HOUSE DOCKET, NO. 900 FILED ON: 1/19/2011

HOUSE . . . . . No. 267

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to producer responsibility for mercury-added lamps.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William M. Straus	*10th Bristol*
William N. Brownsberger	☐ *[District]* ☐
Cory Atkins	*14th Middlesex*
Carolyn C. Dykema	*8th Middlesex*
John J. Mahoney	*13th Worcester*

HOUSE DOCKET, NO. 900 FILED ON: 1/19/2011

HOUSE . . . . . No. 267

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 267) of William M. Straus and others relative to producer responsibility for mercury-added lamps. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to producer responsibility for mercury-added lamps.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 6J of Chapter 21H of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking subsections (d) and (e) and inserting in their place thereof the following subsections:

(d)(1) Manufacturers of mercury-added lamps may satisfy the requirements of this section if their collection plan provides for pickup and recycling of mercury lamps collected by municipalities from residents, small businesses and municipal operations, at no charge to the municipalities. To be eligible for this service, a municipality must not charge residents or small businesses for collecting their lamps, and may limit the number of mercury-added lamps accepted at any one time to ten and pickup and recycling of mercury lamps collected without charge from residents and small businesses at non-municipal locations (e.g., retail operations, public and private institutions, etc.) established to provide convenient access to residents and small businesses

(2) If the total cost of all of the lamp manufacturers' collection and recycling programs exceed one million dollars in any calendar year (excluding administrative costs), the manufacturers may establish a service charge that would cover the excess cost.

(3) Manufacturers of mercury-added lamps choosing to comply with the requirements of this section shall also, individually or as a group, develop an education plan for consumers and municipalities for the proper use and disposal of mercury-added lamps. The plan shall include, but not be limited to:

(a) Information regarding the economic and environmental benefits of mercury-added lamps;

22 (b) Information regarding the harms mercury can cause to the environment and to
23 human health;

24 (c) Information regarding proper disposal and recycling methods for mercury-added
25 lamps; and

26 (d) Information, provided to consumers through the use of a toll-free telephone
27 number, internet web sites, information labeled on the device, information included in the
28 packaging or information accompanying the sale of mercury-added lamps, describing where and
29 how to return, recycle or dispose of mercury-added lamps. Information provided to consumers
30 shall include the meaning of the chemical symbol "Hg" and other symbols and non-English
31 terms.

32 (4) The department shall adopt regulations establishing a standard for "convenient
33 access" to mercury-added lamp collection for residents, target recycling rates for mercury-added
34 lamps, and information to be contained in annual reports that will be submitted by each
35 manufacturer complying with this section. Annual reports shall include but not be limited to:

36 (a) the number of mercury-added lamps recycled through the manufacturer's collection
37 program in the calendar year covered by the report;

38 (b) the estimated number of mercury-added lamps available for recycling in the calendar
39 year covered by the report;

40 (c) the methodology used to prepare the estimate provided in (b) above;

41 (d) an evaluation of the effectiveness of the recycling program, including the extent to
42 which residents have convenient access to mercury-added lamp recycling collection;

43 (e) recommendations for increasing the number of lamps recycled through the collection
44 program in the following calendar year; and

45 (f) an accounting of the recycling costs associated with implementing the collection
46 program.