

Impact - Product Stewardship & LSWFA

Frequently Asked Questions

What impact does a product stewardship program have on LSWFA funding and project eligibility?

Some local governments have expressed concerns that Ecology will reduce their LSWFA funds upon implementation of product stewardship programs. The total amount of LSWFA funds is determined by the legislature, not by Ecology. It is not anticipated that the legislature will decrease funding based on the current product stewardship programs.

LSWFA eligibility depends upon what the final laws entail for each product stewardship program. For example, if the law establishing a product stewardship program requires manufacturers to cover the cost of containers, transportation, and disposition of the product, then Ecology would consider those activities for that product ineligible for LSWFA funding.

The exciting prospect of product stewardship programs is that LSWFA recipients often see a cost savings to their program budgets. They can then use these funds for other purposes under LSWFA guidelines. For further clarification, see the questions and answers below.

Does Ecology reduce LSWFA funds upon implementation of a new product stewardship program?

No. The formula for allocating LSWFA funds to local governments remains the same. However, some activities may become ineligible that were previously considered eligible due to new funding responsibilities assigned to product manufacturers under the law.

Can LSWFA pay for recycling/disposal costs for products covered under a product stewardship program?

No. LSWFA will no longer cover costs for which the product stewardship program is responsible. A key intent of product stewardship programs is to provide an alternate and more reliable funding source for managing toxic and hard to handle wastes. A product stewardship law will spell out the costs for which the stewardship program is responsible. A stewardship law or program will specifically define what products are covered. The law also might define who can participate

Can LSWFA pay for MRW facility staff time and technical assistance related to collecting a product covered under a product stewardship program?

Yes, because staff are already engaged in collecting many other types of MRW. The exception is for staff time that is included in the contract between the facility and the product stewardship organization (PSO). If that were the case, the payment received by the facility would have to be itemized on the LSWFA payment request as revenue. This expectation is consistent with itemizing other revenues, such as revenues received for recycling or disposing conditionally exempt small quantity generator waste.

Can LSWFA pay for education and outreach costs related to promoting product stewardship programs?

It depends on who the product stewardship law assigns primary responsibility for outreach and education. Under most product stewardship laws, manufacturers are responsible for education and outreach to promote the program. The E-Cycle Washington program is an exception where local governments are required to promote the program through existing educational methods that are typically used. Any additional education and outreach conducted by local governments should be coordinated with Ecology and the stewardship organization. If special conditions exist that may require additional, significant education and outreach, please discuss it with your grant manager.

Can LSWFA pay for MRW facility upgrades to accommodate the collection or storage of product stewardship items?

LSWFA will not pay for facility upgrades or capital expenditures related to the collection or storage of product stewardship items. If additional supplies or facility upgrades are needed for collection or storage, the facility should work with the product stewardship organization (PSO) to see if the PSO would cover or help with those costs. For special circumstances, please contact your grant manager.

If a MRW facility chooses not to participate as a registered collector under a product stewardship program, would LSWFA pay for recycling/disposal costs for that product?

In general, no. Product stewardship programs are required to provide a sufficient number of collection sites throughout the state. However, if the facility and PSO have agreed to use the facility as a registered collection site, but there is a delay in implementation of the product stewardship program, LSWFA recipients could use funds for this activity until the program is implemented. Contact your grant manager for confirmation.

Do LSWFA recipients have to amend current grants to accommodate upcoming product stewardship programs?

Maybe. It depends on when the product stewardship program is implemented and the details of each LSWFA agreement's scope of work. Once product stewardship legislation passes, Ecology will know what services the product stewardship program will cover and can advise accordingly. If the product stewardship program and LSWFA fund the same activity or activities, Ecology considers the product stewardship organization (PSO) responsible for the funding and will no longer consider those activities as LSWFA eligible. The grant recipient is then able to request redistribution of funds originally dedicated to those activities. The grant recipient may increase existing task budgets, create new tasks or return the funds for redistribution to other LSWFA grants. Your grant manager can help you with this decision and process.

Who is responsible for ensuring compliance at participating product stewardship program collection sites?

Ecology is responsible for ensuring that participating collection sites are in compliance with agency regulations. In some cases, product stewardship organizations (PSOs) will also ensure collection sites are complying with internal procedures. Under some circumstances, county health departments may also conduct oversight at product stewardship collection sites and may bill LSWFA for this enforcement work. For special circumstances, please contact your grant manager.

How do we address special circumstances that might be considered when determining task eligibility?

Please contact your grant manager to discuss special circumstances. Your grant manager will coordinate with agency product stewardship staff.

Where can I find more information about product stewardship programs that Ecology oversees?

- [E-Cycle: https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Electronics-E-Cycle](https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Electronics-E-Cycle)
- [Light Recycle: https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Mercury-lights](https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Mercury-lights)
- [PaintCare: https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Paint-stewardship](https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Paint-stewardship)
- [PV Modules: https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Solar-panels](https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Solar-panels)

What products does each product stewardship program cover?

The specific products covered by each product stewardship program is defined in the corresponding laws.

- E-Cycle (Chapter 70A.500 RCW) – The law defines “covered product” as anything with a screen measuring at least 4 inches diagonally. It covers: computers, monitors, laptops, tablets, televisions, portable DVD players, and e-readers.
- LightRecycle (Chapter 70A.505 RCW) – Covers compact fluorescent lamps (CFLs), linear tubes, high-intensity discharge (HID), and other lights that contain mercury used in homes, businesses, and outdoor stationary fixtures.
- PaintCare (Chapter 70A.515 RCW) – Covers “architectural paint,” sold in containers of 5 gallons or less. Includes both latex and oil-based paints, and primers, stains, and sealers. Go to PaintCare’s website for complete list: <https://www.paintcare.org/products>.
- PV Modules (Chapter 70A.510 RCW) – Covers photovoltaic cells or other photovoltaic collector technology and ancillary parts intended to generate electrical power under sunlight. Please refer to the law or the website listed above for exceptions.

Who can participate in each of the product stewardship programs?

In most cases, the law will specify who can participate in the programs.

- E-Cycle (Chapter 70A.500) – Accepts material from residents, small businesses, schools, small governments, special purpose districts, and charities.
- LightRecycle (Chapter 70A.505) – Accepts mercury containing lamps from any entity, but there is a 10 lamp per day limit at all collection sites.
- PaintCare (Chapter 70A.515) – Accepts latex paint from residents and any size business. Accepts oil-based paint and other solvent based paint products only from residents and small businesses (small quantity generators).
- PV Modules (Chapter 70A.510) – Accepts from anyone.

Contact Information

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