

SHB 2488 - H AMD 941

By Representative Cooper

ADOPTED 02/17/2004

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that advances in
4 technology have created a significant number of obsolete electronic
5 products. The legislature also finds the challenge of providing
6 electronic product management and recycling opportunities for
7 Washington residents can be effectively addressed through partnerships
8 with electronic product manufacturers, retailers, consumers, local
9 governments, waste haulers, recyclers, nonprofit organizations, and
10 other stakeholders. Therefore, the legislature finds that the
11 department of ecology shall work with electronic product stakeholders
12 to evaluate existing projects, encourage new pilot projects as needed,
13 and develop recommendations for implementing and financing the
14 collection, recycling, and reuse of electronic products throughout the
15 state.

16 NEW SECTION. **Sec. 2.** The definitions in this section apply
17 throughout sections 1 through 3 of this act unless the context clearly
18 requires otherwise.

19 (1) "Covered electronic product" means all computer monitors,
20 personal computers, and televisions. Covered electronic product does
21 not include medical devices and products, including materials intended
22 for use as ingredients in such products, as such terms are defined in
23 the federal food, drug, and cosmetic act (21 U.S.C. Sec. 301 et seq.)
24 or the virus-serum-toxin act of 1913 (21 U.S.C. Sec. 151 et seq.), and
25 regulations issued under those acts.

26 (2) "Department" means the department of ecology.

27 (3) "Electronic waste" means a covered electronic product that has
28 been discarded by its owner, or that has entered the solid waste
29 stream.

1 (4) "Historic waste" means discarded covered electronic products
2 that were produced before June 30, 2006.

3 (5) "Manufacturer" means any person who, as of the effective date
4 of this act: (a) Manufactures and sells covered electronic equipment
5 under its own brand; (b) manufactures and sells covered electronic
6 equipment without affixing a brand; or (c) resells covered electronic
7 products produced by other suppliers under its own brand and label.
8 The term "manufacturer" applies regardless of the selling technique
9 used, including distance communication.

10 (6) "Orphan waste" means electronic waste that was manufactured by,
11 or bears the brand of, a manufacturer that is no longer in business.

12 (7) "Recycling" means the use of previously manufactured materials
13 including metals, glass, and plastics, as feedstock in the
14 manufacturing of new products. "Recycling" does not include energy
15 recovery or energy generation by means of combusting electronic waste
16 with or without other waste.

17 (8) "Reuse" means any operation by which electronic waste or
18 components of electronic waste are used for the same purposes for which
19 they were originally created, including the continued use of the
20 equipment or components of the equipment that are returned to
21 collection points, recyclers, or manufacturers.

22 NEW SECTION. **Sec. 3.** (1) The department, in consultation with the
23 solid waste advisory committee created under RCW 70.95.040, shall
24 conduct research and develop recommendations for implementing and
25 financing an electronic product collection, recycling, and reuse
26 program. The department and the solid waste advisory committee shall
27 consult with stakeholders including persons who represent covered
28 electronic product manufacturers, covered electronic product retailers,
29 waste haulers, electronics recyclers, charities, cities, counties,
30 environmental organizations, public interest organizations, and other
31 interested parties that have a role or interest in the collection,
32 reuse, and recycling of electronic waste.

33 (2) The department shall identify and evaluate existing projects
34 and encourage new pilot projects for electronic product collection,
35 recycling, and reuse that allow for new information to be obtained. In
36 evaluating new and existing projects, factors to be considered include:

1 (a) Urban versus rural recycling challenges and issues;
2 (b) The involvement of electronic product manufacturers;
3 (c) Different methods of financing the collection, reuse, and
4 recycling programs for electronic products;
5 (d) The impact of the approach on local governments, nonprofit
6 organizations, waste haulers, and other stakeholders;
7 (e) How to address historic and orphan waste; and
8 (f) The effect of landfill bans on collection and recovery of
9 electronic products.

10 (3) The department shall also:

11 (a) Examine existing programs and infrastructure for reuse and
12 recycling of electronic waste;

13 (b) Compile information on electronic product manufacturers'
14 electronic product collection, recycling, and reuse programs;

15 (c) Review existing data on the costs to collect, transport, and
16 recycle electronic waste;

17 (d) Develop possible performance measures to assess the
18 effectiveness of collection, reuse, and recycling of covered electronic
19 products;

20 (e) Develop a description of what could be accomplished voluntarily
21 and what would require regulation or legislation if needed to implement
22 the recommended statewide collection, recycling, and reuse program for
23 covered electronic products;

24 (f) Research the potential impacts of recycling or reusing
25 electronic waste on jobs, recycling infrastructure, and economic
26 development;

27 (g) Evaluate the suitability of lined and unlined facilities for
28 the disposal of covered electronic products;

29 (h) Explore state financial incentives for developing business
30 opportunities and jobs in the area of electronic product recycling and
31 reuse infrastructure;

32 (i) Develop and assess ways to establish and finance a statewide
33 collection, reuse, and recycling program for covered electronic
34 products; and

35 (j) Work with the federal environmental protection agency, other
36 federal agencies, and interested stakeholders to:

1 (i) Determine the amount of electronic waste exported from
2 Washington that is subject to reporting under 40 C.F.R. part 262;

3 (ii) Determine the amount of electronic waste exported from
4 Washington that is not subject to reporting under 40 C.F.R. part 262,
5 including electronic waste from households, small quantity generators,
6 regulated generators, and other sources; and

7 (iii) Identify methods to determine if exports of electronic waste
8 from Washington are in compliance with national laws in destination
9 countries.

10 (4) The department shall report its findings and recommendations
11 for implementing and financing a state electronic product collection,
12 recycling, and reuse program to the appropriate committees of the
13 legislature by December 15, 2004.

14 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act expire June
15 30, 2005."

16 Correct the title.

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