

SENATE BILL REPORT

SB 6131

As Passed Senate, February 8, 2012

Title: An act relating to clarifying certain issues with regard to the regulation of bulk mercury.

Brief Description: Regarding the regulation of mercury.

Sponsors: Senators Chase, Delvin and Kline.

Brief History:

Committee Activity: Environment: 1/25/12, 1/27/12 [DP].

Passed Senate: 2/08/12, 48-0.

SENATE COMMITTEE ON ENVIRONMENT

Majority Report: Do pass.

Signed by Senators Nelson, Chair; Rolfes, Vice Chair; Ericksen, Ranking Minority Member; Chase, Honeyford, Pridemore and Sheldon.

Staff: Jan Odano (786-7486)

Background: The Legislature has enacted several measures regulating mercury. The use of mercury components in a number of consumer products is prohibited and mercury-containing lights must be recycled. Additionally, the sale or purchase of bulk mercury is prohibited beginning June 30, 2012. Bulk mercury is defined as including any elemental, nonamalgamated mercury and does not include products containing mercury collected for recycling or disposal at permitted disposal facilities.

Dangerous waste recycling facilities, treatment, storage, disposal facilities, sales to research facilities, and industrial facilities approved by the Department of Ecology (DOE), are not prohibited from the sale, purchase and delivery of bulk mercury. However, these facilities must submit an annual inventory of their purchases and uses of bulk mercury to DOE.

The restrictions on mercury do not apply to prescription drugs regulated by the federal Food, Drug, and Cosmetic Act or to biological products regulated by the Food and Drug Administration.

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.

Summary of Bill: The definition of bulk mercury is revised to exclude mercury added products. The restrictions on mercury do not apply to devices regulated by the federal Food, Drug, and Cosmetic Act.

The provision that dangerous waste recycling facilities, treatment, storage, disposal facilities, sales to research facilities, and industrial facilities must submit an annual inventory of their purchases and uses of bulk mercury to DOE is deleted.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The bill clarifies the intent of the original legislation. It will allow the use of mercury added products such as for certain switches needed in aircraft and boats, pharmaceuticals and medical devices. It deletes a redundant reporting requirement. It is necessary for the continued use of amalgam in dental fillings.

Persons Testifying: PRO: Senator Chase, prime sponsor; K. Seiler, DOE; Linda Hull, WA State Dental Assn.