

HOUSE No. 00267

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to producer responsibility for mercury-added lamps

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PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|--------------------------------|-----------------------|
| <i>William M. Straus</i> | <i>10th Bristol</i> |
| <i>William N. Brownsberger</i> | <i>24th Middlesex</i> |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> |
| <i>John Mahoney</i> | <i>13th Worcester</i> |

HOUSE No. 00267

By Mr. William M. Straus of Mattapoisett, petition (accompanied by bill, House, No. 00267) of John Mahoney and others relative to producer responsibility for mercury-added lamps. Joint Committee on Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to producer responsibility for mercury-added lamps
□.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 6J of Chapter 21H of the General Laws, as appearing in the 2006 Official
- 2 Edition, is hereby amended by striking subsections (d) and (e) and inserting in their place thereof
- 3 the following subsections:
- 4 (d)(1) Manufacturers of mercury-added lamps may satisfy the requirements of this section if
- 5 their collection plan provides for pickup and recycling of mercury lamps collected by
- 6 municipalities from residents, small businesses and municipal operations, at no charge to the
- 7 municipalities. To be eligible for this service, a municipality must not charge residents or small
- 8 businesses for collecting their lamps, and may limit the number of mercury-added lamps
- 9 accepted at any one time to ten and pickup and recycling of mercury lamps collected without
- 10 charge from residents and small businesses at non-municipal locations (e.g., retail operations,

11 public and private institutions, etc.) established to provide convenient access to residents and
12 small businesses

13 (2) If the total cost of all of the lamp manufacturers' collection and recycling programs exceed
14 one million dollars in any calendar year (excluding administrative costs), the manufacturers may
15 establish a service charge that would cover the excess cost.

16 (3) Manufacturers of mercury-added lamps choosing to comply with the requirements of this
17 section shall also, individually or as a group, develop an education plan for consumers and
18 municipalities for the proper use and disposal of mercury-added lamps. The plan shall include,
19 but not be limited to:

20 (a) Information regarding the economic and environmental benefits of mercury-added lamps;

21 (b) Information regarding the harms mercury can cause to the environment and to human
22 health;

23 (c) Information regarding proper disposal and recycling methods for mercury-added lamps;
24 and

25 (d) Information, provided to consumers through the use of a toll-free telephone number,
26 internet web sites, information labeled on the device, information included in the packaging or
27 information accompanying the sale of mercury-added lamps, describing where and how to
28 return, recycle or dispose of mercury-added lamps. Information provided to consumers shall
29 include the meaning of the chemical symbol "Hg" and other symbols and non-English terms.

30 (4) The department shall adopt regulations establishing a standard for "convenient access" to
31 mercury-added lamp collection for residents, target recycling rates for mercury-added lamps, and

32 information to be contained in annual reports that will be submitted by each manufacturer
33 complying with this section. Annual reports shall include but not be limited to:

34 (a) the number of mercury-added lamps recycled through the manufacturer's collection
35 program in the calendar year covered by the report;

36 (b) the estimated number of mercury-added lamps available for recycling in the calendar year
37 covered by the report;

38 (c) the methodology used to prepare the estimate provided in (b) above;

39 (d) an evaluation of the effectiveness of the recycling program, including the extent to which
40 residents have convenient access to mercury-added lamp recycling collection;

41 (e) recommendations for increasing the number of lamps recycled through the collection
42 program in the following calendar year; and

43 (f) an accounting of the recycling costs associated with implementing the collection program.