

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 2246

63rd Legislature
2014 Regular Session

Passed by the House February 13, 2014
Yeas 56 Nays 41

Speaker of the House of Representatives

Passed by the Senate March 7, 2014
Yeas 31 Nays 18

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2246** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 2246

Passed Legislature - 2014 Regular Session

State of Washington

63rd Legislature

2014 Regular Session

By House Environment (originally sponsored by Representatives S. Hunt, Fitzgibbon, Hudgins, Morris, Ryu, Roberts, Bergquist, Goodman, and Pollet)

READ FIRST TIME 02/04/14.

1 AN ACT Relating to financing for stewardship of mercury-containing
2 lights; amending RCW 70.275.030, 70.275.040, and 70.275.050; reenacting
3 and amending RCW 70.275.020; adding a new section to chapter 70.275
4 RCW; adding new sections to chapter 43.131 RCW; adding a new section to
5 chapter 70.95M RCW; creating a new section; recodifying RCW 70.275.080;
6 repealing RCW 70.275.120; providing an effective date; and providing a
7 contingent effective date.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that additional
10 flexibility is needed for mercury-containing light manufacturers to
11 comply with the requirements of chapter 70.275 RCW in order to provide
12 a sustainable funding mechanism and provide effective state protections
13 to producer-operated product stewardship programs under chapter 70.275
14 RCW.

15 **Sec. 2.** RCW 70.275.020 and 2010 c 130 s 2 are each reenacted and
16 amended to read as follows:

17 The definitions in this section apply throughout this chapter
18 unless the context clearly requires otherwise.

1 (1) "Brand" means a name, symbol, word, or mark that identifies a
2 product, rather than its components, and attributes the product to the
3 owner of the brand as the producer.

4 (2) "Collection" or "collect" means, except for persons involved in
5 mail-back programs:

6 (a) The activity of accumulating any amount of mercury-containing
7 lights at a location other than the location where the lights are used
8 by covered entities, and includes curbside collection activities,
9 household hazardous waste facilities, and other registered drop-off
10 locations; and

11 (b) The activity of transporting mercury-containing lights in the
12 state, where the transporter is not a generator of unwanted mercury-
13 containing lights, to a location for purposes of accumulation.

14 (3) "Covered entities" means:

15 (a) A (~~single family or a multifamily household generator and~~
16 ~~persons that deliver no more than fifteen~~) household generator or
17 other person who purchases mercury-containing lights at retail and
18 delivers no more than ten mercury-containing lights to registered
19 collectors for a product stewardship program (~~during a ninety day~~
20 ~~period~~) on any given day; and

21 (b) A (~~single family or a multifamily household generator and~~
22 ~~persons that utilize~~) household generator or other person who
23 purchases mercury-containing lights at retail and utilizes a registered
24 residential curbside collection program or a mail-back program for
25 collection of mercury-containing lights and (~~that~~) discards no more
26 than fifteen mercury-containing lights into those programs (~~during a~~
27 ~~ninety day period~~) on any given day.

28 (4) "Department" means the department of ecology.

29 (5) "Final disposition" means the point beyond which no further
30 processing takes place and materials from mercury-containing lights
31 have been transformed for direct use as a feedstock in producing new
32 products, or disposed of or managed in permitted facilities.

33 (6) "Hazardous substances" or "hazardous materials" means those
34 substances or materials identified by rules adopted under chapter
35 70.105 RCW.

36 (7) "Mail-back program" means the use of a prepaid postage
37 container with mercury vapor barrier packaging that is used for the

1 collection and recycling of mercury-containing lights from covered
2 entities as part of a product stewardship program and is transported by
3 the United States postal service or a common carrier.

4 (8) "Mercury-containing lights" means lamps, bulbs, tubes, or other
5 devices that contain mercury and provide functional illumination in
6 homes, businesses, and outdoor stationary fixtures.

7 (9) "Mercury vapor barrier packaging" means sealable containers
8 that are specifically designed for the storage, handling, and transport
9 of mercury-containing lights in order to prevent the escape of mercury
10 into the environment by volatilization or any other means, and that
11 meet the requirements for transporting by the United States postal
12 service or a common carrier.

13 (10) "Orphan product" means a mercury-containing light that lacks
14 a producer's brand, or for which the producer is no longer in business
15 and has no successor in interest, or that bears a brand for which the
16 department cannot identify an owner.

