



imerc alert

INTERSTATE MERCURY EDUCATION & REDUCTION CLEARINGHOUSE

Three States Join IMERC!

IMERC is happy to welcome the States of Minnesota, California, and North Carolina. These states have formally joined the Clearinghouse in the past eight months. With the addition of these three states, IMERC now has 13 member states, including Connecticut, Illinois, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Washington State as well as the new members. IMERC has been busy updating its webpages to include information on all of the states' laws that are now in place in all of its member states and particularly the states that have recently joined. Please visit www.newmoa.org/prevention/mercury/imerc

New State Mercury Reduction Laws

The IMERC member states of California, Maine, New York, and Vermont have enacted new mercury reduction laws within the past year. A brief summary of the various state laws is provided below along with links to the state webpages for more information.

California Enacts Broad Mercury Product Bans & Phase-outs Bill

In September 2005 California enacted a bill that includes a number of product bans and phase-outs. The law prohibits the sale of mercury-added switches or relays with the opportunity for applying for an exemption; bans the sale of gas ovens with mercury-added diostats (or flame sensors) after January 1, 2008; and bans the sale of various mercury-added measuring devices, including barometers, flow meters, hydrometers, various gastrointestinal and medical tubes, manometers, pyrometers, blood pressure cuffs, and thermometers. There are various exemptions and exceptions to these restrictions. Further information on these requirements is available at <http://www.dtsc.ca.gov/HazardousWaste/Mercury/>

New York State Enacts Comprehensive Mercury Reduction Bill

In September 2005, New York State enacted additional mercury reduction provisions that compliment legislation first adopted in July 2004. The enhanced comprehensive mercury reduction provisions focus on product notification and labeling; disposal restrictions; restrictions on the sale of mercury-added novelty items; restrictions on the sale and use of elemental mercury; and bans on the sale or distribution of various mercury-added measuring devices,

including barometers, flow meters, hydrometers, various gastrointestinal tubes, manometers, pyrometers, blood pressure cuffs, and thermometers. The sales bans provide for certain specific exemptions, including exemptions for mercury-added replacement products. Further information on New York State's mercury management requirements is available at <http://www.dec.state.ny.us/website/dshm/redrecy/c145home.html>

Vermont Enacts Comprehensive Mercury Reduction Bill

In 2005 Vermont enacted a comprehensive mercury reduction bill that focuses on product notification; revisions to the labeling requirements; bans on the sale of mercury-added fever thermometers, dairy manometers, and thermostats; restrictions on the sale of mercury-added novelty items; restrictions on the availability of elemental mercury and its uses; and phase-outs on the sale or distribution of mercury-added switches and relays and various mercury-added measuring devices, including barometers, flow meters, hydrometers, various gastrointestinal and other tubes, manometers, pyrometers, blood pressure cuffs, and neon signs or lamps. There are various exemptions and exceptions to these restrictions. Further information on these requirements is available at www.mercvt.org

Maine Enacts Restrictions on Mercury in Button Cell Batteries

Maine has enacted a law that bans the sale of mercury-added button batteries effective June 30, 2011. This will give battery manufacturers time to perfect the emerging mercury-free battery technology and build production capacity. As a precaution, the Maine law calls for the Department of Environmental Protection to file an interim report on the state of button battery technology in January 2009. This interim report will enable the Legislature to assess whether a sufficient supply of reliable mercury-free batteries will be available in advance of the 2011 effective date.

Button battery disposal is estimated to contribute 5 tons annually to the US solid waste stream (see http://www.maine.gov/dep/rwm/mercury/button_battery_report.htm). Hearing aid batteries appear to account for most of this mercury usage and will be the key focus of the 2009 interim report. Further information on this law is available at <http://www.mainelegislature.org/legis/bills/chapters/PUBLIC509-1.asp>

Upcoming Compliance Dates for the Phase-out of the Sale of Certain Mercury-added Products with the Opportunity for Applying for an Exemption

There are a number of key deadlines for mercury-added product phase-outs that provide manufacturers with the opportunity to apply for an exemption as summarized in the Table.

