

Legislative Update

MRW Coordinator Meeting May 4, 2010

1. SB 5543 - 2009-10

Establishing the product stewardship recycling act for mercury-containing lights.

Revised for 1st Substitute: Reducing the release of mercury into the environment.

Effective 6/10/10

Requires all mercury-containing lights collected in the state by product stewardship programs or other collection programs to be recycled. Requires all persons, residents, government, commercial, industrial, and retail facilities and office buildings to recycle their end-of-life mercury-containing lights. Requires producers of mercury-containing lights sold in or into the state for residential use to fully finance and participate in a product stewardship program and to pay annual fees to the department of ecology for enforcement and administration costs. Requires product producers to play a significant role in financing no-cost collection and processing programs for mercury-containing lights. Prohibits the sale or purchase and delivery of bulk mercury. Prohibits the use of state or federal prison labor for processing unwanted products. Requires the department of ecology to publish certain information on its web site regarding product stewardship programs. Creates the product stewardship programs account. Prescribes penalties.

2. SB 6248 - 2009-10

Concerning the use of bisphenol A.

Effective 6/10/10

Prohibits a manufacturer, wholesaler, or retailer from knowingly selling, offering for sale, or distributing for sale or use in this state certain containers that contain bisphenol A. Requires a manufacturer of products that are restricted under the act to: (1) Notify persons that sell the manufacturer's products in this state about the provisions of the act no less than ninety days before the effective date of the restrictions; and (2) Recall the product and reimburse the retailer or any other purchaser for the product. Directs expenses to cover administration of the act to be paid from the toxics control account. Prescribes penalties.

3. SB 6557 - 2009-10

Limiting the use of copper and other substances in vehicle brake pads.

Revised for 1st Substitute: Limiting the use of certain substances in brake friction material.

Effective 06/10/10

Limits the use of certain substances in brake friction material. Requires the department of ecology to: (1) Review risk assessments, scientific studies, and other relevant analyses regarding alternative brake friction material and its availability; (2) Consider any new science with regard to the bioavailability and toxicity of copper; (3) Convene a brake friction material advisory committee if it finds that the material may be available; and (4) Enforce the act.

Prescribes penalties.

4. HB 2539 - 2009-10

Optimizing the collection of source separated materials.

Effective 6/10/10

Increases current residential recycling rates. Authorizes the utilities and transportation commission, upon request of a county, to approve rates, charges, or services at a discount for low-income customers. Allows solid waste companies collecting recyclable materials to retain up to fifty percent of revenue paid to the companies for the materials.

Worth Mentioning:

5. HB 2745 - 2009-10

Concerning compliance with the environmental protection agency's renovation, repair, and painting rule in the lead-based paint program.

Effective 6/10/10

Addresses compliance with the environmental protection agency's renovation, repair, and painting rule in the leadbased paint program. Authorizes the department of commerce to require, for purposes of certain certifications, renovators and dust sampling technicians to apply for a certification badge issued by the department. Requires the director of the department of commerce to inform the code reviser that it has ceased its efforts, due to the lack of federal funding, for the state-administered leadbased paint activities certification and training program in chapter 322, Laws of 2003, as amended.

Of Interest But Did Not Pass:

6. HB 2818 - 2009-10

Reducing the environmental health impact of cleaning in state facilities.

Requires all state agencies to purchase environmentally preferred cleaning products or services. Requires the department of general administration to: (1) In consultation with the departments of health and ecology, identify and recommend environmentally preferred cleaning products for use by state agencies; and (2) Upon renewal of a lease and for all new leases, require lessors and building managers who provide leased space to state agencies to use environmentally preferred products and practices. Encourages local governments to review their purchasing and use of cleaning products and select environmentally preferred cleaning products.

7. HB 1346 - 2009-10

Concerning the labeling of lead-containing products.

Prohibits, effective January 1, 2011, a manufacturer or wholesaler from selling certain lead-containing consumer products at retail in this state, to a retailer in this state, or for use in this state, unless the lead-containing consumer product is labeled according to the guidelines listed in the act. Prohibits a manufacturer, wholesaler, or retailer from removing from a lead-containing consumer product any label or imprint affixed to it that relates in whole or part to lead or lead hazards and which label is required by this state. Provides penalties.

8. HB 1859 - 2009-10

Concerning petroleum-based beverage bottles.

Prohibits a state agency from purchasing petroleum-based beverage bottles for use in state-owned or leased facilities or at state-sponsored events, effective July 1, 2010. Prohibits a manufacturer, wholesaler, or retailer from manufacturing, knowingly selling, offering for sale, distributing for sale, or distributing for use in this state any petroleum-based beverage bottle unless the bottle is compostable, effective January 1, 2012.