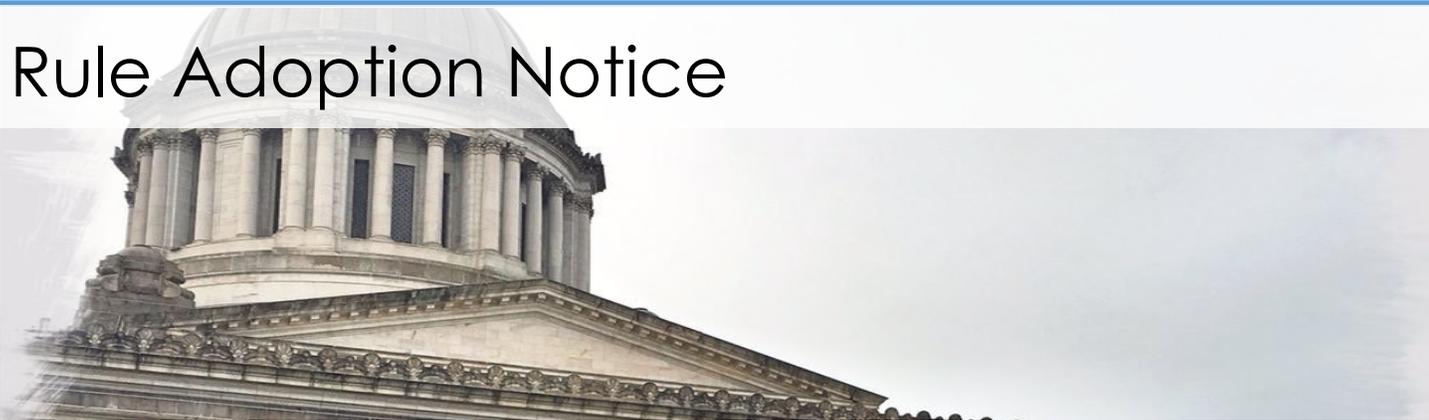


Rule Adoption Notice



WHY IT MATTERS

Mercury released from improperly handled lights and other sources is bad for the environment and human health. We can do something about it. In 2015, the first full year of program implementation, the program collected and properly recycled nearly one million lights. We expect the program to collect as many or more in 2016.

Important Dates

Rule Adopted: August 23, 2016
Effective: September 24, 2016

Contact

Joanne Neugebauer-Rex
360-407-7602
jneu461@ecy.wa.gov

Sign up for the Listserv to receive periodic updates:

[Mercury Containing Light ListServ](#)

<http://listserv.wa.gov/cgi-bin/wa?SUBED1=ECOLOGY-MERCURY-CONTAINING-LIGHT&A=1>

Mercury-Containing Lights Product Stewardship Program—Chapter 173-910 WAC

The Department of Ecology has adopted changes to Chapter 173-910 WAC. Changes were necessary to comply with changes in the underlying statute that was revised by the 2014 State Legislature.

What is Chapter 173-910 WAC?

Washington state law (chapter 70.275 RCW) requires establishment of a convenient and environmentally sound product stewardship program for mercury-containing lights throughout Washington state. Every producer that sells mercury-containing lights in or into Washington state for sale at retail must participate in the product stewardship program.

The stewardship program is essential for collecting used mercury lighting which, when improperly disposed, releases mercury that threatens human health and the environment.

The law establishes a statewide goal of recycling all end-of-life mercury-containing lights by 2020 through expanded public education, a uniform statewide requirement to recycle all mercury-containing lights, and the development of a comprehensive, safe, and convenient collection system that includes use of residential curbside collection programs, mail-back containers, increased support for household hazardous waste facilities, and a network of collection locations.

Summary of the rule changes adopted on August 23, 2016

Changes include the requirement to fund the program through an environmental handling charge, revised requirements for stewardship plans and annual reports including independent financial audits, changes in the number of lights that can be recycled per day, changes in definitions, sunset provisions, and other changes as directed by the Legislature.

Special accommodations:

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, call Ecology at 360-407-6900 or visit <http://www.ecy.wa.gov/accessibility.html>. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

Response to Comments

Ecology's response to comments received during the public comment period is now available. Download a copy at <http://www.ecy.wa.gov/programs/swfa/rules/wac173910/1504docs.html>.

Whom does this rule affect?

This rule is applicable to:

- Producers of mercury-containing lights sold in or into Washington state.
- Any retailer, electric utility, or other person that gives away, offers for sale at retail, or sells mercury-containing lights in or into Washington state.
- Any stewardship organization operating an approved product stewardship program for any producer or group of producers.
- Collectors, transporters, and processors of mercury-containing lights, including those participating in an approved product stewardship plan.
- Any person who purchases mercury-containing lights at retail and delivers up to ten used lights per day to a registered collector, or up to fifteen used lights per day to a curbside collection program.

More Information

To learn more about his rulemaking, go to:

<http://www.ecy.wa.gov/programs/swfa/rules/wac173910/1504time.html>

To learn more about the stewardship program, go to:

<http://www.ecy.wa.gov/programs/swfa/mercurylights/>

To get updates on Ecology's rulemaking activities, sign-up for the WACTrack e-mail list at www.ecy.wa.gov/maillist.html.

Appeal Procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or bari.schreiner@ecy.wa.gov.