

---

**SUBSTITUTE SENATE BILL 6336**

---

**State of Washington                      62nd Legislature                      2012 Regular Session**

**By Senate Environment (originally sponsored by Senator Pridemore)**

READ FIRST TIME 02/03/12.

1            AN ACT Relating to electronic product recycling; and amending RCW  
2 70.95N.050.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 70.95N.050 and 2006 c 183 s 5 are each amended to read  
5 as follows:

6            (1) A manufacturer must participate in the standard plan  
7 administered by the authority, unless the manufacturer obtains  
8 department approval for an independent plan for the collection,  
9 transportation, and recycling of unwanted electronic products.

10           (2) An independent plan may be submitted by an individual  
11 manufacturer or by a group of manufacturers, provided that:

12           (a) For program years 2009 through 2012, each independent plan  
13 represents at least a five percent return share of covered electronic  
14 products and for program year 2013 and all subsequent program years,  
15 each independent plan represents at least a three percent market share  
16 of covered electronic products; and

17           (b) No manufacturer may participate in an independent plan if it is  
18 a new entrant or a white box manufacturer.

1           (3) An individual manufacturer submitting an independent plan to  
2 the department is responsible for collecting, transporting, and  
3 recycling its equivalent share of covered electronic products.

4           (4)(a) Manufacturers collectively submitting an independent plan  
5 are responsible for collecting, transporting, and recycling the sum of  
6 the equivalent shares of each participating manufacturer.

7           (b) Each group of manufacturers submitting an independent plan must  
8 designate a party authorized to file the plan with the department on  
9 their behalf. A letter of certification from each of the manufacturers  
10 designating the authorized party must be submitted to the department  
11 together with the plan.

12          (5) Each manufacturer in the standard plan or in an independent  
13 plan retains responsibility and liability under this chapter in the  
14 event that the plan fails to meet the manufacturer's obligations under  
15 this chapter.

--- END ---