

April 6, 2005

H 1136. MERCURY SWITCH REMOVAL-2 (=S 1014). *TO REDUCE THE RELEASE OF MERCURY IN THE ENVIRONMENT BY THE REMOVAL, COLLECTION, AND RECOVERY OF MERCURY SWITCHES FROM CERTAIN MOTOR VEHICLES.* Identical to S 1014, introduced 3/24/05.

Intro. by Culpepper, Hackney, Hunter.

Ref. to Environment

GS 130A

April 20, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. House committee substitute makes the following changes to 1st edition. Deletes indemnification and hold harmless provisions in new GS 130A-310.53. Amends new GS 130A-310.54(h) to provide that mercury switches removed from end-of-life vehicles will be considered "universal waste" as defined in 40 CFR 273.9 and that such switches will be handled in accordance with universal waste rules adopted by the Health Services Comm'n. Adds provision requiring Health Services Comm'n to amend 15A NCAC 13A .0119 to adopt rules governing management of waste mercury-containing devices as universal waste.

May 10, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. House committee substitute makes the following changes to 2nd edition. Revises proposed GS 130A-310.56 to provide that a vehicle manufacturer that submits the report required by that statute may designate information as a trade secret and confidential, and the designated information is protected as provided in GS 130A-304.

May 19, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. House committee substitute makes the following changes to 3rd edition. Amends proposed GS 130A-310.53(d)(1) and (2) to provide for reimbursement of \$5 for each mercury switch removed by a vehicle recycler or by a scrap metal recycling facility (3rd edition, a minimum of \$5). Appropriates from the General Fund to the Dept. of Environment and Natural Resources \$89,504 for 2005-06 and \$28,770 for 2006-07 to carry out the program, effective July 1, 2005, only if the 2005 General Assembly appropriates funds to implement the act in the Appropriations Act of 2005.

August 12, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. Senate committee substitute makes the following changes to 4th edition. Requires Dep't of Environment & Natural Resources to develop, in consultation with vehicle manufacturers, the mercury minimization plan specified in act, rather than reviewing and approving mercury minimization plans developed by manufacturers. No substantive change in requirements regarding mercury minimization plans. Deletes provision appropriating funds to implement act. Revises effective date so that act is effective when it becomes law; sunset date remains July 1, 2026; manufacturers must provide required information by July 1, 2006; manufacturers must begin to implement plan by July 1, 2007.

August 13, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. Senate committee substitute adopted 8/12/05 makes the following changes to 5th edition. Makes the following changes to proposed Part 6 of Article 9 of GS Chapter 130A. (1) Modifies mercury minimization plan requirements: (a) to delete requirements that manufacturer report the current and anticipated future production models that may contain mercury switches and that plan include a procedure for the transfer of information among entities subject to the mercury minimization plan; and (b) to add requirements that the plan include a description of all safe and environmentally sound methods for the removal of mercury switches and to incorporate a presumption that a switch does contain mercury if the manufacturer does not know or is uncertain about the switch's mercury content. (2) Modifies provision requiring the removal of mercury switches to provide that a switch will be considered

inaccessible if it cannot be removed in accordance with the mercury minimization plan and removal of the switch would significantly increase the risk of a release of mercury into the environment. Also modifies provision to require that vehicle recycling facilities that remove mercury switches make quarterly reports (was, maintain records) concerning the number of switches removed and not removed and the number of vehicles recycled. (3) Replaces provision requiring that plan include a method to finance the removal, collection, and recovery of mercury switches with provision establishing the Mercury Pollution Prevention Account in the Dep't of Revenue and requires that Account reimburse recyclers \$5 for each mercury switch removed. (4) Also makes it unlawful for a person to falsely report that a switch has been removed from a vehicle processed for recycling. (5) Requires that annual report required of vehicle manufacturers include a list of all vehicle components containing mercury for the upcoming model year (was, for the previous three model years and the next model year) and deletes requirement that report indicate when vehicle design changes will be implemented. (6) Requires that Dep't of Environment and Natural Resources publish an annual report on the mercury minimization plan on or before November 1 that includes information specified in act (was, required that vehicle manufacturers report on plan status). (7) Amends GS 20-85 to increase by \$1 certain motor vehicle title fees and requires that the proceeds be credited to the Mercury Pollution Prevention Account in the Dep't. Makes technical and conforming changes.

August 13, 2005

H 1136. MERCURY SWITCH REMOVAL-2. Intro. 4/6/05. Senate amendment makes the following changes to 6th edition. Provides that following its consideration of the impact that motor vehicle design has on the recycling of vehicle components containing mercury, Dep't of Environment and Natural Resources may report its recommendations, if any, to the Environmental Review Comm'n (was, required that Dep't report findings and recommendations to Comm'n before October 1 of each year).

September 21, 2005

SL 2005-384 (H 1136). MERCURY SWITCH REMOVAL. AN ACT TO REDUCE THE RELEASE OF MERCURY INTO THE ENVIRONMENT BY THE REMOVAL, COLLECTION, AND RECOVERY OF MERCURY SWITCHES FROM CERTAIN MOTOR VEHICLES. Summarized in *Daily Bulletin* 4/6/05, 4/20/05, 5/10/05, 5/19/05, 8/12/05, and 8/13/05. Enacted September 13, 2005. Section 2 is effective October 1, 2005. The remainder is effective September 13, 2005, except that GS 130A-310.53, -310.54(c), and -310.55 become effective July 1, 2006.