

Pennsylvania Approach to Mercury Thermostat Recycling Act 97, 2008 (House Bill 44)

Highlights of Act 97, 2008 (House Bill 44):

- Effective Date 12/8/08
- Manufacturers must develop and implement a plan for collection and recycling of mercury thermostats by 6/6/09
- Bans the sale, installation and disposal of mercury thermostats, effective 12/8/09
- Mandates wholesaler participation to act as collection points, effective 12/8/09
- Mandates that retailers participate as a collection point -OR- provide notice to customers that recycling of mercury thermostats is required under Pennsylvania law and identify locations of nearby collection points, effective 12/8/09
- Annual report due from each manufacturer with an approved collection and recycling program, by 6/1 annually. The report will document the number of thermostats collected and recycled, evaluate the effectiveness of the program, and list goals for the coming year.
- PADEP is required to provide education and outreach on the proper management of mercury thermostats and other products containing mercury, including a list of approved collection sites.

The goals of Pennsylvania's program are:

- To give every contractor and citizen a convenient opportunity to recycle all mercury thermostats;
- For PADEP to partner with the manufacturers to establish annual collection goals based on program performance, increasing the collection of mercury thermostats each year until 2015, or until the disposal of mercury thermostats no longer poses a threat to the Commonwealth;
- To educate citizens of the Commonwealth on the importance of recycling their thermostats, and how it protects the environment; and
- To acknowledge the TRC's commitment to offering a collection and recycling program for mercury thermostats, and to recognize the existing program as an avenue for manufacturers to comply with the Pennsylvania law.

What the Pennsylvania approach did *not* do:

- Set rigid capture rate goals in legislation based on an unknown quantity of mercury thermostats coming out-of-service.
- Set rigid capture rate goals in legislation based on general assumptions and surveys.
- Establish incentive payments or a bounty for the return of a mercury thermostat.