

Mercury Reduction Laws and Programs

Starting in 1999 states began pursuing enactment of legislation focused on reducing mercury in products and waste. As of 2006 California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont, and Washington have passed some mercury education and reduction legislation. At least two of these states have enacted the following:

- **Interstate Clearinghouse:** Authorizes state participation in an interstate clearinghouse. (Enacted by California, Connecticut, Illinois, Maine, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, and Washington)
- **Notification:** Requires manufacturers, distributors, and importers to provide written notification about mercury-added products that are offered for sale in the states. (Enacted by Connecticut, Maine, Massachusetts, New Hampshire, New York, North Carolina, Rhode Island, and Vermont)
- **Restrictions on Sale of Certain Mercury-added Products:** Bans the sale of certain mercury-added products and may include novelty items, fever thermometers, thermostats, dairy manometers, convenient light switches, and the use of mercury by school classrooms (At least some portion enacted by California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont, and Washington)
- **Phase-out and Exemptions:** Institutes a gradual phase-out on the sale of certain mercury-added products with a process of applying for exemptions. (Enacted by California, Connecticut, Illinois, Maine, Massachusetts, New York, Rhode Island, Vermont, and Washington)

- **Labeling of Mercury-added Products:** Requires certain mercury-added products and their packaging to have a label that indicates the presence of mercury and that the products should be disposed of or managed properly (Enacted by California, Connecticut, Maine, Massachusetts, Minnesota, New York, Rhode Island, Vermont, and Washington)
- **Collection Plans:** Requires manufacturers to submit for approval by the states plans for collection systems that manufacturers will finance for the mercury-added products they sell in the state. (Enacted by Connecticut and Rhode Island)
- **Disposal Ban:** Requires the recycling or hazardous waste disposal of certain mercury-added products. (Enacted by Maine, Massachusetts, New York, Rhode Island, and Vermont)
- **Limitations:** Limits the sale of elemental mercury to medical and industrial users. (Enacted by Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont)

Mercury-Added Products Database

IMERC has created an online Mercury-Added Products Database of information on the amount and purpose of mercury in consumer products reported by manufacturers under the notification requirements of the states' mercury reduction legislation. The database informs consumers, recyclers, solid waste facilities, policy makers, and others about:

- products that contain intentionally-added mercury
- the amount of mercury in specific products
- the total amount of mercury used in specific product categories that were sold in the US in a given year (first reporting year was 2001)
- the manufacturers of mercury-added products

