Massachusetts needs an effective mercury product recycling law
S.1758 should be improved, then passed

Mercury pollution from trash incinerators and power plants is a serious problem and a regional priority that deserves effective solutions. In 1998, the Conference of New England Governors and Eastern Canadian Premiers set a goal of “virtual elimination of the discharge of anthropogenic mercury into the environment.”

In 2006 the Massachusetts legislature passed the Mercury Management Act which banned the sale of mercury thermostats (and other products), banned the disposal of mercury products in the trash, and established a recycling program for mercury added lamps, which unfortunately has gone unimplemented under the Patrick Administration. Both lamps and thermostats are still being thrown in the trash, so more is needed to prevent mercury pollution.

S.1758, *An Act further regulating mercury management*, needs improvement before it can be the solution that Massachusetts needs.

**Light bulb recycling:**
Light bulbs containing mercury, including compact fluorescent bulbs (CFLs) and fluorescent tubes, save energy and are safe to use but the mercury must be properly recycled when the bulbs burn out. Unfortunately, recycling rates are low, which means these lights, and the mercury in them, are going into the garbage and releasing mercury into our air, water, and soil. We need a recycling system that works.

An effective light bulb recycling law will include a specific plan that includes:
- An extensive and effective education and outreach program for businesses and household consumers;
- Convenient, accessible, free recycling, funded by manufacturers, based on market share;

(over)
• Meaningful and quantifiable performance standards for light bulb collection; and
• Authority for the Department of Environmental Protection to require improvements to the recycling program if collection goals are not met.

**Thermostat recycling:**
Ten states are already implementing thermostat recycling laws. The most effective programs are in Maine and Vermont and they get the job done by requiring thermostat manufacturers to provide a financial incentive for the return of mercury added thermostats and requiring a strong education program among other provisions. The best program for Massachusetts should follow that model.

At a bare minimum a Massachusetts program must:
• Set meaningful and quantifiable performance standards for thermostat collection;  
• Give the Department of Environmental Protection the authority to require improvements to the thermostat recycling program if collection goals are not met; and  
• Require manufacturers to run an effective education program for homeowners, contractors, wholesalers, and others.

Any program without these provisions will assuredly be unsuccessful at significantly increasing thermostat collection rates.

The passage of S.1758 in the Senate gives Massachusetts an opportunity to take an important step towards protecting our children’s health from mercury pollution. However, these provisions are needed to make the law a successful one. The House should revise the bill and pass it soon to keep the Commonwealth moving forward towards achieving our 1998 goal.

**For more information contact:**
Elizabeth Saunders, Clean Water Action, 617-338-8131 x203, esaunders@cleanwater.org  
Phil Sego, Massachusetts Sierra Club, 617-807-0311, phil@sierraclubmass.org

---

**This position is endorsed by:** Clean Water Action ♦ Massachusetts Sierra Club ♦ GreenCAPE ♦ Berkshire Environmental Action Team ♦ Charles River Conservancy ♦ Health Care Without Harm/Boston ♦ Mass Audubon ♦ Massachusetts Rivers Alliance ♦ People for the Environment (North Andover) ♦ Toxics Action Center Campaigns ♦ Women’s Community Cancer Project