



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
Department of Toxic Substances Control

News Release

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State releases proposed regulations for recycling old, mercury-filled thermostats

Department of Toxic Substance Control says proposed regulations will protect public health and the environment

SACRAMENTO, CA – The California Department of Toxic Substances Control (DTSC) unveiled proposed regulations today that establish performance goals for the collection and recycling of used thermostats containing toxic mercury.

“Our proposed regulation is an important step in protecting Californians and our environment from the harmful effects of mercury,” said DTSC’s Director Deborah Raphael.

A 2006 state law banned the sale of new mercury-added thermostats. Mercury is a potent neurotoxin that when released into the environment, can cause significant harm to human health and the environment. Though no longer sold in California, an estimated 5 to 10 million mercury-added thermostats are still in use in California homes and businesses. State law also bans the disposal of mercury-added thermostats in solid waste landfills, and a 2008 law, the Mercury Thermostat Collection Act, requires the former producers of mercury-added thermostats to establish a collection and recycling program for waste thermostats.

Under the proposed regulations, manufacturers would be required to collect and recycle over 65,000 mercury containing thermostats in 2013, or 30 percent of the estimated total number of mercury thermostats becoming waste. Each year, for the following five years, recycling goals would increase until 2017, when the goal would be a 75 percent collection and recycling rate, or in excess of 147,000 mercury thermostats.

These goals reflect the legislative mandate for DTSC to establish goals resulting in the collection and recycling of the maximum feasible number of out-of-service mercury-added thermostats. These “extended producer responsibility” regulations focus on setting performance goals that the thermostat industry, rather than state and local government, is responsible for meeting.

The thermostat manufacturing industry currently operates a non-profit corporation, the Thermostat Recycling Corporation (TRC), for the purpose of collecting and properly disposing mercury-containing thermostats. TRC now represents 30 manufacturers that historically distributed mercury-containing thermostats in the US. This national program provides heating, ventilation and air conditioning (HVAC) distributors, retailers who sell thermostats, or household hazardous waste programs with mercury thermostat collection and recycling services. The proposed regulations would require manufacturers who formerly sold mercury thermostats to meet these recycling goals either through participation in the TRC or an independently sponsored program.

DTSC will hold a public hearing on the proposed regulations at 9 a.m. on October 2, 2012 in the Byron Sher Auditorium, Cal/EPA Building, 2nd Floor, 1001 “I” Street, Sacramento. At the hearing, statements or

arguments, orally or in writing, will be accepted relevant to this proposal. Written comments must be submitted to DTSC no later than 5:00 p.m. on October 2, 2012.

The proposed regulation can be found at:

<http://www.dtsc.ca.gov/LawsRegsPolicies/Regs/upload/Proposed-Text-Mercury-Thermostat.pdf>

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FOR GENERAL INQUIRIES: Contact the Department of Toxic Substances Control by phone at (800) 728-6942 or visit www.dtsc.ca.gov. To report illegal handling, discharge, or disposal of hazardous waste, call the Waste Alert Hotline at (800) 698-6942.

The Mission of DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated properties, identifying and promoting safer ingredients in consumer products, and ensuring stewardship through enforcement, regulation and pollution prevention.