
**Select Committee on
Environmental Health**

E2SSB 6502

Brief Description: Reducing the release of mercury into the environment.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Oemig, Rasmussen and Kline).

Brief Summary of Engrossed Second Substitute Bill

- Requires the recycling of end-of-life mercury-added general purpose lamps by January 1, 2010, for all state-funded public agency facilities and by January 1, 2011, for all commercial, industrial, and retail facilities and office buildings.
- Prohibits the sale or purchase of bulk mercury, beginning June 30, 2009.
- Requires the Department of Ecology (DOE) to study feasibility of national repository, and, to participate in mercury forums to advocate reduction of global emissions and permanent isolation of mercury.
- Requires the DOE to report findings and recommendations for implementing and financing a recycling program for fluorescent lamps to the Legislature by December 1, 2008.

Hearing Date: 2/26/08

Staff: Ashley Pedersen (786-7303).

Background:

Mercury enters the environment through mining, petroleum combustion, coal powered plants, municipal sewage plants, land-filling and incinerating certain consumer products. Mercury is deposited on land, air, and water, and eventually finds its way into the food chain and humans.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Mercury is a persistent, bioaccumulative toxin that can damage the central nervous system and cardiovascular system in humans. Fetuses, infants, and children exposed to mercury may have troubles with cognitive thinking, memory, attention, language, and fine motor and visual spatial skills. Adults who have been exposed to mercury may experience such symptoms as: tremors; mood swings; insomnia; muscle weakness; headaches; and decreased performance on tests of cognitive function.

In 2003 the Legislature passed the Mercury Education and Reduction Act. This legislation included:

- prohibiting the sale of fluorescent lights containing mercury unless the manufacturers provided labels stating the lights contain mercury and proper disposal methods. In addition, the legislation prohibited the sale and distribution of novelty items, manometers, thermometers, or thermostats with mercury added, and motor vehicles manufactured after 2006 containing an automotive mercury switch;
- requiring schools to remove and properly dispose of all bulk elemental mercury, chemical mercury, and bulk mercury compounds used as teaching aids in science class rooms;
- requiring the Department of General Administration to give preference and priority to the purchase of equipment and products that do not contain mercury unless there are no feasible alternatives; and
- prohibiting the vaccination with a mercury containing vaccine of a person who is pregnant or anyone under the age of three.

The Department of Ecology's (DOE) Mercury Chemical Action Plan conclusions include that a significant amount of mercury released into the state's environment is from disposal of common consumer products such as fluorescent light tubes, thermometers, and thermostats and that many Washington residents are not aware of products that contain mercury, and are likely to improperly dispose of mercury containing products.

Summary of Engrossed Second Substitute Bill:

State agency facilities, including learning institutions, must recycle their mercury-added general purpose lights by January 1, 2010. By January 1, 2011, all commercial, industrial and retail facilities, and office buildings must recycle their mercury-added general purpose lights.

The sale of bulk mercury is prohibited as of June 30, 2009. The prohibition does not apply to immediate dangerous waste facilities or disposal facilities approved by the DOE.

The DOE must educate all persons regarding the requirements of the chapter and must research and develop recommendations for implementation and financing of a convenient and effective mercury-added general purpose light recycling program. In developing these recommendations, the DOE must consult with the solid waste advisory committee and stakeholders, including representatives from: residents, small businesses, local governments, and environmental organizations.

The DOE must participate in national and global mercury forums to advocate reduction of global emissions and permanent isolation of elemental mercury. By July 1, 2009, the DOE, in consultation with the U. S. Environmental Protection Agency, must study the feasibility of the development of a national repository for mercury. The DOE must provide recommendations to the Legislature by December 1, 2009.

The DOE must provide recommendations for implementing and financing a recycling program for mercury-added general purpose lights to the Legislature by December 1, 2008.

A violation of this chapter is punishable by a civil penalty not to exceed \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed \$5,000. Penalties collected will be deposited in the State Toxics Control Account.

The exemption for crematories is repealed.

Appropriation: None.

Fiscal Note: Requested on February 21, 2008.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.