

[View Print Version](#)

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- [Reminder: Upcoming Triennial Mercury-added Product Notification Deadline](#)
- [New State Mercury Reduction Laws & Regulations](#)
- [Recent & Upcoming State Compliance Dates for Sales Bans](#)
- [New IMERC Web Page Features](#)

Reminder: Upcoming Triennial Mercury-added Product Notification Deadline

Manufacturers & Distributors of Mercury-added Products:

The IMERC-member states require all manufacturers and/or distributors of mercury-added products to submit a complete Triennial Notification Form, including all product information and reporting total data on mercury use for U.S. sales of mercury-added products in calendar year 2007. The deadline for submitting Triennial Mercury-added Product Notification Forms is **April 1, 2008**. This Form must be completed and sent to IMERC, regardless of when a company last submitted a Notification Form. All Forms and instructions can be found at: <http://www.newmoa.org/prevention/mercury/imerc/notificationforms.cfm>. Please note that automobile and lamp manufacturers should use the specialized product-specific Notification Forms found on the Web page listed above.

For more information contact: Adam Wienert, IMERC (617) 367-8558 x307; awienert@newmoa.org.

New State Mercury Reduction Laws & Regulations

Massachusetts Enacts Broad Mercury Reduction Legislation

Massachusetts has joined other New England states in regulating the use of products containing mercury. The Massachusetts Mercury Management Act (passed in July 2006) is designed to keep mercury-added products out of the waste stream. It requires manufacturers of mercury-added products that are sold or distributed in Massachusetts to notify through IMERC, and to establish programs for collecting and recycling their "end of life" products. The law bans the sale of mercury-added thermostats and specific measuring devices (as of May 1, 2008), and of products containing mercury switches and relays (as of May 1, 2009). By May 2008, mercury-added products will need to be labeled so their users will know how to properly dispose of them. Automobile recyclers must remove mercury switches from vehicles before they are crushed. Lamp manufacturers must educate the public about proper management of spent mercury-added lamps (lamp manufacturers do not have to collect and recycle their lamps, but will have to support municipal lamp recycling efforts if lamp recycling does not meet specified targets). The law also bans disposal of mercury-added products in solid waste, starting May 1, 2008.

To fulfill the Act's notification requirements, in place since October 1, 2006, MA DEP has accepted all product notifications that have been approved by the IMERC-member states, and is now working with the Clearinghouse to review new notifications as they are submitted. The Department has also proposed draft regulations that would establish performance standards for manufacturer's collection/recycling plans, vehicle mercury switch removal, and manufacturers' support for municipal lamp recycling. The public comment period for these draft regulations closes on May 14, 2007. For a copy of the law, draft rules, and information about how to submit comments, visit: <http://www.mass.gov/dep/toxics/stypes/hgres.htm>.

MA DEP expects to publish final rules during Summer 2007 and will propose additional regulations in Fall 2007 to implement other components of the Act. *Please note: the regulations would require manufacturers' collection/recycling plans to be submitted to MA DEP no later than 30 days after the final rules take effect.*

For more information contact: Lori Segall, MA DEP (617) 654-6595; Lori.Segall@state.ma.us.

New Maine Rules for Filing Exemptions from Sale Prohibition for Specific Mercury-added Products

On March 1, 2007, the Maine Board of Environmental Protection adopted Chapter 872, a new rule establishing the procedure by which the manufacturer of a mercury switch, relay, or measuring device may apply for exemption from the sale prohibition under 38 MRSA § 1661-C(6) and (7). Chapter 872 took effect on April 3, 2007. A copy of the rule will be available for downloading from the Maine Secretary of State Website in the near future at: <http://www.maine.gov/sos/cec/rules/06/chaps06.htm>. In the meantime, an unofficial copy is available at <http://www.maine.gov/dep/rwm/rules/rulemaking.htm>.

For more information contact: John James, ME DEP (207) 287-7866; john.james@maine.gov.

New York State Enacts Mercury Reduction Legislation for Automobile Manufacturers

New York State has enacted Chapter 611, requiring the phase-out of mercury-added components from motor vehicles sold in the state. Model Year 2012 motor vehicles, sold in calendar year 2011, are the first vehicles that are prohibited from containing mercury-added components greater than fifteen milligrams. Further information on this legislation is available at: <http://www.dec.ny.gov/chemical/28728.html>.

For more information contact: Christine Barnes, NYS DEC (518) 402-8705; cabarnes@gw.dec.state.ny.us.

Recent & Upcoming State Compliance Dates for Sales Bans

There are a number of recent and upcoming deadlines on the phase-out of the sale of certain mercury-added products in IMERC-member states, unless an exemption is granted by the state. For more information about state specific product sales restrictions, opportunities for applying for exemption, and all product bans already in effect, visit: <http://www.newmoa.org/prevention/mercury/imerc/productban.cfm>.

The following are recent and upcoming individual IMERC-member state deadlines:

California -

January 1, 2008 - Effective date for the ban on the sale of mercury diostats

Illinois -

July 1, 2007 - Effective date for the ban on the sale of mercury switches and relays

Massachusetts -

May 1, 2008 - Effective date for the ban on the sale of thermostats, barometers, esophageal dilators, bougie tubes, gastrointestinal tubes, flow meters, hygrometers, psychrometers, and pyrometers

May 1, 2009 - Effective date for the ban on the sale of mercury switches and relays

New York -

January 1, 2007 - Effective date for the ban on the sale of hydrometers and manometers

January 1, 2008 - Effective date for the ban on the sale of mercury switches and relays

Rhode Island -

July 1, 2007

- Effective date for the ban on the sale of fabricated products with >100 mg of mercury
 - Effective date for the ban on the sale of formulated products with > 50 ppm of mercury
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Vermont -

January 1, 2007

- Effective date for the ban on the sale of the following measuring and medical devices: sphygmomanometers, hydrometers, manometers, barometers, esophageal dilators, bougie tubes, gastrointestinal tubes, flow meters, hygrometers, psychrometers, and pyrometers
 - Effective date on the ban on the sale of neon signs
 - Effective date on the ban on the sale of mercury switches and relays
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To view all product sales bans in effect in the IMERC-member states, visit:

<http://www.newmoa.org/prevention/mercury/imerc/productban.cfm>.

New IMERC Web Page Features

IMERC has updated, reorganized, and expanded its compliance guidance WebPages. Along with information about compliance with product labeling, notification, and sales restriction requirements, the WebPages now include a new "frequently asked questions" (FAQ) section and "Ask IMERC" feature that enables users to email questions directly through a form on the IMERC WebPage. The compliance guidance WebPages are available at:

<http://www.newmoa.org/prevention/mercury/imerc/guidance.cfm>.

About *IMERC Alert*

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. IMERC issues 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 awienert@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 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:

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

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

For more information contact: Adam Wienert, IMERC (617) 367-8558 x307; awienert@newmoa.org; IMERC Webpage: <http://www.newmoa.org/prevention/mercury/imerc>; mailing address: IMERC, c/o NEWMOA, 129 Portland Street, Suite 602, Boston, MA 02114