
ENGROSSED SUBSTITUTE HOUSE BILL 2488

State of Washington

58th Legislature

2004 Regular Session

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

READ FIRST TIME 02/09/04.

1 AN ACT Relating to electronic product management; creating new
2 sections; and providing an expiration date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that advances in
5 technology have created a significant number of obsolete electronic
6 products. The legislature also finds the challenge of providing
7 electronic product management and recycling opportunities for
8 Washington residents can be effectively addressed through partnerships
9 with electronic product manufacturers, retailers, consumers, local
10 governments, waste haulers, recyclers, nonprofit organizations, and
11 other stakeholders. Therefore, the legislature finds that the
12 department of ecology shall work with electronic product stakeholders
13 to evaluate existing projects, encourage new pilot projects as needed,
14 and develop recommendations for implementing and financing the
15 collection, recycling, and reuse of electronic products throughout the
16 state.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply

1 throughout sections 1 through 3 of this act unless the context clearly
2 requires otherwise.

3 (1) "Covered electronic product" means all computer monitors,
4 personal computers, and televisions. Covered electronic product does
5 not include medical devices and products, including materials intended
6 for use as ingredients in such products, as such terms are defined in
7 the federal food, drug, and cosmetic act (21 U.S.C. Sec. 301 et seq.)
8 or the virus-serum-toxin act of 1913 (21 U.S.C. Sec. 151 et seq.), and
9 regulations issued under those acts.

10 (2) "Department" means the department of ecology.

11 (3) "Electronic waste" means a covered electronic product that has
12 been discarded by its owner, or that has entered the solid waste
13 stream.

14 (4) "Historic waste" means discarded covered electronic products
15 that were produced before June 30, 2006.

16 (5) "Manufacturer" means any person who, as of the effective date
17 of this act: (a) Manufactures and sells covered electronic equipment
18 under its own brand; (b) manufactures and sells covered electronic
19 equipment without affixing a brand; or (c) resells covered electronic
20 products produced by other suppliers under its own brand and label.
21 The term "manufacturer" applies regardless of the selling technique
22 used, including distance communication.

23 (6) "Orphan waste" means electronic waste that was manufactured by,
24 or bears the brand of, a manufacturer that is no longer in business.

25 (7) "Recycling" means the use of previously manufactured materials
26 including metals, glass, and plastics, as feedstock in the
27 manufacturing of new products. "Recycling" does not include energy
28 recovery or energy generation by means of combusting electronic waste
29 with or without other waste.

30 (8) "Reuse" means any operation by which electronic waste or
31 components of electronic waste are used for the same purposes for which
32 they were originally created, including the continued use of the
33 equipment or components of the equipment that are returned to
34 collection points, recyclers, or manufacturers.

35 NEW SECTION. **Sec. 3.** (1) The department, in consultation with the
36 solid waste advisory committee created under RCW 70.95.040, shall
37 conduct research and develop recommendations for implementing and

1 financing an electronic product collection, recycling, and reuse
2 program. The department and the solid waste advisory committee shall
3 consult with stakeholders including persons who represent covered
4 electronic product manufacturers, covered electronic product retailers,
5 waste haulers, electronics recyclers, charities, cities, counties,
6 environmental organizations, public interest organizations, and other
7 interested parties that have a role or interest in the collection,
8 reuse, and recycling of electronic waste.

9 (2) The department shall identify and evaluate existing projects
10 and encourage new pilot projects for electronic product collection,
11 recycling, and reuse that allow for new information to be obtained. In
12 evaluating new and existing projects, factors to be considered include:

13 (a) Urban versus rural recycling challenges and issues;

14 (b) The involvement of electronic product manufacturers;

15 (c) Different methods of financing the collection, reuse, and
16 recycling programs for electronic products;

17 (d) The impact of the approach on local governments, nonprofit
18 organizations, waste haulers, and other stakeholders;

19 (e) How to address historic and orphan waste; and

20 (f) The effect of landfill bans on collection and recovery of
21 electronic products.

22 (3) The department shall also:

23 (a) Examine existing programs and infrastructure for reuse and
24 recycling of electronic waste;

25 (b) Compile information on electronic product manufacturers'
26 electronic product collection, recycling, and reuse programs;

27 (c) Review existing data on the costs to collect, transport, and
28 recycle electronic waste;

29 (d) Develop possible performance measures to assess the
30 effectiveness of collection, reuse, and recycling of covered electronic
31 products;

32 (e) Develop a description of what could be accomplished voluntarily
33 and what would require regulation or legislation if needed to implement
34 the recommended statewide collection, recycling, and reuse program for
35 covered electronic products;

36 (f) Research the potential impacts of recycling or reusing
37 electronic waste on jobs, recycling infrastructure, and economic
38 development;

1 (g) Evaluate the suitability of lined and unlined facilities for
2 the disposal of covered electronic products;

3 (h) Explore state financial incentives for developing business
4 opportunities and jobs in the area of electronic product recycling and
5 reuse infrastructure;

6 (i) Develop and assess ways to establish and finance a statewide
7 collection, reuse, and recycling program for covered electronic
8 products; and

9 (j) Work with the federal environmental protection agency, other
10 federal agencies, and interested stakeholders to:

11 (i) Determine the amount of electronic waste exported from
12 Washington that is subject to reporting under 40 C.F.R. part 262;

13 (ii) Determine the amount of electronic waste exported from
14 Washington that is not subject to reporting under 40 C.F.R. part 262,
15 including electronic waste from households, small quantity generators,
16 regulated generators, and other sources; and

17 (iii) Identify methods to determine if exports of electronic waste
18 from Washington are in compliance with national laws in destination
19 countries.

20 (4) The department shall report its findings and recommendations
21 for implementing and financing a state electronic product collection,
22 recycling, and reuse program to the appropriate committees of the
23 legislature by December 15, 2004.

24 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act expire June
25 30, 2005.

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