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New York Lawmakers Pass Bill Requiring Manufacturers to Collect Mercury-Containing Thermostats

Bill to reduce mercury contamination in the environment

ALBANY, New York— New York State lawmakers passed a bill early Saturday morning that, once signed into law by Gov. Andrew Cuomo and implemented, will ensure the safe, efficient, and environmentally responsible collection of mercury thermostats.

The bill, known as the *Mercury Thermostat Collection Act* (S.1676A/A.8084), requires that manufacturers develop and implement a thermostat collection program that meets a pre-established goal of collecting 15,500 thermostats by 2015. The bill also calls for the New York Department of Environmental Conservation (NYDEC) to establish annual collection goals thereafter, and to make changes to the program if manufacturers fail to meet these goals. This could include requiring manufacturers to pay financial incentives to recyclers to encourage greater participation.

"Mercury is a neurotoxin that can cause birth defects and many other illnesses. This kind of extended producer responsibility legislation will lead to a healthier environment, and help protect our state's air, land, and water resources," says Andrew Radin, chairman of the New York Product Stewardship Council (NYPSC). The Council commends the New York State Legislature for passing this important environmental bill and for supporting a product stewardship system of managing materials that are difficult to recycle or dispose of at the end of their useful life."

According to a [recent report](#) released by the Product Stewardship Institute, Inc. (PSI) and the Multi-State Mercury Products Campaign, New York ranked 37 out of 47 states in per-capita thermostat collection rates for 2011. The Thermostat Recycling Corporation (TRC), the

manufacturer-led non-profit organization for collecting and properly disposing mercury thermostats, collects only one percent of the estimated 310,000 mercury thermostats that are taken out of service every year in New York. As a result, more than one ton of mercury enters the state's waste stream and environment each year.

S.1676A aims to address this issue of low collection rates by setting performance standards that manufacturers must meet annually, based on a model program developed by PSI. PSI has been holding stakeholder meetings addressing the issue of thermostat collection since 2004, eventually mediating the nation's first mercury-containing thermostat-recovery legislation in Maine in 2006. Since then, 10 other states have approved legislation regarding mercury thermostat stewardship based on the PSI model.

"This law addresses several obstacles that prevent the current voluntary collection system from achieving substantial results-namely, the lack of aggressive performance goals and financial incentives," says Scott Cassel, chief executive officer of PSI. "We hope that, with the new system of checks and balances, collection rates in New York will improve as they have following the passage of thermostat stewardship laws in Maine and Vermont."

The bill also requires that manufacturers develop and execute an outreach and education program for wholesalers, retailers, contractors, and homeowners. Contractors who replace mercury thermostats from a building, or demolish a building that contains mercury thermostats, are also required to deliver the thermostats to a collection site.

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About the Product Stewardship Institute (PSI)

The Product Stewardship Institute (PSI) is a national nonprofit organization dedicated to reducing the health and environmental impacts of consumer products. Founded in 2000, PSI brings together key stakeholders with varying interests to develop product end-of-life solutions in a collaborative manner, with a focus on having manufacturers assume primary financial and managerial responsibility. With a robust membership base of 47 state governments and over 200 local governments, as well as partnerships with more than 90 companies, organizations, universities, and non-U.S. governments, PSI advances both voluntary programs and legislation to promote industry-led product stewardship initiatives. For more information, visit PSI online at www.productstewardship.us. You can also follow PSI on Twitter at twitter.com/ProductSteward and on Facebook at facebook.com/ProductStewardship.

About the New York Product Stewardship Council (NYPSC)

The New York Product Stewardship Council (NYPSC) is dedicated to shifting New York's product waste management system from one focused on government-funded and ratepayer-financed waste diversion to one that relies on "product stewardship," where manufacturers bear the most responsibility for managing their products throughout their lifecycle. The product

stewardship way of doing business is taking hold across the United States, with states like New York striving to reduce public costs and drive improvements in product design that promote environmental sustainability. NYPSC is constituted primarily of representatives of local government agencies, together with representatives of other stakeholder groups that support the product stewardship approach, including state solid waste officials, businesses, recyclers and the environmental community. This unique partnership is working to integrate the principles of product stewardship into the policy and economic structures of New York State.