

LEGISLATIVE RESEARCH UNIT

PATRICK D. O'GRADY, EXECUTIVE DIRECTOR

January 2, 2009

COMPACT FLUORESCENT LIGHT RECYCLING LAWS

asked whether Illinois or any states in our 18-state survey list (consisting of the 10 most populous states other than Illinois; neighboring states; and regional representatives) have laws that promote education on proper disposal of compact fluorescent lights (CFLs); require recycling of CFLs; or establish CFL recycling centers, dropoff facilities, or curbside recycling for. He also asked about bills of the current General Assembly on these topics. What we found is described below.

Illinois

We found no Illinois laws or regulations requiring CFL recycling, or education on proper disposal of CFLs.² A search of bills of the 95th General Assembly³ found one bill and two resolutions related to CFL recycling.³ Senate Bill 2392 (Risinger), a "shell" bill, is titled the Compact Fluorescent Light Bulb Recycle Act. It was introduced in February 2008 and was never assigned to a substantive committee. Senate Resolution 724 (Roland) and House Resolution 1316 (Osterman) would urge CFL manufacturers and retailers to implement collection programs. The Senate and House did not vote on either resolution.

The Illinois Environmental Protection Agency (EPA) encourages proper CFL disposal at household hazardous waste collection sites and other free CFL collection sites across the state.⁴ The Household Hazardous Waste Collection Program Act (1993)⁵ is intended to promote proper management of household hazardous wastes. The Illinois EPA had 10 scheduled collections this fall (in Cook (two collections), Jo Daviess, Rock Island,

LRU

Will, DuPage, Kendall, Clinton, Vermilion, and Stark Counties), and plans more for March 2009.⁶ It has also partnered with Commonwealth Edison and Ace Hardware to provide free collection of CFLs at 150 Chicagoland and other Northeastern Illinois Ace Hardware stores.⁷

Other States' Laws

A similar computer search⁸ of our 18-state survey list found laws or regulations requiring that CFLs be recycled or disposed of as hazardous waste in only two states (California and Massachusetts).⁹ Three other surveyed states (Massachusetts, New York, and Washington) require manufacturers to label CFLs with instructions on disposal.¹⁰ A search of the U.S. EPA Internet site for states with CFL disposal laws or recycling programs found several others (all in the Northeast) that are not on our 18-state survey list.¹¹ These laws and programs are described below.

Recycling and Education Programs

Massachusetts law requires makers of CFLs (and other products of which mercury is a component) to develop collection and recycling programs.¹² It also requires the Massachusetts Department of Environmental Protection to provide an education program to inform the public about mercury-added products and their proper disposal.¹³ Several Northeastern states that are not in our 18-state survey list prohibit improper CFL disposal and have programs to promote CFL recycling.¹⁴ Some of those states are members of the Interstate Mercury Education and Reduction Clearinghouse (IMERC), established in 2001 to promote state laws and programs for reducing the amount of mercury in products, waste, and the environment. Illinois joined IMERC in December 2004; but as stated above, we found no Illinois laws on CFLs.¹⁵ Maine was the first state to implement a statewide CFL recycling program, in 2007. We enclose a copy of a January 2008 report by its Department of Environmental Protection on recycling and consumer education efforts.¹⁶

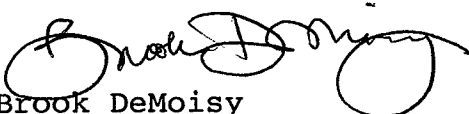
Labeling Requirements

Massachusetts prohibits selling CFLs without proper labeling by the manufacturer. The labels must say that the products contain mercury and must be reused, recycled, or disposed of as hazardous waste.¹⁷ Manufacturers must label CFLs sold in New York as containing mercury and include a statement that disposal into the nonhazardous waste stream is prohibited.¹⁸ Washington requires makers of fluorescent lamps to label them with the chemical symbol for mercury (Hg)¹⁹ and give a toll-free telephone number and Internet address for information on

applicable disposal laws. Wholesalers or retailers may not sell such lamps without such labels.²⁰

We hope this information is helpful. Please let us know if you need anything further.

Sincerely,


Brook DeMoisy
Research Associate

BD:ag

Enclosure

Maine Department of Environmental Protection, "Report Regarding the Recycling of Fluorescent Lamps and Consumer Education Efforts" (Jan. 2008).

Notes

1. Those states are Arizona, California, Florida, Georgia, Indiana, Iowa, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Texas, Virginia, Washington, and Wisconsin.
2. We searched Illinois laws and regulations by computer for "fluorescent", "CFL", or "mercury".
3. We searched Illinois bills by computer for "fluorescent", "CFL", or "mercury".
4. Illinois EPA, "Household Hazardous Waste Collections Acceptable and Unacceptable Wastes" (downloaded Dec. 17, 2008 from Illinois EPA Internet site). Conventional fluorescent lights as well as compact fluorescent lights are accepted (telephone conversation with spokesman (no name given), Waste Reduction Unit, Illinois EPA, Dec. 18, 2008).
5. 415 ILCS 90/2.
6. "Fall 2008 Household Hazardous Waste Collections" (downloaded Oct. 7, 2008 from Illinois EPA Internet Site).
7. Illinois EPA, "Illinois EPA Director Encourages Illinoisans to Switch to Compact Fluorescent Lightbulbs for Earth Day" (news release, April 15, 2008, downloaded from Illinois Government News Network Internet site).
8. We searched the laws and regulations of the states in our 18-state survey list for "fluorescent," "CFL," or "mercury," and also searched the U.S. EPA Bulb/Lamp Recycling Internet site.

9. Mass. Gen. Laws, ch. 21H, sec. 6I and Cal. Code of Reg. tit. 22, sec. 66273.11.
10. Mass. Gen. Laws, ch. 21H, sec. 6K; N.Y. Env. Cons. Law, sec. 27-2103; and Wash. Rev. Code, sec. 70.95M.020.
11. We searched the U.S. EPA Bulb/Lamp Recycling Internet site for states banning improper CFL disposal.
12. Mass. Gen. Laws, ch. 21H, sec. 6I.
13. Mass. Gen. Laws, ch. 21H, sec. 6J.
14. U.S. EPA, "Mercury-Containing Light Bulb (Lamp) Collection and Recycling in Region 1" (downloaded Dec. 29, 2008 from U.S. EPA Bulb/Lamp Recycling Internet site).
15. IMERC, "Invitation for Other State Agencies to Join IMERC" (downloaded Dec. 30, 2008 from the IMERC Internet site).
16. Maine Department of Environmental Protection, "Report Regarding the Recycling of Fluorescent Lamps and Consumer Education Efforts" (Jan. 2008, downloaded from the Department's Bureau of Remediation and Waste Management Internet site).
17. Mass. Gen. Laws, ch. 21H, sec. 6K.
18. N.Y. Env. Cons. Law, sec. 27-2103.
19. Washington Department of Ecology, "Mercury Laws-Mercury Education and Reduction Act (MERA)" (downloaded January 2, 2009 from the Department of Ecology Internet site).
20. Wash. Rev. Code, sec. 70.95M.020.