Mercury-added product	Effective date	Examples of products that could be in this category
Any <u>fabricated</u> product with ≥ 1000 mg Hg ¹	July 1, 2004 in CT	Flame sensors, float switches, tilt switches, relays, electricity meters, thermometers, thermostats, sphygmomanometers, barometers, manometers, mercury vapor lamps
	January 1, 2006 in RI	
Any <u>fabricated</u> product with ≥ 100 mg Hg ¹	July 1, 2006 in CT	Reed switches, wetted relays, pressure transducers, sensor electrodes, xenon lamps
Any <u>fabricated</u> product with ≥ 10 mg Hg	July 1, 2009 in RI	Fluorescent bulbs, scanner lamps, wetted relays
Any <u>formulated</u> product with >250 ppm Hg	July 1, 2004 in CT	Laboratory reagents, solutions and chemicals
	January 1, 2006 in RI	
Any <u>formulated</u> product with ≥ 50 ppm Hg	July 1, 2006 in CT	Laboratory reagents, solutions and chemicals
	July 1, 2007 in RI	
Any <u>formulated</u> product with ≥ 10 ppm Hg	July 1, 2009 in RI	Laboratory reagents, solutions and chemicals
Thermostats	January 1, 2006 in ME	
Barometers, esophageal dilators, bougie tubes, gastrointestinal tubes, flow meters, hygrometers, psychrometers & pyrometers	January 1, 2006 in NY	
	July 1, 2006 in ME	
	January 1, 2007 in VT	
Diostats	January 1, 2008 in CA	
Hydrometers & manometers	July 1, 2006 in ME	
	January 1, 2007 in NY and VT	
Neon signs	January 1, 2007 in VT	
Switches & relays	July 1, 2006 in CA & ME	
	January 1, 2007 in VT	
	July 1, 2007 in IL	
	January 1, 2008 in NY	

¹If a product has more than one mercury-added component, each component is considered a separate product. The mercury content of the larger product is not determined by adding the mercury content of the components. For example, if an electronic product contains two mercury-added switches, one of which has 700 milligrams (mg) of mercury and the other 500 mg, the phase-out date for the these switches is July 1, 2006 in Connecticut and July 1, 2007 in Rhode Island.

Applications for an exemption to any of these product phase-out deadlines need to be submitted to IMERC and state environmental authorities in applicable states at least six months in advance of the deadline. The IMERC-member states have prepared a Mercury-added Product Exemption Application Form that addresses the needs all of the participating states. The Exemption Application Form and instructions, including more information on the deadlines, are available at www.newmoa.org/prevention/mercury/imerc/phaseoutinfo.cfm

Updated Mercury-added Product Notification Forms

IMERC has recently updated the Mercury-added Product Notification Forms on the IMERC webpage to address those states, including New York and Vermont that have recently enacted product notification requirements. In addition, the IMERC-member states have developed product-specific Notification Forms for lamp manufacturers and automobile manufacturers to address the special reporting needs for those sectors. To obtain a copy of all of the Mercury-added Product Notification Forms and Instructions go to www.newmoa.org/prevention/mercury/imerc/plnotification.cfm

Reminder on Mercury-added Product Notification & Deadlines

Reminder: Mercury-added product manufacturers or the distributors are required to submit an updated Mercury-added Product Notification Form if:

- (1) there is a change in any of the information required for Notification (e.g., increase or decrease in the amount of mercury);
- (2) mercury is eliminated from the product;
- (3) the manufacturer stops manufacturing the mercury-added product;
- (4) the mercury-added product is no longer sold in states requiring Notification; and/or
- (5) the manufacturer begins to produce additional mercury-added products.

The IMERC-member states require manufacturers to submit a complete updated Notification Form, including all product information and total mercury use for US sales for calendar year 2007. ***The deadline for submitting the updated Mercury-added Product Notification Forms is April 1, 2008.***

For more information contact: Terri Goldberg, NEWMOA/IMERC (617) 367-8558 x302, tgoldberg@newmoa.org.

IMERC

The Interstate Mercury Education & Reduction Clearinghouse (IMERC) produces *IMERC Alert* as a way of communicating critical information with manufacturers, distributors, and importers of mercury-added products and trade organizations that represent those companies. The *Alert* is designed to provide quick and easy updates on the regulatory requirements of IMERC-member states concerning mercury-added products and other related developments and activities. *IMERC Alert* is distributed primarily through an e-mail list of companies and organizations that have reported to IMERC that they produce or distribute mercury-added products, and it is posted on the IMERC webpage at www.newmoa.org/prevention/mercury/imerc. IMERC will be issuing this *Alert* periodically—based on when announcements and new information become available. IMERC would appreciate receiving comments and suggestions on this bulletin; send your ideas to tgoldberg@newmoa.org.

IMERC was established by state environmental officials from Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont to help them implement laws and programs aimed at getting mercury out of consumer products, the waste stream, and the environment. Washington State officially joined IMERC in 2003. Illinois officially joined IMERC in 2004. California, Minnesota, and North Carolina joined IMERC in 2005-2006. IMERC is a program of the Northeast Waste Management Officials' Association (NEWMOA). In 2001 the NEWMOA member states launched IMERC to provide:

- ongoing technical and programmatic assistance to states that have enacted mercury education and reduction legislation
- a single point of contact for industry and the public for information on mercury-added products and member states' mercury education and reduction programs.

NEWMOA's staff provides logistical, facilitation, and technical support for the activities of IMERC.

For more information contact: Terri Goldberg, NEWMOA/IMERC (617) 367-8558 x302, tgoldberg@newmoa.org; NEWMOA's mailing address is: 129 Portland Street, 6th floor, Boston, MA 02114.

