

**SB 5543 - DIGEST**

(SUBSTITUTED FOR - SEE 1ST SUB)

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

Finds that: (1) Convenient and environmentally sound product stewardship programs for mercury-containing lights that include collecting, transporting, and recycling mercury-containing lights will help protect Washington's environment and the health of state residents; and

(2) Product producers should finance and provide these programs.

Requires all government, commercial, industrial, and retail facilities and office buildings to recycle their end-of-life mercury-containing general purpose lights.

Requires all residents and other generators to recycle their end-of-life mercury-containing general purpose lights.

Requires every producer of a covered product sold in or into Washington state to participate in a product stewardship program for that product.

Requires a producer, group of producers, or stewardship organization to pay all administrative and operational costs associated with their program.

Directs product stewardship programs to collect, free of charge, unwanted products from covered entities for reuse, recycling, processing, or final disposition.

Authorizes the department of ecology or its designee to inspect, audit, or review audits of processing and disposal facilities used to fulfill the requirements of a product stewardship program.

Prohibits a product stewardship program from using federal or state prison labor for processing unwanted products.

Prohibits, as of the implementation date for the covered product, a producer, wholesaler, retailer, or other person from selling or offering for sale that product to any person in this state unless the producer is participating in a product stewardship program under a plan approved by the department of ecology.

Directs the department of ecology to provide, on its web site, a list of all producers participating in product stewardship programs it has approved and a list of all producers it has identified as noncompliant with the act.

Requires all producers whose products are included in the act to pay the department of ecology ten thousand dollars annually no later than January 1st of each year for each covered product category sold in or into the state.

Creates the product stewardship programs account.

Provides that nothing in the act: (1) Changes or limits the authority of the utilities and transportation commission to regulate collection of solid waste, including curbside collection of residential recyclable materials, nor does the act change or limit the authority of a city or town to provide such service itself or by contract under RCW 81.77.020; and

(2) Changes the requirements of any entity regulated under chapter 70.105 RCW to comply with the requirements under chapter 70.105 RCW.