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March 15, 2012

Senator Edward Meyer
Representative Richard Roy
Environment Committee
Room 3200, Legislative Office Building
Hartford, CT 06106

**RE: Support for SB. 93, An Act Concerning A Mercury Thermostat
Collection and Financial Incentive Program**

Dear Senator Meyer and Representative Roy:

The Product Stewardships Institute, Inc. (PSI) strongly supports SB.93. This legislation will better protect the people and environment of Connecticut from mercury pollution caused by the mishandling of old mercury thermostats.

The Product Stewardship Institute, Inc. (PSI) is a national non-profit environmental institute with membership from 47 state governments, 200 local governments, and over 75 corporate, organizational, academic, and non-U.S. government partners. The State of Connecticut has been a PSI member since 2002.

SB.93 places the primary responsibility for mercury thermostat collection where it belongs: on thermostat manufacturers. It establishes a manufacturer-financed system for education, collection, and recycling of these mercury products. These provisions are consistent with model mercury thermostat legislation developed by PSI in 2007 and now signed into law in nine states. Furthermore, SB. 93 will substantially strengthen the current voluntary system for mercury thermostat collection. That system, in place since 1998, is not working. As a consequence, more than 300 pounds of mercury is entering the waste stream each year in Connecticut.¹

Two elements of SB. 93 are particularly important: (1) the establishment of clear, mandatory collection targets and (2) the inclusion of a financial incentive which has proven in other states to be the most effective way to increase collections.

While we are fully supportive of the intent and architecture of SB. 93 we suggest the following amendments:

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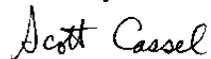
- (1) Alter section 1. (a)(1) to include manufacturers that **have sold** mercury thermostats in the past. Connecticut law prohibits the sale of new mercury thermostats, therefore the inclusion of companies that previously sold thermostats is crucial.
- (2) Explicitly place responsibility for public education and outreach should rest with the manufacturers, wholesalers, and retailers. It is not feasible to expect the Department of Energy and Environmental Protection to be able to assume this role, without requiring additional resources to effectively impliment this provision.

We also recognize that a second bill on this same subject is being considered by this committee as well, An Act Requiring the Establishment of Manufacturer Mercury Thermostat Collection And Recycling Programs (SB. 350). Our organization is concerned, however, that this bill would not go far enough to increase participation in the existing thermostat recycling program. With the exception of new reporting requirements, SB. 350 would simply formalize activities already being undertaken by the Thermostat Recycling Corporation. Unfortunately, these activities have not been sufficient to divert mercury from the waste stream. It is very unlikely that more mercury thermostats will be collected in Connecticut as a result of new legislation unless it includes a meaningful collection requirement and/or institutes a financial incentive to encourage the use of the program. SB. 93 would do both.

PSI strongly urges you to support SB. 93, an An Act Concerning a Mercury Thermostat Collection and Financial Incentive Program.

We would be very glad to provide additional information based on our experience developing thermostat recycling legislation and our network of state agencies who have first-hand knowledge of the implementation of thermostat recycling laws. If you have questions, please contact Sierra Fletcher, Director of Policy and Programs, at (617) 236-4886 or sierra@productstewardship.us.

Sincerely,



Scott Cassel
Chief Executive Officer and Founder

ⁱExtrapolating to a per capita estimation of the number of thermostats available for collection from the study funded by the Thermostat Recycling Corporation, Skumatz, Ph.D., Lisa A. *Mercury-Containing Thermostats: Estimating Inventory and Flow from Existing Residential & Commercial Buildings A Study to Meet Requirements for State of California Thermostat Recycling Legislation*. Rep. Skumatz Economic Research Associates, Inc. (SERA), 28 Dec. 2009. Web.
<http://www.dtsc.ca.gov/HazardousWaste/upload/TRCThermostat-Report-12_09.pdf>.