17 (11) "Person" means a sole proprietorship, partnership,
18 corporation, nonprofit corporation or organization, limited liability
19 company, firm, association, cooperative, or other legal entity located
20 within or outside Washington state.

21 (12) "Processing" means recovering materials from unwanted products
22 for use as feedstock in new products. Processing must occur at
23 permitted facilities.

24 (13) "Producer" means a person that:

25 (a) Has or had legal ownership of the brand, brand name, or cobrand
26 of a mercury-containing light sold in or into Washington state,
27 (~~except for persons whose primary business is retail sales~~) unless
28 the brand owner is a retailer whose mercury-containing light was
29 supplied by another producer participating in a stewardship program
30 under this chapter;

31 (b) Imports or has imported mercury-containing lights branded by a
32 producer that meets the requirements of (a) of this subsection and
33 where that producer has no physical presence in the United States;

34 (c) If (a) and (b) of this subsection do not apply, makes or made
35 (~~an unbranded~~) a mercury-containing light that is sold or has been
36 sold in or into Washington state; or

37 (d)(i) Sells or sold at wholesale or retail a mercury-containing

1 light; (ii) does not have legal ownership of the brand; and (iii)
2 elects to fulfill the responsibilities of the producer for that
3 product.

4 (14) "Product stewardship" means a requirement for a producer of
5 mercury-containing lights to manage and reduce adverse safety, health,
6 and environmental impacts of the product throughout its life cycle,
7 including financing and providing for the collection, transporting,
8 reusing, recycling, processing, and final disposition of their
9 products.

10 (15) "Product stewardship plan" or "plan" means a detailed plan
11 describing the manner in which a product stewardship program will be
12 implemented.

13 (16) "Product stewardship program" or "program" means the methods,
14 systems, and services financed in the manner provided for under RCW
15 70.275.050 and provided by producers of mercury-containing lights
16 generated by covered entities that addresses product stewardship and
17 includes (~~collecting, transporting, reusing~~) arranging for the
18 collection, transportation, recycling, processing, and final
19 disposition of unwanted mercury-containing lights, including (~~a fair~~
20 share of)) orphan products.

21 (17) "Recovery" means the collection and transportation of unwanted
22 mercury-containing lights under this chapter.

23 (18)(a) "Recycling" means transforming or remanufacturing unwanted
24 products into usable or marketable materials for use other than
25 landfill disposal or incineration.

26 (b) "Recycling" does not include energy recovery or energy
27 generation by means of combusting unwanted products with or without
28 other waste.

29 (19) "Reporting period" means the period commencing January 1st and
30 ending December 31st in the same calendar year.

31 (20) "Residuals" means nonrecyclable materials left over from
32 processing an unwanted product.

33 (21) "Retailer" means a person who offers mercury-containing lights
34 for sale at retail through any means including, but not limited to,
35 remote offerings such as sales outlets, catalogs, or the internet, but
36 does not include a sale that is a wholesale transaction with a
37 distributor or a retailer.

1 (22)(a) "Reuse" means a change in ownership of a mercury-containing
2 light or its components, parts, packaging, or shipping materials for
3 use in the same manner and purpose for which it was originally
4 purchased, or for use again, as in shipping materials, by the generator
5 of the shipping materials.

6 (b) "Reuse" does not include dismantling of products for the
7 purpose of recycling.

8 (23) "Stakeholder" means a person who may have an interest in or be
9 affected by a product stewardship program.

10 (24) "Stewardship organization" means an organization designated by
11 a producer or group of producers to act as an agent on behalf of each
12 producer to operate a product stewardship program.

13 (25) "Unwanted product" means a mercury-containing light no longer
14 wanted by its owner or that has been abandoned, discarded, or is
15 intended to be discarded by its owner.

16 (26) "Environmental handling charge" or "charge" means the charge
17 approved by the department to be applied to each mercury-containing
18 light to be sold at retail in or into Washington state. The
19 environmental handling charge must cover all administrative and
20 operational costs associated with the product stewardship program,
21 including the fee for the department's administration and enforcement.

