

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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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

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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.

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

2 **Sec. 1. 38 MRSA §1672, sub-§4, ¶A**, as enacted by PL 2009, c. 272, §1, is  
3 amended to read:

4 A. The recycling program required under this subsection must include:

5 (1) Convenient collection locations located throughout the State where residents  
6 can drop off their household lamps without cost, including but not limited to  
7 municipal collection sites and participating retail establishments;

8 (2) Handling and recycling equipment and practices in compliance with the  
9 universal waste rules adopted pursuant to section 1319-O, subsection 1,  
10 paragraph F, with subsection 6 if a crushing device is used and with all other  
11 applicable requirements;

12 (3) Effective education and outreach, including, but not limited to, point-of-  
13 purchase signs and other materials provided to retail establishments without cost;  
14 and

15 (4) An annual report to the department on the number of mercury-added lamps  
16 recycled under the manufacturer's program, the estimated percentage of mercury-  
17 added lamps available for recycling that were recycled under the program and the  
18 methodology for estimating the number of mercury-added lamps available for  
19 recycling, an evaluation of the effectiveness of the recycling program,  
20 recommendations for increasing the number of lamps recycled under the  
21 recycling program and an accounting of the costs associated with administering  
22 and implementing the recycling program.

23 **Sec. 2. 38 MRSA §1672, sub-§6** is enacted to read:

24 **6. Lamp crushing.** A recycling program required under subsection 4 may include  
25 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 (d) A statement that the operating manual required pursuant to subparagraph  
32 (2) is in place;

33 (2) Develop an operating manual specifying how to safely crush mercury-added  
34 lamps. The operating manual must be available to all operators of the device and  
35 must include:

36 (a) Procedures for operation and maintenance of the device in accordance  
37 with written procedures developed by the manufacturer of the device;

38 (b) Testing and monitoring procedures;

- 1 (c) Information concerning mercury hazards, crushing procedures, waste  
2 handling and emergency procedures;
- 3 (d) An assessment of whether surrounding areas will be negatively affected,  
4 either by physical proximity or air exchange with a heating, ventilation and  
5 air conditioning system; and
- 6 (e) Proper waste management practices;
- 7 (3) Document maintenance activities, retain maintenance logs, test data from the  
8 manufacturer and any additional test data acquired and make available a copy of  
9 these records to the department at its request;
- 10 (4) Meet all federal Occupational Safety and Health Administration  
11 requirements;
- 12 (5) Dispose of all material crushed in the device; and
- 13 (6) Maintain on file an annual report for review by the department, at the  
14 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 (c) Names of the destination facilities to which all crushed material was  
18 shipped.

19 **SUMMARY**

20 This bill authorizes the use of crushing devices in a mercury-added lamp recycling  
21 program. Under the bill, the owner of the crushing device must register with the  
22 Department of Environmental Protection, develop an operating manual for safely  
23 crushing mercury-added lamps, document maintenance activities, meet federal  
24 Occupational Safety and Health Administration requirements, dispose of all material  
25 crushed in the device and maintain an annual report for review by the Department of  
26 Environmental Protection, at the discretion of the department.