



# imerc alert

INTERSTATE MERCURY EDUCATION & REDUCTION CLEARINGHOUSE

## New Maine Mercury Reduction Law

Maine has passed a new law that bans the sale of mercury switches, relays, and measuring devices after July 1, 2006 unless an exemption is obtained from the Maine Department of Environmental Protection (ME DEP). The DEP is developing rules for processing exemption applications, and will circulate the draft rules to manufacturers and other interested parties for comment later this year.

The ban applies to switches, relays, and measuring devices that contain mercury whether sold separately or as a component in a larger product. Measuring devices subject to the ban include:

- barometers;
- esophageal dilators, bougie tubes, or gastrointestinal tubes;
- flow meters;
- hydrometers;
- hygrometers or psychrometers;
- manometers;
- pyrometers;
- sphygmomanometers; and
- thermometers.

This law does not apply to the sale of a mercury-added product if its use is a federal requirement or if the only mercury-added component in the product is a button cell battery.

To obtain a copy of the law (PL 2003, c. 221) or add your name to the mailing list for rulemaking on exemption procedures, contact: John James, DEP-BRWM, 17 SHS, Augusta ME 04333-0017, john.james@maine.gov, (207) 287-7866.

## Washington State Passes Mercury Reduction Law & Joins IMERC

Washington State recently enacted HB 1002. The new law mandates:

- Effective January 1, 2004, a manufacturer, wholesaler, or retailer cannot knowingly sell in WA State a fluorescent lamp if the fluorescent lamp contains mercury and was manufactured after November 30, 2003, unless the fluorescent lamp is labeled in accordance with a set of state guidelines.
- The WA Department of Health (DOH) to develop an

educational plan for schools, local governments, businesses, and the public on the proper disposal methods for mercury and mercury-added products.

- A school cannot purchase for use in primary or secondary classrooms bulk elemental mercury or chemical mercury compounds; by January 1, 2006, all primary and secondary schools in the state must remove and properly dispose of all bulk elemental mercury, chemical mercury, and bulk mercury compounds used as teaching aids in science classrooms, not including barometers.
- Effective January 1, 2006, no person may sell, offer for sale, or distribute for sale, or use in WA State a mercury-added novelty. A manufacturer of mercury-added novelties must notify all retailers that sell the product about this restriction and how to properly dispose of any remaining mercury-added novelty inventory.
- Effective January 1, 2006, no person may sell, offer for sale, or distribute for sale or use to any health care facility in WA State a manometer used to measure blood pressure that contains mercury or a thermometer that contains mercury (there are some exemptions to this prohibition.)
- Effective January 1, 2006, no person may sell, install, or reinstall a commercial or residential thermostat that contains mercury unless the manufacturer of the thermostat conducts or participates in a thermostat recovery or recycling program designed to assist contractors in the proper disposal of thermostats that contain mercury in accordance with the Federal Resource Conservation and Recovery Act (RCRA).
- No person may sell, offer for sale, or distribute for sale or use in WA State a motor vehicle manufactured after January 1, 2006, if the motor vehicle contains an automotive mercury switch.
- The WA Department of Ecology to participate in a regional or multi-state clearinghouse to assist in carrying out the requirements of the Act.
- The WA Department of Ecology to petition the U.S. Environmental Protection Agency requesting development of a national mercury repository.

This law took effect on July 27, 2003. IMERC has recently welcomed the WA Department of Ecology as its newest state member.

## Guidance on Mercury-added Product Labeling, Phase-Outs & Exemption Applications, & Collection System Plans

IMERC has recently developed and posted guidance on its website (<http://www.newmoa.org/prevention/mercury/imerc/>) for manufacturers of mercury-added products to help them comply with state labeling, phase-out, and collection plan requirements. The states of Maine, Connecticut, Rhode Island, Washington, and Vermont have enacted requirements for labeling products that contain intentionally-added mercury. The guidance provides a roadmap for companies that need to label their products.

In addition, Connecticut, Maine, and Rhode Island have specific mercury product phase-out and collection system plan requirements and the guidance material on the website describes how companies can comply with them.

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

## Requirements for Updating Mercury-added Product Notification Forms

Mercury-added product manufacturers and their representatives are required to submit an updated Mercury-added Product Notification Form if (1) there is a change in any of the information required for the Notification (e.g., increase or decrease in the amount of mercury); (2) the mercury is eliminated from the product; (3) the manufacturer stops manufacturing the mercury-added product or product category; (4) the mercury-added product or product category is no longer sold in states requiring Notification; or (5) the manufacturer begins to produce additional mercury-added products.

Please Note: If you submit an updated Mercury-added Product Notification Form, you are not required to provide information on total amount of mercury (column 7 of Section IV of the Form) for the reporting year of 2001. The next deadline for reporting information on total mercury is April 1, 2005 for US sales of the mercury-added products in calendar year 2004.

For more information contact: Terri Goldberg, NEWMOA (617) 367-8558 x302, [tgoldberg@newmoa.org](mailto: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 web page at [www.newmoa.org/prevention/mercury/imerc](http://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](mailto: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. 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 about IMERC contact: Terri Goldberg, NEWMOA, 129 Portland St. 6th floor, Boston, MA 02114, (617) 367-8558 ext. 302 or visit [www.newmoa.org/mercury](http://www.newmoa.org/mercury).