MANUFACTURERS
On or before March 1, 2009, a manufacturer (or group) are required to present a survey plan and methodology for a survey on the number of mercury-added thermostats that become waste annually in California.
1. Survey completed by December 1, 2009.
2. All survey data to be presented to the department by December 31, 2009.
3. Manufacturers establish a collection and recycling program.
4. Manufacturers operating program collectively contract with a retailer for in-store or out-of-store collection.
5. Each manufacturer shall (individually or collectively) do all of the following:
   - Collect, handle, and arrange for the appropriate management of out-of-service mercury-added thermostats in compliance with regs.
   - On and after July 1, 2009, provide collection bins to wholesalers at a cost not to exceed twenty-five dollars ($25).
   - On and after July 1, 2009, make collection bins available at no cost to local governmental agencies.
   - Either arrange for pick up or pay for costs to ship bins for proper handling and recycling.
   - From July 1, 2009 to December 31, 2011, undertake education and outreach efforts, including, but not limited to, all of the following:
     1. A public service announcement promoting the proper management of out-of-service mercury-added thermostats.
     2. The establishment of a public Internet Web site.
     3. Engage other stakeholders (waste, demolition, heating, ventilation, and HVAC organizations, and state agencies, local governmental agencies).
     4. Work with California utilities in program participation.
     5. Work with wholesalers, retailers and other outlets on consumer education.
   - On or before April 1, 2010, and on or before April 1 annually thereafter, submit an annual report to DTSC including:
     1. The number of out-of-service mercury-added thermostats collected in California (previous year).
     2. The estimated total amount of mercury contained in them.
     3. An evaluation of the effectiveness of the program.
     4. Commencing with the report due April 1, 2013, a comparison to the performance requirements for collection (regulations developed by DTSC).
     5. An accounting of the program administrative costs, including a copy of IRS Form 990.
     6. A description of the outreach strategies employed to increase participation and collection rates.
     7. Examples of outreach and educational materials used.
     8. Names and locations of all participating collection locations.
     9. The number of out-of-service mercury-added thermostats collected at each collection location.
     10. The Web site address where the annual report may be viewed online.
     11. A description of how the collected out-of-service mercury-added thermostats were managed.
     12. Modifications that the manufacturer is proposing to make in its collection and recycling program.

CONSTRUCTION AND DEMOLITION PROFESSIONALS
Contractors who install heating, ventilation, and air-conditioning components are required to:
1. Handle and transport out-of-service mercury-added thermostats: in accordance with the Universal Waste Regulations found in CA Code of Regulations, Title 22, Chapter 23.
   - Take out-of-service mercury-added thermostats to a collection location that is operated in accordance with Universal Waste Regulations
   - Persons engaged in building demolition are required to:
     1. Remove out-of-service mercury-added thermostats prior to demolition in accordance with all applicable California regulations.
     2. Handle and transport out-of-service mercury-added thermostats: in accordance with the Universal Waste Regulations found in CA Code of Regulations, Title 22, Chapter 23.
     3. Take out-of-service mercury-added thermostats to a collection location that is operated in accordance with Universal Waste Regulations professionals to properly remove and dispose of out-of-service mercury-added thermostats.

DTSC (and DTSC Stakeholders)
- May order a manufacturer, or a group of manufacturers operating a program, to revise its program and to undertake actions to comply.
- Will provide a notice on its Internet Web site listing manufacturers that are not in compliance with the Act on July 1, 2009, and will update this listing every January 1 and July 1 thereafter.
- On or before April 1, 2010, and on or before April 1 annually thereafter receive an annual report from the manufacturer covering the one-year period ending December 31st of the previous calendar year.
- On or before January 1, 2012, the department will adopt regulations to:
  1. Develop performance requirements that specify collection rates expressed as a percentage of out-of-service mercury-added thermostats becoming waste annually.
  2. Establish a methodology for the calculation of the number of out-of-service mercury-added thermostats becoming waste annually.
  3. Receive copies of the public service announcement from the manufacturers for use and promotion.