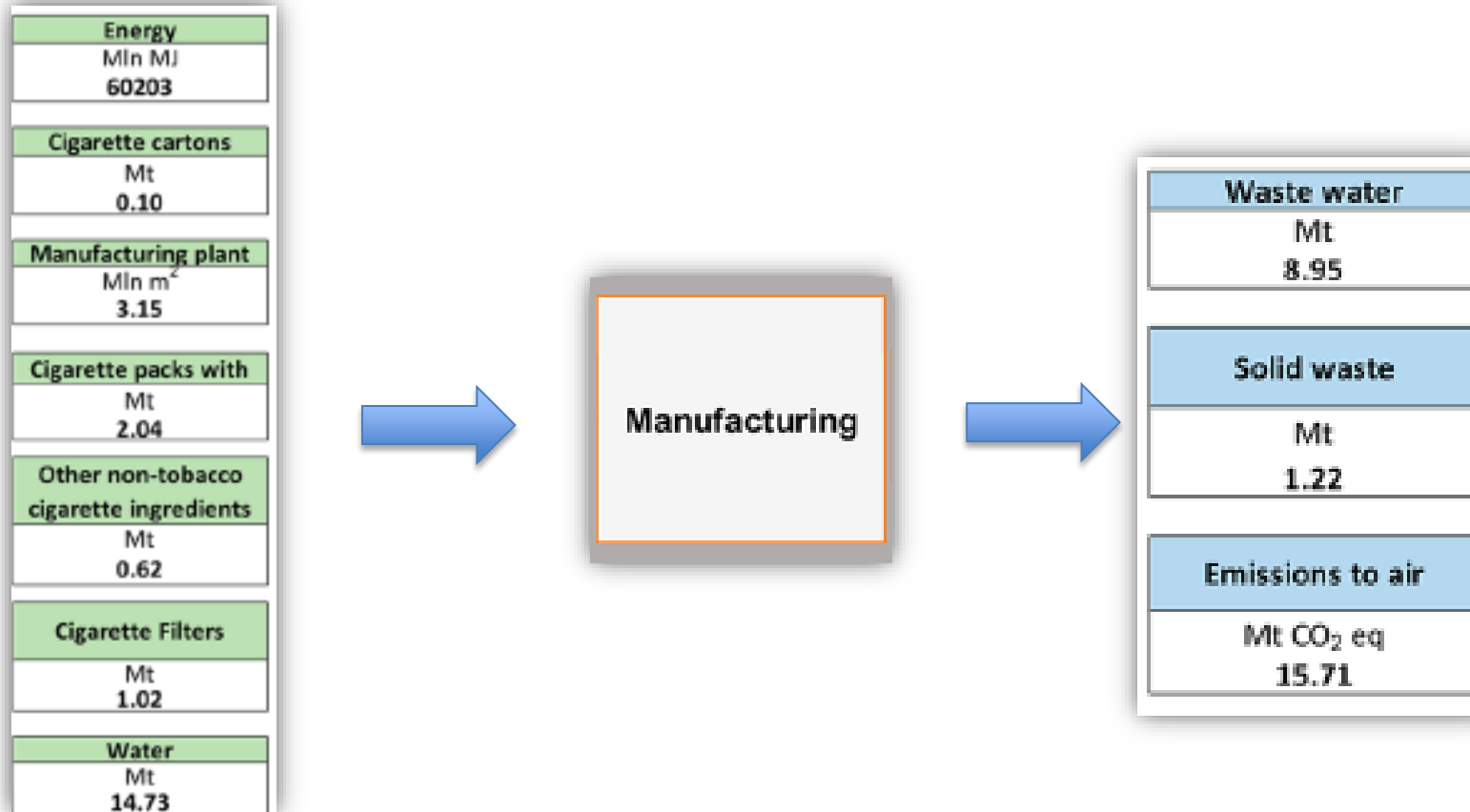


THE ENVIRONMENTAL IMPACTS OF TOBACCO GROWING, CURING, AND MANUFACTURING

- Deforestation (biodiversity loss/habitat destruction)
- Pesticide Overuse and Contamination
- Child Labor
- Decreased Food and Water Security
- Climate Change
- Mismanaged Industrial Waste

TOBACCO MANUFACTURING

INDUSTRIAL WASTE AND CO2 EMISSIONS



TOBACCO MANUFACTURING

INDUSTRIAL WASTE AND CO2 EMISSIONS

- Toxic chemical waste
 - Nicotine and nicotine salts
 - Nitrate compounds
 - Ammonia
- CO2



