

## Fact Sheet - AB 2347 (Ruskin, 2008) Mercury Thermostat Producer Responsibility

### Summary/Background

AB 2347 establishes a producer financed, designed and managed program for out-of-service mercury-added thermostats.

Mercury-added thermostats contain 3,000 milligrams of mercury and have a life span of about 35 years. They were banned from sale in California in 2006 and banned from disposal in landfills. The long lifetime of thermostats means that many of them are still in use today.

Added Article 10.2.2 to Chapter 6.5 of Division 20 of the Health and Safety Code.

### Impacts on Producers

Producers or group of producers are required to establish a collection and recycling program for out-of-service mercury added thermostats.

Producers must develop educational and outreach materials to encourage the return of mercury-added thermostats.

Producers must also provide to the Department of Toxics Substances Control (DTSC) a survey containing statistically valid data on the number of out-of-service mercury-added thermostats becoming waste annually. Producers must also submit an annual report to DTSC and publish the report on their website.

### Impacts on Retailers/Wholesalers

Wholesalers with a physical location in California are required to be a collection location.

Retailers or wholesalers distributing new thermostats by mail to buyers in the state are required to include instructions on how to dispose of old mercury thermostats. Wholesales are also required to distribute the educational and outreach materials.

### Impacts on Contractors

Contractors installing heating, ventilation, and air-conditioning (HVAC) components or who demolish a building are required to remove out-of-service mercury-added thermostats and dispose of them in accordance with this law.

### Impacts on Consumers

California consumers now have more opportunities to discard of their out-of-date mercury thermostats.

### State Oversight (DTSC)

DTSC must adopt regulations by January 1, 2012 establishing performance requirements that specify collection rates and a methodology for the calculation of the numbers of out-of-service mercury-added thermostats becoming waste annually. DTSC must also list on its website producers in compliance with the law.

### Key Dates

- January 2009 – Effective date
- July 1, 2009 – DTSC lists compliant producers on its website. Producers must make available collection bins to collect mercury thermostats.
- July 1, 2009 to December 31, 2011 – Producers undertake education and outreach efforts.
- December 31, 2009 – Producers provide DTSC a survey with data on how many mercury thermostats becomes waste annually.
- January 1, 2012 – DTSC adopts regulations establishing performance requirements.
- April 1, 2012 (and every year thereafter) – Producers submit annual report to DTSC

### Cost/Funding

- Producers pay for program administration