

SENATE BILL REPORT

ESHB 2488

As Reported By Senate Committee On:
Natural Resources, Energy & Water, February 26, 2004

Title: An act relating to electronic product management.

Brief Description: Requiring electronic product management.

Sponsors: House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives Cooper, Campbell, Hunt, Romero, O'Brien, Chase, Sullivan, Ruderman, Dunshee, Wood and Dickerson).

Brief History:

Committee Activity: Natural Resources, Energy & Water: 2/25/04, 2/26/04 [DPA].

SENATE COMMITTEE ON NATURAL RESOURCES, ENERGY & WATER

Majority Report: Do pass as amended.

Signed by Senators Morton, Chair; Hewitt, Vice Chair; Doumit, Fraser, Hale, Hargrove, Honeyford and Oke.

Staff: Genevieve Pisarski (786-7488)

Background: Rapid changes in computers and other electronics are causing increasing numbers of electronic products to be discarded. The Environmental Protection Agency estimates that over 20 million personal computers became obsolete in 1998, but only 13 percent were reused or recycled. According to the National Safety Council, more than 63 million personal computers will be retired by 2005. Cathode ray tubes in computer monitors and video display devices may contain from four to eight pounds of lead. In general, electronic products may contain hazardous materials that include lead, mercury, brominated flame retardants, and hexavalent chromium.

National and state efforts are underway to improve recycling and reuse of electronic waste and develop less toxic products with more recycled content. The National Electronics Product Stewardship Initiative (NEPSI), for example, includes representatives of electronics manufacturers, government agencies, environmental groups and others, who are working to develop a joint plan for the United States. In the state of Washington, the Department of Ecology (Ecology) has issued a policy notice for managing computer monitors, televisions, and other devices that contain cathode ray tubes (CRT's). Current regulations require materials designated as hazardous, such as CRTs, not be handled, treated, and recycled differently than universal waste.

Summary of Amended Bill: Ecology, in consultation with the Solid Waste Advisory Committee, is charged with conducting research and developing recommendations for implementing and financing an electronic product collection, recycling, and reuse program for the state. Stakeholders and other parties having a role or interest in collection, reuse, and

recycling of electronic waste must also be consulted. Only those products that are sold to consumers for personal use are included. Automobiles and commercial, industrial, or medical equipment and their components are not included.

Ecology is directed to identify and evaluate existing projects and encourage new pilot projects that can provide new information. Factors to be considered include comparison of urban and rural issues, involvement of electronic product manufacturers, methods of financing, impact on local governments and other stakeholders, historic and orphan waste, and the effect of landfill bans.

Ecology is also directed to examine existing programs and infrastructure, compile information on manufacturers' programs, review existing data on costs, develop possible performance measures, describe what could be accomplished voluntarily and what would require regulation, research potential impacts on infrastructure and economic development, evaluate disposal facilities, explore state financial incentives, develop and assess financing methods, and work with federal agencies and stakeholders to determine the amount of electronic waste exported from Washington that is subject and not subject to federal reporting requirements and whether these exports comply with laws of the receiving countries.

Ecology is required to report to the Legislature by December 15, 2004 and 2005. The act expires on December 31, 2005.

Amended Bill Compared to Original Bill: The intent and definition sections are removed. Only products sold to consumers for personal use are included and do not include cars or various kinds of equipment or their components. A second report is added, in December 15, 2005. The expiration date is changed to December 31, 2005.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: At this time, individual jurisdictions and public and private entities are trying to deal with electronic waste at their own expense; this should become a comprehensive statewide effort. When it was accepting monitors, Goodwill had to take \$34,000 away from other programs to pay for disposal and still has to pay \$20,000 a year for those that are left after hours. Electronic waste is a problem for every single public and private sector; compiling all the work that is being done and developing recommendations tailored to various situations will provide direction to government and also identify business opportunities. Only personal use products and specifically the ones that are not parts of cars or other equipment should be included at stage.

Testimony Against: None.

Testified: PRO: Representative Cooper, prime sponsor; Jerry Smedes, Basin Disposal; Tiffany hatch, Seattle Goodwill; Sego Jackson, Snohomish County; Craig Lorch, Total Reclaim; Nancy Atwood, AEA; Nancee Wildermuth, Alliance of Automobile Manufacturers; Vicki Austin, WA Refuse and Recycling Assn.; Charlie Brown, Advocates, Inc.; Jan Gee, WA Retail Assn.; Grant Nelson, AWB; Suellen Mele, WA Citizens for Resource Conservation.