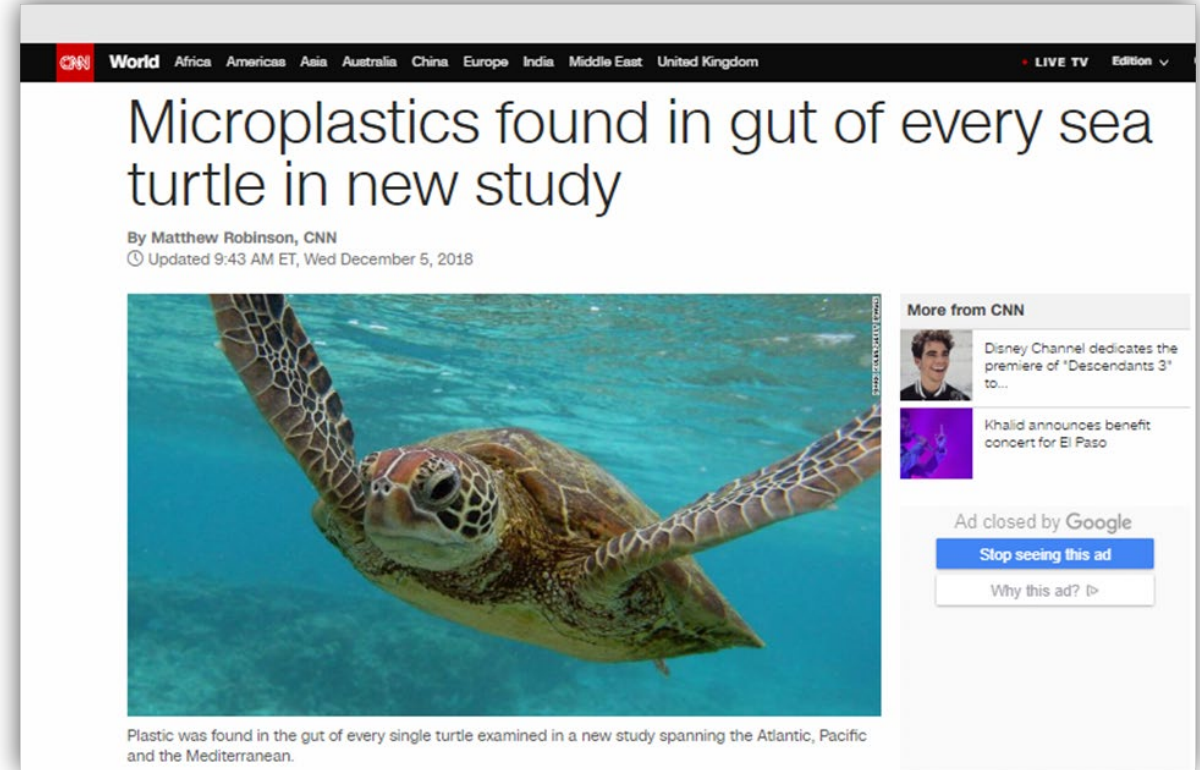
THE LIST GOES ON...

- Emissions from diesel trucks and cargo ships
- Second and thirdhand smoke
- Manufacture, use, and disposal of lighters, matches, filters, and batteries



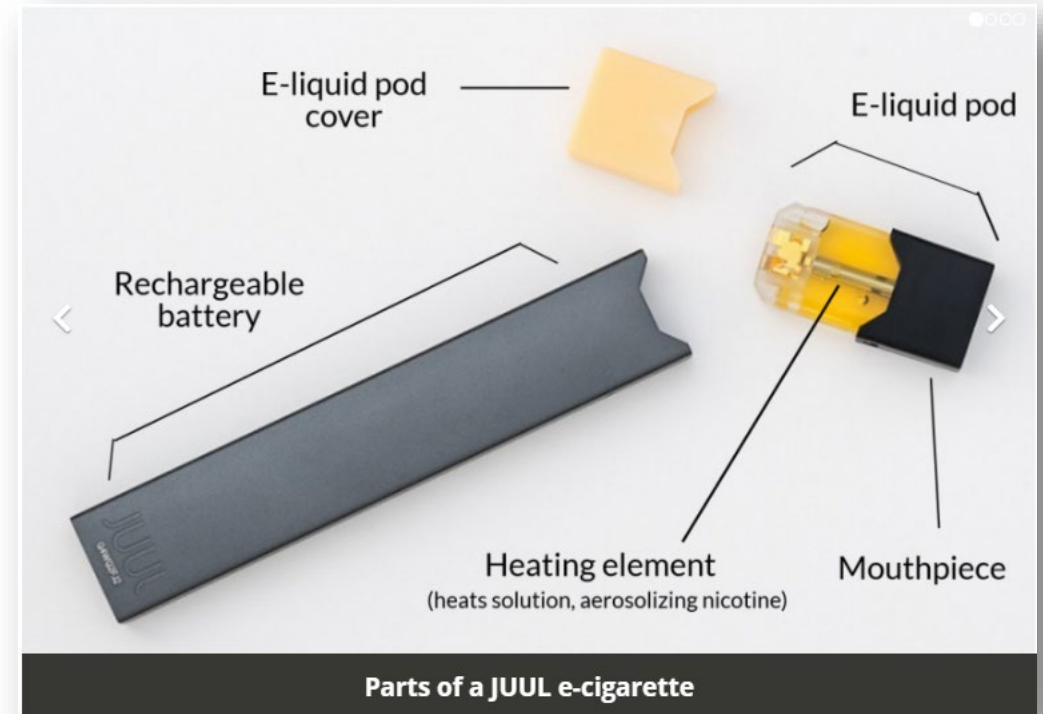
PLASTIC WASTE

- Cigarette filters
 - Made of plastic, degrades into microplastics
- E-cigarettes
 - Cartridges, plastic casing, etc.
- Tobacco product packaging
 - Cigar wrappers, cigar tips, pouches



