Disposable Vapes/Lithium-Ion Batteries: Maine Legislation Creates a Stewardship Program for Electronic Smoking Devices

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The Maine House of Representatives has passed legislation titled:

An Act to Create a Stewardship Program for Electronic Smoking Devices and Related Products ("Act").

The (LD 1519) Act addresses disposable vapes which contain lithium-ion batteries. It establishes a stewardship program which means that manufacturers or importers (denominated "producers") of these devices will be responsible for managing them at the end of their life cycle. When an approved plan is in place, individuals will be prohibited from disposing of such devices except through the stewardship program or by giving them to a licensed hazardous waste transporter.

The concern about such devices is that when improperly discarded, they can pose a fire hazard. The devices have caused fires in garbage trucks, recycling facilities, and landfills. Further, concern has been expressed about the propensity to increased costs in waste management systems because of a combination of materials or the toxic tobacco.

The Act defines electronic smoking devices to include e-cigarettes, vape pens, and related components. Producers are required to either individually or collectively create and fund a program to collect, transport, reuse, recycle or dispose of unwanted devices. The program is required to include convenience collection locations.

Producers must submit a detailed stewardship plan to the Maine Department of Environmental Protection for approval outlining how it will operate including collection methods, recycling processes, education and outreach, and financial management. Retailers will be required to participate in as collection locations within three years of the Plan's approval.

A copy of the Act can be downloaded here.