



SWANA[®]

SOLID WASTE ASSOCIATION
of North America

CALIFORNIA CHAPTERS

FOUNDING

SIERRA

GOLDRUSH

LEGISLATIVE TASK FORCE

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September 28, 2009

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, CA 95814

Re: AB 1173 (Huffman) Hazardous materials: fluorescent lamps: recycling – Request for **VETO**

Dear Governor Schwarzenegger,

The Solid Waste Association of North America (SWANA), the largest association of solid waste professionals (7,700 members), is committed to advancing the practices of environmentally and economically sound management of municipal solid waste. On behalf of their California Chapters, I am writing to request your **VETO** of AB 1173 (Huffman).

AB 1173, if enacted, would, on and after January 1, 2011 prohibit the sale or offering for sale in this state, luminaries and lighting fixtures that are intended for general lighting purposes and contain preheat ballasts for operation of preheat linear fluorescent lamps.

SWANA is supportive of the concept in this bill, however, this bill, as currently written:

- Places fiscal responsibility on a subset of compact fluorescent (CFL) manufacturers for all fluorescent collection and recycling costs (including tubes), leaving other manufacturers off the hook. This represents an unfair and disproportionate fee.
- Establishes a precarious CFL recycling program which could inadvertently drive up the cost of the most efficient lamps as manufacturers opt out of efficiency program subsidies to avoid the additional cost of recycling. While CFLs do contain very small amounts of mercury, incandescent bulbs use four times more electricity than CFLs and result in proportionately greater mercury emissions from coal burning power plants.
- Provides no assurance to local governments, who are burdened now with collection and recycling costs, that a manufacturer program will be implemented to alleviate this burden. Once the subsidy is no longer available, or as manufacturers decide to opt out of the subsidy, there will be fewer manufacturers collecting and recycling spent bulbs, which is not sustainable.
- Threatens California's successful track record on energy efficiency and acts as a disincentive, by requiring manufacturers that participate in Public Goods Charge efficiency programs to pay for the recycling of CFLs. The bill could cost California electric customers \$10 million per year and require California utilities to purchase an additional 120 million KW hours of electricity generation undermining state energy efficiency, renewable portfolio, and AB 32 Greenhouse Gas reduction goals.

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SWANA is disappointed that negotiations with the sponsors and author of this legislation did not result in a program that could be supported. The CPSC (California Product Stewardship Council) offered amendments that would have allowed the CPSC, as well as SWANA and many other stakeholders, to support this legislation.

For these reasons, the California Chapters of SWANA, request your **VETO** of AB 1173. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Yoder', written in a cursive style.

Paul J. Yoder
Legislative Advocate

Cc: The Honorable Jared Huffman