



Northwest Product Stewardship Council

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Governor Signs Landmark Bill into Law: Creating No-charge, Mercury-containing Light Recycling Program

Olympia, WA - Residents, environmental groups, and governments applauded today as Governor Christine Gregoire signed into law landmark legislation making Washington state the second state in the nation to require producers of mercury-containing lighting products to fund their recycling.

Sponsored by Senator Craig Pridemore (D-Vancouver) and Representative Sam Hunt (D-Olympia), the law provides a no-cost, statewide recycling program for residents. "We know providing convenient, free-of-charge recycling locations will result in more mercury bulbs and tubes being recycled," said Lisa Sepanski, Co-chair of the Northwest Product Stewardship Council.

Mercury lighting products including compact fluorescent light bulbs (CFLs) and linear fluorescent tubes save energy but contain toxic mercury which can harm people and our environment. Spent bulbs and tubes are often stockpiled in basements and garages or tossed out with the trash posing a risk to families and solid waste workers.

Beginning in 2013, residents will be able to bring fluorescent bulbs and tubes to recycling sites, which may be run by local retailers, recycling centers, governments, and others. There will be no fee for dropping off these lights.

In the new system, manufacturers will pay for the recycling of the lighting products that their industry creates. This approach, already used in Maine, Canada and by many countries in Europe and Asia, is similar to the Electronics Product Recycling Law which created the successful "E-Cycle Washington" program for TVs, computers and monitors. E-Cycle collected 38 million pounds of TVs, computers and monitors across the state in its first year of operation in 2009.

Mercury harms the brain, liver and kidneys and causes developmental disorders in children. It persists in the environment and bio-accumulates in the food web. If thrown in the trash, fluorescent lights can break and expose people and the environment to harmful mercury vapor.

"This is the second producer responsibility bill for lighting products in the U.S.," said Margaret Shield, Local Hazardous Waste Management Program in King County. The program will be budget-neutral to the state and won't saddle local governments with an unfunded mandate to collect mercury lighting as industry will provide the financing.

The Northwest Product Stewardship Council (NWPS) was part of the coalition, led by the Local Hazardous Waste Management Program in King County, of local governments, environmental organizations and Waste Management working to pass the bill.

The mission of the NWPS is to work together and with other governments, businesses and nonprofit groups to integrate product stewardship (producer responsibility) principles into the policy and economic structures of the Pacific Northwest.

More information on the NWPS is available at <http://www.productstewardship.net>

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.