

Mercury Lighting Recycling: The time is now

ESSB 5543 - Reducing the release of mercury into the environment

Washington's citizens need a safe and convenient way to recycle their CFLs and fluorescent tubes!

More and more Washington residents are choosing to use compact fluorescent lights (CFLs) and tubes to save energy, and save money. Sales of CFLs have increased 230% from 2006 – 2008.

In 2012, lighting choices will be further limited as traditional incandescent bulbs will be phased off the market due to federal energy efficiency requirements. Next generation lighting products such as LEDs still cost more than most people are able to pay at more than \$20 for a 40-watt equivalent bulb. Fluorescent lighting will be a widely used technology for many years to come, so our state needs a safe recycling program to prevent the potentially harmful release of mercury.



ESSB 5543 provides Washington State residents with a safe, convenient and no-charge recycling program for their mercury-containing lamps. The program will be financed by the producers of mercury-containing lighting producers.

- **Compact fluorescent lights and fluorescent tubes contain mercury** – mercury harms the brain, liver and kidneys and causes developmental disorders in children. It persists in the environment and bioaccumulates in the food web. If thrown in the trash, fluorescent lights can break and expose moms, children, and solid waste workers. These lights must be properly recycled to protect our health and our environment.

- **Only about 2% of household mercury lights are recycled** – recycling rates for mercury-containing lights from all sources, including businesses, are only at about 20% overall in our state. This means that 80% of the mercury is potentially ending up in the garbage, and releasing mercury into our air, water, and soil.

- **Recycling options for CFLs and tubes are insufficient** – only 10 of Washington's 39 counties have more than five collection locations where residents can bring their bulbs and tubes to be recycled. Most are voluntary programs that operate without long-term, sustainable funding. Nine counties are without any recycling options.

- **ESSB 5543 creates a producer-provided program for recycling mercury-containing bulbs and tubes** – A producer-financed program for recycling computers and TVs has produced impressive results in our state. E-Cycle Washington has exceeded all expectations by collected more than 38.5 million pounds of computers, monitors and TVs – that's 5.8 lbs per person! 2.6 million pounds of lead were properly managed and diverted from our landfills and incinerators.

Policy Overview: ESSB 5543

- Creates a convenient, statewide recycling program for mercury-containing lighting from residents. No-cost recycling services must be provided to each county and, at a minimum, to every city with population greater than 10,000 so that service is convenient for urban and rural areas.
- Financed by producers selling mercury-containing lighting in our state. As a result of stakeholder negotiations, the annual amount paid by lighting producers is defined and retailers with store-brand lights are exempt from paying for the program.
- The Department of Ecology will contract with a stewardship organization to operate the recycling program. All producers must pay a \$15,000 annual amount for the contracted program or a producer(s) can obtain approval from Ecology to operate an independent plan.
- Producers cannot charge residents a fee when they bring in lights for recycling.
- Collection methods can include household hazardous waste facilities, retail locations, recycling centers; or “premium” services such as curbside collection and mail-back; or combinations of these mechanisms.
- Participation as a collector is voluntary.
- Sets environmental protection standards to prevent lamp breakage and prevent the release of toxic mercury during collection, transportation and processing.
- Requires that mercury-containing lamps are recycled by all residents and by all government, industrial, and commercial facilities. Disposal of mercury-containing lights in the garbage or landfills is also prohibited. Enforcement penalties are not specified, but these provisions provide important tools for local governments and waste hauling companies for educating the public.
- Includes a ban on the bulk sale of mercury via the internet and private parties to stop dangerous practices.
- The bill is budget neutral to the state. The recycling program is financed by lighting producers. Costs of state agency oversight are recouped through a fee on lighting producers.



Take-back programs like McLendon Hardware's can receive sustainable financing with creation of a statewide producer-financed recycling program.

Organizations Supporting ESSB 5543 in 2010

- American Rivers
- City of Auburn
- City of Federal Way
- City of Seattle
- City of Spokane
- Climate Solutions
- Coalition for Environmentally Safe Schools
- Earth Ministry
- Institute of Neurotoxicology & Neurological Disorders
- King County
- League of Women Voters of Washington
- Lewis County Waste Management Services
- Local Hazardous Waste Management Program in King County
- Mason County Utilities
- Northwest Energy Coalition
- People for Puget Sound
- Seattle Solid Waste Advisory Committee
- Thurston County Board of Health
- Yakima County Solid Waste Division
- Washington Citizens for Resource Conservation
- Washington Environmental Council
- Washington State Recycling Association
- Washington State Senior Citizens' Lobby

To learn more about mercury lighting recycling legislation, please contact: Margaret Shield, Policy Liaison, Local Hazardous Waste Management Program in King County 206-265-9732 margaret.shield@kingcounty.gov.