



July 24, 2026

Re: Washington State Mercury-Containing Lights Product Stewardship Program Plan

Department of Ecology,

Thank you for the opportunity to submit comments on the Mercury Lamp Recyclers Association's 2026 Product Stewardship Program Plan. Our comments and suggestions on selected plan elements are provided in the following pages.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pam Johnson', with a large initial 'P' and a stylized 'J'.

Pam Johnson
Hazardous Waste Liaison & Policy Advisor
Solid Waste Planning & Program Management Division
Seattle Public Utilities, City of Seattle

Plan Element	RCW or WAC citation	Comments
2. Participating Producers	RCW 70A.505.030 (1) (a) makes it clear that every producer of mercury-containing lights sold, made available for sale, or distributed in or into Washington state must participate in a product stewardship program. RCW 70A.505.030 (2) makes it clear that stewardship program must pay costs associated with the program with revenues received from the environmental handling charge	While the circumstances of the previous stewardship organization ending its administration role were challenging, we believe this plan must provide information about the amount producers have paid or Environmental Handling Charges collected since the start of 2026, as well as a description of how the funds collected will reimburse collection sites that continued to collect covered products between February 1 and June 30, 2026. Local governments that have used LSWFA funds during this time should also be reimbursed so that those funds can be used for collection activities that fall outside of the LightRecycle Program.
2. Participating Producers	WAC 173-910-420(1)(b). The plan must include: The number of mercury-containing lights sold annually in or into the state by producers participating in the plan;	Mercury Containing Lights Sold: The plan states that “Sales data is not available to MLRA at this time...” however sales data must be available without waiting on the Product Care Association (PCA) 2025 Annual Report and is required to be included in the plan.
3. Financing		One of the biggest omissions from the plan is a Program budget. Even without a financing structure fully in place, there should be a budget included that shows income needed to fund statutorily required elements of the plan. Without this, it is impossible to understand what resources will be allocated to collection supplies, shipping, recycling, transportation, communications and administrative costs. MLRA should submit a preliminary budget that can be adjusted as more information is gathered.
3. Financing	WAC 173-910-420 (2) The plan must include a description of how the program will be funded by the producers and how compensation is paid to	The plan does not include a description of how compensation is paid to collectors, transporters, and processing facilities for all services provided in plan, and that payments to services producers will be made within an appropriate period of time.

	collectors, transporters, and processing facilities for all services provided to a plan and that payments to service providers will be made within an appropriate period of time from date of shipment or other time frame defined in contractual arrangements.	
4. Plan Goals and Collection	WAC 173-910-420 (4) The plan will provide goals for the collection of mercury-containing lights for five years of operation, including: (a) Total number of mercury-containing lights sold in or into the state; (b) An estimate of the amount of mercury-containing lights available for collection from covered entities; and (c) Annual program goals for collection of mercury-containing lights from covered entities for the next five years.	If required data from 2024-2025 sales and collection cannot be made available to MLRA, a clear timeline for updating the plan with targets must be included in this plan
5. Collectors	WAC 173-910-320 (2) Convenient collection service will: (a) County: Provide collection services for mercury-containing lights for each county of the state; (b) City: Provide additional collection services in each city or town with a population greater than ten thousand; and (c) Rural: Consult with rural counties that do not have logical in-county collection sites to provide convenient alternative arrangements.	The plan states that the Program will start with a collection network consisting of 171 advertised locations that served as collection locations throughout 2025. There are many locations on the list in Appendix II that are not currently collecting covered products and should be removed from the list. Actual collection sites should be updated and communicated to residents as soon as possible. MLRA should clearly outline how convenience standards are being met in each city with populations greater than 10,000 and in all counties state-wide. The current list does not meet convenience standards for all cities and counties, nor does it describe how events or alternative arrangements in rural counties will be used to meet the convenience standards. A

		template for organizing this information can be found in the PCA 2021 Program Plan Update page 40.
	WAC 173-910-420 (5) The plan must include the following information about collectors participating in the plan... (c) A written statement from each collector ensuring that the collector will comply with the requirements in WAC 173-910-520; (d) A statement that collection sites will be: (i) Staffed during operating hours; and (ii) Open during regularly scheduled hours and on an ongoing basis	The plan does not include a written statement from each collector ensuring that the collector will comply with the requirements in WAC 173-910-520; (d) A statement that collection sites will be: (i) Staffed during operating hours; and (ii) Open during regularly scheduled hours and on an ongoing basis.
7. Processing Facilities	WAC 173-910-420 (7) The plan must include information about processing facilities participating in the plan, including: (a) Registration information for processors participating in the plan, including names, addresses, contact information and hours of operation; (b) A description of the methods used to process mercury-containing lights at each processing facility in the program; and (c) Compliance audit reports for each processing facility participating in the plan completed by a qualified third party. The compliance audit will research, review, and report on the following: (i) Compliance with all federal, state, and local requirements and, if it	The plan is missing compliance audit reports completed by a qualified third party. It is also not clear from the description of processing methods where each component is being shipped whether it is in the US, and if not, if it complies with the requirements outlined.

