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Legislative Document

No. 512

S.P. 145

In Senate, February 15, 2011

An Act Regarding the Disposition of Mercury-added Lamps

Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

Joseph G. Carleton Jr.
JOSEPH G. CARLETON, JR.

Secretary of the Senate

Presented by Senator SAVIELLO of Franklin. Cosponsored by Senator McCORMICK of Kennebec.

2 3	Sec. 1. 38 MRSA §1672, sub-§4, ¶A, as enacted by PL 2009, c. 272, §1, is amended to read:
4	A. The recycling program required under this subsection must include:
5 6 7	 Convenient collection locations located throughout the State where residents can drop off their household lamps without cost, including but not limited to municipal collection sites and participating retail establishments;
8 9 10 11	(2) Handling and recycling equipment and practices in compliance with the universal waste rules adopted pursuant to section 1319-O, subsection 1, paragraph F, with subsection 6 if a crushing device is used and with all other applicable requirements;
12 13 14	(3) Effective education and outreach, including, but not limited to, point-of- purchase signs and other materials provided to retail establishments without cost; and
15 16 17 18 19 20 21	(4) An annual report to the department on the number of mercury-added lamps recycled under the manufacturer's program, the estimated percentage of mercury-added lamps available for recycling that were recycled under the program and the methodology for estimating the number of mercury-added lamps available for recycling, an evaluation of the effectiveness of the recycling program, recommendations for increasing the number of lamps recycled under the recycling program and an accounting of the costs associated with administering and implementing the recycling program.
23	Sec. 2. 38 MRSA §1672, sub-§6 is enacted to read:
24 25	6. Lamp crushing. A recycling program required under subsection 4 may include the use of crushing devices in accordance with the provisions of this subsection.
26	A. The owner of the crushing device shall:
27	(1) Register the device with the department. The registration must include:
28	(a) The owner's name and contact information;
29	(b) The brand of device used;
30	(c) Anticipated usage of the device; and
31 32	(d) A statement that the operating manual required pursuant to subparagraph (2) is in place;
33 34 35	(2) Develop an operating manual specifying how to safely crush mercury-added lamps. The operating manual must be available to all operators of the device and must include:
36 37	(a) Procedures for operation and maintenance of the device in accordance with written procedures developed by the manufacturer of the device;
38	(b) Testing and monitoring procedures;

Be it enacted by the People of the State of Maine as follows:

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1 2	(c) Information concerning mercury hazards, crushing procedures, waste handling and emergency procedures;
3 4 5	(d) An assessment of whether surrounding areas will be negatively affected either by physical proximity or air exchange with a heating, ventilation and air conditioning system; and
6	(e) Proper waste management practices;
7 8 9	(3) Document maintenance activities, retain maintenance logs, test data from the manufacturer and any additional test data acquired and make available a copy of these records to the department at its request;
10 11	(4) Meet all federal Occupational Safety and Health Administration requirements;
12	(5) Dispose of all material crushed in the device; and
13 14	(6) Maintain on file an annual report for review by the department, at the discretion of the department, indicating the:
15	(a) Total volume of mercury-added lamps crushed;
16	(b) Volume and disposition of any carbon or other filter from the device; and
17 18	(c) Names of the destination facilities to which all crushed material was shipped.
19	SUMMARY
20 21 22	This bill authorizes the use of crushing devices in a mercury-added lamp recycling program. Under the bill, the owner of the crushing device must register with the Department of Environmental Protection, develop an operating manual for safely
22 23 24 25	crushing mercury-added lamps, document maintenance activities, meet federal Occupational Safety and Health Administration requirements, dispose of all material crushed in the device and maintain an annual report for review by the Department of
26	Environmental Protection, at the discretion of the department.