22 **Sec. 3.** RCW 70.275.030 and 2010 c 130 s 3 are each amended to read
23 as follows:

24 (1) Every producer of mercury-containing lights sold in or into
25 Washington state for ~~((residential use must fully finance and~~
26 ~~participate in a product stewardship program for that product,~~
27 ~~including the department's costs for administering and enforcing this~~
28 ~~chapter.~~

29 ~~(2) Every producer must:~~

30 ~~(a) Participate in a product stewardship program approved by the~~
31 ~~department and operated by a product stewardship organization~~
32 ~~contracted by the department. All producers must finance and~~
33 ~~participate in the plan operated by the product stewardship~~
34 ~~organization, unless the producer obtains department approval for an~~
35 ~~independent plan as described in (b) of this subsection; or~~

36 ~~(b) Finance and operate, either individually or jointly with other~~
37 ~~producers, a product stewardship program approved by the department.~~

1 ~~(3) A producer, group of producers, or product stewardship~~
2 ~~organization funded by producers must pay all administrative and~~
3 ~~operational costs associated with their program or programs, except for~~
4 ~~the collection costs associated with curbside and mail-back collection~~
5 ~~programs. For curbside and mail-back programs, a producer, group of~~
6 ~~producers, or product stewardship organization shall finance))~~ retail
7 sale in Washington state must participate in a product stewardship
8 program for those products, operated by a stewardship organization and
9 financed in the manner provided by RCW 70.275.050. Every such producer
10 must inform the department of the producer's participation in a product
11 stewardship program by including the producer's name in a plan
12 submitted to the department by a stewardship organization as required
13 by RCW 70.275.040. Producers must satisfy these participation
14 obligations individually or may do so jointly with other producers.

15 (2) A stewardship organization operating a product stewardship
16 program must pay all administrative and operational costs associated
17 with its program with revenues received from the environmental handling
18 charge described in RCW 70.275.050. The stewardship organization's
19 administrative and operational costs are not required to include a
20 collection location's cost of receiving, accumulating and storing, and
21 packaging mercury-containing lights. However, a stewardship
22 organization may offer incentives or payments to collectors. The
23 stewardship organization's administrative and operational costs do not
24 include the collection costs associated with curbside and mail-back
25 collection programs. The stewardship organization must arrange for
26 collection service at locations described in subsection (4) of this
27 section, which may include household hazardous waste facilities,
28 charities, retailers, government recycling sites, or other suitable
29 private locations. No such entity is required to provide collection
30 services at their location. For curbside and mail-back programs, a
31 stewardship organization must pay the costs of transporting mercury-
32 containing lights from accumulation points and for processing mercury-
33 containing lights collected by curbside and mail-back programs. For
34 collection locations, including household hazardous waste facilities,
35 charities, retailers, government recycling sites, or other suitable
36 private locations, a ((producer, group of producers, or product))
37 stewardship organization ((shall finance)) must pay the costs of
38 ((collection,)) packaging and shipping materials as required under RCW

1 70.275.070 or must compensate collectors for the costs of those
2 materials, and must pay the costs of transportation((7)) and processing
3 of mercury-containing lights collected ((at)) from the collection
4 locations.

5 ((+4)) (3) Product stewardship programs shall collect unwanted
6 mercury-containing lights delivered from covered entities for
7 ((reuse7)) recycling, processing, or final disposition, and not charge
8 a fee when lights are dropped off or delivered into the program.

9 ((+5)) (4) Product stewardship programs shall provide, at a
10 minimum, no cost services in all cities in the state with populations
11 greater than ten thousand and all counties of the state on an ongoing,
12 year-round basis.

13 ((+6)) (5) Product stewardship programs shall promote the safe
14 handling and recycling of mercury-containing lights to the public,
15 including producing and offering point-of-sale educational materials to
16 retailers of mercury-containing lights and point-of-return educational
17 materials to collection locations.

18 (6) All product stewardship programs operated under approved plans
19 must recover their fair share of unwanted covered products as
20 determined by the department.

21 (7) The department or its designee may inspect, audit, or review
22 audits of processing and disposal facilities used to fulfill the
23 requirements of a product stewardship program.

24 (8) No product stewardship program required under this chapter may
25 use federal or state prison labor for processing unwanted products.

26 (9) Product stewardship programs for mercury-containing lights must
27 be fully implemented by January 1, ((2013)) 2015.

28 **Sec. 4.** RCW 70.275.040 and 2010 c 130 s 4 are each amended to read
29 as follows:

30 (1) ((A producer, group of producers, or product stewardship
31 program submitting a proposed product stewardship plan under RCW
32 70.275.030(2)(b) must submit that plan by January 1st of the year prior
33 to the planned implementation.)) On June 1st of the year prior to
34 implementation, each producer must ensure that a stewardship
35 organization submits a proposed product stewardship plan on the
36 producer's behalf to the department for approval. Plans approved by

1 the department must be implemented by January 1st of the following
2 calendar year.

