

SB 5710 - S AMD 335
By Senator Mulliken

NOT ADOPTED 03/14/2005

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that protecting
4 human health and the environment is of the utmost importance to the
5 citizens of the state of Washington.

6 (2) Mercury is introduced into the environment in a variety of ways
7 and although it is beyond the state's power to control all mercury
8 emissions, there are many sources that can be controlled, including the
9 mercury contained in automobiles.

10 (3) Mercury is or has historically been present in a number of auto
11 components, including but not limited to: Hood and trunk light
12 switches, antilock brake (ABS) sensors, lights, and navigational
13 systems.

14 (4) The recycling of automobiles involves the crushing, shredding,
15 and melting of auto scrap via thermal combustion. Preventing mercury
16 or mercury-added components from entering thermal combustion units is
17 an effective way to reduce mercury emissions into the environment.

18 (5) It is the intent of this chapter is to reduce the quantity of
19 mercury released into the environment by:

20 (a) Removing mercury containing light switches and antilock brake
21 sensors from end-of-life vehicles in the state of Washington; and

22 (b) Creating a collection and recovery program for mercury-added
23 components removed from vehicles in the state of Washington.

24 NEW SECTION. **Sec. 2.** The definitions in this section apply
25 throughout this chapter unless the context clearly requires otherwise.

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

27 (2) "End-of-life vehicle" means any motor vehicle that is sold,
28 given, or otherwise conveyed to a motor vehicle crusher, motor vehicle
29 recycler, or scrap recycling facility.

1 (3) "Manufacturer" includes any person, firm, association,
2 partnership, corporation, governmental entity, organization,
3 combination, or joint venture that produced or assembled a new motor
4 vehicle that used mercury-added components, or in the case of an
5 imported motor vehicle, the importer or domestic distributor of the
6 motor vehicle.

7 (4) "Mercury-added component" means mercury-containing light
8 switches and antilock brake system sensors, which were intentionally
9 installed in the motor vehicle.

10 (5) "Motor vehicle" includes any automobile, van, truck, motor
11 home, motorcycle, travel trailer, or bus.

12 (6) "Motor vehicle recycler" means any person or entity licensed
13 under chapter 46.80 RCW and engaged in the business of either acquiring
14 or dismantling, or both, motor vehicles for the primary purpose of
15 resale of their parts or materials.

16 (7) "Scrap recycling facility" means a fixed location, where
17 machinery and equipment are utilized for processing and manufacturing
18 scrap metal into prepared grades and whose principal product is scrap
19 iron, scrap steel, or nonferrous metallic scrap for sale for remelting
20 purposes.

21 NEW SECTION. **Sec. 3.** (1) On or after January 1, 2006, a motor
22 vehicle recycler and a scrap recycling facility that intends to crush,
23 bale, shear, or shred a motor vehicle that contains mercury light
24 switches, shall, prior to crushing, baling, shearing, or shredding the
25 vehicle, remove all mercury-added components, except components that
26 cannot be removed due to damage to the vehicle, or otherwise ensure
27 that all mercury-added components have already been removed.

28 (2) A mercury-added component removed from a motor vehicle is
29 subject to hazardous waste rules and any other applicable rules adopted
30 by the department pursuant to this chapter, including, but not limited
31 to, standards for the handling of hazardous waste, standards for
32 destination facilities, requirements for the tracking of universal
33 waste shipments, import requirements, and the rules governing different
34 products.

35 (3) Manufacturers shall, individually or as part of a group:

36 (a) Provide technical assistance to the department, including
37 brochures that help to locate and remove mercury-added components; and

1 (b) Provide for the proper disposal of mercury-added components
2 that have been removed by motor vehicle recyclers or scrap recycling
3 facilities.

4 (4) The department shall provide technical assistance to businesses
5 engaged in the dismantling or crushing of motor vehicles, including
6 motor vehicle recyclers and scrap recycling facilities, concerning the
7 safe removal and proper disposal of mercury-added components from motor
8 vehicles, including information about entities that provide mercury
9 recycling services.

10 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act constitute
11 a new chapter in Title 70 RCW."

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12 On page 1, line 2 of the title, after "vehicles;" strike the
13 remainder of the title and insert "and adding a new chapter to Title 70
14 RCW."

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