

**ASSEMBLY BILL**

**No. 2176**

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**Introduced by Assembly Member Blumenfield**

February 18, 2010

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An act to add Article 10.03 (commencing with Section 25210.13) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 2176, as introduced, Blumenfield. Hazardous waste: lighting products.

Existing law, the California Lighting Efficiency and Toxics Reduction Act, administered by the Department of Toxic Substances Control, prohibits a person from manufacturing for sale or selling in the state specified general purpose lights that contain levels of hazardous substances prohibited by the European Union pursuant to the RoHS Directive.

This bill would declare the intent of the Legislature to enact subsequent legislation to provide for the California Lighting Toxics Reduction and Recycling Act.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The state's policy, including the California Lighting
- 4 Efficiency and Toxics Reduction Act, which added Article 10.02

1 (commencing with Section 25210.9) to Chapter 6.5 of Division  
2 20 of the Health and Safety Code, has put the state on a path of  
3 transitioning toward more energy-efficient lighting, including  
4 substantially increased utilization of fluorescent lighting.

5 (b) Lighting products introduce hazardous waste into the  
6 environment as it may contain such hazardous substances as  
7 mercury, in the lighting product itself, and by the release of  
8 hazardous substances from the production of energy, which the  
9 lighting product utilizes.

10 (c) High-efficiency bulbs, such as compact fluorescent lamps,  
11 contain mercury within the product, but because these bulbs use  
12 less energy, they are responsible for smaller hazardous emissions  
13 from energy production.

14 (d) Low-efficiency bulbs, such as incandescent bulbs, contain  
15 no mercury in the product but are responsible for greater hazardous  
16 substance emissions from energy production.

17 (e) The state prohibits the disposal of lighting products  
18 containing hazardous levels of metal in the solid waste stream.

19 (f) The hazardous waste generated by waste lighting products  
20 can be reduced and managed through recycling, but recycling  
21 opportunities are currently inconvenient or nonexistent for most  
22 consumers.

23 (g) Even though some types of fluorescent lighting products  
24 deliver the same level of light at the same level of efficiency as  
25 other types of these products, they may have varying levels of  
26 mercury. The Department of General Services has adopted a  
27 procurement preference favoring low-mercury fluorescent lamps.

28 (h) In 2007, the Legislature enacted the California Lighting  
29 Efficiency and Toxics Reduction Act, which directed the  
30 Department of Toxic Substances Control to convene a lighting  
31 task force to consider and make policy recommendations to the  
32 Legislature for designing a statewide collection program for  
33 end-of-life fluorescent lights.

34 (i) On September 1, 2008, the task force submitted  
35 recommendations to the Legislature on the need and options for a  
36 convenient statewide system for the collection and recycling of  
37 fluorescent lamps for residential generators.

38 (j) Electricity generation, particularly from coal, releases  
39 mercury into the atmosphere, which then contaminates waterways  
40 and fish, causing a public health risk.

1 (k) The more electricity required by a bulb, the greater the level  
2 of hazardous waste, including mercury, from electricity generation  
3 associated with its use.

4 (l) The purpose of this act is to establish a system for the  
5 recycling of fluorescent lamps generated by households and small  
6 businesses that is free and convenient for end users and to promote  
7 the rapid development and uptake of more efficient and  
8 low-toxicity lighting products to minimize the public health impacts  
9 from lighting.

10 (m) The responsibility for the end-of-life management of  
11 products and materials rests primarily with the producers who  
12 designed and profited from the product, so incorporating life-cycle  
13 costs into the total product costs will reduce the impact of these  
14 products on the taxpayers and ratepayers of the state and reduce  
15 the impact of these products on human health and the environment.

16 SEC. 2. Article 10.03 (commencing with Section 25210.13)  
17 is added to Chapter 6.5 of Division 20 of the Health and Safety  
18 Code, to read:

19  
20 Article 10.03. California Lighting Toxics Reduction and  
21 Recycling Act  
22

23 25210.13. The Legislature declares its intent to enact  
24 subsequent legislation to provide for the California Lighting Toxics  
25 Reduction and Recycling Act.