3 (2) The department shall establish rules for plan content. Plans
4 must include but are not limited to:

5 (a) All necessary information to inform the department about the
6 plan operator and participating producers and their brands;

7 (b) The management and organization of the product stewardship
8 program that will oversee the collection, transportation, and
9 processing services;

10 (c) The identity of collection, transportation, and processing
11 service providers, including a description of the consideration given
12 to existing residential curbside collection infrastructure and mail-
13 back systems as an appropriate collection mechanism;

14 (d) How the product stewardship program will seek to use businesses
15 within the state, including transportation services, retailers,
16 collection sites and services, existing curbside collection services,
17 existing mail-back services, and processing facilities;

18 (e) A description of how the public will be informed about the
19 ~~((recycling program))~~ product stewardship program, including how
20 consumers will be provided with information describing collection
21 opportunities for unwanted mercury-containing lights from covered
22 entities and safe handling of mercury-containing lights, waste
23 prevention, and recycling. The description must also include
24 information to make consumers aware that an environmental handling
25 charge has been added to the purchase price of mercury-containing
26 lights sold at retail to fund the mercury-containing light stewardship
27 programs in the state. The environmental handling charge may not be
28 described as a department recycling fee or charge at the point of
29 retail sale;

30 (f) A description of the financing system required under RCW
31 70.275.050;

32 (g) How mercury and other hazardous substances will be handled for
33 collection through final disposition;

34 (h) A public review and comment process; and

35 (i) Any other information deemed necessary by the department to
36 ensure an effective mercury light product stewardship program that is
37 in compliance with all applicable laws and rules.

1 (3) All plans submitted to the department must be made available
2 for public review on the department's web site and at the department's
3 headquarters.

4 (4) At least two years from the start of the product stewardship
5 program and once every four years thereafter, (~~(a producer, group of~~
6 ~~producers, or product)~~) each stewardship organization operating a
7 product stewardship program must update its product stewardship plan
8 and submit the updated plan to the department for review and approval
9 according to rules adopted by the department.

10 (~~Each product stewardship program shall submit an annual~~
11 ~~report to the department describing the results of implementing their~~
12 ~~plan for the prior year. The department may adopt rules for reporting~~
13 ~~requirements. All reports submitted to the department must be made~~
14 ~~available for public review)) By June 1, 2016, and each June 1st
15 thereafter, each stewardship organization must submit an annual report
16 to the department describing the results of implementing the
17 stewardship organization's plan for the prior calendar year, including
18 an independent financial audit. The department may adopt rules for
19 reporting requirements. Financial information included in the annual
20 report must include but is not limited to:~~

21 (a) The amount of the environmental handling charge assessed on
22 mercury-containing lights and the revenue generated;

23 (b) Identification of confidential information pursuant to RCW
24 43.21A.160 submitted in the annual report; and

25 (c) The cost of the mercury-containing lights product stewardship
26 program, including line item costs for:

27 (i) Program operations;

28 (ii) Communications, including media, printing and fulfillment,
29 public relations, and other education and outreach projects;

30 (iii) Administration, including administrative personnel costs,
31 travel, compliance and auditing, legal services, banking services,
32 insurance, and other administrative services and supplies, and
33 stewardship organization corporate expenses; and

34 (iv) Amount of unallocated reserve funds.

35 (6) Beginning in 2023 every stewardship organization must include
36 in its annual report an analysis of the percent of total sales of
37 lights sold at retail to covered entities in Washington that mercury-
38 containing lights constitute, the estimated number of mercury-

1 containing lights in use by covered entities in the state, and the
2 projected number of unwanted mercury-containing lights to be recycled
3 in future years.

4 (7) All plans and reports submitted to the department must be made
5 available for public review, excluding sections determined to be
6 confidential pursuant to RCW 43.21A.160, on the department's web site
7 and at the department's headquarters.