	exports, those of all transit and recipient countries that are applicable to the operations and transactions in which it engages related to the processing of mercury-containing lights, components, parts, and materials and disposal of residuals. These include, but are not limited to, applicable legal requirements relating to: (A) Waste and recyclables processing, storage, handling, and shipping; (B) Air emissions and wastewater discharge, including stormwater discharges; (C) Worker health and safety; and (D) Transboundary movement of mercury-containing lights, components, materials, waste, or scrap for reuse, recycling, or disposal. (ii) Information on financial penalties, regulatory orders, or violations the processing facility received in the previous three years; and (iii) Any other information requested by the department.	
8. Record Keeping	WAC 173-910-420 (8) (f) (must include) Education efforts for consumers, retailers, utilities, collectors, transporters, and processors, including assessments of the effectiveness of these efforts. (g) Efforts to promote the mercury-	While the plan states reporting will include assessments in the form of surveys and other applicable measures of the effectiveness of education, outreach, and marketing efforts for consumers, retailers, utilities, collectors, transporters and processors, it also must include a description of the education and promotion efforts.

	containing lights collection program.	
9. Implementation Timeline	WAC 173-910-420 (9) The plan must include a timeline showing when each of the following will occur and a detailed description of each activity including, but not limited to: (a) Start-up of the collection and processing efforts; (b) Education efforts for consumers, retailers, collectors, transporters, and processors; (c) Outreach efforts for the mercury-containing lights collection program; and (d) Continual progress toward collection of spent mercury-containing lights.	There is a chart that shows implementation estimated timeline and description of tasks. We are requesting the description of tasks be detailed enough to meet the requirements of WAC 173-910-420 (9). It is also unclear if these tasks have been completed or just started by the date listed. MLRA should update the chart to show which ones have been completed and if not, a clear timeline for completion.
10. Education, Public Outreach, and Marketing	WAC 173-910-420 (10) (a) A description of how the public will be informed about the product stewardship program, including how consumers will be provided with information describing collection opportunities for unwanted mercury-containing lights from covered entities and safe handling of mercury-containing lights, waste prevention, and recycling. The description must also include information to make consumers aware that an environmental handling charge has been added to the purchase price of mercury-containing lights sold at retail to fund the mercury-containing light	While the plan describes the communications tools that MLRA will use, it is missing and must also include a description of how it will be provided to consumers, descriptions of collection opportunities and safe handling of lights, waste prevention and recycling; that EHC charge has been added; how it will provide these materials to collectors; and explain how coordinate education and outreach activities with retailers, distributors, wholesalers and electric utilities. Program Collateral: We understand that MLRA will work on creating new branded materials, however there should be a clear timeline for creation and dissemination of materials in the Plan, as well as a line item in a budget to understand resources planned for these activities. Website: The current website does not link to locations or events. MLRA should immediately update the site links with current locations and require a date certain by which the website will be fully functional.

	stewardship programs in the state. The environmental handling charge may not be described as a department recycling fee or charge at the point of retail sale; (b) How it will provide information about where and how to deliver their mercury-containing lights to a product stewardship program collector at the end of the product's life; (c) Providing a website and toll-free number that gives information about the product stewardship program in sufficient detail regarding how and where to drop off mercury-containing lights into the product stewardship program, and collaborating with the department to provide information necessary to keep the 1-800-RECYCLE online data base up to date; (d) Describing the outreach method or methods used; (e) How it will ensure outreach to the public throughout the state; Certified on 2/20/2023 WAC 173-910-420 Page 3 (f) How it will provide outreach materials for educating the public to all collectors used by the plan; (g) Explaining how the plan will coordinate education, public outreach, and marketing with other approved product stewardship plans; (h)	
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	Explaining how the plan will coordinate on education, public outreach, and marketing with retailers, distributors, wholesalers, and electric utilities;	
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