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# 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.

13           While compact fluorescent light bulbs are an energy-  
14 efficient preferred alternative to traditional incandescent  
15 light bulbs, the safe disposal of used fluorescent and compact  
16 fluorescent light bulbs presents a challenge because of the  
17 mercury that they contain. Currently, disposal methods include  
18 incineration or deposit into the State's landfills.



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

9 The legislature notes that most components of fluorescent  
10 and compact fluorescent light bulbs may be recycled. Lighting  
11 recycling facilities capture the mercury in fluorescent bulbs,  
12 treat it, and sell it back into the market for use in new  
13 lighting products. In addition, lighting recycling facilities  
14 separate the glass and aluminum found in fluorescent and compact  
15 fluorescent light bulbs for further recycling.

16 Currently, there is no lighting recycling facility in  
17 Hawaii, and used fluorescent and compact fluorescent light bulbs  
18 must be shipped to the mainland for recycling. The legislature  
19 finds that recycling these products would remove them from  
20 Hawaii's waste stream altogether and would represent another  
21 major step toward preserving Hawaii's natural environment and  
22 protecting the 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 and to  
4 encourage recycling of such light bulbs.

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

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

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

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

19           (2) Provide written notification to the facility's  
20 customers of the prohibition of the disposal and  
21 incineration of fluorescent and compact fluorescent  
22 light bulbs, as provided by rule, or include



1           notification as a provision of the facility's  
2           contractual agreements with customers, if applicable.  
3           (c) The department shall adopt rules under chapter 91 for  
4           the purposes of this section."

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

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

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



1        (c) Any retailer or wholesaler subject to this section  
2 shall make available to its customers information on the  
3 collection service for used fluorescent and compact fluorescent  
4 light bulbs and the department's website address and toll-free  
5 telephone number.

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

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

12        SECTION 5. New statutory material is underscored.

13        SECTION 6. This Act shall take effect on July 1, 2011.

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INTRODUCED BY: \_\_\_\_\_

*K. L.*  
*Charles*  
*By [Signature]*

JAN 26 2011



**Report Title:**

Solid Waste; Fluorescent and CFL Bulbs; Disposal

**Description:**

Prohibits the knowing disposal of fluorescent and CFL bulbs in landfills, waste-to-energy facilities, and incinerators in the State. Establishes notice requirements. Requires retailers or wholesalers of fluorescent and CFL bulbs to accept used light bulbs for recycling from customers.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

