

HB 1469-S2 - DIGEST

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

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

Requires all government, commercial, industrial, and retail facilities and office buildings 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: (1) Pay all administrative and operational costs associated with their program; and

(2) At least once every four years, update its plan and submit the updated plan to the department of ecology for review.

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.

Penalizes a producer not participating in a product stewardship program approved by the department of ecology whose covered product continues to be sold in or into the state sixty days after receiving a written warning from the department.

Directs the department of ecology to periodically publish a notice on its web site requesting that stakeholders who are interested in stewardship programs contact the department.

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.