
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that fluorescent and
2 compact fluorescent light bulbs contain small amounts of
3 mercury. Mercury is an element that is toxic to humans and,
4 when found in the human body even in small quantities, can
5 result in internal bleeding, kidney failure, brain damage, and
6 death. Forty-nine per cent of traditional fluorescent light
7 bulbs contain five to ten milligrams of mercury, and ninety-six
8 per cent of compact fluorescent light bulbs contain up to ten
9 milligrams of mercury. Although the amount of mercury per light
10 bulb seems small, the total amount of mercury contained in all
11 of the fluorescent and compact fluorescent light bulbs in Hawaii
12 is quite significant. Although these light bulbs are an energy-
13 efficient preferred alternative to traditional incandescent
14 light bulbs, the safe disposal of used fluorescent and compact
15 fluorescent light bulbs presents a challenge because of the
16 mercury that they contain. Currently, disposal methods include
17 incineration or deposit into the state's landfills.
18 Incineration can result in the release of toxic mercury vapors



1 into the atmosphere, where they can travel for hundreds of miles
2 and return to Earth in rainfall. Landfill disposal almost
3 always results in breakage of the bulbs, releasing the mercury
4 content into the soil, where it leaches into the groundwater.
5 Currently, twelve states prohibit the disposal of fluorescent
6 and compact fluorescent light bulbs in their landfills.

7 The legislature further finds that almost all components of
8 fluorescent and compact fluorescent light bulbs may be recycled.
9 Lighting recycling facilities are able to capture the mercury in
10 fluorescent bulbs, treat it, and sell it back into the market
11 for use in new lighting products. In addition, lighting
12 recycling facilities are able to separate the glass and aluminum
13 found in fluorescent and compact fluorescent light bulbs for
14 further recycling. Currently, there is no lighting recycling
15 facility in Hawaii, and used fluorescent and compact fluorescent
16 light bulbs must be shipped to the mainland for recycling.
17 Recycling these products would remove them from Hawaii's waste
18 stream altogether and would represent another major step toward
19 preserving Hawaii's natural environment and protecting the
20 health and safety of its residents.



1 The purpose of this Act is to prohibit the disposal of
2 fluorescent and compact fluorescent light bulbs in landfills,
3 waste-to-energy facilities, and incinerators in Hawaii.

4 SECTION 2. Chapter 342G, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 **"§342G- Disposal of fluorescent and compact fluorescent**
8 **light bulbs; prohibition.** (a) Notwithstanding any law to the
9 contrary, knowingly disposing of any fluorescent or compact
10 fluorescent light bulb in any landfill or waste-to-energy
11 facility, or by incineration, in the state is prohibited.

12 (b) The owner or operator of a landfill, waste-to-energy
13 facility, or incinerator shall:

14 (1) Post clearly visible and easily-read signs at the
15 facility that provide notice of the prohibition of the
16 disposal and incineration of fluorescent and compact
17 fluorescent light bulbs; and

18 (2) Provide written notification to the facility's
19 customers of the prohibition on the disposal and
20 incineration of fluorescent and compact fluorescent
21 light bulbs, at a frequency to be established by the
22 department by rule, or include notification as a



1 provision of the facility's contractual agreements
2 with customers, if applicable."

3 SECTION 3. Chapter 342J, Hawaii Revised Statutes, is
4 amended by adding a new section to part II to be appropriately
5 designated and to read as follows:

6 **"§342J- Fluorescent and compact fluorescent light bulbs;**
7 **retail and wholesale sale.** (a) Any retailer that sells or
8 offers to sell fluorescent and compact fluorescent light bulbs
9 to customers shall collect from customers at no charge used
10 fluorescent and compact fluorescent light bulbs for recycling at
11 the retail site. The retailer may return the used fluorescent
12 and compact fluorescent light bulbs to the wholesaler or send
13 the used light bulbs directly to an appropriate recycling
14 center.

15 (b) Any wholesaler who sells or offers to sell fluorescent
16 and compact fluorescent light bulbs shall accept from retailers
17 used fluorescent and compact fluorescent light bulbs for
18 recycling. The wholesaler shall take reasonable steps to ensure
19 that any used fluorescent and compact fluorescent light bulbs in
20 the wholesaler's possession are recycled.

21 (c) Any retailer or wholesaler subject to this section
22 shall make available to its customers information on the



1 collection service for used fluorescent and compact fluorescent
2 light bulbs and the department of health's website address and
3 toll-free telephone number.

4 (d) For the purpose of this section, "retailer" means any
5 person who offers fluorescent and compact fluorescent light
6 bulbs for sale, other than for resale by the purchaser."

7 SECTION 4. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 5. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2010.



Report Title:

Solid Waste; Fluorescent and CFL Bulbs; Disposal

Description:

Prohibits the knowing incineration or disposal of fluorescent and compact fluorescent light bulbs in landfills, waste-to-energy facilities, and incinerators in the State. Establishes notice requirements. Requires that any retailer or wholesaler of fluorescent and compact fluorescent light bulbs accept used light bulbs for recycling from customers. (SD1)

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