



General Assembly

Amendment

February Session, 2006

LCO No. 5420

HB0544605420HDO

Offered by:

REP. ROY, 119th Dist.

SEN. FINCH, 22nd Dist.

REP. MUSHINSKY, 85th Dist.

REP. PISCOPO, 76th Dist.

REP. WIDLITZ, 98th Dist.

To: Subst. House Bill No. 5446

File No. 173

Cal. No. 134

"AN ACT PREVENTING PAVING OF ABANDONED ROADS IN PRESERVED LANDS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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 Section 22a-196 of the general statutes is repealed and the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

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

12 provisions of this section.

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

18 Sec. 2. Subsection (a) of section 22a-617 of the general statutes is
19 repealed and the following is substituted in lieu thereof (*Effective July*
20 *1, 2006*):

21 (a) Except as provided in section 22a-618, except for products that
22 contain a mercury-containing lamp used for backlighting that cannot
23 feasibly be removed by the purchaser and except for specialized
24 lighting used in the entertainment industry such as metal halide lights,
25 no person shall offer for sale or distribute for promotional purposes
26 any mercury-added product if: (1) After July 1, 2004, the mercury
27 content of the product exceeds one gram in the case of fabricated
28 mercury-added products or two hundred fifty parts per million in the
29 case of formulated mercury-added products; [and] (2) on and after July
30 1, 2006, the mercury content of the product exceeds one hundred
31 milligrams in the case of fabricated mercury-added products or fifty
32 parts per million in the case of formulated mercury-added products,
33 except for high intensity discharge lamps containing more than one
34 hundred milligrams of mercury, but less than one gram of mercury,
35 including, but not limited to, metal halide lamps, mercury vapor
36 lamps, mercury capillary lamps, mercury-xenon short-arc lamps and
37 mercury short-arc lamps; and (3) on and after July 1, 2013, high
38 intensity discharge lamps containing more than one hundred
39 milligrams of mercury, but less than one gram of mercury, including,
40 but not limited to, metal halide lamps, mercury vapor lamps, mercury
41 capillary lamps, mercury-xenon short-arc lamps and mercury short-arc
42 lamps.

43 Sec. 3. Subsection (g) of section 22a-619 of the general statutes is

44 repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2006*):

46 (g) (1) Manufacturers shall meet all the requirements of this section
47 for large appliances, including, but not limited to, washers, dryers,
48 ovens, including microwave ovens, refrigerators, air conditioners,
49 dehumidifiers or portable heaters sold in a store where such appliance
50 is on display, except that no package labeling shall be required; (2)
51 manufacturers shall meet all the requirements of this section for
52 mercury fever thermometers, except that no product labeling shall be
53 required; (3) in the case of vehicles, (A) manufacturers shall meet the
54 product labeling requirements of this section for vehicles by placing a
55 label on the doorpost of the vehicles that lists the mercury-added
56 components that may be present in the vehicle, and (B) manufacturers
57 shall not be required to label the mercury-added components of the
58 vehicle; (4) manufacturers of products that contain a mercury-
59 containing lamp used for backlighting that cannot feasibly be removed
60 by the purchaser shall meet the product labeling requirements of this
61 section by placing the label on the product or its care and use manual;
62 (5) manufacturers shall meet all the requirements of this section for
63 button cell batteries containing mercury, except that no labeling shall
64 be required; (6) in the case of products that contain button cell batteries
65 containing mercury as the only mercury components, manufacturers
66 shall meet the packaging requirements of this section by including a
67 label in the product instructions, if any, and on the packaging, and no
68 further product labeling shall be required; (7) manufacturers of
69 fluorescent lights and high-intensity discharge lamps shall meet the
70 labeling requirements of this section by labeling the product packaging
71 and placing the symbol "Hg" on each lamp; [and] (8) manufacturers of
72 medical equipment not intended for use by nonmedical personnel are
73 exempt from this section; and (9) manufacturers shall meet this
74 requirement for luminaires not sold through retail sales channels by
75 providing information on their web sites and catalogs.

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

78 (NEW) (e) Notwithstanding the provisions of section 22a-617, as
79 amended by this act, on and after July 1, 2011, no person shall offer for
80 sale or distribute for promotional purposes button cell batteries
81 containing mercury or any product containing such batteries. A
82 manufacturer that produces or sells button cell batteries containing
83 mercury or any product containing such batteries shall notify retailers
84 about the provisions of this subsection and how to dispose of the
85 remaining inventory property in accordance with this title.

86 Sec. 5. Subsection (f) of section 22a-620 of the general statutes is
87 repealed and the following is substituted in lieu thereof (*Effective July*
88 *1, 2006*):

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

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

109 (a) On or before July 1, 1999, the Commissioner of Environmental

110 Protection shall publish notice of intent to adopt regulations, in
 111 accordance with the provisions of chapter 54, to implement the set of
 112 waste management standards for thermostats containing mercury,
 113 batteries and pesticides which standards are provided in 40 CFR 273,
 114 et seq., as an alternative to regulating such wastes as otherwise
 115 provided under the Resource Conservation and Recovery Act (42 USC
 116 6901 et seq.). The commissioner shall petition the United States
 117 Environmental Protection Agency under 40 CFR 273.80, et seq., to
 118 include fluorescent lamps in such alternative program of regulation.
 119 Such regulations shall further provide for and facilitate the storage of
 120 electronic equipment for recycling and the recycling of electronic
 121 equipment.

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-196
Sec. 2	<i>July 1, 2006</i>	22a-617(a)
Sec. 3	<i>July 1, 2006</i>	22a-619(g)
Sec. 4	<i>July 1, 2006</i>	22a-616
Sec. 5	<i>July 1, 2006</i>	22a-620(f)
Sec. 6	<i>from passage</i>	22a-209i