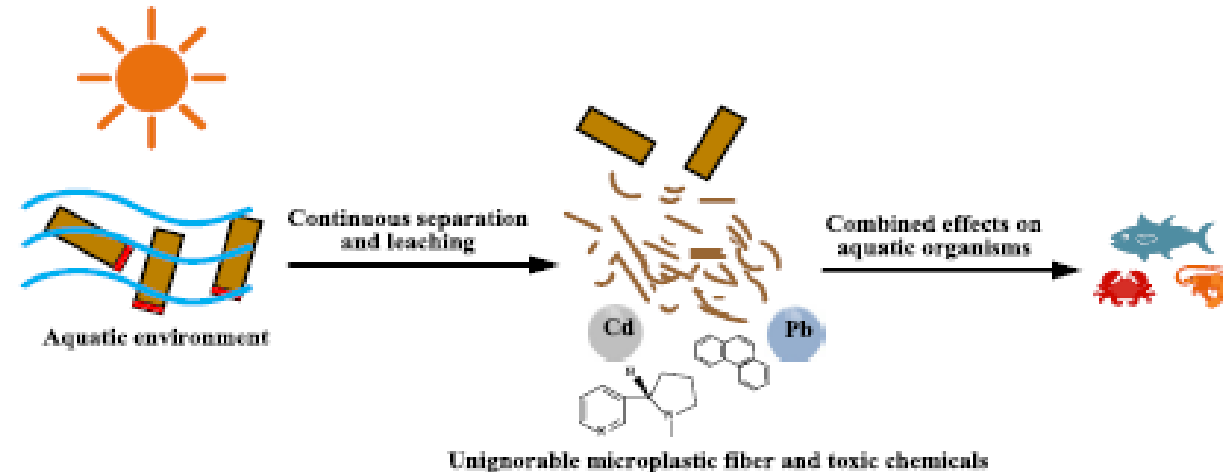
HAZARDOUS WASTE E-CIGARETTES/VAPES

- Nicotine
 - Acute hazardous waste—extremely toxic to humans at low doses
- Batteries
 - Hazardous waste, fire and explosion risk
- Metals
 - Leaching of cobalt and other toxic metals



TOXIC/HAZARDOUS WASTE CIGARETTE BUTTS

- Nicotine
- Metals and heavy metals
- Volatile Organic Compounds (VOCs)
- Polycyclic aromatic hydrocarbons (PAHs)
- Thousands of additional chemicals



ENVIRONMENTAL INJUSTICE RETAILER DENSITY

- Waste and pollution from tobacco products collects around tobacco retailers
- Tobacco retail density is greatest in communities of color and low-income communities



ENVIRONMENTAL INJUSTICE

RESOURCE ALLOCATION

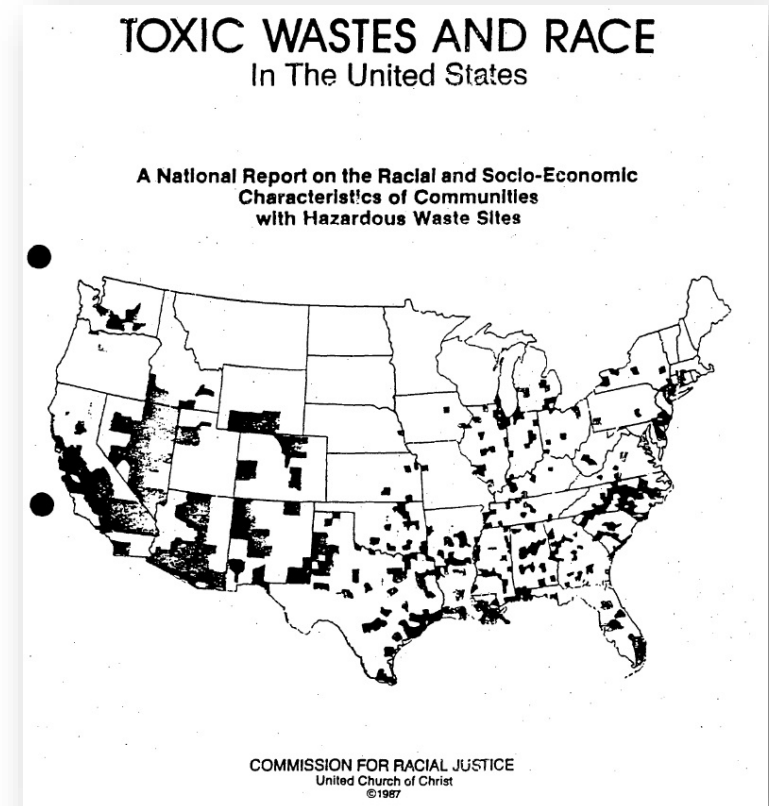
- Fewer government resources are expended to clean up waste in communities of color and low-income communities
- Landfills and incinerators disproportionately located in and near communities of color and low-income communities
- Greater exposure to sources of pollution of all types in communities of color and low-income communities