8 **Sec. 5.** RCW 70.275.050 and 2010 c 130 s 5 are each amended to read
9 as follows:

10 ~~(1) ((All producers that sell mercury-containing lights in or into~~
11 ~~the state of Washington are responsible for financing the mercury-~~
12 ~~containing light recycling program required by RCW 70.275.030.~~

13 ~~(2) Each producer shall pay fifteen thousand dollars to the~~
14 ~~department to contract for a product stewardship program to be operated~~
15 ~~by a product stewardship organization. The department shall retain~~
16 ~~five thousand dollars of the fifteen thousand dollars for~~
17 ~~administration and enforcement costs.~~

18 ~~(3) A producer or producers participating in an independent plan,~~
19 ~~as permitted under RCW 70.275.030(2)(b), must pay the full cost of~~
20 ~~operation. Each producer participating in an approved independent plan~~
21 ~~shall pay an annual fee of five thousand dollars to the department for~~
22 ~~administration and enforcement costs.)) Each stewardship organization~~
23 must recommend to the department an environmental handling charge to be
24 added to the price of each mercury-containing light sold in or into the
25 state of Washington for sale at retail. The environmental handling
26 charge must be designed to provide revenue necessary and sufficient to
27 cover all administrative and operational costs associated with the
28 stewardship program described in the department-approved product
29 stewardship plan for that organization, including the department's
30 annual fee required by subsection (5) of this section, and a prudent
31 reserve. The stewardship organization must consult with collectors,
32 retailers, recyclers, and each of its participating producers in
33 developing its recommended environmental handling charge. The
34 environmental handling charge may, but is not required to, vary by the
35 type of mercury-containing light. In developing its recommended
36 environmental handling charge, the stewardship organization must take
37 into consideration and report to the department:

1 (a) The anticipated number of mercury-containing lights that will
2 be sold to covered entities in the state at retail during the relevant
3 period;

4 (b) The number of unwanted mercury-containing lights delivered from
5 covered entities expected to be recycled during the relevant period;

6 (c) The operational costs of the stewardship organization as
7 described in RCW 70.275.030(2);

8 (d) The administrative costs of the stewardship organization
9 including the department's annual fee, described in subsection (5) of
10 this section; and

11 (e) The cost of other stewardship program elements including public
12 outreach.

13 (2) The department must review, adjust if necessary, and approve
14 the stewardship organization's recommended environmental handling
15 charge within sixty days of submittal. In making its determination,
16 the department shall review the product stewardship plan and may
17 consult with the producers, the stewardship organization, retailers,
18 collectors, recyclers, and other entities.

19 (3) No sooner than January 1, 2015:

20 (a) The mercury-containing light environmental handling charge must
21 be added to the purchase price of all mercury-containing lights sold to
22 Washington retailers for sale at retail, and each Washington retailer
23 shall add the charge to the purchase price of all mercury-containing
24 lights sold at retail in this state, and the producer shall remit the
25 environmental handling charge to the stewardship organization in the
26 manner provided for in the stewardship plan; or

27 (b) Each Washington retailer must add the mercury-containing light
28 environmental handling charge to the purchase price of all mercury-
29 containing lights sold at retail in this state, where the retailer, by
30 voluntary binding agreement with the producer, arranges to remit the
31 environmental handling charge to the stewardship organization on behalf
32 of the producer in the manner provided for in the stewardship plan.
33 Producers may not require retailers to opt for this provision via
34 contract, marketing practice, or any other means. The stewardship
35 organization must allow retailers to retain a portion of the
36 environmental handling charge as reimbursement for any costs associated
37 with the collection and remittance of the charge.

1 (4) At any time, a stewardship organization may submit to the
2 department a recommendation for an adjusted environmental handling
3 charge for the department's review, adjustment, if necessary, and
4 approval under subsection (2) of this section to ensure that there is
5 sufficient revenue to fund the cost of the program, current deficits,
6 or projected needed reserves for the next year. The department must
7 review the stewardship organization's recommended environmental
8 handling charge and must adjust or approve the recommended charge
9 within thirty days of submittal if the department determines that the
10 charge is reasonably designed to meet the criteria described in
11 subsection (1) of this section.

12 (5) Beginning March 1, 2015, and each year thereafter, each
13 stewardship organization shall pay to the department an annual fee
14 equivalent to five thousand dollars for each participating producer to
15 cover the department's administrative and enforcement costs. The
16 amount paid under this section must be deposited into the product
17 stewardship programs account created in RCW 70.275.130.

