

# AB 2347 (Ruskin)

## Fact Sheet: Mercury Thermostat Recycling

### SUMMARY

Companies that historically manufactured and sold mercury-added thermostats in California before 2006 have a responsibility to ensure the proper disposal of mercury thermostats and assure that they are properly handled and recycled.

Most Californians have no idea how to recycle old mercury-containing thermostats, even though state law bans mercury waste from being thrown in the trash. This bill gives consumers free and convenient options for recycling their waste thermostats in an environmentally-responsible manner.

AB 2347 establishes a shared responsibility program for recycling of mercury thermostats and relieves pressure on cash-strapped local governments.

### BACKGROUND

Most thermostats contain 3,000 milligrams of mercury and have a 35-year life span.

Methylmercury is a known neurotoxin to which the human fetus is very sensitive. The federal Centers for Disease Control and Prevention estimate that between 300,000 and 630,000 infants are born in the United States each year with mercury levels that are associated, at later ages, with the loss of IQ.

New evidence indicates that methylmercury exposure may increase the risk of cardiovascular disease in humans, especially adult men.

Methylmercury bioaccumulates and biomagnifies in animals, including fish and humans. In California, methylmercury advisories have been issued for the San Francisco Bay and Delta, Tomales Bay, and eight other county water bodies. More locations may be included as more fish and water bodies are tested<sup>1</sup>.

In 2000, the largest thermostat makers, General Electric, Honeywell and White Rodgers, joined by Nordyne in 2007, voluntarily established the Thermostat Recycling Corporation (TRC) to run a program for collecting waste mercury-added thermostats. Under the TRC program, thermostat

wholesalers volunteer to place bins where heating, ventilation, and air conditioning (HVAC) contractors can drop off thermostats.

This program has proved to be ineffective. The Department of Toxic Substances Control estimates that less than 5 percent of the mercury-added thermostats removed from buildings in the state have been turned in to the TRC collection program.

### PROBLEMS WITH CURRENT LAW

Current state law bans the sale of new mercury-added thermostats for most uses after January 1, 2006, but the long lifetime of thermostats means that many of them are still in use.

Current state law also bans disposal of mercury-added thermostats in solid waste landfills, but an effective system for collecting and recycling mercury-added thermostats at the end of their useful lives has not been established.

The burden of collecting these “universal wastes” currently falls almost entirely on local governments, which do not have the means to establish the necessary infrastructure. Local governments have had to pay for hazardous product waste management for too long.

### THIS BILL

AB 2347 takes an extended producer-responsibility approach for establishing effective mercury recycling collection programs. It requires manufacturers of thermostats to establish their own mercury recycling program to raise the percentage of mercury thermostats recycled each year.

AB 2347 would allow Californians to return their waste thermostats to locations that sell new thermostats. Companies that make new thermostats for sale in the state would pick up most of the costs for the recycling program.

Wholesalers and retailers would also participate by providing convenient collection sites for contractors and homeowners returning waste thermostats.

AB 2347 establishes a model policy for extended producer responsibility that requires the companies that profit from products to pay for end-of-life disposition. These programs are commonplace in

<sup>1</sup> <http://www.oehha.org/fish/hg/index.html>

Europe, Canada, Japan and other industrialized countries.

## **SUPPORT**

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- AFSCME
- Association of Bay Area Governments
- Bakersfield Memorial Hospital
- Board of Supervisors of Marin County
- Board of Supervisors County of Santa Clara
- Californians Against Waste
- California Association of Sanitation Agencies
- California Association of Environmental Health Administrators
- California State Association of Counties
- **CA Product Stewardship Council (Sponsor)**
- California Retailers Association
- Catholic Healthcare West
- Center for Environmental Health Oakland
- Central Contra Costa Solid Waste Authority
- Clean Water Action
- City & County of San Francisco
- City of El Cerrito
- City of Oakland
- City of Palo Alto
- City of San Jose
- City of Santa Monica
- City of Sunnyvale
- City of Union City
- County of Sacramento
- County of Napa, Department of Environmental Management
- County of Yolo Board of Supervisors
- Del Norte Solid Waste management Authority
- Dominican Hospital (Santa Cruz)
- East Bay Municipal Utility District
- Electronics Takeback Coalition
- Honeywell Inc.
- League of California Cities
- Marin County Hazardous and Solid Waste Management Joint Powers Authority
- Marin Medical Center
- Mark Twain St. Joseph's Hospital (San Andreas)
- Mercy Hospitals of Bakersfield
- Mercy Medical Center Redding
- Mercy San Juan Medical Center (Carmichael)

- Natural Resources Defense Council
- The Northern California Recycling Association
- Planning and Conservation League
- Regional Council of Rural Counties
- San Gabriel Valley Council of Governments
- San Luis Obispo County IWMA
- **Sierra Club California (Sponsor)**
- Sierra Nevada Memorial Hospital (Grass Valley)
- Silicon Valley Toxics Coalition
- Sonoma County Waste Management Facility
- St. Elizabeth Community Hospital (Red Bluff)
- St. Mary's Medical Center (San Francisco)
- St. Joseph's Medical Center (Stockton)

## **OPPOSITION**

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- None on file

**Status: Senate Floor Third Reading**

## **FOR MORE INFORMATION**

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