



Department of
Toxic Substances
Control

*The Mission of the
Department of
Toxic Substances
Control is to
provide the highest
level of safety, and
to protect public
health and the
environment from
toxic harm.*



State of California



California
Environmental
Protection Agency

Fact Sheet

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Mercury Thermostat Collection Act of 2008

Throwing away thermostats that contain mercury is against the law.

On January 1, 2006, the State of California banned the sale of new thermostats containing mercury, or what are known as mercury-added thermostats. Additionally, California's Mercury Thermostat Collection Act of 2008, Assembly Bill 2347 (Ruskin), requires manufacturers to establish a collection and recycling program for out-of-service mercury-added thermostats. Manufacturers can operate these programs individually or collaboratively.

The Mercury Thermostat Collection Act of 2008 provides a convenient, cost-free way for consumers, contractors, and technicians to collect, recycle, and ensure the safe and environmentally-sound management of mercury-added thermostats.

The complete text of the law is online at:

http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2301-2350/ab_2347_bill_20080929_chaptered.pdf

Examples of mercury-added thermostats:

Other styles may vary.



Why is it important to collect and recycle mercury-added thermostats?

In the past, thermostats contained the hazardous metal mercury. Mercury released into the atmosphere can settle in aquatic ecosystems, where it converts to methylmercury, an especially toxic form. Methylmercury accumulates in fish and humans.

Who must comply with this law?

The Mercury Thermostat Collection Act of 2008 requires manufacturers to establish a collection and recycling program. The bill defines "manufacturer" as "a business concern that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006."



What are the requirements of this law?

The requirements for all who are affected by the new law can be found on the California Department of Toxic Substances Control (DTSC) Web site at:

<http://www.dtsc.ca.gov/thermostats>

Manufacturer requirements:

http://www.dtsc.ca.gov/HazardousWaste/upload/Mercury_Thermostat_Manufacturer.pdf

Wholesaler requirements:

http://www.dtsc.ca.gov/HazardousWaste/upload/Mercury_Thermostat_Wholesaler.pdf

Retailer requirements:

http://www.dtsc.ca.gov/HazardousWaste/upload/Mercury_Thermostat_Retailer.pdf

Contractor and demolition requirements:

<http://www.dtsc.ca.gov/HazardousWaste/upload/C-D-requirements.pdf>

How will DTSC determine if the law is working?

Beginning July 1, 2009, and every January 1 and July 1 thereafter, DTSC is required to post on its web site a list of all manufacturers failing to comply with this law.

DTSC will receive an annual report from manufacturers covering the one-year period ending December 31 of the previous calendar year. These reports, due April 1 of each year, must include the following:

1. The number of out-of-service mercury-added thermostats collected in California during the previous calendar year.
2. The estimated total amount of mercury contained in the collected out-of-service mercury-added thermostats.
3. Starting April 1, 2013, a comparison of the manufacturer's collection program results with the collection rates prescribed by the regulation.

What can I do to collect thermostats and ensure they are properly recycled?

Mercury thermostats are regulated as universal waste in California, which means collecting, consolidating, and transporting them is subject to simple rules.

- A local government that operates a household hazardous waste collection program can obtain a free collection bin from thermostat manufacturers.
- A wholesaler of HVAC equipment can also obtain a collection bin from manufacturers for a nominal \$25 fee.
- Contractors, service technicians and demolishers can contact appropriate collection centers.
- Consumers can contact local household hazardous waste programs. A list, by county, is available at: http://www.dtsc.ca.gov/HazardousWaste/UniversalWaste/upload/HHW_Llist_PUBLIC2.pdf.

For more information about regulatory requirements, please contact DTSC's Regulatory Assistance Officers at 800-72-TOXIC (800-728-6942), or visit DTSC's Web site at www.dtsc.ca.gov/thermostats