ENVIRONMENTAL JUSTICE

ENVIRONMENTAL RACISM

- Race is the characteristic with the strongest correlation to density and proximity to polluting industries and hazardous waste sites
- Environmental justice is “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”



ENVIRONMENTAL JUSTICE ENVIRONMENTAL RACISM

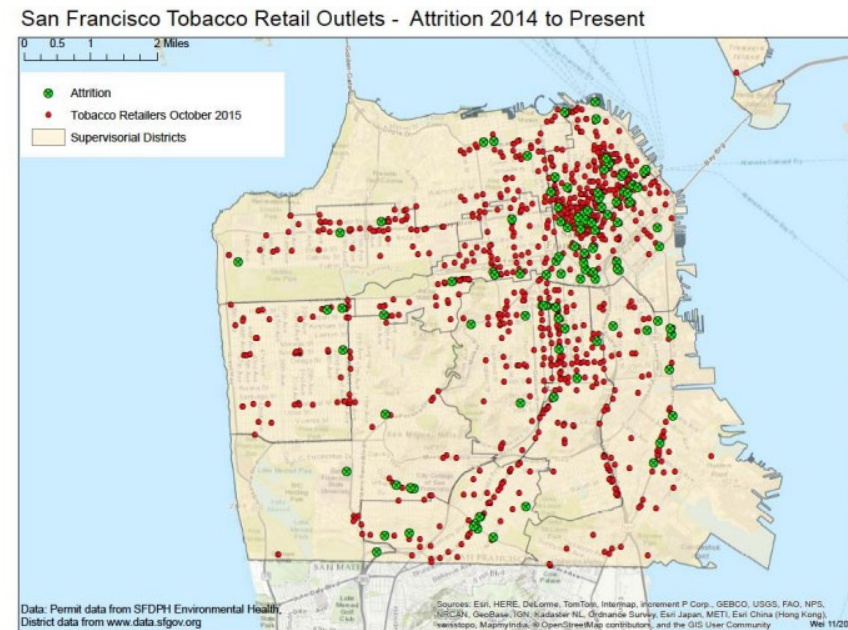
- Tobacco retail density is an environmental justice issue
- Tobacco product waste is an environmental justice issue



STATE AND LOCAL OPTIONS

DENSITY RESTRICTIONS

- Limitations based on small geographic regions
- Per capita limitations
- Limit exceptions for existing retailers
- Include existing retailer sunset date
- Limit proximity to other retailers



STATE AND LOCAL OPTIONS SALES RESTRICTIONS



STATE AND LOCAL OPTIONS

SALES RESTRICTIONS



STATE AND LOCAL OPTIONS

NEW YORK BILL EXAMPLE

2021-2022 Regular Sessions

I N S E N A T E

January 8, 2021

Introduced by Sens. KRUEGER, KAMINSKY -- read twice and on
and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to
tobacco product waste reduction act

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. This act shall be known and may be cited as the "tobacco product waste reduction act".

