

September 11, 2026

Chris Fredley
Washington State Department of Ecology
P.O. Box 47600, Olympia, WA 98504-7600
mercurylights@ecy.wa.gov

Re: Comment on the draft Chapter 173-910 WAC Mercury-Containing Lights Product Stewardship Program

Dear Chris,

We appreciate the opportunity to provide comments on the draft rule for Chapter 173-910 WAC Mercury-Containing Lights Product Stewardship Program. Zero Waste Washington's mission is to drive policy change for a healthy and waste-free world. We envision a just, equitable, and sustainable future where we all produce, consume, and reuse responsibly.

We have the following comments:

- **Coverage of the law.** We agree with NEMA that the use of the term retail/retailer is inconsistent in the draft rule. But we differ from them and their concern in that the scope of the law does apply to wholesale sales when the program evolves in 2029 and thus there should be more clarity throughout the proposed rule language. Producers will be responsible for funding the program, at that point of evolution, both for retail and wholesale sales.
- **Compact and Linear Fluorescent Lamp Definitions.** We also disagree with NEMA about the scope of the law related to lamps with "light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024." This issue was discussed extensively during the development of the bill during the 2024 legislative session, and the law reflects the legislative intent.
- **Duplication of statute language.** We recommend that Ecology limit formal rule language to areas where there are clear gaps or lack of clarity in statute so that there is not unnecessary duplication.

Thank you for consideration of our comments. I can be reached at (206) 441-1790 or heather@zerowastewashington.org.

Sincerely,



Heather Trim
Executive Director