



**Substitute House Bill No. 5446**

**Public Act No. 06-181**

**AN ACT CONCERNING THE PREVENTION OF PAVING OF  
ABANDONED ROADS IN PRESERVED LANDS AND REVISIONS  
TO THE MERCURY REDUCTION PROVISIONS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22a-196 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No asphalt batching or continuous mix facility shall be located in an area which is less than one-third of a mile in linear distance from any hospital, nursing home, school, area of critical environmental concern, watercourse, or area occupied by residential housing. Such distance shall be measured from the outermost perimeter of such facility to the outermost point of such zones provided that any such facility in operation as of December 31, 1997, shall not be subject to the provisions of this section.

(b) Notwithstanding the provisions of subsection (a) of this section, this section shall not apply to any portable asphalt batching plant that does not require a permit from the Department of Environmental Protection pursuant to the provisions of any regulations adopted under section 22a-174.

Sec. 2. Subsection (a) of section 22a-617 of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(a) Except as provided in section 22a-618, except for products that contain a mercury-containing lamp used for backlighting that cannot feasibly be removed by the purchaser and except for specialized lighting used in the entertainment industry such as metal halide lights, no person shall offer for sale or distribute for promotional purposes any mercury-added product if: (1) After July 1, 2004, the mercury content of the product exceeds one gram in the case of fabricated mercury-added products or two hundred fifty parts per million in the case of formulated mercury-added products; [and] (2) on and after July 1, 2006, the mercury content of the product exceeds one hundred milligrams in the case of fabricated mercury-added products or fifty parts per million in the case of formulated mercury-added products, except for high intensity discharge lamps containing more than one hundred milligrams of mercury, but less than one gram of mercury, including, but not limited to, metal halide lamps, mercury vapor lamps, mercury capillary lamps, mercury-xenon short-arc lamps and mercury short-arc lamps; and (3) on and after July 1, 2013, high intensity discharge lamps containing more than one hundred milligrams of mercury, but less than one gram of mercury, including, but not limited to, metal halide lamps, mercury vapor lamps, mercury capillary lamps, mercury-xenon short-arc lamps and mercury short-arc lamps.

Sec. 3. Subsection (g) of section 22a-619 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(g) (1) Manufacturers shall meet all the requirements of this section for large appliances, including, but not limited to, washers, dryers, ovens, including microwave ovens, refrigerators, air conditioners, dehumidifiers or portable heaters sold in a store where such appliance

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is on display, except that no package labeling shall be required; (2) manufacturers shall meet all the requirements of this section for mercury fever thermometers, except that no product labeling shall be required; (3) in the case of vehicles, (A) manufacturers shall meet the product labeling requirements of this section for vehicles by placing a label on the doorpost of the vehicles that lists the mercury-added components that may be present in the vehicle, and (B) manufacturers shall not be required to label the mercury-added components of the vehicle; (4) manufacturers of products that contain a mercury-containing lamp used for backlighting that cannot feasibly be removed by the purchaser shall meet the product labeling requirements of this section by placing the label on the product or its care and use manual; (5) manufacturers shall meet all the requirements of this section for button cell batteries containing mercury, except that no labeling shall be required; (6) in the case of products that contain button cell batteries containing mercury as the only mercury components, manufacturers shall meet the packaging requirements of this section by including a label in the product instructions, if any, and on the packaging, and no further product labeling shall be required; (7) manufacturers of fluorescent lights and high-intensity discharge lamps shall meet the labeling requirements of this section by labeling the product packaging and placing the symbol "Hg" on each lamp; [and] (8) manufacturers of medical equipment not intended for use by nonmedical personnel are exempt from this section; and (9) manufacturers shall meet this requirement for luminaires not sold through retail sales channels by providing information on their web sites and catalogs.

Sec. 4. Section 22a-616 of the general statutes is amended by adding subsection (e) as follows (*Effective July 1, 2006*):

(NEW) (e) Notwithstanding the provisions of section 22a-617, as amended by this act, on and after July 1, 2011, no person shall offer for sale or distribute for promotional purposes button cell batteries

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containing mercury or any product containing such batteries. A manufacturer that produces or sells button cell batteries containing mercury or any product containing such batteries shall notify retailers about the provisions of this subsection and how to dispose of the remaining inventory property in accordance with this title.

Sec. 5. Subsection (f) of section 22a-620 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

(f) The following are exempt from the provisions of this section: (1) Formulated mercury-added products intended to be consumed in use, including, but not limited to, reagents, cosmetics, pharmaceuticals and other laboratory chemicals; (2) fabricated mercury-containing products where the only mercury is contained in a component that cannot feasibly be removed by the purchaser including, but not limited to, electronic products whose only mercury-added component is a mercury-containing lamp used for backlighting provided such manufacturer or trade association maintains a web-based service to provide information on recycling and safe disposal of such products; (3) photographic film and paper; (4) a manufacturer or trade association of mercury-containing lamps that maintains a toll-free telephone number and an Internet-based service to provide information on recycling and safe disposal of such lamps and directs consumers to such telephone number and service on any statutorily-required package label; (5) button cell batteries containing mercury; and ~~[(5)]~~ (6) any other product for which the commissioner determines a collection plan is not feasible.

Sec. 6. Section 22a-209i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) On or before July 1, 1999, the Commissioner of Environmental Protection shall publish notice of intent to adopt regulations, in

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accordance with the provisions of chapter 54, to implement the set of waste management standards for thermostats containing mercury, batteries and pesticides which standards are provided in 40 CFR 273, et seq., as an alternative to regulating such wastes as otherwise provided under the Resource Conservation and Recovery Act (42 USC 6901 et seq.). The commissioner shall petition the United States Environmental Protection Agency under 40 CFR 273.80, et seq., to include fluorescent lamps in such alternative program of regulation. Such regulations shall further provide for and facilitate the storage of electronic equipment for recycling and the recycling of electronic equipment.

(b) Any waste from equipment containing mercury shall be disposed of or otherwise handled in accordance with the standards set forth in 40 CFR Parts 260, 261, 264, 265, 268, 270 and 273, until the commissioner adopts regulations as provided in subsection (a) of this section, at which time such regulations shall govern. Nothing in this section shall be construed to relieve any person from such person's obligation to comply with any other state or federal requirement or regulation applicable to equipment containing mercury.

Approved June 7, 2006