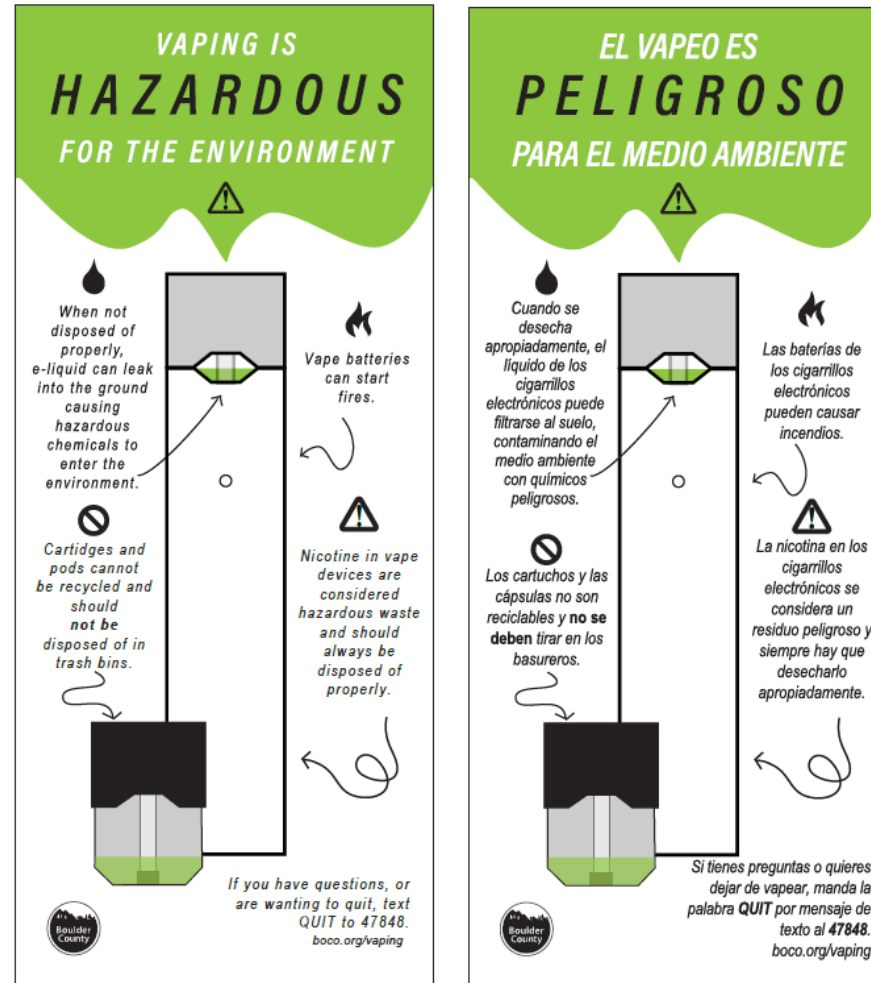
2. NO TOBACCO PRODUCTS DEALER SHALL SELL, PERMIT TO BE SOLD, OFFER FOR SALE OR DISPLAY TO ANOTHER PERSON IN THIS STATE, WHETHER IN PERSON OR BY MEANS OF ANY PUBLIC OR PRIVATE METHOD OF SHIPMENT OR DELIVERY TO AN ADDRESS IN THIS STATE, ANY OF THE FOLLOWING:

(A) A CIGARETTE UTILIZING A SINGLE-USE FILTER MADE OF ANY MATERIAL, INCLUDING CELLULOSE ACETATE, ANY OTHER FIBROUS PLASTIC MATERIAL, OR ANY ORGANIC OR BIODEGRADABLE MATERIAL;

(B) AN ATTACHABLE AND SINGLE-USE DEVICE MADE OF ANY MATERIAL MEANT TO FACILITATE MANUAL MANIPULATION OR FILTRATION OF A CIGARETTE OR TOBACCO PRODUCT; OR

(C) A SINGLE-USE ELECTRONIC CIGARETTE.

STATE AND LOCAL OPTIONS SALES RESTRICTIONS



STATE AND LOCAL OPTIONS TO PREVENT HAZARDOUS WASTE DANGERS

- Jurisdictions may be able to go further than state law to prevent dangers
- Could designate nicotine-containing consumer products as hazmat, even though normally excluded by state law
 - Leading to compliance costs and public awareness about the real dangers of the products
- Local authority/expertise in fire officials



STATE AND LOCAL OPTIONS

SCHOOL DISPOSAL PROGRAMS



STATE AND LOCAL OPTIONS SCHOOL DISPOSAL PROGRAMS

From FEMA:

- E-cigarettes present a “new and unique hazard”; there is “no analogy among consumer products to the risk of severe, acute injury presented by an e-cigarette”
- The shape and construction of electronic cigarettes can make them (more likely than other products with lithium ion batteries) behave like “flaming rockets” when a battery fails



E-CIGARETTES

PROPER HANDLING AND DISPOSAL

 **UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
WASTE MANAGEMENT & RADIATION CONTROL**

PROPER MANAGEMENT OF E-CIGARETTE WASTE FOR UTAH RETAILERS

Nicotine is an acute hazardous waste. Lithium ion batteries are a hazardous and universal waste that pose fire and safety hazards.

Under Utah law, both nicotine and lithium ion batteries must be properly disposed of as hazardous waste.



**LIQUID NICOTINE
CANNOT GO DOWN
THE DRAIN, TOILET OR
OTHER SEWER DRAINS**



**CARTRIDGES OR PODS,
USED OR UNUSED,
CANNOT BE THROWN
IN THE GARBAGE**

REGULATIONS IMPACTING TOBACCO RETAILERS & RESULTING IN INCREASED WASTE

The U.S. Food and Drug Administration (FDA) Deeming Rule

The Tobacco Control Act and "Deeming Rule" requires electronic cigarette manufacturers to apply to the FDA for authorization to sell their products. They must receive an affirmative marketing order from the FDA in order to continue to sell their products. Products that do not receive an affirmative marketing order from the FDA must be removed from retailer shelves and disposed of appropriately.

