

Connecticut's Mercury Products Legislation

Tom Metzner
Connecticut Department of Energy and
Environmental Protection

April 25, 2013

Mercury Reduction and Education Act

- Passed in 2002
- Studies in late 90's show high rate of mercury deposition in northeast
- Northeast Governors commit to “virtual elimination” of mercury from the solid waste stream
- Strategy includes model legislation
- Northeast states drafted model legislation 1998-2000.
- Variations of this law exist in ME, NH, MA, VT, CT, RI, NY, LA, CA, MN, and WA

Provisions of Mercury Product Law

- Establishment of IMERC
- Notification – Manufacturers of products containing mercury must notify states
- Phaseout – Prohibits sale of mercury products containing more than 100mg or 50ppm of mercury
- Labeling – Remaining products must be labeled to indicate the product contains mercury
- Collection plan – Manufacturers must have a system for collection of their product.
- Sales Bans – certain products banned from sale
- Dental Best Management Practices

IMERC

- Interstate Mercury Education and Reduction Clearinghouse
 - Established by northeast states to administer provisions of the law regionally
 - Authorized by the legislation
 - Provides manufacturer with one entity to consult on compliance with multiple state requirements
 - Housed through NEWMOA and funded by the states
 - Maintains most comprehensive database of mercury products

Notification

- Any manufacturer of a product containing intentionally added mercury must report to IMERC:
 - Amount of mercury in a single product
 - Amount of total mercury used in products in a given year.
 - Purpose of mercury in product
 - Report filled out every three years

Phaseout

- Mercury products prohibited from sale in Connecticut in 2 steps beginning in 2004 (>1 gram or 250 ppm) and 2006 (>100 mg or 50 ppm)
- Connecticut was the first state to ban the sale of mercury thermostats under this provision in 2004
- Exemptions allowed for necessary products where there is no technically feasible non-mercury alternative available at a reasonable cost.

Labeling

- Products allowed for sale need to be labeled
 - Product and
 - Either package or care and use manual
- Shall be clearly visible prior to sale and inform purchaser that the product contains mercury and must be disposed of properly
- Exceptions
 - Cars – doorpost
 - Lamps – only “Hg” in a circle
 - Appliances – no label required for packaging
 - Luminaires – If not sold through retail can put information on website or catalog
 - “Medical equipment not intended for non-medical personnel” – exempt
- Alternatives allowed by application

Collection Plan

- Manufacturer may not sell mercury products without a collection plan
 - Consent of all manufacturers to the plan if it is a group plan
 - Education component
 - Target capture rate
- Exempt
 - Formulated products consumed in use
 - Backlighting where the lighting can not be removed by the purchaser
 - Button cell batteries
 - Any other product the commissioner deems cannot be reasonably collected

Specific Sales Bans

- Manometers
- Fever Thermometers
- Novelties

Requirements for Dentists

- Must follow best management practices established by the department
 - Must have amalgam separators
 - Provide information to patients on alternatives
 - May not mix their own amalgam

Other Provisions and Mercury Product Laws

- A person contracting with the owner of a commercial, industrial or office building for removal of mercury lamps must inform the owner that lamps contain mercury and of the contractor's plans for management of the lamps.
- Person who sells lamps to any of the above mentioned buildings must inform the owner of the mercury content of the lamps.
- Button cell batteries may no longer contain mercury as of July 1, 2013
- Mercury thermostats banned from disposal from residents beginning in April 2014