Online Information

IMERC

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

California

<http://www.dtsc.ca.gov/HazardousWaste/Mercury/>

Connecticut

<http://www.dep.state.ct.us/wst/mercury/mercury.htm>

Illinois

<http://www.epa.state.il.us/mercury/>

Maine

<http://www.state.me.us/dep/mercury>

Massachusetts

<http://www.mass.gov/dep/toxics/stypes/hgres.htm>

Minnesota

<http://www.pca.state.mn.us/air/mercury.html>

New Hampshire

<http://www.des.state.nh.us/nhppp/mercury/>

New Jersey

http://www.nj.gov/dep/dsr/mercury_task_force.htm

New York

<http://www.dec.state.ny.us/website/dshm/redrecy/c145home.html>

North Carolina

<http://www.p2pays.org/mercury/>

Rhode Island

<http://www.dem.ri.gov/topics/mercury.htm>

Vermont

<http://www.mercvt.org>

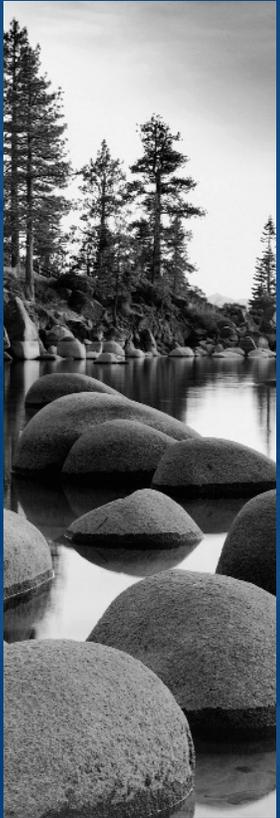
Washington

<http://www.ecy.wa.gov/programs/eap/pbt/mercuryplan.html>

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INTERSTATE MERCURY EDUCATION
& REDUCTION CLEARINGHOUSE

Common Items that May Contain Mercury

- Fever, laboratory, candy, or oven thermometers
- Thermostats
- Blood pressure measurement devices
- Switches
- Relays
- Manometers, barometers, vacuum gauges
- Laboratory chemicals
- Preservatives
- Thermostat probes
- Fluorescent lamps
- Mercury vapor lamps
- Metal halide lamps
- High pressure sodium lamps
- Button cell batteries

When being disposed of, many items that contain mercury are considered hazardous waste.

What is IMERC?

The Interstate Mercury Education and Reduction Clearinghouse (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. IMERC is a program of the Northeast Waste Management Officials' Association (NEWMOA). Washington State joined IMERC in 2003. Illinois joined IMERC in 2004. California, Minnesota, and North Carolina joined IMERC in 2005-2006.

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.

IMERC Activities

IMERC facilitates deliberations that provide advice and assistance to the individual states for their decision-making. IMERC's activities include:

- collecting and managing data on mercury-added products submitted in compliance with the notification provisions of state mercury reduction legislation;

- facilitating interstate collaboration on the development and implementation of public education and outreach programs on mercury-added products;
- making information on mercury-added products available to industry and the public;
- responding to requests for information on mercury education and reduction legislation and other activities; and
- providing technical assistance, facilitating review, and making recommendations to the member states concerning (1) manufacturer applications for exemptions to the phase-out of mercury-added products; (2) manufacturer applications for alternative labeling of mercury-added products; and (3) manufacturer plans for collection and proper waste management of mercury-containing materials.

IMERC's Structure

IMERC's membership includes NEWMOA and non-NEWMOA member state government agencies. The current state members include California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Vermont and Washington State. All member states that participate in the Clearinghouse pay an annual fee.

All IMERC-member states have a vote on the recommendations made by the Clearinghouse to the states. All state representatives to IMERC are appointed by the responsible State Environmental Agency Commissioner/Director.

Why Mercury?

Mercury is toxic. People can be exposed to mercury by eating mercury-contaminated fish and by inhaling its vapors. Pregnant women, women of child-bearing age, and young children need to be especially careful to prevent mercury exposure, which can cause damage to the brain, liver and kidneys, as well as developmental disorders in children².

Many products contain mercury, such as thermometers, thermostats, blood pressure measuring devices, and fluorescent lighting. When these products are broken or disposed of, mercury can be released into the air and eventually make its way into water bodies where it accumulates in the food chain and can be taken up by fish and wildlife.

Mercury pollution poses serious environmental problems. All of the IMERC member states have at least some advisories in place warning people, particularly pregnant women, to avoid or limit their consumption of certain types of fish due to mercury contamination.

What is a Mercury-added Product?

A mercury-added product is any formulated or fabricated product that contains mercury, a mercury compound, or a component containing mercury, when the mercury is intentionally added to the product (or component) for any reason.

¹ NEWMOA is a non-profit, non-partisan interstate association made up of environmental agency directors from the hazardous waste, solid waste, waste site cleanup, pollution prevention, and underground storage tank programs in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. NEWMOA's mission is to develop and sustain an effective partnership of states to explore, develop, promote, and implement environmentally sound solutions for the reduction and management of materials and wastes, and for the remediation of contaminated sites, in order to achieve a clean and healthy environment.

² U.S. EPA, February 2003, *America's Children and the Environment, Measures of Contaminants, Body Burden, and Illness*, EPA 240-R-03-001.