Utah Department of Health (UDOH) Admin. Rule R384-415 - Requirements to Sell Electronic Cigarette Products

UDOH's Administrative Rule R384-415 requires tobacco retailers to only sell electronic cigarette products that meet the required labeling, nicotine content, packaging, and product quality requirements to be legally sold in Utah. Electronic cigarette products that do not comply with the rule are illegal electronic cigarette products that must be removed from retailer shelves and disposed of appropriately.

MORE INFORMATION AVAILABLE

HAZARDOUS WASTE PUBLICATIONS



- PHLC [overview FAQ](#)
- Boulder County [VapeAware](#) Campaign
- FDA [best practices](#) and [guidance document for schools](#)
- Utah [guidance document](#)
- EPA is also aware of the issue and likely working on a FAQ for schools
- Colorado-specific [guidance](#)

CONTACT US



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www.publichealthlawcenter.org



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BUSINESS GOVERNMENT AND SCHOOLS

Vaping Liquids, E-Cigarettes and Nicotine Waste Guidance



Vaping Liquids, E-cigarettes and Nicotine Wastes

Guidance for businesses, government agencies and schools handling nicotine-containing wastes

Vaping liquid, the solution used in electronic cigarettes, is also known as E-liquid, E-juice, E-fluid, or liquid nicotine. Discarded vaping liquid may present a significant risk to human health and the environment if improperly disposed. Other nicotine-containing wastes, including electronic cigarettes themselves (E-cigarettes), nicotine gum and nicotine patches, also present health and safety risks.

Businesses, government agencies and schools handling any of these wastes must comply with the hazardous waste regulations administered by the State of Colorado Hazardous Materials and Waste Management Division (the “division”).

Information regarding hazardous waste requirements in Colorado can be located on the division’s website (see end of this guidance).

Nicotine-containing wastes regulated by the division

All waste discarded by a business, government agency or school that contains any concentration of nicotine, may be considered an acute hazardous waste in Colorado. Examples of these wastes include:

- Vaping liquid that contains nicotine.
- Shipping or storage containers or E-cigarette cartridges that held nicotine or nicotine-containing vaping liquid that have not been triple-rinsed, even if they look empty.
- Rinse water from rinsing nicotine and vaping liquid containers.
- Vaping liquid spill cleanup materials.
- E-cigarettes, whether used or not, unless the vaping liquid reservoirs have been removed.
- Unused nicotine gum.
- Unused nicotine patches.

There is no minimal amount or concentration of nicotine-containing material that is exempt from regulation.



SCHOOL



Guidance for Schools on storing and disposing of nicotine waste

Draft Copy

Guidance for Colorado Schools about Storage and Disposal of Nicotine Waste

The use of electronic nicotine devices/vapes by youth is a serious health concern and a disruption to learning. Proper disposal of confiscated electronic nicotine devices/vapes can reduce the risk of nicotine exposure on school grounds.

Keep your school safe from hazardous Nicotine waste materials found in vape/electronic smoking devices and e-liquid by:

- Collecting Nicotine waste in containers made of, or lined with, materials which will not react with, and that will be compatible with, the hazardous waste collected.
- Labeling or marking containers with the words "Hazardous Waste".
- Storing containers in a safe place and in a manner that avoids leaks until they can be properly disposed of.
- Properly dispose of waste materials, keeping storage limits to less than 2.2 pounds of Nicotine waste.
- Sending containers to an off-site facility authorized by Colorado Department of Public Health and Environment to manage hazardous waste. For more information, contact the solid waste authority in your community listed below.

Never place nicotine-containing waste into the typical trash. These items are harmful to the environment when disposed incorrectly.

Waste containing any concentration of nicotine is considered acutely hazardous as it only takes a small amount of nicotine to be lethal for a human or small animal.

Examples of Nicotine Hazardous Waste that should be disposed of properly in the appropriate containers:

- Vaping liquid that contains nicotine.
- E-cigarettes (i.e. Puff Bar, Juul, Vuse or Mod type) whether used or not, unless the vaping liquid reservoirs have been removed.
- E-cigarette cartridges (i.e. Juul pod) that held nicotine-containing vaping liquid, even if they look empty.
- Vaping liquid spill and cleanup materials.

The Colorado Department of Education and Colorado Department of Public Health and Environment, [recommend schools](#) confiscate electronic nicotine products (i.e. Puff Bar Juul, Vuse, and Mod type) as one of the best practice strategies to address the [youth vaping epidemic](#) and to enforce the [Colorado Tobacco Free Schools Law](#).

Consistent implementation of all recommended best practices of the law and supports the tobacco free school laws across the s



COLORADO
Department of Public
Health & Environment

BOULDER

Disposal Guide and Kit supplies

Electronic Smoking Device Disposal Guide for Boulder County schools



Colorado law requires that all schools be tobacco and electronic vapor product-free. This guide will help school staff consistently dispose of these products properly and ensure that school campuses remain tobacco and vape-free.

