

Recycling Mercury-Containing Lights – ESSB 5543

Policy Summary of Bill as Passed by Legislature

Statewide recycling program

Creates a convenient, statewide recycling program for mercury-containing lighting from residents in Washington State starting in 2013. No-cost recycling services must be provided for residents in each county and, at a minimum, in every city with population greater than 10,000.

Implemented by product stewardship organization contracted by Department of Ecology

The Department of Ecology will contract with a stewardship organization to operate the recycling program. All producers must pay for the program operated by the stewardship organization or the producer(s) can obtain approval from Ecology to operate an independent plan.

Producer-financed, with a \$15,000 annual amount for producers participating in the contracted product stewardship organization.

The recycling program is financed by lighting producers. The annual amount paid by each lighting producer to Ecology is set at \$15,000 annually (\$10,000 toward the program operated by the stewardship organization and \$5,000 for Ecology administration).

A producer or group of producers may choose not to participate in the contracted stewardship organization and create an independent plan. Such independent plans must pay the full cost of their plan operation plus pay \$5,000 annually to Ecology for administration.

Retailers that sell their own store brand of lights are exempt from financing the program.

Budget neutral to the State

Costs of Ecology oversight and contact management are recouped through a fee on lighting producers. Permits the Department of Ecology to prioritize the work it will do if fees do not cover the costs of implementing the act.

Collection

Lights can be collected by a variety of methods including drop off at collection sites such as 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.

No charge to residents

Residents cannot be charged a fee when the lights are dropped off for recycling at participating collection sites.

Residents could be charged a fee for “premium” services such as mailback and curbside collection to cover the additional costs for premium collection. Producers are required to pay for transportation and recycling costs for premium services.

Recycling of mercury-containing lighting mandated

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 in educating the public about proper handling of spent mercury-containing lights.

Bulk Mercury Sales Restricted

Bans the bulk sale of mercury via the internet and private parties to stop dangerous practices.