18 NEW SECTION. Sec. 6. A new section is added to chapter 70.275 RCW
19 to read as follows:

20 (1) It is the intent of the legislature that a producer, group of
21 producers, stewardship organization preparing, submitting, and
22 implementing a mercury-containing light product stewardship program
23 pursuant to this chapter, as well as participating entities in the
24 distribution chain, including retailers and distributors, are granted
25 immunity, individually and jointly, from federal and state antitrust
26 liability that might otherwise apply to the activities reasonably
27 necessary for implementation and compliance with this chapter. It is
28 further the intent of the legislature that the activities of the
29 producer, group of producers, stewardship organization, and entities in
30 the distribution chain, including retailers and distributors, in
31 implementing and complying with the provisions of this chapter may not
32 be considered to be in restraint of trade, a conspiracy, or combination
33 thereof, or any other unlawful activity in violation of any provisions
34 of federal or state antitrust laws.

35 (2) The department shall actively supervise the conduct of the
36 stewardship organization, the producers of mercury-containing lights,

1 and entities in the distribution chain in determination and
2 implementation of the environmental handling charge authorized by this
3 chapter.

4 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.131 RCW
5 to read as follows:

6 The mercury-containing lights product stewardship program as
7 established under chapter 70.275 RCW is terminated July 1, 2025, as
8 provided in section 8 of this act.

9 NEW SECTION. **Sec. 8.** A new section is added to chapter 43.131 RCW
10 to read as follows:

11 The following acts or parts of acts, as now existing or hereafter
12 amended, are each repealed, effective July 1, 2026:

13 (1) RCW 70.275.010 (Findings--Purpose) and 2010 c 130 s 1;

14 (2) RCW 70.275.020 (Definitions) and 2014 c . . . s 2 (section 2 of
15 this act) & 2010 c 130 s 2;

16 (3) RCW 70.275.030 (Product stewardship program) and 2014 c . . .
17 s 3 (section 3 of this act) & 2010 c 130 s 3;

18 (4) RCW 70.275.040 (Submission of proposed product stewardship
19 plans--Department to establish rules--Public review--Plan update--
20 Annual report) and 2014 c . . . s 4 (section 4 of this act) & 2010 c
21 130 s 4;

22 (5) RCW 70.275.050 (Financing the mercury-containing light
23 recycling program) and 2014 c . . . s 5 (section 5 of this act) & 2010
24 c 130 s 5;

25 (6) RCW 70.275.060 (Collection and management of mercury) and 2010
26 c 130 s 6;

27 (7) RCW 70.275.070 (Collectors of unwanted mercury-containing
28 lights--Duties) and 2010 c 130 s 7;

29 (8) RCW 70.275.090 (Producers must participate in an approved
30 product stewardship program) and 2010 c 130 s 9;

31 (9) RCW 70.275.100 (Written warning--Penalty--Appeal) and 2010 c
32 130 s 10;

33 (10) RCW 70.275.110 (Department's web site to list producers
34 participating in product stewardship plan--Required participation in a
35 product stewardship plan--Written warning--Penalty--Rules--Exemptions)
36 and 2010 c 130 s 11;

- 1 (11) RCW 70.275.130 (Product stewardship programs account) and 2010
- 2 c 130 s 13;
- 3 (12) RCW 70.275.140 (Adoption of rules--Report to the legislature--
- 4 Invitation to entities to comment on issues--Estimate of statewide
- 5 recycling rate for mercury-containing lights--Mercury vapor barrier
- 6 packaging) and 2010 c 130 s 14;
- 7 (13) RCW 70.275.150 (Application of chapter to the Washington
- 8 utilities and transportation commission) and 2010 c 130 s 15;
- 9 (14) RCW 70.275.160 (Application of chapter to entities regulated
- 10 under chapter 70.105 RCW) and 2010 c 130 s 16;
- 11 (15) RCW 70.275.900 (Chapter liberally construed) and 2010 c 130 s
- 12 17;
- 13 (16) RCW 70.275.901 (Severability--2010 c 130) and 2010 c 130 s 21;
- 14 and
- 15 (17) RCW 70.275.--- and 2014 c . . . s 6 (section 6 of this act).

16 NEW SECTION. **Sec. 9.** RCW 70.275.120 (Producers must pay annual

17 fees) and 2010 c 130 s 12 are each repealed.

18 NEW SECTION. **Sec. 10.** (1) RCW 70.275.080 is recodified as a

19 section in chapter 70.95M RCW.

20 (2) This section takes effect July 1, 2026, only if chapter 70.275

21 RCW is repealed as provided for in section 8 of this act.

--- END ---