E-Cigarette Waste is Hazardous for the Environment

Nicotine and other toxic substances in e-cigarettes, vape pens, and cartridges are considered hazardous waste, and should be disposed of properly at the Hazardous Materials Management Facility in Boulder. When not disposed of properly:

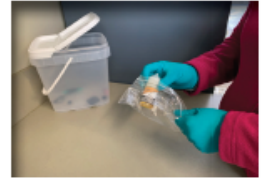
- E-liquid can leak into the ground causing hazardous chemicals to contaminate the environment
- Vape batteries can start landfill fires

Cartridges and pods can't be recycled and should not be disposed of in trash bins.

Safe Storage, Handling & Proper Disposal

Confiscate any vaping device and/or vape paraphernalia (e.g. e-liquid, cartridge) you see being used by a student. When handling vaping devices use gloves when possible to limit your exposure to harmful chemicals.

- Place devices, all components, and e-liquid in a designated bin and secure the lid.
- If a device, e-liquid bottle, or pod is leaking, place it in a sealable plastic bag (e.g. Ziploc) before placing it into the disposal bin. Be sure to wear gloves when handling a leaking device/liquid bottle.
- If a device is the first one in the bin, please add the date to the "accumulation start date" on the Hazardous Waste label.
- Securely store disposal bins in a locked administrative office that does not have student access.



When the waste reaches the line on the disposal bin (or at the end of the school year, whichever comes first, call Environmental Services or whoever might manage the hazardous waste at your location or site. Be sure to let staff and administration know about waste collection and these bins.

E-Cigarette Waste Disposal Kit Supplies



Used Battery Container
one per site
9.75"Lx7.75"Wx9.625"H
PIG: DRM136; Grainger
Item: 381P51



Nitrile or latex gloves
keep a few pairs on site



Vaping Guidelines Sticker
5"x5" Matte white Vinyl
Sticker
one per bin



Hazardous Waste Label
one per bin



Clear sealable bags
keep a few bags on site



Vape Bin Fill Line Sticker
4"x2" Clear Stickers

To request supplies, contact the Tobacco Education and Prevention Partnership at 303.413.7567


Learn More







Nicotine Exposure or Poisoning: Call Poison Control at 1.800.222.1222
Disposal: Call Environmental Services at 720.561.5693



Hazardous Materials: Boulder County Hazardous Materials Management Facility at 720.564.2243
Tobacco or Vaping and Health: Call Boulder County Public Health at 303.413.756H

BOULDER KEY MESSAGES FOR YOUTH/COMMUNITY

**VAPING IS
HAZARDOUS
FOR THE ENVIRONMENT**

 **Did you know?** Boulder County is going Zero Waste! Through reducing, reusing, recycling and composting we plan to divert 90% of waste away from landfills by 2025. But vaping won't help us reach our goal.

-  Nicotine (among other toxic substances) in e-cigarettes, vape pens, and cartridges are considered hazardous waste, and should be disposed of properly at the Hazardous Materials Management Facility in Boulder.
-  When not disposed of properly, e-liquid can leak into the ground causing hazardous chemicals to contaminate the environment.
-  Cartridges and pods can't be recycled and should not be disposed of in trash bins.
-  Vape batteries can start landfill fires.
-  Aerosols from e-cigarettes can change indoor air quality and can cause respiratory health problems.
-  The best way to avoid contaminating the environment with vape waste is to avoid using them altogether. If you have questions, or are wanting to quit, text **QUIT** to 47848.

  **VAPE AWARE**
Your environment • Your responsibility
Boco.org/VapeAware

**EL VAPEO ES
PELIGROSO
PARA EL MEDIO AMBIENTE**

 **¿Sabías?** ¡El Condado de Boulder busca eliminar todos sus desperdicios! Al reducir, reutilizar, reciclar y convertir nuestros desechos en abono, planeamos desviar el 90% de nuestros desperdicios de los vertederos antes del año 2025. Pero el vapeo impedirá que logremos esta meta.

-  La nicotina en los cigarrillos electrónicos se considera un residuo peligroso y siempre hay que desecharlo apropiadamente.
-  Cuando se desecha apropiadamente, el líquido de los cigarrillos electrónicos puede filtrarse al suelo, contaminando el medio ambiente con químicos peligrosos.
-  Los cartuchos y las cápsulas no son reciclables y no se deben tirar en los basureros.
-  Las baterías de los cigarrillos electrónicos pueden causar incendios.
-  Los aerosoles de los cigarrillos electrónicos pueden afectar la calidad del aire interior y pueden causar trastornos de la salud respiratoria.
-  La mejor manera de prevenir la contaminación del medio ambiente causado por el desperdicio del vapeo es dejar de usar los cigarrillos electrónicos por completo. Si tienes preguntas o quieres dejar de vapear, manda la palabra **QUIT** por mensaje de texto al 47848.

  **VAPE AWARE**
Your environment • Your responsibility
Boco.org/VapeAware

Environmental Justice

Cost to Schools

Hurts the Environment

Nicotine is a poison

JEFFERSON COUNTY

Policy Solutions for boards of health, local jurisdictions and schools

Data collection

Tips for Safe Disposal of E-Cigarettes and E-Liquid Waste

Discarded e-cigarettes, batteries and cartridges can pose a threat to human health and to the environment if they are not disposed of properly. Nicotine, including nicotine salt, is listed by the Environmental Protection Agency (EPA) as an acute hazardous waste.* The following are best practices and information compiled from state departments of health and public health nonprofit organizations.

Best Practices for Safe Disposal:

- Check with your state and local environmental agencies for rules and guidance about e-cigarette and e-liquid waste disposal.
- Turn off the device and remove the rechargeable battery before disposal. If the device isn't yours, have the user do this.
- Store all items—especially rechargeable batteries—in a cool, temperature-controlled environment and in a container that is sealed and clearly labeled for hazardous waste.
- Never throw rechargeable batteries into the trash. Keep them in a separate container for hazardous waste.
- Deliver the sealed container of e-cigarette waste to a local hazardous waste facility at least every 90 days.
- Do not rinse e-cigarette items, such as spent cartridges, to remove the liquid nicotine residue. That water will become hazardous waste, and you will need to store and dispose of the water properly.
- Handle used and discarded cartridges carefully to avoid unintentional exposure to unused nicotine. Do not throw them away in the regular trash.
- Always be careful handling products. Liquid nicotine can be absorbed through the skin and cause accidental poisoning.



CENTER FOR TOBACCO PRODUCTS

Revised:
8/19/2016
CTP-163


WARNING DO NOT FILL ABOVE THE LINE



Jefferson County

Policy Making body	Level/type of policy	Possible (?) purpose and priorities	What's legally permissible	Limits, barriers and enablers
School district	Protocol -other policy options may be relevant, as well	Directive to school staff regarding confiscation, handling, storage and transport of ESD waste - Minimize hazardous exposure	Need legal guidance	Barriers: cost to dispose of as a hazardous waste at the school or district lever; Enablers: if there were funds derived from assessing a fee for retailers and manufacturers to defray the cost of safe disposal
Board of Health	Resolution	Inform and direct around ESD hazardous waste and safe handling, storage and disposal of ESD waste - elevate awareness of the problem and support other policy options	Need legal guidance	Barrier: non-binding/non-enforceable? Enabler: could provide direction and support a more uniform approach across jurisdictions
Board of Health	Regulation	Could establish processes and requirements for localities and/or ESD retailers/manufacturers to assure safe storage and disposal of products - Could require a fee for retailers/manufacturers which helps subsidize disposal costs	Need legal guidance	Barriers: infrastructure needed for administration of payment of fees, enforcement, etc. TABOR is a barrier if fees are involved; We don't have a central hazardous waste resource/vendor that works with schools or county gov. to take the large amount of ESD hazardous waste Enablers: across all jurisdictions in Jefferson Co.; could generate funds for safe disposal
Municipal governments (and County/BCC)	Ordinance	Addresses the local problem of ESD hazardous waste as part of best practice/comprehensive approaches to tobacco/nicotine use; - Holds local retailers (and manufacturers accountable) - Establishes resources, protocols, etc., for safe disposal	Need legal guidance	Barriers: could produce a patchwork and business disadvantage (or perception of); may not generate adequate fees to cover the disposal for the city/jurisdiction (especially to meet needs of schools with bigger quantities of ESD waste) Enablers: can help leverage strategies and policies to address industry/retail practices that worsen tobacco use issues.
Municipal governments (and County BCC)	Regulation/Code?		Need legal guidance	

WASTE TRACKER 1.0

Organization	Date Range Collected	Collected from	What was collected	Device Type	Brand	Count	Name of Brand/Type not listed	Photograph of Items Collected
Boulder	2020	School	Cartridges	Disposable	Puff-Bar	9		

MESA COUNTY



Tobacco Free School Policy

Environmental Services
Partnership/Collaboration

SUMMIT COUNTY

Tobacco Policy

Youth driven

Take Back events/Incentives



SCHOOL STRATEGIES FOR REDUCING YOUTH TOBACCO AND NICOTINE USE IN SCHOOLS



- Promote Quitting among Students and Staff
- Strengthen, communicate and enforce TFS policies
- Provide Reliable and accurate education about vaping and e-cigarette product use
- Confiscate and dispose of tobacco and nicotine products waste properly

Questions from Participants

If you have a question for the presenters please enter it in the **Q&A box** now.

We will answer as many questions from the audience as time allows.

Thank you!

For any questions, please email [**ghea@cadca.org**](mailto:ghea@cadca.org)